Chapter 8

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The Jeffersonian Era, 1800–1824

Chapter Outline

8.1 Jefferson in Power

8.1a "The Revolution of 1800"

Thomas Jefferson often referred to his presidential election victory as "the revolution of 1800," though it was hardly a revolution in the usual sense. It was, nonetheless, an important election, for it shifted national political authority toward the South and West and introduced a new emphasis on decentralized power and state sovereignty. It marked

Thomas Jefferson
Third president, principal author of the Declaration of Independence, author of the Virginia Statute for Religious Freedom, and sponsor of the Louisiana Purchase and the Lewis and Clark expedition

Sally Hemmings
Jefferson's slave mistress, with whom he had several children

Virginia Statute for Religious Freedom
1786 statute written by Thomas Jefferson that separated church and state in Virginia

Jeffersonian democracy
Democracy expanded to common men

the first successful alliance of the agrarian and urban forces that were later consolidated by President Andrew Jackson—and since it was also the first really hard-fought American political campaign, it set faction and partisanship firmly into the political process. In actual practice Jefferson did surprisingly little to erase what his predecessors had done, and there was much greater continuity from the Federalist decade into his own than appeared at first glance. Indeed, in his inaugural address he proclaimed, "We are all Republicans, we are all Federalists."

8.16 Thomas Jefferson

Thomas Jefferson, the third President of the United States and first Secretary of State, is viewed by historians as a bit of an enigma—a man of contradictions. Jefferson owned a tobacco plantation, but did not smoke. Jefferson drank little alcohol, but planted a vineyard and made wine at his Monticello estate. In a time where the rugged frontiersmen of Virginia tended to be familiar with guns and game, Jefferson did not hunt, ate little meat, and was concerned with the protection of the environment. Although Jefferson was a member of Virginia's elite class, yet he showed little respect for the position, even spending entire days in his housecoat, serving guests himself, and accepting visitors in the order that they arrived rather than in the order of importance. Jefferson was a slave owner who viewed blacks as inferior, and he favored the return of blacks to Africa. He also opposed inter-racial "mixing," yet he had sexual relations and children with at least one of his slaves, **Sally Hemmings**. Jefferson favored a balanced budget for the nation and a small military; yet he was generally known as a spendthrift in his personal life, and his personal debts usually exceeded his ability to pay them. He also violated his balanced budget principles when he borrowed $15 million from English bankers to purchase Louisiana. Jefferson believed the nation would be best served if it did not build great cities and remained a nation of small farms, yet he built a nail factory on his own plantation where he put slave children to work making nails for profit.

Authorized by Congress in 1886, the first separate Library of Congress building, the Jefferson Building, was opened to the public in 1897. (Wikimedia Commons)

Jefferson is considered one of America's "scholar-presidents," and few would doubt that he had an active and inquisitive mind. Jefferson wrote over thirty thousand personal letters in his lifetime, was very well-read, and his personal library became a major contribution to the beginnings of the Library of Congress after his death. Jefferson is also generally credited with founding the University of Virginia. Jefferson (primarily) wrote not only the Declaration of Independence but also the **Virginia Statute for Religious Freedom** in 1786, which essentially separated church and state in Virginia. Jefferson's religious views appear to lean toward Deism, as evidenced by his letter to his nephew Peter Carr in which Jefferson argues that one should "read the Bible as you would Livy or Tacitus." Jefferson also wrote his own gospel, in which he essentially assembled the words of Jesus and left out the miraculous deeds depicted in the New Testament.

Jeffersonian democracy began the long process of extending political participation to the common man. Jefferson is known as an advocate of states' rights and less government, stemming from his negative view of human nature. Jefferson believed that

government was a necessary evil that by its very nature limits freedom. In spite of these beliefs, however, Jefferson expanded the power of the national government with his purchase of Louisiana. Jefferson espoused a strict interpretation of the Constitution and therefore opposed the Bank of the United States because the Constitution mentions nothing specifically about a bank, even though the power to purchase territory—as Jefferson did with the **Louisiana Purchase**—is not mentioned in the Constitution either.

Finally, Thomas Jefferson is credited with forming the first democratic opposition party, the Democratic-Republicans, counter to the policies of John Adams and Alexander Hamilton—though Jefferson himself denounced political parties. Jefferson's party would be so successful that it would dominate American politics for decades and eventually morph into the Democratic Party as it exists in the twenty-first century.

Louisiana Purchase
The land between the Mississippi River and the Rocky Mountains purchased by the United States from France in 1803

Barbary Wars
Wars on the Mediterranean between the United States and Barbary pirates in the early nineteenth century

Stephen Decatur
America's patriotic hero of the war with the Barbary pirates

8.1c Conflict with the Barbary Corsairs

Jefferson's administration had hardly caught its breath before it was plunged into a vortex of swift-moving foreign affairs. The president's first problem involved the depredations of pirates from the Barbary states of North Africa (Tunis, Algiers, Morocco, and Tripoli), who had been preying on Mediterranean commerce for a quarter century—both enslaving seamen and levying tribute on shipping. During their administrations, Washington and Adams had paid out more than $2 million in ransom and bribes to the Barbary potentates, and Jefferson was determined to end the affair. Then the pirates announced an increase in the bounty. Jefferson refused to pay the increase; Tripoli responded by declaring war on the United States, launching what became known as the **Barbary Wars**. Tripoli captured an American ship, the USS *Philadelphia*, and in 1803 the United States responded. Jefferson dispatched to the Mediterranean four naval squadrons led by **Stephen Decatur**, who reclaimed the *Philadelphia* and in a series of brilliant actions finally forced some of the pirate states to sue for peace. Decatur quickly became an American hero and was famous for his unrestrained patriotism, exemplified by his statement, "My country right or wrong, but may she always be right."

Under a treaty signed in 1805, the U.S. agreed that it would continue to pay a bounty to the pirates, but at the previous, lower price. The U.S. also agreed to pay a ransom for the return of some captured U.S. seamen, and the pirates agreed to allow the U.S. unmolested passage in the Mediterranean. The U.S. Navy remained in the Mediterranean to protect American shipping, but was recalled in 1807 by President Jefferson due to conflict with Britain. All of the bounties were not ended until 1815, when Algiers declared war on the U.S. and resumed disruption of American shipping. The U.S. Navy returned to the Mediterranean and with help from European navies finally defeated the pirates and ended the payment of tributes and piracy.

Lieutenant Stephen Decatur reclaimed the USS Philadelphia *from the Tripolitan pirates and burned her in the harbor. Decatur became an American hero, famous for his unrestrained patriotism. (Wikimedia Commons)*

8.1d The Purchase of Louisiana

In 1801 Napoleon Bonaparte recovered the territory of Louisiana, lost by France to Spain in 1763. Jefferson recognized the potential danger posed by this sudden shift in ownership of half the American continent from impotent Spain to imperial France. The United States could not afford to have New Orleans possessed by a foreign power. Jefferson wrote that whoever controlled New Orleans was "our natural and habitual enemy." Jefferson was a believer in Manifest Destiny and favored the expansion of the United States across the continent. French control of Louisiana was therefore counter to Jefferson's long-term goals. Jefferson reacted to the news of French ownership of Louisiana by securing the authorization for fifteen gunboats to patrol the Mississippi and the federalization of eighty thousand state militiamen for duty along the Mississippi. Jefferson also declared that "the day that France takes possession of New Orleans, we must marry ourselves to the British Navy." Jefferson's actions were, in actuality, little more than "saber rattling"—but the French well understood that they could not control the vast territory of Louisiana, and might be unable to prevent the United States from taking it by force.

James Monroe
Fifth president of the United States, elected in 1816

In March 1801, Napoleon resumed war against England and could ill-afford to spare troops for the defense of Louisiana in North America. Napoleon had amassed an army for that purpose, but it had never made it to the New World because it was iced-in at port in the Netherlands for the winter of 1802–1803. Moreover, Napoleon had tried to reconquer Haiti (then called Saint-Domingue)—which had been lost to France after a rebellion of black slaves led by Toussaint L'Ouverture in 1793—but the venture had not been a success; and Napoleon was eager to cut his losses on the western side of the Atlantic. In 1802, a slave rebellion in Saint-Domingue cost Napoleon twenty-four thousand French soldiers, most of whom died from yellow fever. Despite the presence of fifty thousand French troops in Saint-Domingue, Napoleon's General Victor Leclerc suggested that seventy thousand more troops were needed and that every slave over 12 years of age had to be killed in order to quell the rebellion. Napoleon therefore gave up Saint-Domingue for lost in 1803, proclaiming, "Damn sugar, damn coffee, damn colonies."

In 1801, Napoleon Bonaparte recovered the territory of Louisiana for France. Thomas Jefferson sent James Monroe to negotiate purchasing New Orleans. Monroe returned having purchased New Orleans and the Louisiana Territory for $15 million. (Wikimedia Commons)

As Napoleon searched for solutions to his problems in the Western Hemisphere, Jefferson sent **James Monroe** to Paris to assist American minister to France Robert Livingston in discussing the possible purchase of New Orleans, and east and west Florida (the coastal bend between Baton Rouge and Pensacola). It was either buy now, Jefferson said, or fight for it later. Jefferson privately authorized Monroe to offer as much as $10 million for New Orleans and the Floridas. If France should refuse to negotiate, Monroe was instructed to depart to England and negotiate an alliance with the British (the type of Anglo-American alliance against France that the French greatly feared). The French emperor therefore decided to sell, and the French foreign minister, Talleyrand, asked Livingston if the U.S. would like to own all of Louisiana rather than just New Orleans. Two days later, Monroe arrived in Paris; and Livingston and Monroe agreed that the U.S. should buy all of Louisiana—even though they lacked the explicit authority to commit the U.S. to such an agreement. The United States offered to purchase the Louisiana territory and west Florida

Map 8.1 American Explorations of the Far West

in April 1803 for $15 million. France accepted the American offer, and the agreement was signed on May 2, 1803. The purchase was financed by Baring Brothers of London.

Jefferson, though overjoyed at the bargain, was embarrassed by the fact that nowhere in the Constitution could he find presidential authority to purchase territory. He finally accepted Madison's view that the purchase could be made under a somewhat elastic interpretation of the treaty-making power—a view he had earlier rejected. Jefferson argued to the Senate that "strict observance to higher law was one of the high duties of a good citizen, but not the highest. The laws of necessity and of self-preservation when a country is in danger are of a higher obligation." The brilliance of the maneuver obscured the constitutional question involved, but the "strict constructionist" doctrine (that the government is limited to powers specifically stated in the Constitution) was never the same again since its most celebrated proponent had abandoned the principle when it became expedient.

The agreement was also problematic in that Spain claimed that, under the provisions of an earlier treaty, Louisiana was rightfully theirs because France had agreed that Louisiana could not fall to a third power when Spain transferred ownership of Louisiana to France. Furthermore, it was unclear whether or not the purchase included west Florida (Spain argued that it did not). Jefferson had also declared all of the inhabitants of Louisiana to be U.S. citizens, a power that is not granted to the president by the Constitution, once again contradicting Jefferson's own preference for a strict interpretation of the Constitution. It was also unclear at the time whether all of the residents of Louisiana, many of whom were of French heritage, would accept U.S. citizenship or control, placing the U.S. in a position similar to that of England when the British took control of French Canada.

Whatever its constitutionality, the Louisiana Purchase was one of the most important presidential decisions in American history. With one stroke, the United States became a continental power, master of the continent's navigation system, and owner of vast new resources that promised greater (and perhaps final) economic independence from Europe. The purchase also put an end to the likelihood that the American West could ever be split from the East Coast, and set a precedent for future territorial expansion.

James Madison
Secretary of state under Thomas Jefferson and fourth president of the United States

War on the judiciary
Jefferson's conflict with the Federalist Supreme Court of John Marshall

8.1e The Problems of Political Patronage

In addition to the need for keeping a watchful eye on Europe and the Mediterranean, Jefferson had political problems at home. His cabinet, a particularly able group, included **James Madison** of Virginia as secretary of state and the brilliant Swiss from Pennsylvania, Albert Gallatin, as secretary of the treasury. Quite aware of the utility of patronage, Jefferson quietly replaced Federalist appointments with his own; thus before the close of his first term, he had responsible Democratic-Republicans in most positions of importance.

One of his thorniest problems, however, was that of the so-called "midnight judges" appointed by John Adams under the Judiciary Act of 1801. The act reduced the number of Supreme Court justices to five, created sixteen new circuit courts, and added a number of federal marshals and other officials. About a month before Jefferson's inauguration, Adams had nominated Secretary of State John Marshall as chief justice of the Supreme Court. Then, on the eve of the inauguration, Adams filled many of the new judicial posts with solid Federalist Party men—and under the Constitution (then as well as now) federal judges are appointed for life.

John Marshall was a stalwart Federalist, but beyond that he was a convinced nationalist who believed that the Constitution was the most sacred of all documents, "framed for ages to come … designed to approach immortality as nearly as human institutions can approach it." He did not trust the Jeffersonians, and he entered the Court determined that none should play fast and loose with the Constitution so long as he could prevent it.

8.1f Jefferson versus Marshall

Jefferson was sure that Marshall, that "crafty chief judge," would set as many obstacles as he could in the administration's path and that the "midnight judges" would undoubtedly follow his lead. In 1802, Jefferson launched what historians call the **war on the judiciary** when he

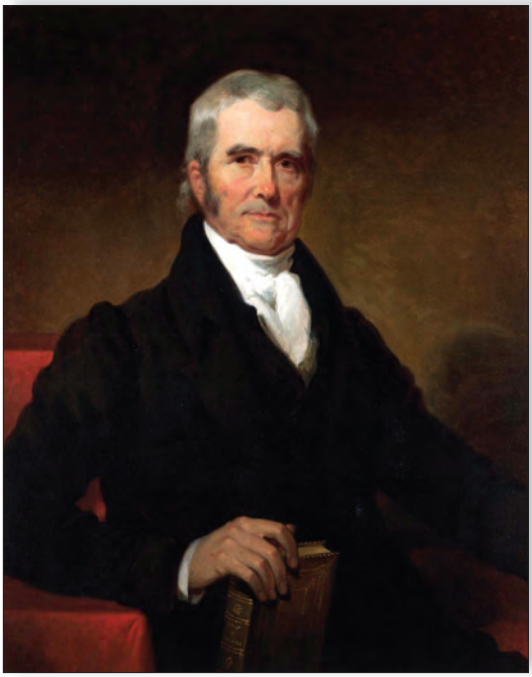
Marbury v. Madison
Case where the Supreme Court asserted its right to judicial review

Chief Justice John Marshall
Chief Justice of the United States from 1801–1835

persuaded Congress to repeal the Judiciary Act of 1801; all of Adams' judges were left without salaries or duties. This, the Federalists claimed, was unconstitutional.

To test the constitutionality of Congress' repeal, William Marbury (one of the "midnight" appointments) asked Secretary of State Madison to give him his commission as justice of the peace of the District of Columbia. Madison refused, so Marbury petitioned the Supreme Court for a writ of mandamus ordering Madison to do so. In what became the case of ***Marbury v. Madison***, **Chief Justice John Marshall** was presented with a problem: Although he desired to order Madison to deliver Marbury his commission as a federal judge, he knew that Madison would not do so if he (Marshall) issued such a ruling—and that the Court would lose prestige if it was seen that the president and secretary of state could ignore its rulings. Marshall found an out, however, that the Constitution established very limited jurisdiction for the Supreme Court; under the Constitution alone, the Court did not have jurisdiction in the case. The Judiciary Act of 1789 had expanded the Court's jurisdiction to include cases such as the petition filed by William Marbury, however. Marshall therefore ruled that the Judiciary Act of 1789, which gave the Court jurisdiction, was unconstitutional since it conflicted with the jurisdiction for the Court spelled out in the Constitution. In doing so, Marshall removed himself from the case because the Court did not have jurisdiction. By declaring part of an act of Congress to be unconstitutional, Chief Justice Marshall had just established the power of judicial review (the power of the courts to determine the constitutionality of statutes and actions).

The Constitution, wrote Marshall, is "the *supreme* law of the land, superior to any ordinary act of the legislative." "A legislative act contrary to the Constitution is not law," Marshall went on, "it is the province and duty of the judicial department to say what the law is." In saying this, Marshall had seized for the Court a power that had not been specifically granted to it in the Constitution—and thus elevated the judicial branch to coequal status with the legislative branch and the executive. William Marbury did not get his commission as a federal judge, but that was beside the point. Jefferson may have successfully derailed the "midnight judges," but the Court had taken for itself a far more important power.



Chief Justice John Marshall's court opinions helped lay the basis for American constitutional law and assumed the Court power to overrule Congress. Marshall was also the longest-serving chief justice of the United States. (Wikimedia Commons)

The Jefferson administration then launched an attack directly on the Federalist-dominated judiciary itself, at one point leading Congress to cut off funding for the Court and effectively closing it for a year. Jefferson and the Democratic-Republican Congress then began using the constitutional power of impeachment for "high crimes and misdemeanors" against Federalist judges. The first target was John Pickering of the New Hampshire district court, who was apparently both insane and suffering from alcoholism. Pickering was impeached by the House, judged guilty by the Senate, and removed from office. Next, in 1804, the Democratic-Republicans picked Associate Justice Samuel Chase of the Supreme Court, a violently partisan Federalist who had presided over several trials of Jeffersonian editors under the Sedition Act of 1798. In 1805, when the Senate decided it could not convict Chase, Jefferson conceded that impeachment was ineffective as a political weapon. Congress gradually created a series of new judgeships and filled them with Democratic-Republicans.

8.19 Marshall and Constitutional Law

Jefferson's differences with Marshall were temporarily settled, but Marshall's long tenure as chief justice was a most important influence on the rapid growth of the power of the federal government over the next three decades. Marshall served on the Court from 1801 to 1835, participated in more than a thousand opinions and decisions, and wrote some five hundred opinions himself. Whenever opportunity presented itself, as it often did, Marshall strove to affirm two principles: that the Supreme Court possessed the power to nullify state laws that were in conflict with the Constitution and that

the Court alone had the right to interpret the Constitution, especially in regard to such broad grants of authority as might be contained in terms such as *commerce, general welfare, necessary and proper,* and so on. His opinion did not always become the final verdict on constitutional issues; however, the consistency of his attitudes, carried over an entire generation of legal interpretations, had much to do with the shaping of American constitutional law. Marshall's principles of judicial review and the broad interpretation of the necessary and proper clause of the Constitution, along with his affirmation of the supremacy of the Constitution and the national government in its sphere, remain cornerstones of constitutional law through the present.

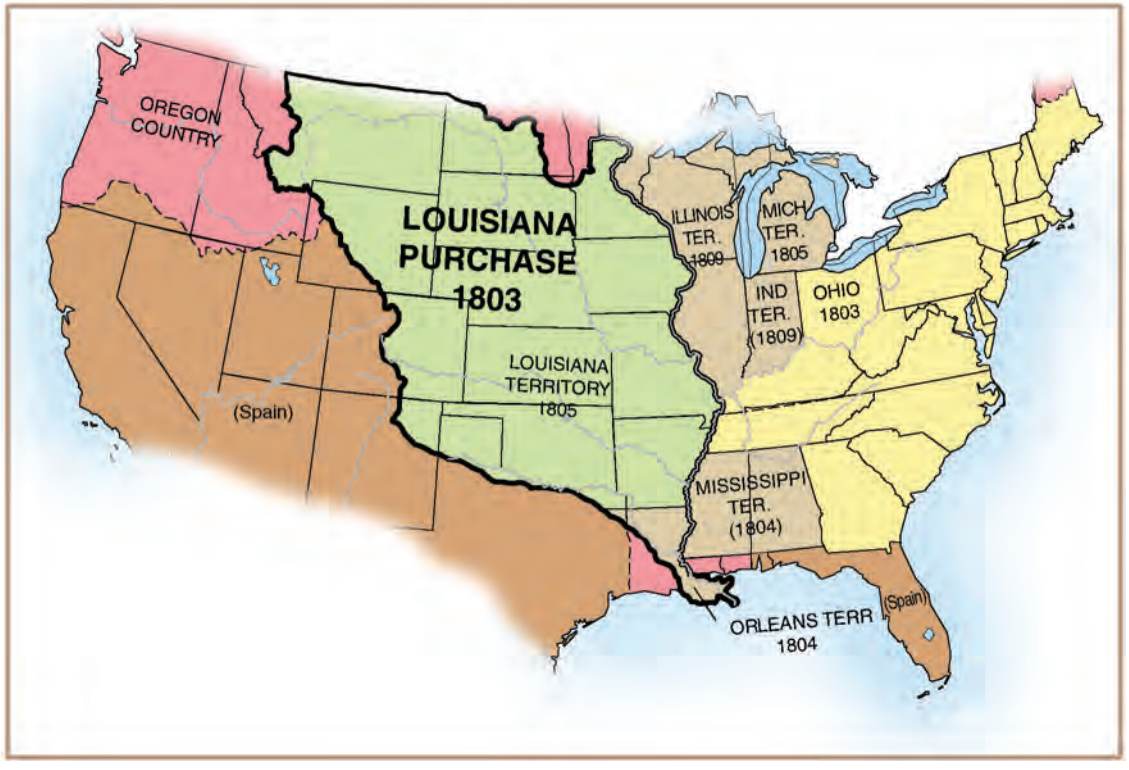
Lewis and Clark expedition
Expedition from Missouri to the Pacific led by Meriwether Lewis and William Clark, 1804–1806

8.1h Opening the West

After the Louisiana Purchase, there was great anxiety to find out about what the nation had bought, more or less, sight unseen. Jefferson, a respected scientist in addition to his many other achievements, had already made plans for the exploration of these newly acquired lands and persuaded Congress to finance an expedition up the Missouri River, across the Rocky Mountains, and if possible on to the Pacific. To lead it, Jefferson chose his private secretary, a young Virginian named Meriwether Lewis, and William Clark, brother of George Rogers Clark, the frontier soldier. Congress appropriated $2,500 for an expedition that eventually cost $38,000. The mission itself was political, scientific, and commercial, as Lewis and Clark were charged with making note of the landscape, finding natives with whom the U.S. could engage in profitable trade, and finding plants and animals that could be useful.

In the spring of 1804, Lewis and Clark's party of forty-eight (including several scientists) left St. Louis for the West. In one fifty-five foot keel boat and two pirogues (dugout canoes), the **Lewis and Clark expedition** went forth—mapping, gathering specimens of plants and animals, collecting data on soil and weather, and observing every pertinent detail that they could of the new country. They journeyed up the Missouri River and wintered in the Dakotas with the Mandan Indians, who welcomed the expedition for their usefulness as a security measure against their rivals, the Sioux Indians. The expedition

Map 8.2 Territorial Growth (1810)



Charbonneau and Sacajawea
French trader and his Native American wife who acted as interpreters for Lewis and Clark

experienced tragedy when Sergeant Charles Floyd perished at Council Bluffs from appendicitis, the only death on the expedition.

Lewis and Clark were aided on their journey by a French fur trader, Toussaint Charbonneau, and his Shoshone Indian wife, Sacajawea. **Charbonneau and Sacajawea** served as language interpreters, rather than guides, since they did not know the way across the Rocky Mountains to the Pacific. Sacajawea was probably about 15 years old at the time and had been kidnapped in her youth by another Native American tribe, kept as a slave, and then sold as a wife to Charbonneau. Sacajawea's presence with the expedition may have been most helpful, in that other tribes viewed the presence of a woman as an indication that Lewis and Clark's group was not a war party. Sacajawea also may have saved the entire expedition from annihilation when Shoshone warriors aborted what appeared to be a staged attack because they recognized Sacajawea as a family member who had been kidnapped six years prior. Nevertheless, Lewis and Clark were unable to avoid problems with all native tribes along the way. On the return trip, one Blackfoot Indian was stabbed while attempting to steal a gun, and another was shot by Lewis for stealing a horse. As a consequence, the expedition traveled sixty miles, nonstop, over the next three days to escape the pursuing American Indians.

Lewis and Clark crossed the Rockies and followed the Columbia River to the Pacific, catching their first glimpse of the ocean in November 1805. In the Columbia River valley, Lewis and Clark encountered the Clatsop and Chinook Indians, who were very poor tribes that made their existence by spear fishing in the river. The males in these tribes were all blind by age 30, their retinas burned by the sun's reflection on the river. Lewis administered laudanum, an opiate, to the American Indians. Although Lewis wrote that the American Indians were not cured, he also stated that they "felt much better." Lewis, himself, would eventually become addicted to laudanum as a result of a wound he suffered on the expedition. Lewis and Peter Cruzatte went elk hunting wearing elkskins, and Cruzatte—whose vision was impaired by the fact that he had only one eye—accidentally mistook Lewis for an elk and shot him in the buttocks. Lewis took laudanum for the pain and developed an addiction that would plague him the rest of his life.

By autumn of 1806, the expedition was back in St. Louis. What they brought back was both scientific data and vivid accounts that fed the imagination of their fellow Americans, then and since. Lewis and Clark also returned with dozens of plant and animal species, including two bear cubs that President Jefferson kept in a pit on the White House lawn. In addition, the explorers made detailed and accurate drawings of other wildlife as well as accurate maps of the Missouri River.

Lewis and Clark became national heroes. Clark was appointed governor of Missouri and died of natural causes in 1838 at the age of 68. Meriwether Lewis was appointed governor of Louisiana. Addicted to alcohol and drugs, Lewis committed suicide in 1809 when he shot himself in the head and chest, at age 35. When servants arrived at his room, they found him cutting himself head to toe with a razor. Lewis stated to his servant, "I am so strong, it is hard to die."

At almost the same time, a party under Lieutenant Zebulon Pike was exploring the upper Mississippi River and the mid-Rockies—but Pike's expedition was less successful than that of Lewis and Clark because he did not keep accurate records. Nevertheless, Pike's Peak, perhaps the most famous mountain in Colorado, still bears his name. Other explorations followed, and the Louisiana Territory was soon organized on the pattern of the Northwest Ordinance of 1787 (its first state, Louisiana, entered the Union in 1812). The West was no longer a dream but a reality.

8.1i The Essex Junto

The prospect of more states being carved out of the wide new West greatly disturbed Federalist Party leaders. Ohio entered the Union in 1803, a soundly Democratic-Republican state. The probability that all the new states from the Northwest Territory, plus all those to be developed from the Louisiana Purchase, might lean politically toward the Jeffersonians was profoundly worrisome. United only in their common hostility toward the president, the Federalists had neither an issue nor a leader to counter his popularity and had little chance of finding either.

The gloom was especially thick in New England, so much so that a small number of Federalists (nicknamed the **Essex Junto**) explored the possibilities of persuading the five New England states, plus New York and New Jersey, to secede from the Union to form a separate Federalist republic—a "Northern Confederacy," said Senator Timothy Pickering of Massachusetts, "exempt from the corrupt and corrupting influence and oppression of the aristocratic democrats of the South."

Alexander Hamilton of New York showed no inclination to join them, so the New Englanders approached **Aaron Burr**. Since Burr felt it unlikely that he would be nominated for vice president again, he consented to run for the governorship of New York, an office from which he might lead a secession movement.

Hamilton disliked the Jeffersonians but he considered Burr a dangerous man and campaigned against him. After Burr lost, he challenged Hamilton to a duel in July 1804—on the basis of certain slurs on Burr's character reported in the press (Hamilton had accused Burr of incest with his daughter, while Burr had accused Hamilton of adultery with his sister-in-law)—and killed him with the same gun that had been used to kill Hamilton's son Philip in a similar duel.

Alexander Hamilton died as he had lived, a controversial man who aroused strong feelings. His blunt distrust of "King Mob" and his frank preference for British-style constitutionalism had never endeared him to the public, but the leadership he provided for the country during the crucial postwar years had much to do with its successful transition from a provincial philosophy to a federal one. Above all, he had a rare ability to think in large terms about what it would take to create a powerful national economy. Thus, he made an invaluable contribution when it mattered most.

The duel ruined Burr's reputation and helped to complete the eclipse of the Federalist Party. Yet Burr himself was not quite finished. After the Democratic-Republicans passed him over as their vice-presidential candidate in 1804 in favor of George Clinton of New York, he apparently entered into a scheme to carve a great empire of his own out of the American West—a conspiracy that ended with his trial for treason in 1807. In 1806, Burr and General James Wilkinson, then governor of Louisiana, organized a force of about eighty men on Blennerhassett Island on the Ohio River for the purpose of militarily taking New Orleans from the United States. Wilkinson betrayed Burr to Jefferson, who issued a proclamation warning the nation and calling for Burr's arrest. Burr was brought to Richmond, in Jefferson's home state. Jefferson's nemesis, John Marshall, tainted the trial with instructions to the jury that were so narrow that Burr's attempt to militarily seize New Orleans from the U.S. did not fall under Marshall's definition of treason. Marshall stated to the jury that "organizing a military assemblage … is not a levying of war." Furthermore, Marshall stated that "to advise or procure treason, is not treason itself." Jefferson, however, also tainted the trial by offering a pardon to any Burr associate who would testify against him.

Although Burr was acquitted, thanks to Marshall's narrow instructions to the jury, everyone drawn into his plan was ruined; and Burr was forced to flee to England to escape further prosecution for Hamilton's death and additional charges of treason in six states. Burr would eventually return to the U.S. in his old age, where he fathered two illegitimate children in his 70's and was divorced by his wife at age 80 on the grounds of adultery. Meanwhile, the Federalist Party approached the election of 1804 with its brilliant leader dead, its reputation tarnished, and neither candidates nor issues of any public value.

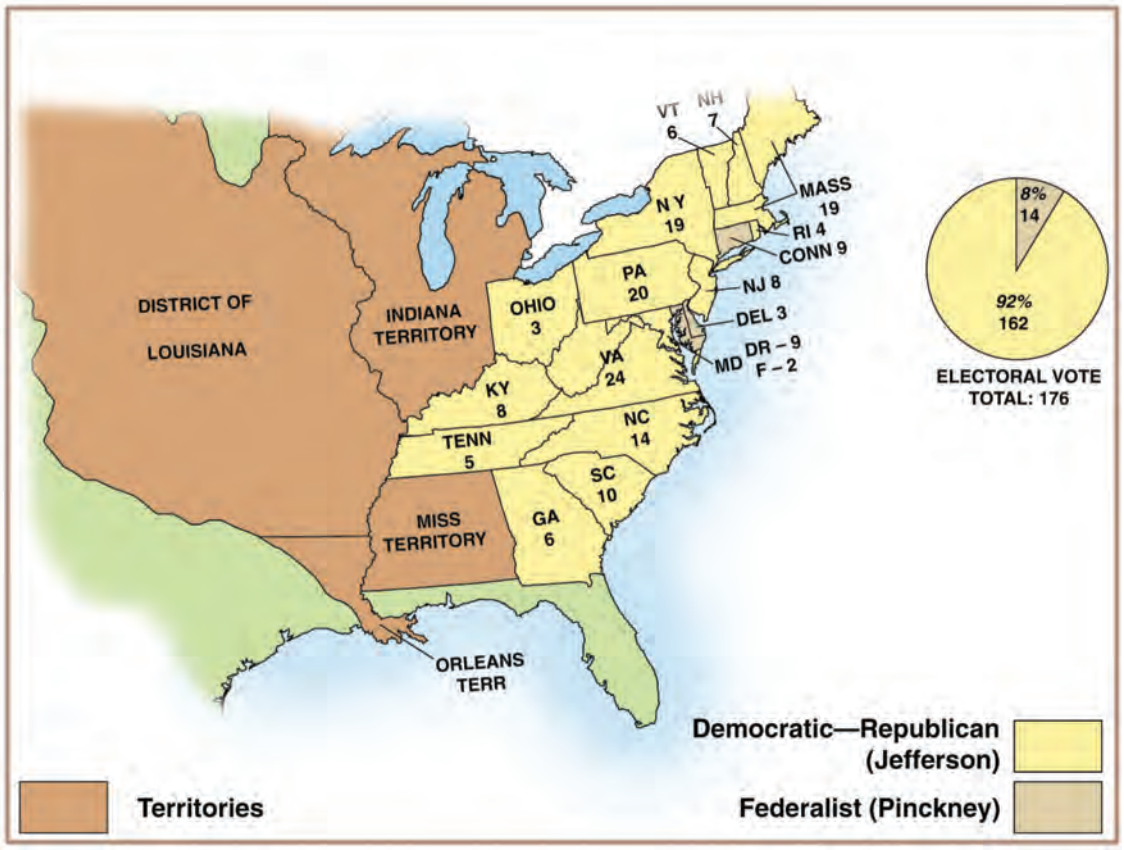
Essex Junto
A group of Federalists who attempted to persuade the New England states to secede

Aaron Burr
Running mate of Thomas Jefferson in 1800, slayer of Alexander Hamilton in 1804, and leader of insurrection conspiracy in New Orleans in 1806

8.1j The Election of 1804

The election of 1804 was very nearly no contest. The Democratic-Republican caucus nominated Jefferson for a second time, with George Clinton of New York as his running mate. The Federalists ran the reliable Charles Cotesworth Pinckney and Rufus King of New York. Jefferson carried every state except Connecticut and Delaware, garnering 162 of the total 176 electoral votes and sweeping in an overwhelmingly Democratic-Republican Congress with him.

Map 8.3 Presidential Election of 1804



Jefferson's first administration ended on a high note of success. As John Randolph said later, the United States was "in the 'full tide of successful experiment.' Taxes repealed; the public debt amply provided for, both principal and interest; sinecures abolished; Louisiana acquired; public confidence unbounded." Unfortunately, it could not last.

8.2 America and the Woes of Europe

8.2a Neutrality in a World at War

Napoleon Bonaparte loomed large in the future of both America and Europe. Jefferson did not like him; to Jefferson and many other Americans, France was still the country of Lafayette, Rochambeau, De Grasse, and the great French philosophers of the Enlightenment. Against Napoleon stood England, whose aim Jefferson believed was "the permanent domination of the ocean and the monopoly of the trade of the world." He did not want war with either, nor did he wish to give aid to either in the war that flamed up between them in 1803.

It would be an oversimplification, of course, to assume that American foreign policy of the period was governed primarily by a like or dislike of France or England. The objectives of Jefferson's foreign policy, like those of Washington and Adams, were first, to protect American independence and second, to maintain as much diplomatic flexibility as possible without irrevocable commitment to any nation.

In the European power struggle between England and France that developed after 1790, Jefferson saw great advantages to the United States in playing one against the other without being drawn into the orbit of either. An American friendship with France would form a useful counterbalance against the influence of Britain and Spain, the chief colonial powers in North and South America. A British and Spanish defeat might well mean the end of their American empires.

Pictured is Emperor Napoleon Bonaparte at the Battle of Austerlitz in 1805. (Wikimedia Commons)

At the same time, Jefferson did not want to tie America's future to the fortunes of Napoleon, who might be an even greater threat to American freedom if he won. The wisest policy, therefore, lay in neutrality toward all and trade with anyone—or as the British wryly put it, America's best hope was "to gain fortune from Europe's misfortune."

America's major gain during the European war stemmed from American misuse of a naval doctrine known as the **doctrine of the "broken voyage."** Under this doctrine, if merchant ships broke a voyage from French or Spanish islands in the Caribbean by paying duties in an American port, the status of the cargo changed to American. Given that the U.S. was neutral in the war, the cargo shipped under American flags was not legally subject to seizure by the warring nations. As a result, a "re-export" business boomed in the U.S. In 1806 alone, the U.S. exported forty-seven million pounds of coffee, none of which was grown in the U.S.

Maintaining neutrality was as difficult for Jefferson as it had been for Washington and Adams before him. The British navy ruled the seas, and Napoleon, after the Battle of Austerlitz in 1805, ruled Europe. The war remained a stalemate while the two countries engaged in a battle of proclamations over wartime naval commerce. Each side set up a blockade of the other's ports. The British argued that the American **re-export business** was illegal because the U.S. often rebated 90 percent of the duties paid by a foreign power in its ports. As a consequence, the British argued that the voyages were not "broken" but rather "continuous"—and therefore subject to seizure by the British. The British stationed their warships near U.S. ports and then forced American ships carrying French and Spanish re-exports to Canada for trial in a British admiralty court where the cargo would be confiscated by the British.

In 1803, the British also angered the Americans by returning to their policy of **impressment** in an effort to meet the demand for sailors caused by the war against France. The demand for sailors was caused not only by the war but also by a high desertion rate (2,500 per year) among British sailors. Many of the deserters found work on American merchant ships, as American merchants were pleased to hire professionally trained sailors. The British, therefore, began stopping American ships and impressing sailors who could not prove American citizenship. The British seized over ten thousand men from American ships between 1803 and 1812, though 3,800 were released after they proved their American citizenship.

To make matters worse, the British did not recognize American naturalized citizens. England claimed that all persons born in England were forever English citizens—even if they had become recognized as naturalized citizens by the U.S. Americans exacerbated the situation by forging naturalization papers. In the words of Britain's Lord Vincent, "Every Englishman may be made an American for a dollar."

Doctrine of the "broken voyage"
If a ship traveling from one country to another interrupted its voyage by stopping in the port of a third country and paid a duty in the port of that third country, the ship's cargo changed its status to belonging to the third country.

Re-export business
Goods brought into an American port from a foreign port, and then "re-exported" from the American port to a different foreign port after the country of origination paid a duty

Impressment
The British practice of forcing British citizens into service in the Royal Navy

Orders in Council
Orders from the English King's Privy Council proclaiming a blockade of Europe

USS *Chesapeake*
Navy ship fired upon by the HMS *Leopard*

Embargo of 1807–1808
An act of Congress placing an embargo on all American exports to Europe

8.2b The British at Sea

In 1806, the British announced the first of a series of **Orders in Council** (orders from the King's Privy Council) that proclaimed a blockade of Europe. Napoleon retaliated with the Berlin Decree, which declared all British ports closed. The result was that the U.S. was caught between two warring nations, and American vessels were liable to confiscation by either one if they obeyed the rules of the other.

Finally, in the summer of 1807, the British warship *Leopard* stopped the United States navy's ***Chesapeake*** (a warship, not a merchant vessel), killed or wounded twenty-one men, and impressed four sailors (three of whom were Americans). The British sailor, Jenkin Ratford, was hanged; the three Americans languished in a British prison. The British action was an act of war under international law, as well as an insult to American honor. America burst out in a great roar of rage. Had Congress been in session, it almost certainly would have declared war on the spot; but Jefferson held his temper, demanded apologies and reparations, and ordered British ships out of American waters to prevent further incidents. Jefferson understood America's naval inferiority at the time and viewed nonmilitary options as preferable. Though the British apologized, they also reaffirmed their right to search American ships and seize deserters. The *Leopard-Chesapeake* affair rankled in American minds for years and had much to do with the drift toward war with Britain in 1812.

8.2c The "Obnoxious Embargo"

Jefferson and Secretary of State Madison bent every effort to avoid provocation that might lead to war. There were only two choices: war or some kind of economic substitute. The easier choice would have been war, for which Jefferson could have obtained public and congressional support. Instead he chose peace, pinning his hopes on "peaceful coercion," as he called it, by means of a boycott of British goods, and a set of nonimportation acts that Congress passed in 1806 and 1807.

Neither was sufficiently effective to do much good, however. As the situation between the two nations steadily deteriorated, Jefferson asked Congress for a full-scale embargo, a logical move since Britain needed American trade, especially foodstuffs, in increasing quantities as the war in Europe progressed. In late 1807 Congress passed the Embargo Act, which forbade American ships to leave the United States for any foreign port or even to engage in the American coastal trade without posting a heavy bond. Jefferson hoped that **Embargo of 1807–1808** would do two things: first, that it would discourage the British from seizing American ships and sailors and force them to greater regard for American rights; second, that it would encourage the growth of American industry by cutting off British imports.

England suffered shortages, but not enough to matter; France approved of the embargo since it helped at second hand to enforce Napoleon's own blockade of England. Meanwhile, American ships rotted at anchor along the eastern seaboard. Shipping merchants went bankrupt, and American farm surpluses piled up. In New York, one traveler wrote, "The streets near the waterside were almost deserted. The grass had begun to grow upon the wharves." American exports dropped 80 percent in 1808, and British exports to the U.S. dropped 50 percent. The negative impact of the Embargo Act on the American economy was exacerbated by the fact that the export business was the fastest growing segment of the American economy.

While the shipping interests suffered, however, New England and the Middle Atlantic port states did begin a transition to manufacturing that was soon to change their economic complexion. With foreign competition removed, capital previously invested in overseas trade was available for new factories and mills, which sprang up in profusion along the seaboard. These economic benefits, however, were difficult to see in the midst of the paralyzing effects of the embargo. American merchants in New England circumvented the act by smuggling goods into Canada and then "re-exporting" the goods to England. Some New Englanders even talked of secession, and violators of the Embargo Act were often found "not guilty" by New England jurors sympathetic to the smugglers. Jefferson was vociferously condemned in the taverns and counting houses, and finally

Congress repealed the Embargo Act. On March 1, 1809, three days before his successor Madison took office, Jefferson reluctantly signed the bill.

The end of Jefferson's second term came during the bitterest disputes over the embargo; and the president, who had wished for some time to retire to his beloved Monticello, was relieved to continue Washington's two-term precedent and announced his retirement. His eight years in the presidency, begun in such high confidence, ended on a much more equivocal note. Ironically, Jefferson, the believer in decentralized government, found himself (under the Embargo) wielding more power over American life than any Federalist would have dreamed. Though a believer in states' rights, he had coerced the New England states into an economic boycott that hurt their commerce badly.

Non-Intercourse Act
Act of Congress opening trade to all countries except England and France, but providing that trade would be opened to one or the other if that country would recognize American rights at sea

8.2d The Election of 1808

Jefferson trusted and admired James Madison and easily secured the Democratic-Republican nomination for him. The Federalists nominated the tireless Charles Cotesworth Pinckney, yet again. In spite of the embargo and divided Democratic-Republican sentiment, Madison won by 122 to 47 electoral votes.

James Madison, far from being a mere, graceful shadow of Jefferson, was very much his own man. His role in the formation of the Democratic-Republican Party was a decisive one, and the political philosophy of the Jeffersonian group owed much to his thinking. Madison wrote a number of the *Federalist Papers*, and without his persuasive arguments the Constitution might never have been ratified. Madison also took notes at the Constitutional Convention so that future generations would know what actually went on in Philadelphia that summer—though at the time the proceedings were kept secret so as to foster free and open debate. In addition, Madison is considered to be the principal author of the Bill of Rights, and the Constitution itself may reflect Madison's ideas as much as anyone's. In fact, the American system of government—with federalism, separation of powers, checks and balances, and multiple restrictions on concentrated power—is often referred to as the "Madisonian model." Madison, however, did not view the Constitution as sacred or perfect, and instead termed it as a political compromise that reflected the best that the men at the convention could forge together at the time. If changes to the Constitution would be expedient in the future to ensure better governance, Madison would expect the Constitution to be changed.

James Madison, who also wrote several of the Federalist Papers, *won the election of 1808 by a landslide. (Wikimedia Commons)*

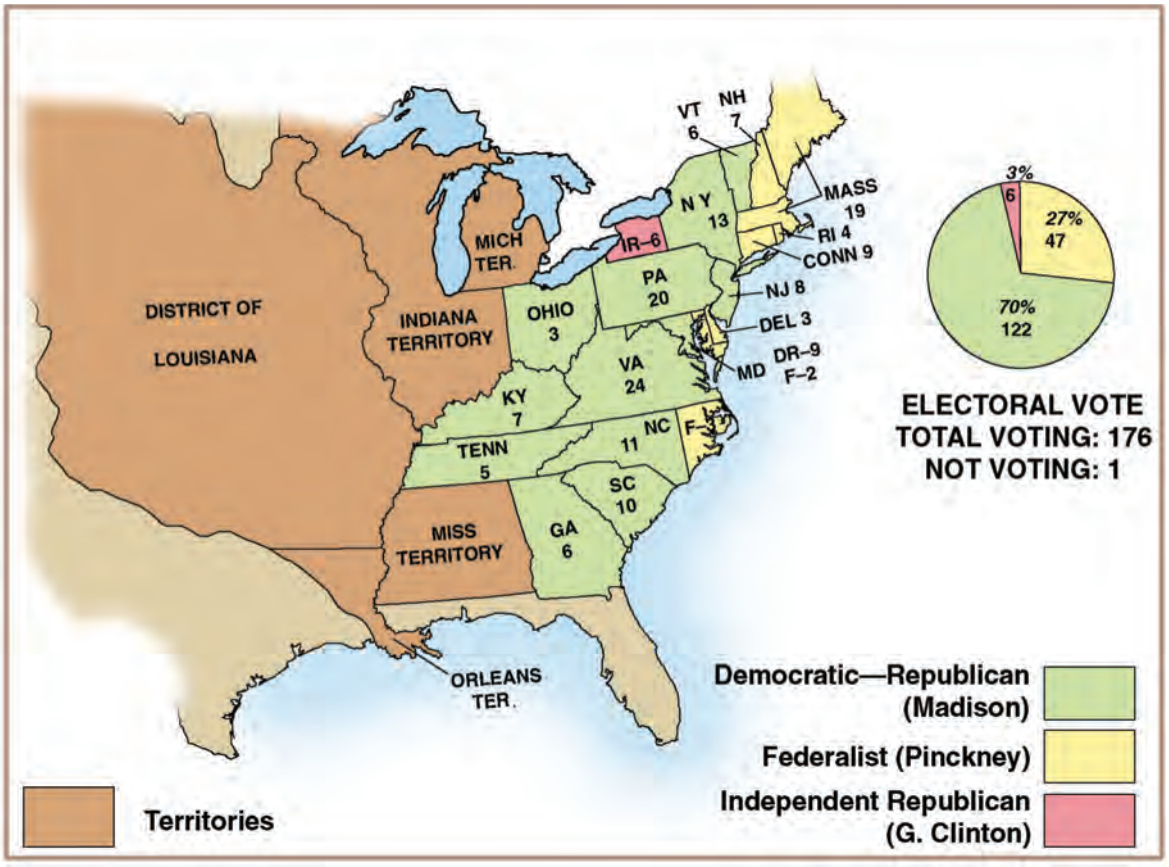
8.2e The Drift to War

Madison was an astute practitioner of politics as well as a profound student of it. But when he succeeded Jefferson, he inherited a large bundle of thorny problems. The **Non-Intercourse Act**, with which Madison replaced the Embargo Act in 1809, allowed American ships to trade with any nations except France and England. The act also provided that the U.S. would resume trade with Britain or France if either would respect freedom of the seas. The Non-Intercourse Act was ineffective at remedying the economic problems, however, because the vast majority of American trade had been with England and France. Furthermore, the Non-Intercourse Act was unenforceable, in that no one could prevent ships from actually sailing to France or England once they had left American ports. When France began confiscating American cargo and seizing and imprisoning American sailors, Congress followed the Non-Intercourse Act with Macon's Bill No. 2 (named after the chairman of the House Foreign Affairs Committee), which relieved American shipping from all restrictions while ordering British and French naval vessels out of American waters. The bill stipulated, however, that if either Britain or France would recognize American rights at sea, the U.S. would reinstate the Non-Intercourse Act against the other.

The battle of the USS President, *an American ship, and* Little Belt, *a British ship, took place off the Virginian coast. The* Little Belt *incident was one of many that led to the War of 1812. (Wikimedia Commons)*

Napoleon announced that his government would lift restrictions on U.S. shipping, thus forcing Madison to invoke the Non-Intercourse Act against England in February 1811.

Map 8.4 Presidential Election of 1808



Chief Tecumseh
American Indian chief who led a rebellion in the Ohio Valley in 1811

Three months later, tensions heightened when an American ship, the *President*, fired on the smaller British ship, *Little Belt*, off the Virginia coast. Nine British sailors were killed and twenty-three were wounded in the exchange. This failed to influence British policy, but "peaceable coercion" was beginning to hurt England more than the British admitted and more than Madison realized. Parliament was preparing to relax some of its restrictions even as Congress moved toward a declaration of war. In the summer of 1811, the British returned two of the impressed Americans from the USS *Chesapeake* (the third had died in prison) and made reparations to the United States for the incident. It simply did not happen soon enough to change the course of events.

8.2f The War Hawks

Jefferson's "peaceful coercion" policy was probably the best that could have been pursued under the circumstances. Except for some exceedingly clumsy diplomacy abroad and mounting pressures for war at home, it might have worked. Much of the pressure came from a group of aggressive, young congressmen, the first of the postrevolutionary generation of politicians—Henry Clay of Kentucky, John C. Calhoun and Langdon Cheves of western South Carolina, Peter B. Porter of western New York, Felix Grundy of Tennessee, and other so-called "buckskin boys." Intensely nationalist and violently anti-British, this group of "War Hawks," as John Randolph of Roanoke called them, clamored loudly for an attack on Britain via Canada and on the seas.

The regions from which these War Hawks came believed they had special reasons to dislike England. The West had fallen on hard times in the years from 1805 to 1809, and it blamed the British navy rather than the Embargo Act. More serious, however, was the charge that the British, from their Canadian posts, were stirring up the Native Americans and arming them for marauding raids across the American frontier. In 1811, there was a Native American uprising in the Ohio Valley led by **Chief Tecumseh** and his brother

"The Prophet." The Native Americans were defeated at the **Battle of Tippecanoe** by General William Henry Harrison, but the Americans discovered that the weapons used by the tribes in the uprising were purchased from the British.

Battle of Tippecanoe
Battle where American Indians were defeated in the Ohio Valley

War of 1812
War with England (1812–1815) essentially over American sovereignty rights and freedom of the seas

8.2g "Mr. Madison's War"

The origins of war are rarely simple, and the **War of 1812** seems to have developed from a bewildering complexity of causes. Historians have advanced a number of explanations as to why the United States, after seven months of somewhat disordered debate in Congress, decided on June 18, 1812, to declare war on Great Britain. The vote was close in the Senate, 19 to 13, and not overwhelming in the House, 79 to 49. Simultaneously, Congress narrowly defeated a proposal for a Declaration of War against France as well.

Nineteenth-century historians tended to agree that the causes of the war were first, to "vindicate the national character" (as the House Foreign Affairs Committee said); and second, to retaliate against British violations of America's maritime rights. Yet the largest vote for war came from the South and West, where sea trade was less important. New England, the center of American sea trade, opposed the war. At the news, flags flew at half-mast in New England, and there were minor riots in some port cities.

The eastern Federalist press dubbed it "Mr. Madison's War," and so it remained. Some, too, regarded it as a stab in Britain's back when that nation stood alone against Napoleon, who in 1812 was on his way to Moscow for what seemed likely to be his last great conquest.

Later historians, noting the rhetoric of the Congressional debates and the distribution of the vote, concluded that the South and West hoped the war would lead to annexing Canada and Florida as room for expansion, an expression of what later became known as America's Manifest Destiny to occupy the continent. Some still favor this expansionist interpretation; other historians have suggested that fear of Britain's economic dominance—a reassertion of England's old imperial power over her former colonies—also played an important role. Whatever the motivations, it was a brief, confused, and—except for a few instances—not very heroic war, which nonetheless had a crucial role in the national development.

8.3 The War of 1812

8.3a War on Land: The First Phase

Many Americans believed that not only should Canada rightfully join the United States but that it wanted to do so. The Articles of Confederation had provided for Canada's admission to the Union, and the first Congress had called itself "Continental" by design. Some Americans believed that the only way to end their problems with the British in North America was to militarily expel them from Canada. Other Americans simply desired land in Canada and believed that Canada would be an easy military conquest. Henry Clay, for instance, argued that taking Canada was "a mere matter of marching." Secretary of War William Eustis wrote in 1812, "We have only to send officers into the Provinces and the people, already disaffected toward their own government, will rally to our standard."

There was, in fact, a good deal of pro-American sympathy in the western St. Lawrence region—then called Upper Canada, and later Ontario—but those loyal to Britain controlled both the Assembly and the Governor's Executive Council. As the Anglican Bishop of Upper Canada wrote, they and the British Canadians wanted no part of that "degenerate government … equally destitute of national honor and virtue," that lay to the south. French Quebec, with vivid memories of Revolutionary anti-Catholic propaganda, feared the loss of its language and its religion under American rule, whereas neither British nor French merchants in Montreal could see any advantage in a change.

In April 1812, Congress imposed a 90-day embargo on all ships in port—an action generally regarded as preparatory to war. That same month in England, disruption of trade and economic recession had spurred enough political unrest that the government announced that it would repeal the Orders in Council, under which the British had

Map 8.5 Northern Campaigns (1812–1814)

General William Hull
Tricked by the British at Detroit, surrendered without a shot

been seizing American shipping, if the Americans resumed normal trade and the French rescinded their restrictions on trade. Two months later, on June 16, the British announced that they would suspend the Orders in Council on the condition that the U.S. resume normal trade relations. Congress declared war two days later, on June 18, not knowing that England had agreed to suspend the Orders in Council.

Upon hearing of the American War Declaration, the British expected that Madison would suspend it as soon as he learned of the British suspension of the Orders in Council. Madison did not do so, however, because the British had not agreed to end impressment—which he viewed as an affront to American honor and sovereignty.

The War of 1812 was very unpopular in New England from the outset. New Englanders talked of secession, loaned money to the British, aided British soldiers moving through the country, and traded with Canada and England while the U.S. was at war. In return, the British allowed New England merchant ships to trade with England.

The United States was totally unprepared for war: its defenses outmoded, its army—reduced to about seven thousand men—badly equipped, scattered across the frontier, and poorly led. Madison called for one hundred thousand state militiamen, but only ten thousand reported for duty (even though state militia rolls contained seven hundred thousand names). The British situation was no better. Canada had a thousand miles of border, with six thousand scattered British regulars and a militia pool of perhaps sixty thousand to defend it. John C. Calhoun figured that a complete conquest of Canada might take a month. Henry Clay thought one company of Kentucky militia could do it. Both turned out to be overly optimistic.

The American strategy was threefold. First, take Montreal and seal off the St. Lawrence route to the interior. Second, invade the Niagara region and secure control of the central St. Lawrence Valley. Third, invade western Canada from Detroit, securing the Great Lakes and the Northwest.

None of it worked. The expedition into Canada failed at Crysler's Farm and at Châteauguay, due chiefly to the stubborn defense of the French-Canadian militia and the fact that some of the American militiamen refused to fight outside of their home states. **General William Hull**, the American commander at Detroit, crossed into Canada in July 1812, lost his courage, and quickly returned. British General Isaac Brock, with a smaller force, persuaded Hull (who was later court-martialed and sentenced to death, but pardoned by the president) into surrendering Detroit on August 14 with a fictitious report about the size of the Native American force allied with the British. Hull surrendered, without firing a shot, to a Native American force half the size of his own force. After

Fort Michilimackinac in upper Michigan and Fort Dearborn in Illinois fell, the British controlled the Northwest. Brock then rushed his army toward Niagara in 1813, where he defeated an American invasion at Queenston Heights in mid-October. Brock was killed in the battle, but he had saved western Canada for the British.

The British proclaimed a blockade of the entire United States, and the U.S. lacked the naval power to do anything about it. At the outset of the war, the U.S. had only sixteen seaworthy ships and a fleet of 170 small gunboats that were fit only for harbor or river patrol.

In the middle of these military failures, Madison was nominated for another term. An eastern antiwar wing of the Democratic-Republicans, however, nominated De Witt Clinton of New York against him; and the Federalists added their support for Clinton. Madison won, 128 to 89 electoral votes—but significantly, Clinton carried all of New England and the Mid-Atlantic States except Vermont and Pennsylvania. At the same time, the Federalists doubled their delegation in Congress.

Captain Oliver Hazard Perry
American ship captain who defeated the British navy on the Great Lakes

USS *Constitution*
American frigate known as "Old Ironsides" that defeated the British frigate *Guerriere*

8.3b War on Land: The Second Phase

Despite its early disasters, the army kept trying to conquer Canada. American sailors, commanded by **Captain Oliver Hazard Perry**, built a small fleet and met and smashed the British lake squadron at the Battle of Lake Erie, near Sandusky, Ohio, in September 1813. Lake Erie was the scene for one of the most savage naval actions of the era (Perry's flagship suffered 80 percent casualties); after three hours of fighting, Perry dispatched his message to General William Henry Harrison commanding the forces near Detroit, "We have met the enemy and they are ours." Without control of Lake Erie, the British evacuated Detroit and fell back toward Niagara; however, Harrison's swiftly advancing force caught and defeated the British at the Battle of the Thames on October 5, 1813.

Pictured is Oliver Hazard Perry transferring from U.S. Brig Lawrence *to U.S. Brig* Niagara *during the battle. The United States' victory ensured American control of the lake for the rest of the war. The naval action on Lake Erie was considered one of the most savage of the era. (Wikimedia Commons)*

By reason of Perry's and Harrison's victories, the United States now commanded the Northwestern frontier. London, however, was sending more British regulars; and the Canadian militia was gaining experience. Two American invasions were turned back at Stoney Creek and Beaver Dam, and on July 25, 1814, a bitter battle at Lundy's Lane near Niagara Falls stopped a third attempt. The British then struck back at Buffalo, capturing and then burning the town. Later that year they took Fort Niagara.

8.3c War at Sea

The American navy entered the War of 1812 with sixteen ships. The British had ninety-seven in American waters alone. The out-numbered Americans, therefore, limited themselves to single-ship actions, in which they did surprisingly well. The **USS *Constitution*** ("Old Ironsides"), a forty-four gun frigate commanded by Yankee Isaac Hull, defeated the British frigate *Guerriere* on August 19, 1812, in one of the most famous sea fights in American history. The *Constitution's* victory proved that the American ships and sailors could compete with the British when their ships were of a similar class. The big frigate *United States,* commanded by Captain Stephen Decatur, captured the British *Macedonian* a few weeks later, but the American *Chesapeake* lost a bitter fight to the British *Shannon* in 1813.

The Constitution, *a forty-four gun frigate commanded by Yankee Isaac Hull, defeated the British frigate* Guerriere *in one of the most famous sea fights in history. (Wikimedia Commons)*

American privateers contributed most to the success of the war at sea. These swift ships sailed circles around the British, captured or destroyed 1,300 British merchantmen, and

Plattsburgh
Battle in the Lake Champlain Valley that was won by the Americans and induced the British into a negotiated settlement to the War of 1812

Francis Scott Key
Author of the lyrics of the "Star Spangled Banner"

even had the impudence to sack British shipping in the English Channel in full sight of the shore. They gave the American public something to crow about now and then, though the overall effect on the outcome of the conflict was negligible. The British naval blockade was quite effective, and by 1813 the majority of American ports were tightly bottled up. British naval captains even forced American cities to pay tribute in order to avoid bombardment.

8.3δ War on Land: The Final Phase

Napoleon abdicated in April 1814 and was exiled to the isle of Elba in the Mediterranean. With Bonaparte gone and the French war finished, England turned its huge army of fourteen thousand veterans toward American shores. The strategy of the British general staff was to make three coordinated attacks: one from the north, from Canada down Lake Champlain into New York State; a second on the coast, through Chesapeake Bay, aimed at Baltimore, Washington, and Philadelphia; and a third up from the south, at New Orleans. The end was in sight, wrote the *London Times,* for this "ill-organized association" of states. Indeed, it looked that way.

The northern campaign began in July 1814. Since Lake Champlain in upstate New York was the vital link in the invasion route, British General Sir George Prevost wanted it cleared of American ships. Surprisingly, in September 1814 the American lake squadron under Captain Thomas Macdonough decisively defeated the British. Without control of the lake, the British drive stalled and eventually dissolved at **Plattsburgh**, New York, where the British army retreated from an American force it outnumbered 11,000 to 3,300.

The British were more successful at Chesapeake Bay, where in August 1814 General Robert Ross landed a strong force that marched on Washington. The American government fled into Virginia; and the British, in retaliation for the American burning of York (Toronto) in 1813, set fire to the White House and the Capitol before moving toward Baltimore. The British were stopped at Fort McHenry, where a spirited defense inspired **Francis Scott Key** to write "The Star-Spangled Banner"—putting patriotic words to an old English drinking song. Unable to crack the Baltimore defenses, the British set sail for the West Indies.

The third British offensive, aimed at New Orleans and commanded by General Edward Pakenham, sailed from Jamaica in November 1814 with 7,500 seasoned veterans.

Map 8.6 Southwest Campaigns (1813–1815)

To oppose Pakenham, General Andrew Jackson took his frontier army on a forced march in December. Though neither Jackson nor Pakenham knew it, American and British representatives were already at work in Belgium on a treaty of peace. Two weeks after the **Treaty of Ghent** was signed, on December 24, 1814, Jackson's western riflemen almost annihilated Pakenham's army. The British lost two thousand men (including Pakenham), while Jackson's loss totaled only eight dead and thirteen wounded. In the end, the battle did not really affect the war or the peace.

The signing of the Treaty of Ghent ended the War of 1812 between the United States and Great Britain. Though celebration was quickly widespread among Americans, "Mr. Madison's War" had actually accomplished very little in the military or political sense. (Wikimedia Commons)

8.3e The Hartford Convention

In 1814, when American prospects seemed darkest, the Federalist Massachusetts legislature called a convention at Hartford, Connecticut, to discuss "public grievances and concerns"—that is, the Democratic-Republican conduct of the war. Some of the delegates—who came primarily from the Massachusetts, Connecticut, and Rhode Island legislatures—advocated amending the Constitution to clip Congress' war-making powers. Others suggested negotiating a separate peace with England.

Curiously enough, the delegates, all Federalists, appealed to the doctrine of states' rights—the same doctrine that the Jeffersonians had used against Federalist centralization during Adams' administration. They argued that since the Democratic-Republican Congress had violated the Constitution by declaring an unwanted war, those states that did not approve had the right to override congressional action. At the conclusion of the meeting, Massachusetts and Connecticut sent commissioners to Washington to place their protests before Congress. When the commissioners arrived, the war was over; whatever they had to say was moot. It is likely that the biggest accomplishment of the **Hartford Convention** was to weaken the Federalist Party even further.

Treaty of Ghent
Treaty with England in Ghent, Belgium, that officially ended the War of 1812

Hartford Convention
Meeting where New England Federalists opposed the War of 1812, citing states' rights

8.3f A Welcome Peace

In August 1814, American and British representatives met in Ghent, Belgium, to negotiate peace. As the meetings dragged on, it became clear that the British could not successfully invade the United States—nor could the United States successfully take Canada. The defeat at Plattsburgh convinced the British that the Americans were determined to hold on to their land and continue fighting. Public opposition in Britain to the "worthless" war in the Americas coupled, with fears that Napoleon could return to power, pushed the British to genuinely seek a negotiated settlement. Both British and Americans were war-weary and wanted to finish it, and on December 24, 1814, the commissioners signed a peace treaty. The British had originally demanded American land in the area of the Great Lakes, and the U.S. had demanded the cession of Canada to the U.S. Both sides reduced their demands to "status quo ante bellum," or a return to how things were before the war. The Treaty of Ghent was signed by both sides based on this principle. Interestingly, the treaty did not mention impressment—Madison's reason for not rescinding the Declaration of War in the summer of 1812, after Britain rescinded the Orders in Council—nor did it mention the British blockades, seizures at sea, or any of the major disputes that seemed to have precipitated the war.

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8.3g The Results of the War

The reaction of war-weary Americans to the news of the Treaty of Ghent—which arrived in the United States in February, 1815—was swift. Bells rang, parades formed, and newspapers broke out in headlines to proclaim the "passage from gloom to glory." Yet "Mr. Madison's War" had accomplished very little in a military or political sense. In short, Madison had fought the war to end impressment and did not achieve his goal.

The most that can be said is that the treaty opened the way for future settlements to be worked out over the next decade with Britain, Spain, and France. The war dislocated business and foreign trade, deranged currency values, and exposed glaring cracks in the national political organization.

To the American people, the outcome (ambiguous as it was) marked a turning point in patriotic self-esteem. True, the war might have been avoided by better statesmanship, and it might even have been fought with France on equally reasonable grounds. Yet from the American point of view, the War of 1812 gave notice to the rest of the world that the United States had arrived as a nation. Henceforth, the powers of Europe would tread on American sovereignty only at a price. "Who would not be an American?" crowed the *Niles' Register*. "Long live the Republic! All Hail!"

Madison had also used the war to seize both east and west Florida for the United States. Madison had Congress officially annex west Florida (the Gulf Coast from Pensacola to Baton Rouge) in the spring of 1812 and sent troops into west Florida to defend American control of the area. American troops, under General James Wilkinson, took Mobile from the Spanish in 1813; and Americans under Andrew Jackson took Pensacola from the Spanish in 1814—though the U.S. returned east Florida (current day Florida) to Spain at the conclusion of the war.

8.3h The War and Canada

The War of 1812 marked the first step in creating the country of Canada, which was to emerge a half-century later as a sovereign nation. In the conflict between England and the United States, British and French Canadians alike were caught in the middle—just as they had been in the American Revolution. For England to strike at the United States, the route lay through Canada. For the United States to strike at England, the only vulnerable point was Canada.

However, to the average Canadian, whether British or French, the war's causes meant little; and they had small stake in it. Canada's problem was simply survival, and survive it did. Whatever their differences, French, British, and Loyalist Canadians joined in common cause to outlast a long, hard war and preserve their part of the British Empire.

America's attempted invasions intensified already strong anti-American feelings, while Canada's repulse of them was understandably a source of growing national pride. Opposition to the United States and wariness of its motives thus became continuing factors in subsequent Canadian-American relations. The war strengthened Canada's "Britishness," and at the same time gave Canada the beginnings of its own sense of identity.

8.4 America Makes a New Start

8.4a A Confident Nation

The War of 1812 marked the end of America's lingering sense of colonial inferiority. It was hardly a "second war of independence," as some called it—but from it there did stem a new spirit of national consciousness. Albert Gallatin wrote, "It has renewed and reinstated the national feeling and character which the Revolution had given, and which were daily lessening. The people now have more general objects of attachment … They are more Americans, they feel and act more as a nation."

After the Treaty of Ghent, the United States turned toward the great, hazy West, where half a continent lay virtually empty. America could now concentrate on its domestic problems with less concern for European standards, ideals, and entanglements. Indifference to foreign

affairs after 1814 was so great that even Napoleon's escape from Elba, his return to France, and his final defeat at Waterloo in June 1815 excited little attention in the American press. American indifference to foreign affairs, however, was in part made possible by the conclusion of the Napoleonic wars and the **Congress of Vienna** in 1815, which brought peace to the great powers of Europe. With Europe at peace and the United States no longer caught between the warring powers, the interest of the United States centered on perfecting and expanding the nation it had constructed out of two wars and a generation of experimentation. In other words, its chief task lay in developing modern America.

Congress of Vienna
Meeting of European countries at the conclusion of the Napoleonic wars that brought lasting peace in Europe

8.4b The Aftermath of War

The most persistent postwar American problems were economic. Finances during the war had been handled almost as ineptly as military affairs, and banks had multiplied profusely and without proper control. As a result, the country was flooded with depreciating paper money, and prices were at the most inflated level in America's brief history. Furthermore, the shipping industry had been badly hurt by war and blockade. On the other hand, the value of manufacturing had increased tremendously—the total capital investment in American industry in 1816, it was estimated, was somewhat more than $100 million. The West, now producing foodstuffs and raw materials in abundance, balanced on the verge of a tremendous boom. As soon as peace was established, the Democratic-Republican Congress began to consider a three-point program for economic expansion: a tariff to protect infant American industry; a second Bank of the United States, since the charter of Hamilton's original Bank had expired in 1811; and a system of roads, waterways, and canals to provide internal routes of communication and trade.

8.4c A Protective Tariff

The protection of America's infant industries was a matter of first priority. New factories, encouraged by the war, had grown in great numbers, especially in the textile industry—where for the first time the workforce was comprised of young women. As soon as the wartime blockade ended, British-made products streamed toward the United States. Young industries that had flourished under conditions of embargo and war found it quite another matter to compete in an open, peacetime market. Whereas the total value of United States imports in 1813 had been $13 million, by 1816 it had leaped to $147 million—and American manufacturers begged for protection.

Congress, in 1816, passed a tariff to protect the new factories—the first United States tariff passed, not to raise revenue, but to encourage and support home industry. The argument over this protective tariff exposed some potentially serious sectional economic conflicts and marked the first appearance of a perennial political issue. Southern producers and New England shippers opposed the tariff; the growing factory towns of New England supported it, however, as did some of the younger Southern cotton politicians—who hoped to encourage industrial development in the South. The Middle Atlantic States and the West favored it, and the Southwest divided on the issue.

8.4d Renewing the Bank of the United States

In 1816 Congress turned its attention to the national bank. The charter of the first Bank of the United States had been allowed to expire because the Democratic-Republicans believed that, as Jefferson originally claimed, banking powers properly belonged to the states and Hamilton's centralized bank was therefore unconstitutional. In contrast, the new contingent of Western congressmen was much less interested in the Bank's constitutionality than in its usefulness. Henry Clay, who had opposed renewal of the first Bank in 1811 on constitutional grounds, now supported the second, he explained, because it was necessary for the national (especially Western) interest to have a stable, uniform currency and sound national credit. Therefore, Congress in 1816 gave the second Bank of the United States a twenty-year charter, on much the same terms as before but with about three and a half times more capital than the first and substantially greater control over state banks.

8.4e Building Better Connecting Links

The British wartime blockade and the westward movement had exposed a critical need for roads, improved waterways, and canals. When coastal shipping was reduced to a trickle by British offshore naval patrols, forcing American goods to move over inland routes, the roads and rivers were soon choked with traffic. The Democratic-Republican program of improved internal communications was especially popular in the West. However, more conservative easterners, including President Madison, doubted the constitutionality of federal assistance for roads and canals unless an amendment to the Constitution was adopted for the purpose.

John C. Calhoun of South Carolina introduced a "bonus bill" into Congress in 1816, empowering the use of federal funds for internal improvements. It cited the "general welfare" clause of the Constitution as providing authority for such action. The bill was passed, but Madison vetoed it on his last day of office in 1817. Many of the states began digging canals and building roads themselves. Madison's successor, President James Monroe, later agreed that the federal government did have the authority to fund such internal improvements, thus inaugurating the great canal and turnpike era of the 1820s.

8.5 America Moves West

The Treaty of Ghent released a pent-up flood of migration toward the West. In 1790 a little more than 2 percent of the population lived west of the Appalachian mountain chain. By 1810 it was 14 percent; and in 1820, 23 percent—with the proportion still rising. The stream of migration moved west in two branches following the east-west roads and rivers—one from the South through Cumberland Gap into the Southwest, the other from the northeastern states through the Hudson River system into the Northwest Territory (the Ohio River valley and Great Lakes area).

There were a number of reasons for this great westerly movement. One was America's soaring population, which almost doubled in the first two decades of the nineteenth century, from 5.3 million in 1800 to over 9.6 million in 1820. Another was the discharge of war veterans, accompanied by a rush of immigrants from Europe, who moved west to look for new opportunities. Still another was improved transportation. Whereas there had been few good routes to the West, the number of roads and turnpikes now grew, while the Great Lakes–Ohio River waterway provided an excellent route for settlers to move into the Northwest.

The most compelling force behind the westward migration, however, was land—the rich, black bottom lands of the Southwest, and the fertile forest and prairie lands of the Northwest. Governor William Henry Harrison of Indiana Territory persuaded Congress, in 1800, to reduce the minimum requirement for the sale of land to a half section at $2 an acre, with four years to pay. In 1804, Congress reduced the minimum to a quarter section, and in 1820 to eighty acres at a base price of $1.25 an acre. This was the great magnet that drew settlers west as more and more people could afford cheap land in the West as prices were reduced. Unfortunately for all involved, the land was sometimes already occupied by Native Americans.

8.5a Land Hunger versus Native American Rights

In 1789, Congress had assured the Native Americans that their "land and property shall never be taken from them without their consent." In appropriating funds to pay certain tribes for land claims, Congress had tacitly recognized, as Secretary of War Henry Knox said, the Indians' right to ownership as "prior occupants." Even at the time, however, George Washington had remarked that despite the government's good intentions, he doubted that "anything short of a Chinese wall" would ever keep land-hungry settlers out of the American Indians' lands.

Washington would prove to be correct. The Native Americans, reported Thomas Forsyth from frontier country in 1818, "complain about the sale of their lands more than anything

Map 8.7 New Boundaries Established by Treaties

else." The settler, he wrote, "tells the Indian that that land, with all that is on it, is his," and, treaty or not, "to go away or he will kill him, etc." Such constant clashes between Native Americans and settlers had forced the natives to surrender much of their land, yet Congress' American Indian policy was neither sufficiently definite nor sufficiently aggressive to satisfy impatient settlers, traders, land speculators, or the Native Americans.

8.5b Resistance to Federal Policy

The possibility that the two races might live together in "perpetual peace and affectionate attachment," as Jefferson had hoped, quickly faded. Particularly in the South, state governments resisted federal American Indian policy, while on the frontier few paid attention to boundaries or treaties. For their part, Native Americans proved unwilling to give up more and more land, whether treaties had been signed or not. Not unsurprisingly, each advancing encroachment by whites brought resentment and retaliation from Native Americans. Under the best of circumstances, the task of converting hunters and warriors into farmers is not easy—and American frontiersmen were much more interested in getting land from the Native Americans than in teaching them how to farm it.

Native Americans, of course, were expected by whites to relinquish their lands at once. Predictably, conflicts between settlers and Native Americans became increasingly

Shawnee Chief Tecumseh gathered a following of united Native Americans to resist and reject the white man and his ways. His alliance gathered strength until his defeat at the Battle of Tippecanoe in 1811. Tecumseh died two years later at the Battle of Thames. (Wikimedia Commons)

violent and frequent; and the emergence of a remarkable Native American leader, the Shawnee Chief Tecumseh, crystallized Native American resistance. Tecumseh was born in Ohio Valley in 1768 during a period of conflict over land between Native Americans and white men. Tecumseh's childhood was marred by repeated violence between whites and his people, and five times between 1774 and 1782 young Tecumseh experienced raids by American soldiers that destroyed his homes and villages. Tecumseh's father and two brothers were killed in battles, and Tecumseh's mother left him in the care of an aunt at age ten. Subsequently, he left Ohio for the South.

As an adult, Tecumseh rejected all American claims to Native American lands, and along with his medicine man brother, Tenskwatawa—who renamed himself "the Prophet" after having a near death experience accompanied by a vision in 1805—sought to unite all American Indians against white encroachment. The Prophet urged his people to return to traditional ways and preached that white men were the children of the Evil Spirit, destined to be destroyed. Tecumseh and the Prophet organized a village along Tippecanoe Creek (in Indiana) that they named Prophetstown. It attracted thousands of followers to their message of spiritual regeneration, unity of the "red men," and resistance to the white men. Tecumseh and the Prophet began to organize the tribes of the Northwest into a loose and effective alliance, beginning as early as 1800. Tecumseh traveled throughout the Great Lakes area encouraging tribes to join a pan-Indian confederacy. In 1811, Tecumseh also traveled to the South, visiting tribes in Mississippi and Georgia, and encouraging them to join his Native American confederacy and to resist white encroachment on their lands.

Indian removal
The U.S. policy of removing American Indian tribes from the Southeastern United States to Indian Territory (Oklahoma)

This alliance was finally broken by General William Henry Harrison, governor of Indiana Territory, at the Battle of Tippecanoe in November 1811, while Tecumseh was absent. Tecumseh then joined the British army in Canada and reappeared with eight hundred of his Native American warriors in the War of 1812. He was killed at the Battle of the Thames in 1813, and with him died the American Indians' efforts to organize and resist.

At the close of the War of 1812, with the British threat removed from the Northwest and the Spanish from the Southwest, the federal government could at last proceed with its policy of assimilation or removal. After 1815, the political power of those who—like Andrew Jackson—wanted to clear the American Indian lands immediately was too strong to resist. In 1817, the Senate Committee of Public Lands recommended exchanging public lands in the trans-Mississippi region for the American Indian lands east of the Mississippi—but only with the consent of the tribes.

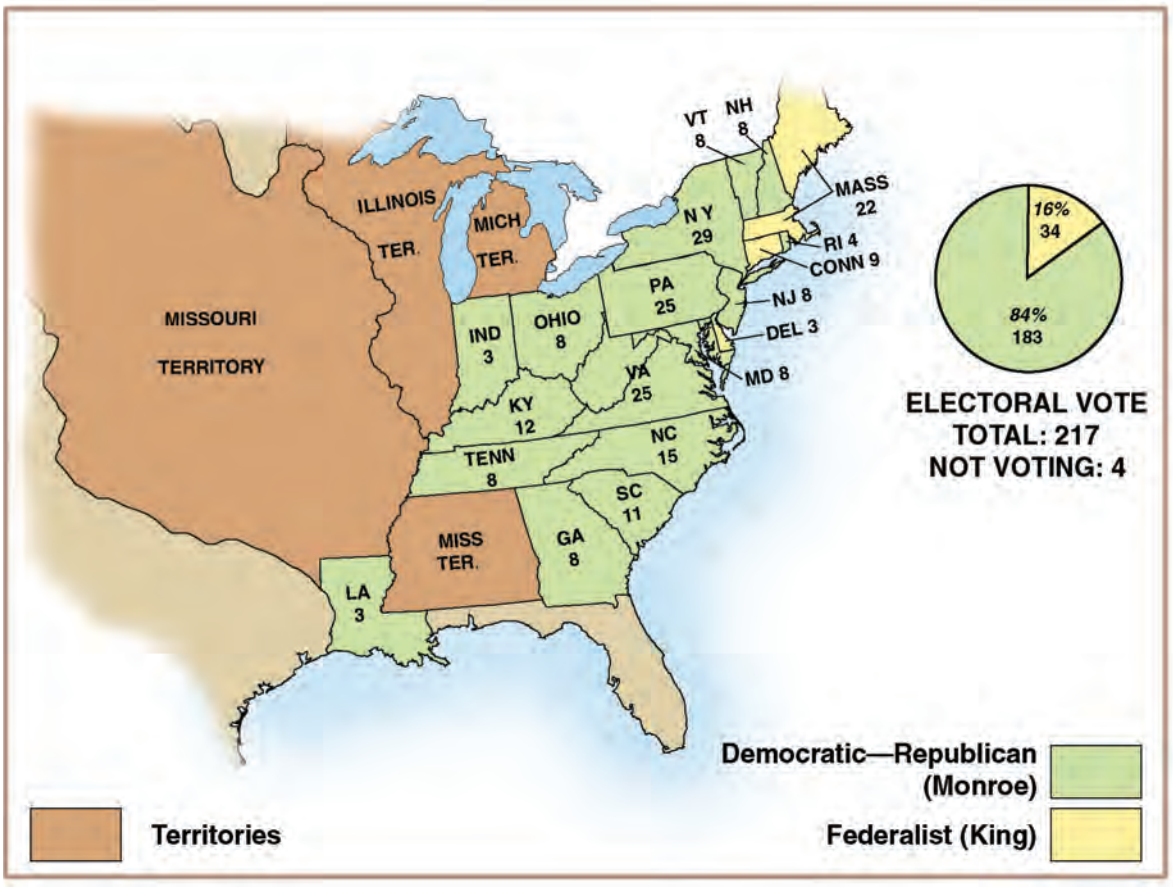
Very soon it became clear that the American Indian tribes were not willing to consent. The only remedy, John C. Calhoun wrote in 1820, was to place them "gradually under our authority and laws." "Our opinions, and not theirs," he continued, "ought to prevail, in measures intended for their civilization and happiness." In 1825 then Secretary of War Calhoun and President Monroe presented Congress with a plan to remove the eastern tribes into the region beyond Missouri and Arkansas—a plan opposed by those who felt such an act to be a betrayal of the national honor. The opposition to **Indian removal** was inadequate; and by the 1830s the tribes were removed—many to present-day Oklahoma and Kansas. By 1848, twelve new states had been created from what had once been American Indian country.

8.6 Growing Pains

8.6a The Election of 1816

Madison selected James Monroe of Virginia as his successor in the presidential election of 1816. Although some Democratic-Republicans favored William H. Crawford of Georgia, the party caucus agreed to choose the third Virginian in succession for the presidency. The Federalists, disheartened by the Hartford Convention, failed to nominate an official candidate, though in some states they supported Rufus King of New York.

Map 8.8 Presidential Election of 1816



King received only the votes of Massachusetts, Connecticut, and Delaware; and Monroe won easily by 183 to 34 electoral votes.

A tall, distinguished, and quiet man, James Monroe had studied law with Jefferson and was the older statesman's close friend and disciple. He drew his advisers impartially from different sections of the country, choosing John Quincy Adams (son of John and Abigail Adams) of Massachusetts as secretary of state, William H. Crawford of Georgia as secretary of the treasury, John C. Calhoun of South Carolina as secretary of war, and William Wirt of Maryland as attorney general. Henry Clay of Kentucky, the Speaker of the House, and others of the western group dominated Congress, with Daniel Webster of New Hampshire and other New Englanders furnishing the opposition.

Era of Good Feelings
The period following the War of 1812, between 1815 and 1819, when the country experienced robust economic growth and peace at home and abroad

8.66 The Era of Good Feelings

Because of the virtually unchallenged Democratic-Republican control of political life until 1824, and a robust economy following the war of 1812, these years have been labeled the **Era of Good Feelings**. The Federalist Party was dead, and it seemed for a time that the two-party system itself was ending. There were no European wars of consequence during the period to involve the United States, nor any other crucial issues in foreign affairs. President Monroe contributed to the "good feelings" in that he possessed a personality that seemed to bring people together. Monroe toured New England—an area that had been fraught with secessionist discontent during the War of 1812—espousing a position of nationalism to enthusiastic crowds. Of course, to call it the "Era of Good Feelings" is an oversimplification: Feelings may hav been "good," but subterranean conflicts were soon to destroy the political peace.

Underneath the "good feelings," sectional interests and aspirations were growing and changing. The new Northwest, as it gained stature and stability, demanded greater influence in national policy. The South, tied more and more to cotton, and New England,

Panic of 1819
Economic depression and financial collapse

changing from an agricultural to a manufacturing economy, were both undergoing inner stresses that took outward political form. Specifically, these sectionalized rivals were shortly to converge on two issues—tariffs and slavery—resulting in the termination of good feelings and the appearance of new divisions.

8.6c Prosperity and Panic

After 1815, the national economy flourished mightily with the resumption of normal trade following the War of 1812. The wartime boom continued, industry grew strong behind its tariff wall, and American ships carried goods and raw materials over the entire world. In spite of these economic positives, there were some economic problems lurking beneath the surface. American agricultural exports had been abnormally high due to devastation in Europe caused by the Napoleonic Wars. As Europe recovered after 1815, American agricultural exports would begin to decline. Furthermore, revolutions in Latin America had disrupted the flow of precious metals from those countries—the basis of the international money supply. American bankers attempted to remedy the currency crisis by issuing paper bank notes that were essentially used as currency. Many small Southern and Western banks had issued far too much paper money in excess of their capital reserves, and in 1818 the second Bank of the United States (which suffered from mismanagement itself) began to close out some of these "wildcat" banks by collecting their notes and demanding payment.

The purpose was fiscally sound—to force stricter control of banking practices—but the effect was disastrous. By early 1819 a number of shaky banks had already collapsed, and others were about to follow. In fact, the entire national banking system, which had not been sound for several years, was nearly ready to topple. In the **Panic of 1819**, the new nation experienced its first failure of the market economy. In 1819 more and more banks crashed, businesses failed, and a wave of losses and foreclosures swept over the nation, especially through the West. In Philadelphia, it is estimated that unemployment reached 75 percent and 1,800 people were imprisoned for debt. Other cities experienced similar problems, and the economy was no better in rural areas. The field of macroeconomics did not yet exist, and generally the people did not understand the reasons for their plight; thus, the Bank of the U.S. became the nation's scapegoat. The consequences of the 1819 crisis continued to be felt until 1832, when President Andrew Jackson would do away with the Bank.

8.7 "Fire Bell in the Night"

8.7a Sectionalism and Slavery

As the tariff issue of 1816 had exposed some of the sectional economic tensions beneath the surface of "good feelings," so the Panic of 1819 revealed more. The second great issue—the question of the existence and extension of the institution of slavery—was also projected onto the national stage in 1819, coming before Congress that year because of Missouri's impending statehood.

Slavery had been a submerged issue in national politics since Washington's time. In 1793, during his administration, Congress had passed a fugitive slave law and later forbade the further importation of slaves, beginning in 1808, without unduly arousing sentiment in North or South. In fact, there were many in both sections who hoped that the 1808 act might lead to the eventual extinction of the entire system. In the North, where slavery was unprofitable and unnecessary, all the states had legally abolished it by 1804 (as the Ordinance of 1787 already had abolished it from the Northwest Territory). Even in the South, antislavery societies actively campaigned against it. Still, after 1816 there was growing harshness in Northern and Southern discussions of the slavery question.

The most important area of disagreement over slavery concerned its economic relationship to Southern cotton culture. Eli Whitney's invention of the cotton gin, the introduction of new strains of cotton, the expanding postwar textile market at home and

abroad, and the opening to production of the rich "Black Belt" lands of the Southwest—all combined to make cotton an extremely profitable cash crop. Cotton was on the way to becoming "king" in the South—and it required a large, steady supply of cheap (and not necessarily skilled) labor. Many believed that black slaves best filled this need. At the same time, it was found that the delta lands of Louisiana and Mississippi were ideal for sugar cane, while tobacco culture moved from the coastal South into Kentucky and Tennessee. These, too, required manual labor and were viewed as conducive to slavery.

In 1800 there were about 894,000 blacks in the United States—almost wholly concentrated in the eastern portion of the South. In 1808, when the importation of slaves ceased, the figure stood at over one million; and by 1820 the South's investment in slaves was estimated to be nearly $500 million. It was perfectly clear that slavery and cotton provided the foundation of Southern society and would continue to do so.

Missouri Compromise
Viewed as the "final solution" to the slavery dispute, it stated that Missouri was to be admitted as a slave state, but that no slavery would be permitted west of Missouri in any of the territories north of Missouri's southern border.

8.76 The Missouri Compromise

Early in 1819 Missouri, carved out of the territory acquired in the Louisiana Purchase, counted sixty thousand persons and applied for entry to the Union as a slave state. No doubt the bill for its admission would have passed without appreciable comment, had not James Tallmadge, Jr. of New York introduced in the House an amendment requiring the gradual abolition of slavery in the new state as a condition of its admission. This amendment immediately exposed the heart of the issue.

As the nation moved west, the tendency had been to maintain a rough balance of power between slave- and free-state blocs in Washington. The North and Northwest, however, had gained a million more persons than the South and Southwest since the 1790 census, thereby proportionately increasing their congressional representation. The slave states were already outvoted in the House; only in the Senate were the sections equally represented, a situation that might not continue for long.

Of the original thirteen colonies, seven became free states and six slave. Between 1791 and 1819, four more free states were admitted and five slave. Thus, when Missouri applied for entrance to the Union in 1819, the balance was even—and Tallmadge's amendment involved far more than Missouri's admission alone.

Slavery was already barred from the Northwest Territory, but not from those lands acquired through the Louisiana Purchase. Should Missouri and all other states subsequently admitted from the Louisiana Purchase lands be admitted as slave states, the balance of federal political power would be tipped toward the South and slavery. If they were to be free states, their entry favored the North and emancipation.

At stake lay political control, present and future, of the Union. "It is political power that the northern folk are in pursuit of," Judge Charles Tait of Alabama wrote to a friend concerning the Missouri question, "and if they succeed, the management of the Gen'l Gov't will pass into their hands with all its power and patronage." Most Northerners were not, at this time, opposed to slavery on moral grounds, but they believed that the Three-Fifths Compromise gave Southern states disproportionate strength in Congress since they could count three-fifths of their growing slave population for purposes of representation in the U.S. House of Representatives. Thus, Northerners opposed the admittance of Missouri as a slave state for the advantage it would give to Southerners in Congress.

Nevertheless, Tallmadge's bill finally passed the House in February, after hot and protracted debate. Congress adjourned, however, until December; and during the interval, Maine—long attached to Massachusetts—applied for statehood. Sensing compromise, the Senate originated a bill accepting Maine as a free state and Missouri as slave, thereby preserving the balance. The House accepted it, but added a proviso that slavery be banned forever from the Louisiana Purchase lands above the line of 36°30′ (Missouri's southern border).

The bill was passed and signed in March 1820, but this so-called **Missouri Compromise** merely delayed the ultimate confrontation of the problem of slavery—and everyone knew it. The "momentous question," wrote Jefferson from Monticello, "like a fire-bell in the night, awakened me and filled me with terror." The debates over Missouri sparked the first protracted public discussion of the contradiction between the ideals expressed in the Declaration of Independence and the institution of slavery—thus foreshadowing the decades of sectional conflict to come, hence the aging Jefferson's alarm.

Map 8.9 The Missouri Compromise (1820)

Convention of 1818
Treaty with England that granted U.S. nationals fishing rights off the coasts of Labrador and Newfoundland, established the northern boundary of the Louisiana Purchase at the 49th parallel, and left the Oregon country—which both countries claimed—under joint occupation for ten years

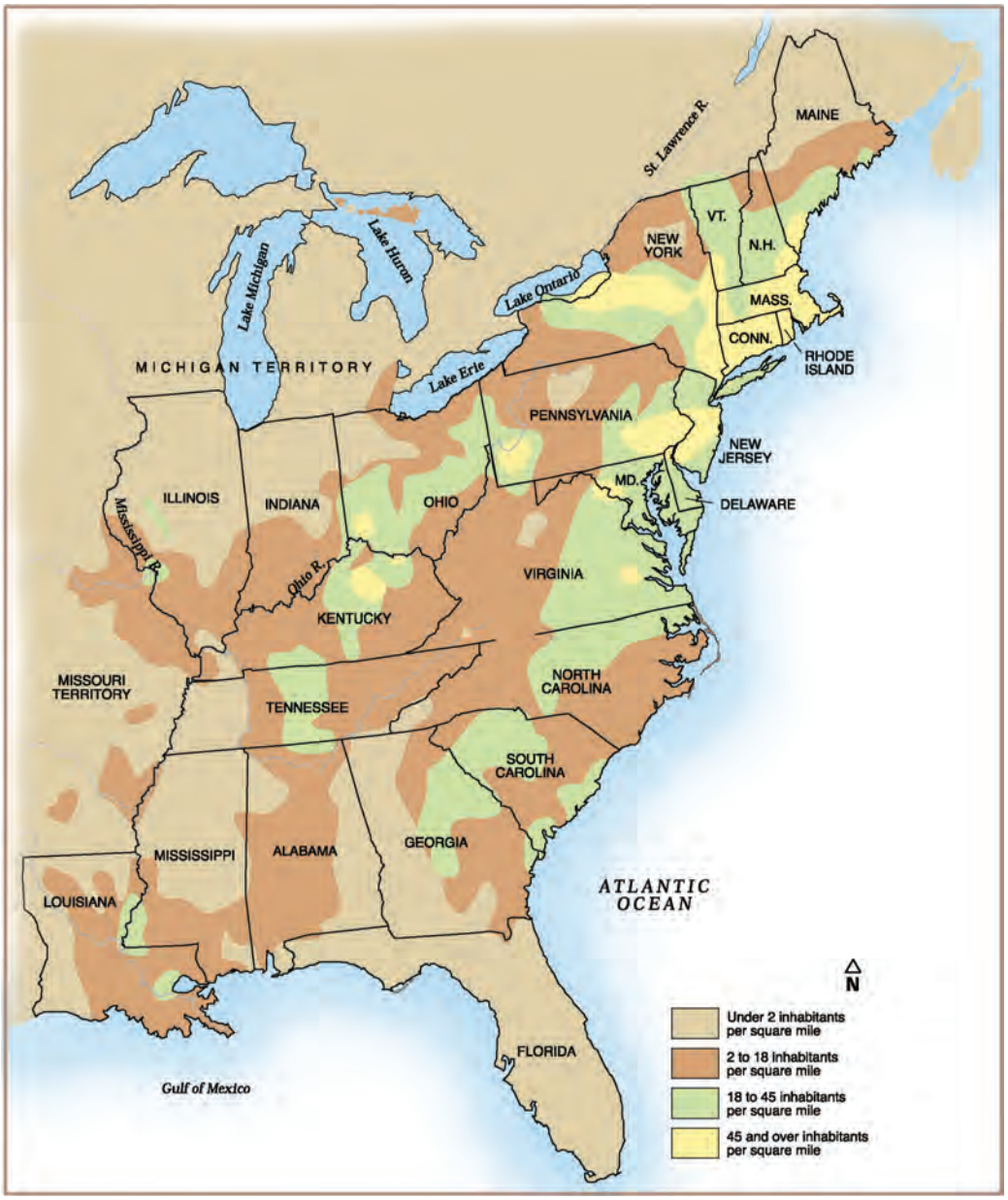
8.8 Evolving a Foreign Policy

8.8a Catching Up on Old Problems

Following the Treaty of Ghent, the United States and Britain gradually worked out their differences one by one. In 1815, the U.S. and England signed a commercial convention which established a reciprocity agreement in trade. Nevertheless, the U.S. and England still distrusted each other, and each began fortifying its possessions around the Great Lakes. The Rush-Bagehot Agreement of 1817 demilitarized the Great Lakes, but both countries retained land fortifications and the U.S.-Canadian border remained a guarded border until 1871. The next year, the **Convention of 1818** gave U.S. nationals fishing rights off the coasts of Labrador and Newfoundland, established the northern boundary of the Louisiana Purchase at the 49th parallel, and left the Oregon country, which both claimed, under joint occupation for ten years.

America and Spain, too, settled some old disputes. The United States took one section of Florida (west Florida) from Spain during the War of 1812, and Secretary of State John Quincy Adams continued negotiations for the rest of the territory. His diplomacy,

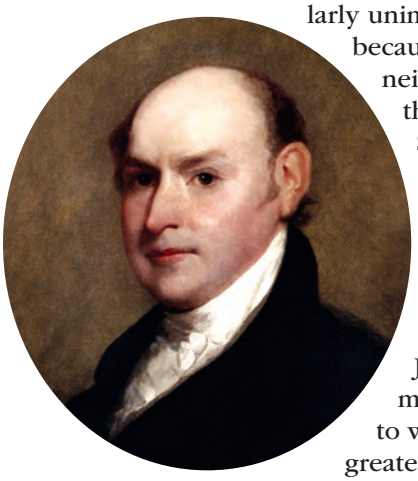
Map 8.10 Population Density (1820)



however, was disturbed by Florida's Seminole Indians, who kept up raids (with Spanish and British assistance) on the Georgia border. In 1818, General Andrew Jackson raised an army and marched into Florida, claiming that he had received a letter from President Monroe authorizing the invasion. Monroe denied that he had given his approval; and Jackson claimed that he burned the letter, so any evidence that Monroe ordered the invasion was destroyed, if it existed. Jackson led three thousand Americans and two thousand Native American allies into Florida, captured two Spanish forts, and executed two suspected British agents in what is known as the First Seminole War.

Americans were divided over Jackson's actions. Secretary of War John C. Calhoun called for Jackson's court-martial since Jackson had acted without authority from Calhoun's War Department. Congressman Henry Clay introduced a motion of censure in Congress which failed to pass. Meanwhile, local governments in New York and Philadelphia praised Jackson's actions. Britain viewed Jackson's invasion as a violation of international law and demanded an explanation for the execution of two British citizens. Jackson replied, "the execution of these two unprincipled villains will prove an awful

example to the world and convince the government of Great Britain that certain though slow retribution awaits those unchristian wretches who, by false promises, delude and excite an Indian tribe to all the horrid deeds of savage war." The British were particularly unimpressed with Jackson's explanation, but they decided not to press the issue because they believed Jackson's principle that a sovereign nation could invade its neighbor if that neighbor could not control its border could become useful to them in the future should they experience border problems with the United States from Canada.



John Quincy Adams (Wikimedia Commons)

John Quincy Adams argued that Jackson's invasion was an act of self-defense against the chaos that Spain had been unable to control and unable to prevent from spilling over into the U.S. Adams announced an ultimatum to Spanish minister Onís in October 1818: Maintain order in the Floridas, or cede them to the U.S.

The Spanish posts captured by Jackson were quickly returned to Spain. Jackson's action helped precipitate a treaty—signed by Adams and Spanish minister Luis de Onís in February 1819—by which Spain renounced its claims to west Florida and ceded east Florida to the United States. Spain at the time had greater problems than Florida, with insurrections erupting all over Latin America, and lacked the military resources to force the U.S. to back away from its ambitions in Florida. That being the case, the Spanish opted to give up Florida in exchange for favorable boundaries in the West and a secure claim to Texas. In the **Adams-Onís Treaty** the Spanish also agreed to a boundary line stretching across the continent to the Pacific, redefining the Louisiana Purchase line, and dividing the old Southwest from Spanish Mexico. In addition, the Spanish gave up their somewhat vague claims to Oregon in return for a clear title to Texas, where the U.S. relinquished any claims. The U.S. also assumed $5 million worth of claims by U.S. citizens against Spain.

Adams-Onís Treaty
Also known as the Transcontinental Treaty with Spain, the U.S. gained east and west Florida in exchange for renunciation of any claims to Texas.

Monroe Doctrine
Articulated by James Monroe, stating that the U.S. would view any European interference in the Western Hemisphere as unfriendly to the U.S. and that the U.S. would stay out of European affairs

8.86 The Monroe Doctrine

Reduced to a third-rate power and racked by internal dissension, Spain was losing its empire in Central and South America. Beginning in 1807, its colonies revolted one after another until, by 1821, nearly all had declared themselves independent republics. By 1830, all of Latin America except Cuba and Puerto Rico had gained independence. Sympathetic to such revolutions and alert to opportunities for new markets, the United States waited until its treaty with Spain was accepted and then recognized these republics early in 1822.

Spain, of course, continued to consider the new Latin American nations simply as Spanish colonies in rebellion. In Europe, meanwhile, Austria, Prussia, Russia, and France had formed an alliance and "congress system" for the purpose of crushing popular revolutions wherever they occurred. The United States feared that the alliance would decide to send an army to restore Spain's lost colonies, making royal Catholic Spain once more a power in the New World. Nor was the alliance the only threat to the Americas. Russia had already established trading posts in California, and in 1821 Czar Alexander's edict claimed part of the Oregon country for Alaska and barred foreign ships from a large area of the northwest Pacific.

The British—who had no desire to see Spain regain its empire or Russia expand its colonial holdings—offered to join with the United States in a declaration against any interference in the Americas on the part of the alliance. In response, Secretary of State John Quincy Adams convinced President Monroe and the cabinet that the United States should handle the problem alone. For one thing, Adams did not want his country to "come in as a cockboat in the wake of the British man-of-war." Furthermore, Adams and others recognized the potential value of the new Latin American republics as markets. Lastly, no one wanted to write off the possibility of American expansion southward if one or more of the new republics asked to be annexed to the United States.

President Monroe, in his annual message to Congress on December 2, 1823, stated the official attitude of the United States on the issue. The **Monroe Doctrine**, as it came to be called, rested on two main principles—noncolonization and nonintervention.

Concerning the first, Monroe stated that any portions of the Americas were "henceforth not to be considered as subjects for future colonization by any European power." In regard to the second, he drew a sharp line of political demarcation between Europe and America. "The political system of the allied powers is essentially different … from that of America," he said. "We should consider any attempt to extend their system to any portion of this hemisphere as dangerous to our peace and safety." At the same time, Monroe promised that the United States would not attempt to interfere with the internal affairs of European nations or with any of their existing colonies in the New World, such as Cuba.

These ideas had been implicit in all American foreign policy since Washington's Farewell Address, but Monroe's message restated in precise terms the classic American principles of hemispheric separation and avoidance of foreign entanglements that had motivated the diplomacy of his predecessors. His enunciation of American domination over half the globe seemed "arrogant" and "haughty" to European statesmen, and the Latin American republics were not particularly pleased with such doubtful protection. What both knew, however—whether Monroe or the American public cared to admit it—was that it was the British navy and not the Monroe Doctrine that barred European expansion into the Americas.

8.8c The Triumph of Isolation

The Monroe Doctrine simply articulated what Americans had believed since the beginnings of their foreign policy—that there were two worlds, old and new, contrasted and separate. The Old World of England and Europe seemed to Americans regressive, corrupted, and plagued by wars and ancient hatreds. The New World was thought to be democratic, free, progressive, and hopeful. The objective of the United States, reflecting these attitudes, was to keep these worlds apart, lest the "taint" of the old besmirch the "fresh future" of the new.

The first generation of American statesmen, from Washington to Monroe, unanimously insisted that the United States should, whenever possible, avoid entanglements in Old World politics or problems. At the same time, it was perfectly clear to them that the United States could not exist without European trade and that, since the major European powers still held territorial possessions in the New World, it would be extremely difficult to avoid some sort of implication in their almost continuous wars. The foreign policy of every president from Washington to John Quincy Adams was shaped by this constant tension between the dream of isolation and the reality of involvement. Still, there were certain accepted positions on foreign affairs that the United States throughout the period believed it must maintain—freedom of the seas, freedom of trade, neutrality in European disputes, national integrity, and, above all others, the promotion of the cause of liberty throughout the world. In practice, American diplomats found it hard to work out solutions within this somewhat rigid framework. Did maintenance of freedom of the seas, for example, justify involvement in a European war? Would American assistance to other nations' revolutions justify entanglement in European affairs, even for the best of motives? Should American policy, when it coincided with that of a European power, be pursued jointly? Ought the United States to assume responsibility for internal affairs of democracy in other American republics?

In attempting to answer these and similar questions, the makers of American foreign policy during the early years of the Republic followed rather closely the principles laid down by Washington and the first generation. Fortunately for them, Europe was so preoccupied with its own power conflicts that American diplomacy had time to temporize and room to make a few mistakes. Still, every statement about foreign affairs in the early decades of the nineteenth century derived from the American assumption that the United States was detached from Europe and must remain so, always free to pursue its special ends.

Timeline

1800	Thomas Jefferson is elected president in what he called the "Revolution of 1800."
1801	France regains possession of Louisiana.
1802	Slave revolt on Saint-Domingue leads to the death of twenty-four thousand French troops.
1803	Jefferson sends the U.S. Navy to confront the Barbary Pirates.
	The U.S. purchases Louisiana from France for $15 million.
	The U.S. Supreme Court claims the right of judicial review in *Marbury v. Madison.*
	A group of federalists, known as the Essex Junto, attempts to persuade New England states to secede.
	War between England and France under Napoleon causes England to renew impressments of American sailors.
1804	Aaron Burr kills Alexander Hamilton in a duel.
	Thomas Jefferson is reelected president.
1804–1805	The House impeaches Supreme Court Justice Samuel Chase; however, the Senate does not convict, and Chase stays on the Court.
1805	Treaty with Barbary Pirates ends hostilities and returns bounties paid to pirates to the previous lower level.
1806	Aaron Burr attempts, and fails, to conquer New Orleans.
	British Orders in Council effectively blockade Europe.
	Lewis and Clark expedition reaches the Pacific and returns to Missouri.
1807	Jefferson recalls the navy from the Mediterranean due to antagonism with Britain.
	The USS *Chesapeake* is fired upon by HMS *Leopard.*
	Embargo Act is passed, placing a ban on American Exports.
1808	James Madison is elected President.

Timeline

1809	Embargo Act is lifted.
1810	Non-Intercourse Act and Macon's Bill #2 are passed, opening trade with everyone except France and England.
1811	Chief Tecumseh's Native American Confederation is defeated.
1812	Congress declares war on England on June 18, and the War of 1812 begins.
1814	The British burn Washington D.C.
	Francis Scott Key pens "The Star Spangled Banner" based on events at Fort McHenry.
	The Treaty of Ghent is signed December 24, officially ending the War of 1812.
1815	Americans, under Andrew Jackson, defeat the British in the Battle of New Orleans in January after the signing of the Treaty of Ghent.
	The U.S. Navy, with help from European navies, defeats Barbary Pirates and puts an end to bounties.
	Napoleon's final defeat at Waterloo
	Congress of Vienna
1815–1819	Era of Good Feelings
1816	James Monroe is elected president.
1818	Andrew Jackson invades Florida in the First Seminole War.
1819	Transcontinental Treaty with Spain
	The Panic of 1819
1820	The Missouri Compromise
1823	James Monroe announces the Monroe Doctrine.

Chapter Summary

In 1800 Thomas Jefferson was elected President, representing a shift from the Northern and urban based Federalists to Jefferson's more Southern and agrarian Democratic-Republicans. Jefferson also represented the expansion of democracy to common men and a shift to a more states' rights centric orientation—though he would also expand the power of the national government as president, one of Jefferson's many contradictions.

Almost immediately, Jefferson was confronted with a foreign policy challenge from the Barbary Pirates, who increased the bounty they charged merchant ships to operate in the Mediterranean. Jefferson, who had opposed a large military, sent the U.S. Navy to the Mediterranean to defeat the pirates; the U.S. would continue paying bounties, however, until 1815. Simultaneously, Jefferson (who had opposed a national debt) borrowed much of the $15 million from Baring Brothers of London at 6 percent interest from Baring Brothers of London to purchase Louisiana from France—even though this was not a power given to the president by the Constitution, and he was a self-proclaimed proponent of a strict interpretation of the venerable document.

Jefferson then commissioned the Lewis and Clark expedition to explore Louisiana, departing from Missouri in 1804; the successful expedition reached the Pacific coast at Oregon and then returned to Missouri with samples of exotic flora and fauna in 1806.

Domestically, Jefferson did battle with the federalist Supreme Court under Chief Justice John Marshall with the result that the Court claimed for itself the power of judicial review in *Marbury v. Madison* in 1803. Jefferson attempted to rid the courts of Federalist judges through cutting off funding to the Supreme Court and impeaching judges. Nevertheless, Marshall would stay on the Court until 1835, exerting great influence on American constitutional law.

The Napoleonic Wars in Europe (beginning in 1803) resulted in disruption of American trade by both England and France, and eventually in the War of 1812 with England over American sovereignty rights and freedom of the seas. President James Madison, elected in 1808, waged war with the British primarily to end the British practice of impressment after embargoes against the English had not achieved the desired results. The war resulted in a British invasion of America and the burning of the American Capitol—but a decisive victory by the Americans at Plattsburgh caused the British to seek a negotiated peace, ending the costly war. The Treaty of Ghent ended the war on the principle of "status quo antebellum," and the British did not cease their impressments; nevertheless, America had proven that Europeans who tread on American sovereignty do so only at a price.

The War of 1812 was followed by an "Era of Good Feelings" where America was at peace and the economy was robust under the popular President James Monroe. The "good feelings" would be shattered, however, by a major economic panic in 1819 followed by a slavery dispute. The next year, Congress forged the Compromise of 1820, which was viewed as the "final solution" to slavery. Missouri was admitted as a slave state, but slavery was to be prohibited west of Missouri in all of the territories north of Missouri's southern border. Meanwhile, Native Americans in the Southeastern United States were slated for removal to Indian Territory in the West (Oklahoma).

Finally, all of Latin America would revolt against Spain in the second decade of the nineteenth century. Spain ceded Florida to the U.S. in 1819, a year after Andrew Jackson's invasion, with the stipulation that the U.S. would give up any future claims to Texas. By 1823, all of Latin America would achieve independence from Spain, prompting James Monroe to declare that the Western Hemisphere was now closed to European colonization and that European interference in the Western Hemisphere would be viewed as unfriendly toward the U.S. In return, the U.S. would stay out of European affairs.

Key Terms

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Pop Quiz

1. For what was Stephen Decatur known?
   a. his heroism in the war with the Barbary pirates
   b. his unrestrained patriotism
   c. ending the bounties to the Barbary pirates
   d. both a and b
2. Which of the following were problems for Jefferson in the purchase of Louisiana?
   a. The Constitution did not explicitly authorize the President to purchase territory.
   b. A treaty between France and Spain stated that Louisiana could not be possessed by a power other than France or Spain.
   c. It was unclear that all of the inhabitants of Louisiana would accept American rule.
   d. All of the above
3. What was the purpose of the Lewis and Clark expedition?
   a. to explore the land of the Louisiana Purchase
   b. to secure profitable trade with Indians
   c. to make note of exotic plants and animals
   d. all of the above
4. Which of the following occurred in the Election of 1804?
   a. Jefferson defeated Aaron Burr.
   b. The Federalists did not run a presidential candidate.
   c. Jefferson defeated Charles Cotesworth Pinckney by a narrow margin in an election decided by the House of Representatives.
   d. Jefferson defeated Pinckney by a very wide margin.
5. Under the doctrine of the "broken voyage," if merchant ships in the Caribbean "broke a voyage" by paying duties in a U.S. port, what occurred?
   a. It was considered status quo.
   b. It was considered an act of war against the U.S.
   c. The status of the cargo changed to "American."
   d. The status of the ship became that of an illegal slave ship.
6. Under the Non-Intercourse Act, the U.S. declared that it would resume normal trade with either Britain or France if which of the following occurred?
   a. that country would cease all re-export business
   b. that country would recognize the doctrine of continuous voyage
   c. that country would recognize American rights at sea
   d. that country would remove all of the British illegal aliens from American merchant ships
7. Captain Oliver Hazard Perry is famous for _____.
   a. taking military risks
   b. defeating the British navy on Lake Erie
   c. surrendering without a shot at Detroit
   d. ending British impressments
8. The Battle of New Orleans _____.
   a. was the deciding battle of the War of 1812
   b. caused the British to decide to negotiate peace
   c. ended two weeks after the signing of the Treaty of Ghent
   d. both a and b
9. Reasons for westward expansion in the early nineteenth century included _____.
   a. rapid population growth
   b. the discharge of war veterans after the War of 1812
   c. improved transportation
   d. all of the above
10. What was a major cause of the Panic of 1819?
    a. the collapse of the Bank of the United States
    b. too many small western banks issued too many paper notes, in excess of their capital reserves
    c. excessive government spending on roads and canals
    d. the flooding of American markets with cheap British goods
11. The Barbary Wars were fought after Thomas Jefferson refused to pay a higher bounty imposed by the pirates for safe passage in the Mediterranean. T F
12. In 1808, Congress banned future importation of slaves. T F
13. The Barbary States included _____, _____, _____, and _____.
14. Supporters of the War of 1812 were called _____ _____.
15. The Hartford Convention had delegates primarily from _____ states in _____ _____.

Answer Key:
1. d 2. d 3. d 4. d 5. c 6. c 7. b 8. c 9. d 10. b 11. T 12. T 13. Tunis, Algiers, Morocco, and Tripoli 14. War Hawks 15. three, New England