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## Chapter 11 - The Triumphs and Travails of the Jeffersonian Republic, 1800-1812

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### I. Federalist and Republican Mudslingers

- In the election of 1800, the Federalists had a host of enemies stemming from the Alien and Sedition Acts.
- The Federalists had been most damaged by John Adams' not declaring war against France.
  - They had raised a bunch of taxes and built a good navy, and then had not gotten any reason to justify such spending, making them seem fraudulent as they had also swelled the public debt.
    - John Adams became known as "the Father of the American Navy."
  - Federalists also launched attacks on Jefferson, saying that he had robbed a widow and her children of a trust fund, fathered numerous children with his slaves (which turned out to be true), called him an atheist (he was a Deist), and used other inflammatory remarks.

### II. The Jeffersonian "Revolution of 1800"

- Thomas Jefferson** won the election of 1800 by a majority of 73 electoral votes to 65, and even though Adams got more popular votes, Jefferson got New York. But, even though Jefferson triumphed, in a technicality he and **Aaron Burr** tied for presidency.
  - The vote, according to the Constitution, would now go to the Federalist-dominated House of Representatives.
  - Hateful of Jefferson, many wanted to vote for Burr, and the vote was deadlocked for months until **Alexander Hamilton** and **John Adams** persuaded a few House members to change their votes, knowing that if the House voted for Burr, the public outcry would doom the Federalist Party.
  - Finally, a few changed their minds, and Jefferson was elected to the presidency.
- The "**Revolution of 1800**" was that (1) there was a peaceful transfer of power; Federalists stepped down from office after Jefferson won and did so peacefully, though not necessarily happily and (2) the Republicans were more of the "people's party" compared to the Federalists.

### III. Responsibility Breeds Moderation

- On March 4, 1801, Thomas Jefferson was inaugurated president in the new capital of Washington D.C.
  - In his address, he declared that all Americans were Federalists, all were Republicans, implying that Americans were a mixture. He also pledged "honest friendship with all nations, entangling alliances with none."
  - Jefferson was simple and frugal, and did not seat in regard to rank during his dinners. He also was unconventional, wearing sloppy attire, and he started the precedent of sending messages to Congress to be read by a clerk.
  - There were two Thomas Jeffersons: the scholarly private citizen who philosophized in his study, and the harassed public official who discovered that bookish theories worked out differently in practical politics.
  - Jefferson also dismissed few Federalist officials and those who wanted the seats complained.
  - Jefferson had to rely on his casual charm because his party was so disunited still.

### IV. Jeffersonian Restraint

- Jefferson pardoned those who were serving time under the Sedition Act, and in 1802, he enacted a new naturalization law that returned the years needed for an immigrant to become a citizen from 14 to 5.
- He also kicked away the excise tax, but otherwise left the Hamiltonian system intact.
- The new secretary of the treasury, **Albert Gallatin**, reduced the national debt substantially while balancing the budget.
- By shrewdly absorbing the major Federalist programs, Jefferson showed that a change of regime need not be disastrous for the exiting group.

### V. The "Dead Clutch" of the Judiciary

- The Judiciary Act, passed by the Federalists in their last days of Congressional domination in 1801, packed newly created judgeships with Federalist-backing men, so as to prolong their legacy.
- Chief Justice John Marshall**, a cousin of Jefferson, had served at Valley Forge during the war, and he had been impressed with the drawbacks of no central authority, and thus, he became a lifelong Federalist, committed to strengthening the power of the federal government.
  - Marbury v. Madison** (1803): William Marbury had been one of the "midnight judges" appointed by John Adams in his last hours as president. He had been named justice of peace for D.C., but when **Secretary of State James Madison** decided to shelve the position, Marbury sued for its delivery. Marshall dismissed the case, but he said that the Judiciary Act of 1789 was unconstitutional, thus suggesting that the Supreme Court could determine the constitutionality of laws (AKA, "**judicial review**").
- In 1804, Jefferson tried to impeach the tart-tongued Supreme Court justice, **Samuel Chase**, but when the vote got to the Senate, not enough votes were mustered, and to this day, no attempt to alter the Supreme Court has ever been tried through impeachment.

### VI. Jefferson, a Reluctant Warrior

- Jefferson had a natural fear of a large, strong, standing military since such a military could be turned on the people. So, he reduced the militia to 2500 men, and navies were reduced a bit to peacetime footing.
- However, the pirates of the **North African Barbary States** were still looting U.S. ships, and in 1801, the pasha of Tripoli indirectly declared war when he cut down the flagstaff of the American consulate.
  - Non-interventionalist Jefferson had a problem of whether to fight or not, and he reluctantly sent the infant navy to the shores of Tripoli, where fighting continued for four years until Jefferson succeeded in extorting a treaty of peace from Tripoli in 1805 for \$60,000.
  - Stephen Decatur's** exploits in the war with the ship *Intrepid* made him a hero.
  - The small, mobile gunboats used in the **Tripolitan War** fascinated Jefferson, and he spent money to build about 200 of them (these boats might be zippy and fast, but they did little against large battleships). The years eventually showed building small ships to be a poor decision.

### VII. The Louisiana Godsend

- In 1800, Napoleon secretly induced the king of Spain to cede the Louisiana territory to France.
- Then, in 1802, the Spaniards at New Orleans withdrew the **right of deposit** guaranteed by the Pinckney Treaty of 1795. Such deposit privileges were vital to the frontier farmers who floated their goods down the Mississippi River to its mouth to await oceangoing vessels.
  - These farmers talked of marching to New Orleans to violently get back what they deserved, an action that would have plunged the U.S. into war with Spain and France.
- In 1803, Jefferson sent **James Monroe** to join regular minister **Robert R. Livingston** to buy New Orleans and as much land to the east of the river for a total of \$10 million, tops.
- Instead, Napoleon offered to sell New Orleans and the land west of it, Louisiana, for a bargain of \$15 million, thereby abandoning his dream of a French North American empire.
  - This abandonment was due to the rebellion in Haiti, led by **Toussaint L'Ouverture**, which had been unsuccessful, but had killed many French troops due to yellow fever. The decision to sell Louisiana was also because Napoleon needed cash to renew his war with Britain.
- The **Louisiana Purchase** was finalized on April 30, 1803.
- Jefferson had a dilemma, since the Constitution said nothing about purchasing foreign land, but on the other hand, this deal was simply too good to pass up!
  - After considering an amendment, Jefferson finally decided to go through with the deal anyway, even though nothing in the Constitution talked about land purchases. Jefferson had been a strict interpreter of the Constitution, but he was now using a loose interpretation.
  - Federalists, normally loose interpreters, took a strict interpretation and opposed the purchase. Federalist didn't want the new lands because they correctly foresaw new lands meant new settlers and new states, which meant more farmers and more Republicans.
  - Thus, both parties made a full 180° turnaround from their previous philosophical beliefs about the Constitution simply because of the practical matters at hand.
- The Senate quickly approved the purchase with Jefferson's urging, and the Louisiana Purchase doubled the size of the United States. This was the biggest bargain in history averaging 3 cents per acre.

### VIII. Louisiana in the Long View

- The purchase created a precedent of acquisition of foreign territory through purchase.
- In the spring of 1804, Jefferson sent **William Clark** and **Meriwether Lewis** to explore this new territory. Along with a Shoshoni woman named **Sacajawea**, the two spent 21/2 years exploring the land, marveling at the expanses of buffalo, elk, deer, antelope, and the landscape and went all the way to Oregon and the Pacific before returning.
  - Other explorers, like **Zebulon Pike** trekked to the headwaters of the Mississippi River in 1805-06 and ventured to the southern portion of Louisiana, Spanish land in the southwest, and sighted Pike's Peak.

### IX. The Aaron Burr Conspiracies

- The Federalists now sank lower than ever, and tried to scheme with Aaron Burr to make New England and New York secede from the union; in the process Aaron Burr killed Hamilton in a duel.
- In 1806, Burr was arrested for treason, but the necessary two witnesses were nowhere to be found.
- The Louisiana Purchase was also nurturing a deep sense of loyalty among the West to the federal government, and a new spirit of nationalism surged through it.

### X. A Precarious Neutrality

- In 1804, Jefferson won with a margin of 162 electoral votes to 14 for his opponent, but this happiness was nonexistent because in 1803, Napoleon had deliberately provoked Britain into renewing its war with France.
  - As a result, American trade sank as England and France, unable to hurt each other (England owned the sea thanks to the **Battle of Trafalgar** while France owned the land thanks to the **Battle of Austerlitz**), resorted to indirect blows.
  - In 1806, London issued the **Orders in Council**, which closed ports under French continental control to foreign shipping, including American, unless they stopped at a British port first.
  - Likewise, Napoleon ordered the seizure of all ships, including American, which entered British ports.
  - Impressment (illegal seizure of men and forcing them to serve on ships) of American seamen also infuriated the U.S.; some 6,000 Americans were impressed from 1808-11.
  - In 1807, a royal frigate the *Leopard* confronted the U.S. frigate, the **Chesapeake**, about 10 miles off the coast of Virginia, and the British captain ordered the seizure of four alleged deserters. When the American commander refused, the U.S. ship received three devastating broadsides that killed 3 Americans and wounded 18. In an incident in which England was clearly wrong, Jefferson still clung to peace.

### XI. The Hated Embargo

- In order to try to stop the British and French seizure of American ships, Jefferson resorted to an embargo. His belief was that the only way to stay out of the war was to shut down shipping.
  - Jefferson thought Britain and France relied on American goods (it was really the opposite, Americans relied on Europe's goods).
  - Also, the U.S. still had a weak navy and a weaker army.
- The **Embargo Act** of late 1807 forbade the export of all goods from the United States to any foreign nation, regardless of whether they were transported in American or foreign ships.
  - The net result was the deserted docks, rotting ships in the harbors, and Jefferson's embargo hurt the same New England merchants that it was trying to protect.
  - The commerce of New England was harmed more than that of France and Britain.
  - Farmers of the South and West were alarmed by the mounting piles of unexportable cotton, grain, and tobacco.
  - Illegal trade mushroomed in 1808, where people resorted to smuggling again.
- Finally, coming to their senses and feeling the public's anger, Congress repealed the act on March 1, 1809, three days before Jefferson's retirement and replaced it with the Non-Intercourse Act, which reopened trade with all the nations of the world, except France and England.
  - However, this act had the same effect as the Embargo because America's #1 and #2 trade partners were Britain and France.
  - Thus, economic coercion continued from 1809 to 1812, when war struck.
- The embargo failed for two main reasons: (1) Jefferson underestimated the bulldog British and their dependence on American goods and (2) he didn't continue the embargo long enough or tightly enough to achieve success.
  - Even Jefferson himself admitted that the embargo was three times more costly than war, and he could have built a strong navy with a fraction of the money lost.
- During the time of the embargo, the Federalist Party regained some of its lost power.
- However, during this embargo, resourceful Americans also opened and reopened factories, and thus, the embargo helped to promote industrialism—another irony since it was Jefferson who was committed to an agrarian, while it was his arch-rival Alexander Hamilton who was committed to industry.
- Also, the embargo did affect Britain, and had it been continued, it might have succeeded.
  - In fact, two days before Congress declared war in June 1812, London ordered the Orders in Council to be suspended. Had America known this fact, war would have likely not been declared.

### XII. Madison's Gamble

- After Jefferson, James Madison took the oath of presidency on March 4, 1809, short, bald, and not a great speaker.
- In 1810, Congress adopted a bargaining measure called **Macon's Bill No. 2**, which while permitting American trade with all the world, also promised American restoration of trade to France and/or England if either dropped their commercial restrictions.
  - Napoleon had his opportunity: in August of 1810, he announced that French commercial restrictions had been lifted, and Madison, desperate for recognition of the law, declared France available for American trade.
  - Of course, Napoleon lied, and never really lifted restrictions, but meanwhile, America had been duped into entering European affairs against Great Britain.

### XIII. Tecumseh and the Prophet

- In 1811, new young politicians swept away the older "submission men," and they appointed **Henry Clay** of Kentucky, then 34 years old, to Speaker of the House.
- The western politicians also cried out against the Indian threat on the frontier. These young, aggressive Congressmen were known as "War Hawks."
- Indians had watched with increasing apprehension as more and more whites settled in Kentucky, a traditionally sacred area where settlement and extensive hunting was not allowed except in times of scarcity.
  - Thus, two Shawnee brothers, **Tecumseh** and the **Prophet**, decided that the time to act was now, and gathered followers, urging them to give up textile clothing for traditional buckskin garments, arguing eloquently for the Indian's to not acknowledge the

- White man's "ownership" of land, and urging that no Indian should cede control of land to whites unless all Indians agreed.
  - On November 7, 1811, American general **William Henry Harrison** advanced upon Tecumseh's headquarters at Tippecanoe, killed the Prophet, and burned the camp to the ground.
  - Tecumseh was killed by Harrison at the **Battle of the Thames** in 1813, and the Indian confederacy dream perished.
  - In the South, **Andrew Jackson** crushed the Creek Indians at the **Battle of Horseshoe Bend** on March 27, 1814, effectively breaking the Indian rebellion and leaving the entire area east of the Mississippi open for safe settlement.
- The War Hawks cried that the only way to get rid of the Indians was to wipe out their base, Canada, since the British had helped the Indians.
  - War was declared in 1812, with a House vote of 79 to 49 and a very close Senate vote of 19 to 13, showing America's disunity.

XIV. Mr. Madison's War

- Why did America go to war with Britain and not France? Because England's impressments of American sailors stood out, France was allied more with the Republicans, and Canada was a very tempting prize that seemed easy to get, a "frontiersman's frolic."
- New England, which was still making lots of money, damned the war for a free sea, and Federalists opposed the war because (1) they were more inclined toward Britain anyway and (2) if Canada was conquered, it would add more agrarian land and increase Republican supporters.
- In brief, America's reasons for entering the War of 1812 were...
  - "Freedom of the seas" – The U.S. wanted the right to sail and trade without fear.
  - Possibility of land – The U.S. might gain Canada or Florida.
  - Indian issues – Americans were still upset about British guns being giving to Indians.
- The nation became sectionalized. Generally, the North was against war, the West and the South was for the war.
  - Thus, a disunited America had to fight both Old England and New England in the **War of 1812**, since Britain was the enemy while New England tried everything that they could do to frustrate American ambitions in the war.

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