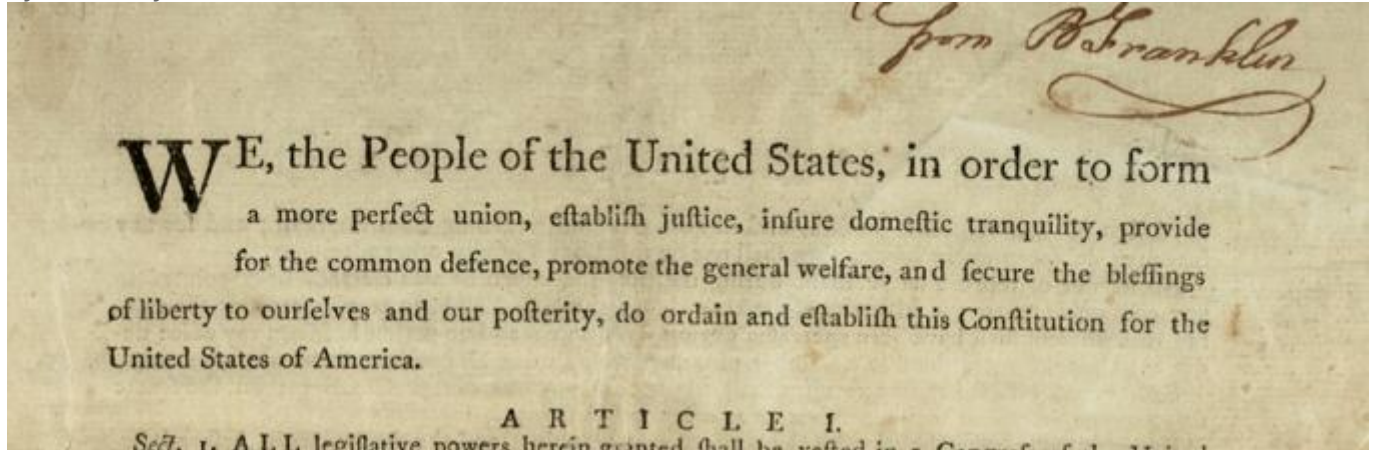


The New Nation, 1783–1815

by Alan Taylor



Preamble of the US Constitution, printed by Dunlap and Claypoole, September 17, 1787. (Gilder Lehrman Collection)

The leaders of the American Revolution made three great gambles. First, they sought independence from the powerful British Empire, becoming the first colonies in the Americas to revolt and seek independence from their mother empire. Second, they formed a union of thirteen states, which was also unprecedented, for the colonies had long histories of bickering with one another. Third, the revolutionaries committed their new states to a republic, then a radical and risky form of government. In a republic, the people were the sovereign—rejecting the rule of a monarch and aristocrats. Today we take for granted that governments elected by the people can be stable, long lasting, and effective. But the Americans in the new nation were not so sure, given the lessons of history. In 1789, the United States was the only large republic in the world; the others were a handful of small city-states scattered in Europe, and none of the larger republics in the history of the world had lasted very long. Like the ancient republic of Rome, they had collapsed and reverted to some form of tyranny, usually by a military dictator.

Any one of those three gambles was an enormous risk. The miracle was that the revolutionaries pulled off all three of them, winning their war against the British, and securing a generous boundary in the peace treaty of 1783: west to the Mississippi, south to Florida, and north to the Great Lakes, with the Atlantic Ocean as the eastern boundary.

During the mid-1780s, however, the new nation seemed about to collapse as quickly as it had been created. The first constitution of the United States was the Articles of Confederation, adopted in 1781. It proved too weak to control the powerful state governments. Unable directly to tax people, the confederation lacked its own revenue and could not afford an army or a navy, or even to pay the interest on its massive war debt. American Indians defied the confederation, and the Europeans insisted that no republic could endure on such a big geographic scale.

Plus the states were roiled by social conflicts between the wealthy gentlemen and the common people over issues of credit or debt. Gentlemen faulted the state governments for pandering to common voters by offering to relieve debtors at the expense of their creditors, those gentlemen who had loaned them money and goods. The gentlemen concluded that the state governments were too

democratic, which meant too responsive to public opinion. And when a rare state government did favor the creditors, it provoked resistance from armed farmers.

In 1787 alarmed gentlemen gathered in Philadelphia for a constitutional convention meant to shift power away from the states in favor of the nation. After a heated political debate between the Federalists (in favor of the Constitution) and the Antifederalists in state ratification conventions, eleven of the thirteen states ratified the new Constitution in 1787 and 1788. The laggard two would join within the following three years, once promised a bill of rights to amend the Constitution.

Brief and often vague, the US Constitution left much to the interpretation of the leaders who implemented the new government. Today, we celebrate the Constitution as if it put the nation on autopilot to greatness. In fact, the new federal government would rise or fall, become strong or remain weak, depending on the decisions made by the leaders and voters.

In 1789 the new American republic seemed to teeter between future greatness and imminent collapse. Unlike present-day Americans, the leaders of the early republic could not comfort themselves with a long and successful history of free and united government. Although endowed with an immense potential, the United States was then a new and weak country in a world of more powerful empires deeply suspicious of republican government.

The American experiment in independence, union, and republicanism seemed especially unstable because the thirteen states were so different. The commercial states of the North contrasted with the agricultural South, and the new settlements west of the Appalachians feared domination by the old eastern communities of the Atlantic seaboard. Many observers expected the union and republic would eventually but inevitably collapse in some civil war either between the North and South or between the East and West.

When the newly elected Congress and President gathered to implement the Constitution, the federal government benefitted from extraordinary leadership at the top. The dignified president, George Washington, was revered for commanding the Revolutionary army to victory over the mighty British. His vice president, John Adams, had a genius for political theory. The new Cabinet included Alexander Hamilton, high-strung but the leading financial genius in the nation, as well as the mercurial Thomas Jefferson, who served as the secretary of state. The primary author of the new Constitution, James Madison, became the Speaker of the House of Representatives. Madison, Washington, and Jefferson came from Virginia, the largest state in territory, population, and wealth. Adams hailed from Massachusetts and Hamilton from New York.

But the new leaders soon divided into rival political parties, a development that shocked them all, for they had designed the Constitution to discourage organized partisanship. Washington, Adams, and Hamilton claimed the name of Federalists, while Jefferson and Madison organized an opposition known as the Democratic-Republicans, or Republicans (which should not be confused with the Republican Party of today).

The two parties polarized over four big issues: political economy, foreign policy, how to interpret the Constitution, and the proper nature of a republic. First, the Republicans sought to preserve the nation's agricultural economy out of a conviction that it alone could sustain a relatively simple and equal class structure for white men. The Federalists, however, hoped to accelerate industrial development, which might enrich the nation as a whole but produce greater extremes of wealth and poverty, power, and powerlessness.

Second, the two parties divided over how to react to the renewed warfare between the two superpowers of the age: France and Britain. After the French Revolution created a radical republic,

the Republicans favored France, while the Federalists preferred the more conservative government of Britain.

Third, the two parties disagreed over whether the Constitution should be read narrowly or broadly. Federalists insisted that the document contained broad *implicit* powers that would enable the federal government to subordinate the states. But the Republicans insisted on a limited and literal interpretation that reserved to the states all of the powers not specifically assigned by the Constitution to the federal government. This clash of interpretations appeared in 1791, when Hamilton proposed a national bank to manage the economy. The Republicans opposed the bank as a measure that would strengthen the federal government at the expense of the states, and they could find no specific authorization for a national bank in the Constitution. In this case, Hamilton prevailed.

Fourth, the two parties clashed over the proper definition of a republic. Republicans supported a democratic vision of the republic where the public opinion of common men guided their leaders. The Federalists, however, defended a more traditional republic, where the common people deferred to the judgment of wealthier and better-educated gentlemen. They asserted a subtle but important distinction between a republic, which they supported, and a democracy, which they feared. A Massachusetts congressman, George Cabot, described the ideal republic as “a perfect whole in which the general harmony is preserved, each one learning his proper place and keeping to it.” In the Federalists’ republic, the common men were supposed to vote for the right sort of people—the wealthy and well born—and between elections the people were supposed to keep quiet and stay home, permitting the elected to govern as they saw fit.

Where Federalists spoke of themselves as “Fathers of the People,” the Republicans preferred the more egalitarian identity as “Friends of the People.” While the Federalists offered social stability, the Republicans promised social mobility. During the 1790s, most Americans preferred stability, but the majority would swing at the start of the new century.

Like the Federalist leaders, the prominent Republicans were well-educated gentlemen, but they felt more comfortable with appealing to common voters. The Federalists denounced the leading Republicans as rogue gentlemen, as unprincipled “demagogues” who pandered to the common people with flattery and hollow promises. Such demagogues sought power by warning the common people to reject the Federalists as British-style aristocrats who wanted to ruin the republic so that they could install a king. Of course, the Federalists insisted that they defended the republic against the lies and the greed of the demagogues.

The Republicans cared primarily for the rights of free white men, who alone could vote in most of the states. The Republicans catered to the desires of common white men to preserve their legal rights over their wives and their slaves. And the Republicans promised to provide farms for the next generation by taking western land from the American Indians. The paternalism of the Federalists led them to offer a little more protection to the rights of free blacks and a little more room for women to express themselves in politics. Because free blacks generally voted Federalist, they usually lost the franchise when Republicans rewrote state constitutions. The same happened to widows in New Jersey, the one state in which women could vote until the Republicans came to power there. And, although the Federalists shared the national goal of western expansion, they proceeded more cautiously and slowly, treating the Indian nations with a little more diplomatic respect and generosity than did the Republicans.

Each party saw the other as bent on destroying the republic. In their bitter conflict with one another, they might have done so. Hostile to the concept of political parties, neither group accepted the legitimacy of the other. Both the Federalists and the Republicans believed that their party alone represented the public will and defended the public good. Consequently, their opponents had to be

insidious conspirators determined to destroy both freedom and union. The partisans were so shrill because the stakes seemed so high: nothing less than the survival of free government in the United States, deemed the last, best hope for liberty in the world.

THE UNITED STATES IN 1790

In 1790 the federal government took the first census of the new country. The census takers found a population of four million people: fewer than the superpowers of the day, for the British had nearly fifteen million people and the French numbered twenty-six million. One-fifth of the Americans (800,000) were African Americans held in slavery. The small US population was dispersed over the eastern third of an entire continent, for the nation stretched 1,000 miles east-to-west, from the Atlantic to the Mississippi, and about 2,000 miles from Florida, on the south, to the Great Lakes, on the north.

This vast country had only five cities (Philadelphia, New York, Boston, Baltimore, and Charleston) that exceeded 10,000 people, and the largest, Philadelphia, had barely 50,000. More than 90 percent of the people lived in the countryside on scattered farms and plantations. Thoroughly agricultural, the nation lacked much manufacturing except for a few small ironworks and many shipyards. Americans exported their surplus farm produce to pay for manufactured goods imported from Britain, which had industrialized. Most American farms barely supported the large families that lived on them. Along the Atlantic coast, the land seemed well cultivated, but in the hilly hinterland the settlements became small and stumpy pockets in a heavily forested land. The settlers slowly cleared away the forest with hand tools: axes, hoes, and shovels.

Because the best-built and largest houses tend to survive (while the typical small houses are torn down or rot away), we imagine that the early Americans led lives of gracious leisure among future antiques. In fact, the large families of the early nation crowded into tiny, unpainted houses of log or clapboard, measuring 18 by 20 feet, with two rooms on the ground floor and a sleeping loft overhead. Few people enjoyed any privacy. Glass windows and stone chimneys were luxuries. Of course, the houses had no electricity, no plumbing, and no heating except for what an open fireplace could provide. Keeping those fires going meant long hours cutting and hauling firewood. Insects swarmed through the doors kept open for ventilation in the warm months. Calls of nature meant a walk to a crude, wooden privy.

The good news was that almost everyone, except the slaves, had plenty to eat, although the diet depended heavily on salted meat (usually pork) washed down with whiskey made from corn. Americans took immense pride in how much they could eat, how fast they could eat it, and at the amount of salt and of animal fat that they could consume.

By law, a married woman was a “femme covert,” which meant subordination to her husband, who owned any property that she brought into the marriage. Married women could not sue or be sued in the courts. They could not draft wills, make contracts, or buy and sell property. If they earned any wage, the money legally belonged to their husbands. Even if a husband absconded for a time, his wife remained bound by coverture, and so he could claim any business she conducted or money she earned during his absence.

It was more than law and custom that denied women political and social equality; it was also the long and exhausting work that left them little time and energy. Women tended chickens, milked cows, made meals for their large families, and cleaned houses that kept filling with dirt trekked in from the fields. They had to make by hand most of the clothing worn by the family and wash that clothing by hand with soap they also had to make from scratch. Because there was virtually no artificial birth control, married women spent the first fifteen to twenty years of their marriages either pregnant or nursing.

But the Revolution did generate some new ideas that began, very slowly, to open new opportunities for women to escape the constrictions of the traditional household. Abigail Adams and other thoughtful women articulated a new concept of women as Republican mothers. They noted that the republic depended on a virtuous citizenry of men. Virtue meant an ability to put the public good ahead of self-interest. Women noted that a young man's character depended on his rearing by his mother, who instilled the values of virtue. In 1791, Judith Sargent Murray wrote that God had "assigned the care of making the first impressions on the infant minds of the whole human race, a trust of more importance than the government of provinces and the marshaling of armies."

Republican motherhood offered a larger place for women in society, but it also reinforced their domestic position. The promoters of Republican motherhood continued to think that women should only work in and around the home. Rather than seek the right to vote, they primarily wanted respect for their contributions to their families. Consequently, women claimed a right and a duty to speak out on public issues that affected their children, so that they could better raise virtuous sons. To that end, they sought greater legal protections from abusive and drunken husbands, and eventually the right to own property and to speak in public.

THE CONTENTIOUS ISSUE OF SLAVERY

In 1776, slavery was legal and present in every state, but far more slaves lived in the South, where they had become essential to the plantation economy. Raising tobacco, rice, and indigo depended on slave labor. Cotton joined that list after 1793, when Eli Whitney invented his cotton gin, which improved ten-fold over hand labor the pace of removing seed husks from the cotton balls. Thereafter cotton cultivation and slavery expanded rapidly in tandem across the South.

The Revolution led some leaders, including Jefferson, Madison, and Washington, to discern the hypocrisy of preaching liberty while practicing slavery, but they felt stymied by the economic importance and political popularity of slavery to most white southerners. The founders recognized that the southern states would accept no union without at least implicit protections for slavery—a position embraced by the federal Constitution. Congress did bar slavery in the Northwest Territory (north of the Ohio River), but allowed it in the Southwest Territory. Congress also abolished the importation of slaves from abroad, but did not do so until 1807. The federal government did nothing to stem the much larger interstate trade in slaves and had no authority to abolish slavery in the states.

The federal impotence on slavery left the issue to the states. During the 1780s and 1790s, the northern states gradually began to abolish slavery. State court decisions freed the slaves in New Hampshire and Massachusetts, but most of the northern states eliminated slavery gradually and by legislative enactment. For example, in 1799 New York stipulated that freedom would come to slaves once a woman reached twenty-five years and a man twenty-eight years.

It was relatively easy to abolish slavery in the northern states, where slaves comprised only 5 percent of the population. But slaves accounted for 40 percent of the southern population. No southern state would emancipate the slaves for fear that abolition would damage the plantation economy and that free blacks would seek revenge for their long sufferings under slavery. Thomas Jefferson insisted, "We have a wolf by the ears, and we can neither hold him nor safely let him go. Justice is in one scale and self-preservation on the other."

During the early 1780s, Virginia and Maryland did allow owners individually to free slaves through a process known as manumission. Consequently, the free black population in those two states grew from almost none in 1775 to 94,000 in 1810. Most African Americans, however, remained enslaved in Virginia and Maryland, and the other southern states discouraged manumissions.

White southerners dreaded a deadly uprising by their slaves. Their nightmare nearly became reality in and around Richmond, Virginia, in 1800. A blacksmith named Gabriel recruited at least 500 fellow slaves to seize arms from the state arsenal and dictate emancipation to the governor. They planned to strike on the night of August 30, 1800, but a thunderstorm suddenly flooded roads and bridges, making it tough to assemble the rebels. Tipped off, the white authorities rallied the militia and hunted down the rebel leaders. Virginia hanged twenty-seven rebels including Gabriel. A traveler reported that one of the rebels (unnamed in the record) declared, “I have nothing more to offer than what General Washington would have had to offer had he been taken by the British and put to trial. I have adventured my life in endeavouring to obtain the liberty of my countrymen, and am a willing sacrifice in their cause.” It chilled white southerners to hear their Revolutionary rhetoric turned against them.

Rather than reconsider slavery, the Virginians decided that they had been too soft on their slaves and had allowed them too much leeway to move around without proper passes. The leaders concluded that free blacks set a bad example, inspiring slaves to think that they could and should be free as well. In 1806 the Virginia legislature required any newly freed slave to leave the state, which discouraged further manumissions. Rejecting the libertarianism of the Revolution, southern leaders gradually adopted an aggressive defense of slavery, which insisted that blacks were racially inferior and unfit for freedom.

Only the most liberal of the southern planters could imagine some plan of gradual emancipation, but even they would not allow freed blacks to remain in America. Deporting freed men and women to Africa was prohibitively expensive, however, and the plantation economy was too profitable for most slaveholders to forsake. Finally, almost all the slaves had been born in America, spoke English, and had, over the generations, developed an African American culture. Despite the racism of American life, few wanted to risk an uncertain future on a distant continent. Richard Allen, a black Philadelphia minister, insisted, “This land which we have watered with our tears and our blood is now our mother country.” African Americans wanted to be free and equal in America.

Because the South rejected any program of emancipation, slavery expanded westward into Tennessee, Kentucky, Alabama, Florida, Mississippi, and (after 1803) Missouri, Arkansas, Louisiana, and Texas. The slave population nearly doubled from 676,601 in 1790 to 1,165,405 in 1810. The United States became divided into two regions, a North characterized by the absence of slavery and a South staunchly committed to slavery. But the racism of white supremacy prevailed in both regions, enabling a political union to survive despite the regional differences.

THE NORTHWEST TERRITORIES AND THE AMERICAN INDIANS

To the west, the fertile soil beckoned, but the wretched roads over the mountains discouraged westward migration of people and the eastward flow of trade from the new settlements. The settlers found it easier to float their produce in boats down the western rivers to the Mississippi and on to the port of New Orleans, which then belonged to Spain. Consequently, easterners feared that the western settlers might soon break away from the new country to seek some association with the Spanish, a prospect promoted by Spanish agents.

American Indian nations resisted the expansion of the United States. Although relatively few—about 70,000 in the territory between the Great Lakes, the Gulf of Mexico, and the Mississippi—the Natives were skilled at the guerrilla warfare of the frontier. During the 1780s the nations north of the Ohio River created a confederacy pledged to sell no land and to attack any settlers who crossed that river. The Indians obtained guns and ammunition from the Spanish in Louisiana and from the British, who kept forts along the Great Lakes, some of them within the American boundary in defiance of the peace treaty that ended the Revolutionary War. By helping the Indians, the Spanish and the British hoped to keep the American settlements small, weak, and on the defensive.

Indian resistance threatened the fiscal solvency of the new United States, which needed to sell western lands to raise revenue. Since speculators would not buy land where it was too dangerous for settlers to live, the United States also needed to defeat the Indians to impress the western settlers. If the federal troops failed, the settlers might reject the union as irrelevant and try to govern themselves or submit to the Spanish or British. If the national leadership could wage and win the western war, however, they could turn the West into the republic's greatest asset rather than its worst menace.

After suffering heavy defeats in 1790 and 1791, the US Army routed the American Indians at Fallen Timbers, Ohio, in 1794. Disgusted by a lack of British help at the critical moment, the Natives dissolved their confederacy and made peace as separate nations. The United States acquired two-thirds of Ohio and the right to establish forts in the rest of the western country. Meanwhile the British agreed in the Jay Treaty of 1794 to surrender their forts within the American line. The transfer came during the summer of 1796 and further strengthened the American hold over the western country.

In 1795, the Americans also negotiated a favorable deal with the Spanish. Fearing a British attack on New Orleans, the Spanish suddenly sought improved relations with the United States and allowed Americans to export their goods through New Orleans without paying any duties. The Spanish also withdrew from their forts within the American boundary line. As trade down the Mississippi to New Orleans boomed, more settlers moved west to exploit the fertile lands. Federal land sales soared, generating revenues for the federal government. In sum, between 1794 and 1796, the United States dramatically gained control over its long western frontier.

Rather than treat the western territories as colonies, the United States steadily integrated them into the union as new states admitted as the equals of the original states. During the 1780s Congress had adopted two ordinances to regulate the process. The Northwest Ordinance of 1785 set up the ground rules for settling the land. The federal government would employ surveyors to divide the frontier land into a grid of square townships subdivided into 640-acre sections for sale to land speculators, who would make profits by reselling the lands to small farmers in smaller lots: usually 160 acres, a good size for a farm. The Northwest Ordinance of 1787 established rules for making western territories into future states. Once a federal territory reached 60,000 people, it could hold a convention to frame a state constitution. If approved by Congress, the territory became a state, a status achieved by Ohio in 1803. Many more western states would follow.

NATIONAL AND INTERNATIONAL DEBATE

During the angry politics of the 1790s, the Republicans gradually proved the best match for American society. They insisted that a republic needed vigorous debate and public criticism of its leaders. Madison reminded Congress that in a republic “the censorial power is in the people over the government, and not in the government over the people.” The Republicans despised the Federalist efforts to suppress political dissent outside of the halls of Congress, particularly by private clubs and newspapers. Possessing less confidence in the judgment of uneducated voters, the Federalists feared that unregulated political criticism would undermine respect for the government and lead to a violent anarchy that would destroy the republic.

During the early 1790s, western settlers violently resisted a new federal excise tax levied on whiskey stills. Washington and Hamilton regarded the resistance as a critical test of the new government's credibility. In 1794 the Washington administration sent 12,000 militiamen into western Pennsylvania to suppress the so-called “Whiskey Rebels.” Declining to fight, most ran away and hid, enabling the federal government to enforce the new tax. The President angrily blamed the tax resistance on a set of Republican political clubs known as “the Democratic Societies,” which he declared “the most diabolical attempt to destroy the best fabric of human government and happiness.” The Federalists denounced the societies as “self-created,” in contrast to the government, which had a constitution

ratified by the people. The Federalists dreaded any political activity by privately organized groups outside of the constitutional structure. Of course, the Republicans disagreed, for they had much greater faith in the ability of common white men to make rational decisions if they had free access to political information.

The debate over free speech became more heated and dangerous in 1798, during a foreign policy crisis with France. Irritated by the growing American trade with Great Britain, the French seized American merchant ships on the high seas. Adding insult to injury, the French demanded bribes and tribute from American diplomats in Paris, in a controversy known as the XYZ Affair. Exploiting popular outrage, the Federalist-dominated federal government prepared for war and denounced the Republicans as French sympathizers. Congress criminalized dissent, particularly when expressed by newly arrived immigrants. Most came from Ireland and supported the Republicans, who shared their hatred of the British Empire. To reduce their political influence, Congress extended the period for naturalization as a citizen to fourteen years from the previous five. Congress also authorized the President to expel any unnaturalized alien deemed “dangerous to the peace and safety of the United States.”

Congress also passed a Sedition Act, which applied to citizens as well as aliens. The Sedition Act made it a federal crime to utter or publish “any false, scandalous, and malicious writing or writings against the government of the United States or the President of the United States, with intent to defame . . . or to bring them into contempt or disrepute.” The government pressed seventeen sedition cases, primarily against the editors of Republican newspapers. Ten resulted in conviction and punishment.

The Alien and Sedition Acts outraged the Republicans as further proof that the Federalists meant to stifle debate and dissent. In late 1798 the Republican-dominated state governments of Kentucky and Virginia adopted resolutions written by Jefferson and Madison respectively. Those resolutions denounced the Alien and Sedition Acts as unconstitutional. They further hinted that states could nullify enforcement of such laws within their bounds. The other state legislatures, however, blanched at the doctrine of nullification and rejected the Kentucky and Virginia resolves.

Instead, the election of 1800 would decide the fate of the federal republic and of its union. If the Federalists retained power, Jefferson threatened that Virginia and Kentucky would “sever ourselves from that union we so much value, rather than give up the rights of self government . . . in which alone we see liberty.” He valued the union but only if led by Republicans, whom he saw as alone dedicated to freedom and states’ rights.

In the election, the Republicans prevailed because the Sedition Act and federal taxes proved so unpopular. After a heated race Jefferson won the presidency by seventy-three electoral votes to sixty-five for the Federalist John Adams. The Republicans captured control of Congress as well. In subsequent elections, the Republicans would build their majority, as the Federalists faded. The Friends of the People had triumphed over the Fathers of the People. But their people were white: Jefferson’s new postmaster general fired all the free blacks working in his department.

Because the election of 1800 swept the Federalists from power, Jefferson called his victory the “Revolution of 1800.” His victory vindicated the principle that the republic’s rulers should attend carefully to public opinion and should avoid preaching deference to the common people. The Sedition Act expired and Jefferson pardoned prisoners convicted under that law. Congress also appealed to immigrants by reducing the period of naturalization from fourteen years back to just five. In practice, however, Jefferson and his fellow Republicans proved inconsistent as civil libertarians. In 1804 the new president explained, “While we deny that Congress have a right to controul the freedom of the press, we have ever asserted the right of the states, and their exclusive right to do

so.” Indeed, Jefferson urged Republican governors to prosecute the Federalist editors in their state courts.

Jefferson also rejected the more regal style of the Federalist presidents, Washington and Adams, who had staged elaborate rituals, worn expensive clothes, and held fancy receptions. The Federalists believed that shows of power helped to build public respect for the government. Of course, the Republicans insisted that these displays sought to dazzle the people into gradually accepting a monarchy and an aristocracy.

As president, Jefferson eliminated most of the rituals and receptions. He sold the presidential coaches, horses, and silver harnesses. On public occasions, he walked to Congress, and he often wore drab, simple clothing. The British ambassador felt insulted when the President received him wearing a bathrobe and slippers. Although quite wealthy, Jefferson made a show of his common touch, setting a tone followed by later presidents.

Jefferson’s symbolic reform benefitted from the relocation of the national capital, just before his election, from the cosmopolitan city of Philadelphia to a woody new town on the Potomac—Washington, DC. Jefferson regarded this rustic setting as perfect for the weak federal government that he desired, for he sought to decentralize power by reducing the power of the federal government to give a greater share to the states, which he saw as more democratic because they were closer to the people. Jefferson rejected the Federalist vision of a powerful and centralized nation, like those in Europe.

To weaken the federal government, Jefferson sought to pay off and eliminate the national debt, which Hamilton had regarded as an essential bond of the union. The Republicans cut the national debt in half, from \$80 million in 1800 to \$40 million in 1810. At the same time, Jefferson reduced taxes and eliminated the hated whiskey tax. Jefferson accomplished this goal, in part, by reducing federal government to a bare minimum, and by cutting back on the Army and the Navy. He limited the American foreign service to just three countries: the ambassadors to France, Spain, and Great Britain. But he primarily reduced the debt thanks to a great increase in federal revenue from two sources: a surge in imports increased the funds generated by the tariff, and an acceleration of western migration enhanced the sale of federal lands.

Jefferson sought to provide frontier farms for a growing American population that doubled every twenty-five years. He insisted that a republic needed a broad distribution of property in the hands of many small farmers. Only by taking more land from American Indians could the Republicans prolong America’s relatively egalitarian social structure (save, of course, for slavery).

Jefferson expected American migration to overwhelm the Spanish empire, which claimed Florida and the immense territory west of the Mississippi known as Louisiana, but the Spanish threatened that vision by selling Louisiana to the French in 1800. A ruthless general, Napoleon Bonaparte, had seized power in France, and he meant to build a global empire.

Fortunately for Jefferson, military setbacks persuaded Napoleon to sell Louisiana to the United States in 1803 for the bargain price of \$15 million. Although the Louisiana Purchase nearly doubled the size of the United States and averted war, it contradicted Jefferson’s commitments to reduce the federal government through frugality. The purchase added to the national debt that he had vowed to reduce. It also violated his very strict and literal construction of the federal Constitution, which did not explicitly authorize the purchase of new territory. You can imagine Jefferson’s outrage if a Federalist president had made such a deal. Rather than lose the prize, Jefferson set aside his constitutional scruples and, with the support of the Senate, ratified the purchase treaty.

Jefferson also expanded federal power to wage an overseas war—something far beyond the ambitions of the Federalists, who had clung to neutrality in the conflicts on the other side of the Atlantic. By paying protection money, the Washington and Adams administrations had bought peace with the Barbary emirates of North Africa, which deployed pirates against the ships of non-Muslim nations. Determined to cut the federal budget, Jefferson cancelled the payments, which reaped a war with Tripoli. That war proved far more expensive than tribute, and it compelled Jefferson to keep the small deepwater navy that he had wanted to dissolve.

Jefferson expected a quick, easy, and cheap victory in “the Barbary War.” Instead he got four years of frustrating war in the first American conflict in the Islamic world. Making the most of their shallow waters and heavily fortified seaport, the Tripolitans fended off the larger American warships, and Americans reaped a logistical and financial nightmare trying to sustain a blockading fleet in the distant Mediterranean. In 1805 the ruler of Tripoli made a face-saving treaty with the Americans. In return for \$60,000, he released his American prisoners and promised to leave American ships alone, without any future payments. Americans celebrated the Tripoli war as a great school for naval heroes and as a great victory for liberty over a land of slavery for white men. But within a few years, the pirates resumed attacking American ships, and did so with impunity because the United States had been sucked into another war with Great Britain.

To pay down the national debt, the Jefferson administration relied on a great surge in American overseas commerce, which enhanced the tariff revenue. Between 1793 and 1805, trade increased as American merchant ships exploited their neutral status to take trade away from the two great belligerents, France and Britain. American seaports and shipyards boomed. The tonnage of American shipping tripled and the value of trade soared from \$43 million in 1790 to \$246 million in 1807.

The booming American trade appalled the British, for it rescued the French economy from a British blockade and, as the premier commercial power in the world, the British resented the rise of the United States as a formidable rival. So in 1805 the British began to seize American merchant ships that carried goods from France or any of the French colonies. British naval captains aggressively enforced the new hard line, for they received a share in the auctioned value of confiscated ships and cargo. To fill vacancies in Royal Navy crews, the captains also seized sailors from the American ships, a practice known as “impressment.” The British insisted that the sailors were runaway Britons, while the Americans claimed they were American citizens. Often the sailors were immigrants from Britain, but the British refused to recognize any American right to naturalize British subjects. Between 1803 and 1812 the British impressed over 6,000 sailors who claimed to be American citizens.

For want of a larger navy of expensive ships, the United States could do little to resist the British seizures of American merchant ships and sailors. In June 1807, a British warship attacked and captured an American warship to impress some of its sailors. Still Jefferson balked at an overt war with the British. Instead, he settled for an “embargo” that ordered all American merchant ships to stay in port, barred from trading anywhere in the world. Jefferson reasoned that the British needed American trade more than America needed to trade with them. As an industrializing country with many workers, the British depended on importing food from, and exporting manufactures to, the United States.

Jefferson was mistaken. The British managed to get enough food elsewhere and to find new markets for their exports in Latin America. Indeed, they were delighted to see the United States suppress the very shipping that the British resented as unwanted competition. The embargo hurt the Americans far more than the British. It threw sailors and laborers out of work, bankrupted many merchants, and left farmers with surplus crops that they could no longer export. The economic pain revived the dying Federalist Party in the Northeast, the region hardest hit by the embargo. The

Federalist comeback spooked the Republicans in that region. They pressured their colleagues in Congress and in the administration to abandon the embargo. Congress did so in March of 1809 just as Jefferson left the presidency and its troubles to his friend and successor, James Madison.

To no good end, the embargo had violated Republican principles that sought to protect liberty by limiting government's power. The great proponent of minimal government, Thomas Jefferson, trapped his administration and party in a massive contradiction. He had dramatically expanded federal power to criminalize, for more than a year, the overseas commerce essential to national prosperity. By enforcing that misguided policy, Jefferson threatened thousands of Americans with financial ruin while rewarding smugglers with windfall profits. The two parties had reversed their positions. Jefferson used executive power against citizens, while the Federalist governors and state legislatures in New England threatened to nullify national laws.

The failure of the embargo left many Republicans feeling humiliated at their inability to protect American ships and sailors. A group of Jeffersonian congressmen known as War Hawks insisted that there was no alternative but to declare war on Great Britain. But how was the United States to wage war on a maritime superpower like Great Britain? The United States had only seventeen warships compared to the 1,000 of the Royal Navy.

The War Hawks favored attacking the British colonies in nearby Canada by marching overland from the United States. This could be done cheaply, without the cost of building a large navy or even, they believed, of organizing a large, professional army. The War Hawks boasted that the civilian-soldiers of the state militias would suffice to conquer Canada. After all, the population of the United States exceeded Canada's by a ratio of 25 to 1. Caught up in this enthusiasm, Jefferson insisted that the conquest of Canada was "a mere matter of marching." However, the War Hawks were not clear about how losing Canada would force the British to make concessions about maritime issues. In June 1812, Congress and President Madison declared war on Great Britain anyway.

Waging war with a militia proved even more of a disaster than the embargo had been. Because so many militiamen deserted to avoid combat, the British and their Indian allies repeatedly repelled the invaders, while the American professional army was too small and too badly led to make a difference. Ironically, the little American Navy did much better, defeating several British warships in battles on the high seas. These unexpected naval victories boosted American morale and frustrated the British, who were used to always winning at sea. But a few small-scale naval victories did little to reduce the vastly superior number of British warships.

The war took a further turn for the worse in 1814, when the British and their European allies crushed Napoleon's France, freeing up thousands of British troops for deployment against the United States. During the summer and fall of 1814, British forces went on the offensive, invading the United States from multiple directions. They captured eastern Maine and briefly occupied and partially burned the national capital, Washington, DC—a great humiliation for the Madison administration. But, in general, American forces fought better defending their own country than they had as invaders of Canada. In September, the Americans fended off British attacks on Baltimore, Maryland, and Plattsburgh, New York.

Weary of the war, British diplomats offered the Americans generous terms in a peace treaty concluded at Ghent in Europe in December. The British agreed to withdraw from the lands they had occupied in eastern Maine, northern Michigan, and western New York. The treaty said nothing about the maritime issues that had led to war. Having failed to conquer Canada or compel British maritime concessions, the Republicans redefined national survival as victory. James Monroe, the Secretary of State, assured the Senate that "our Union has gained strength, our troops honor, and the nation character, by the contest."

In early February, the myth of the glorious war got a boost with the arrival, on the East Coast, of dramatic news that American troops had won a sensational victory near New Orleans. On January 8, in the war's most lopsided battle, General Andrew Jackson's army had routed 6,000 British regulars. At a cost of only thirty minutes and seventy-one casualties, the Americans had killed 290 Britons, wounded 1,262, and captured 484.

In mid-February, news of the great victory merged with the ratification of peace to shape the American memory of the war. Americans concluded that their one big victory on land had forced the British to abandon the war. The New Orleans and the Ghent news also coincided with the arrival in Washington of a delegation of New England Federalists bearing the demands of a convention they had held at Hartford, Connecticut, to denounce the war and to demand amendments to the Constitution. Ignored by Congress and the President, the delegates returned home in a disgrace inflicted by the unanticipated events at New Orleans and Ghent. Thereafter, the Hartford Convention became a synonym for treason, and its bad reputation destroyed the Federalist revival in the Northeast, that party's last bastion.

So a war that had exposed the republic's weaknesses became, in memory, a war that had proven its strengths. Only a few Republicans wished to look back in sorrow. In 1816, John Quincy Adams soberly (but privately) remarked, "my countrymen . . . look too intently to their Triumphs & turn their eyes too lightly away from their disasters." He felt that Americans were "rather more proud than they have reason [to be] of the War."

But illusions often prove paradoxically valuable. The new confidence in the republic enabled Americans to accept the persistence of British Canada as innocuous. The northern border also seemed more secure as the British withdrew from supporting the American Indians within the United States. The ultimate legacy of the war was that the empire and the republic could safely share the continent along a border more generous to the Americans and more confining to the British—but most ominous to the Indians.

Although the Federalist Party died, its goals proved surprisingly vibrant within the ostensibly Republican nation. The Republicans had hoped to prolong the United States as an agricultural nation of small farmers. Yet they unwittingly and ironically did more to promote industrialization than the Federalists had. Their policies of embargo and war had interrupted the importation of British manufactured goods, which created opportunities for American investors to build factories to fill the consumer demand for textiles. After the war, the Republican congressmen from the North defended the new industries with a protective tariff that discouraged imports from Great Britain. That protective tariff hurt the farmers and planters of the South, who relied on exporting their produce in exchange for British manufactures. By 1860 the American Northeast resembled Hamilton's vision of an industrialized country rather than Jefferson's vision of a land of small farmers.

And although the Republicans prevailed in electoral politics, the Federalists endured within the federal judiciary, the third branch of the government. As the founders intended, the judiciary was not a democratic institution, for federal judges were not elected, and they served for life terms. The power of the federal judiciary belies any notion of the United States as thoroughly democratic in the wake of the Jeffersonian triumph.

In 1801, while Jefferson became president, a Federalist became the chief justice of the United States Supreme Court. The lame-duck Federalist president, John Adams, had appointed John Marshall, a Virginian who despised his cousin, the new president. While Jefferson served as president for eight years, Marshall remained chief justice for thirty-five years, longer than anyone else in the history of that court. Marshall maintained his influence over the Court over the years despite the fact that most of his colleagues soon became Republican appointees. Marshall's charm and brilliance soon won most of them over to his perspective.

Marshall participated in more than 1,000 Supreme Court decisions, writing over half of them, far more than any other justice. Those decisions came at a critical period in the development of the nation and its economy. Marshall consistently favored four great Federalist principles. First, he asserted that the Supreme Court had the power to review the acts of Congress and of the President and to declare them unconstitutional; we call this “Judicial Review.” Second, he favored federal supremacy over the state governments by extending the right of federal judicial review to state laws. Again we now take this for granted, but prior to Marshall this was not an established principle. Remember that many Republicans preferred the doctrine of the Kentucky and Virginia resolves, which held that the state legislatures had the right to review and nullify federal laws. Third, the Marshall Court followed Hamilton rather than Jefferson in insisting that the Constitution implied broad powers for the national government. Fourth, Marshall repeatedly defended business interests against state laws by invoking the Constitution’s protection for contracts. During the nineteenth century, these four legal principles became widely accepted, ensuring that our inheritance from the early republic owes as much to the Federalists as to the Republicans.

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