

CHAPTER 9: JEFFERSONIAN AMERICA, 1800–1816

THE LOUISIANA PURCHASE

In his inaugural address, Thomas Jefferson looked to calm the fears encouraged by Washington's Farewell Address when he said, "We are all Republicans; we are all Federalists." Jefferson's Republican party, also known as the Democratic-Republican party, is an ancestor of the modern-day Democratic party. Although he was a staunch Republican, Jefferson understood that ideology could get in the way of the decisions that needed to be made for the betterment of the nation. In this, Jefferson's presidency was somewhat of a contradiction—in some cases, he adhered to the letter of the Constitution, while at other times, he adopted a somewhat "loose" interpretation. In either case, he argued that the decisions he made were for the good of the nation he so dearly loved. He kept many of the hallmarks of the Federalist Era intact (such as Hamilton's economic system) but had the citizenship requirement of the Alien Act reduced to five years and abolished the excise tax.

NEGOTIATIONS WITH NAPOLEON

A perfect example of Jefferson's loose constructionism is his purchase of the **Louisiana Territory** from Napoleon of France. In 1800, Napoleon obtained the territory from Spain under a cloak of secrecy. The United States had enjoyed the right of deposit at the Port of New Orleans since the signing of **Pinckney Treaty** in 1795 with Spain. In 1802, the Spanish (still in control of the port) revoked the right of deposit in New Orleans. Farmers on the western frontier pleaded for government intervention, since they depended on the ability to transport goods on the Mississippi and deposit them for trade in New Orleans. Jefferson, understanding the impact this would have on the economy and the possibility of getting mixed up in European affairs, dispatched ministers to Paris to negotiate with Napoleon.

Jefferson instructed his ministers to offer \$10 million for New Orleans and a strip of land that extended to Florida. If the negotiations failed, the ministers were to travel directly to London to ask for a cross-Atlantic alliance between the United States and Britain. Much to the ministers' surprise, the French ministers were offering not just New Orleans and the strip of land that

extended to Florida but the entire Louisiana Territory for the bargain price of \$15 million. Napoleon had abandoned his dream of an American empire because of his failure to stop a slave uprising in Haiti and his desire to raise revenue to fund his conquest of Europe. The American ministers jumped at the opportunity, bringing the deal home for Jefferson's approval. The president was torn. If he accepted the deal, it would be in direct conflict with his strict constructionist views of the Constitution—the document does not specifically provide for the president to negotiate for and purchase land from a foreign power. If he did not accept the deal, the Union might be in peril—the doors would open for another country to purchase the land. Ironically, it was Federalists who voiced the loudest opposition to the **Louisiana Purchase** by arguing that Jefferson had no constitutional authority to negotiate the deal without the consent of the legislature. The president reluctantly sent the deal to the Republican-held Senate, which quickly approved the purchase.

LEWIS AND CLARK EXPLORE THE LAND

The Louisiana Purchase doubled the size of the United States for a mere three cents an acre. Both the French and the Spanish were removed as potential threats to U.S. sovereignty, the western frontier was opened to one of the most fertile valleys in the world, and Jefferson's dream of an agricultural empire was now closer to becoming a reality. Additionally, Jefferson hoped to find an all-water route connecting the Missouri River to the Pacific Ocean. To investigate this route, the president appointed a team, led by **Meriwether Lewis** and **William Clark**, to explore the vast territory beginning in 1804. The group traveled a route that began in St. Louis, Missouri, and took them to the Pacific Ocean on the coast of Oregon. They returned to St. Louis in 1806. By keeping meticulous field notes and drawings of the flora and fauna, as well as detailed accounts of encounters with native tribes, Lewis and Clark expanded America's knowledge of this vast new territory and warned of the hardships settlers would face moving west. However, Jefferson's most prized objective of finding an all-water route was not realized.

THE MARSHALL COURT

A few Federalists were still clinging to power during Jefferson's administration, mostly in the judicial system. In a last-minute piece of legislation before the Congress was to be turned over to the majority Republicans, the Federalists squeaked through the **Judiciary Act of 1801**, whereby 16 new judgeships were created. President John Adams worked through the nights of his last days in office, appointing so-called "**midnight judges**" who would serve on the bench during Jefferson's administration.

MARSHALL MAKES A DECISION

Incensed by the packing of Federalists into lifetime judicial appointments, Jefferson sought to block these men from taking the bench. He ordered his secretary of state James Madison not to

deliver the commissions to the last-minute appointments, thereby blocking them from taking their judgeships. One of these “midnight judges,” **William Marbury**, sued under the Judiciary Act of 1789, which granted the Supreme Court the authority to enforce judicial commissions.

Sitting as Chief Justice of the Supreme Court was Thomas Jefferson’s cousin and staunch Federalist, **John Marshall**. Marshall knew that if the Supreme Court issued a **writ of mandamus** (an order to force Madison to deliver the commission), the Jefferson administration would simply ignore the order. On the other hand, if the Court did not issue a writ, then it would seem that the court was weak compared to the other two branches. Eventually, Marshall declared that Madison should have delivered the commission to Marbury, but then he held that the section of the Judiciary Act of 1789 that gave the Supreme Court power to issue writs of mandamus exceeded the authority allotted the Court under Article III of the Constitution and was, therefore, null and void. With this decision, Marshall was able to reprimand the Republicans without compromising the stature of the Court. More importantly, Marshall had ruled a law passed by Congress to be unconstitutional, thereby establishing the precedent of **judicial review**. In this and subsequent decisions by the Marshall court, the power of the Supreme Court increased—it could check the authority of both the legislative and executive branches.

AN ATTEMPT TO FLUSH FEDERALISTS

President Jefferson was still determined to remove all remaining vestiges of the Federalists from the judicial branch. After the rebuke from Marshall and the Supreme Court in the *Marbury* decision, Jefferson turned his efforts to the **impeachment** of radical Federalist judges. The House successfully voted for the impeachment of Supreme Court Justice Samuel Chase owing to his highly **partisan** decisions. The Senate, however, refused to convict Chase because of the absence of any evidence of “high crimes and misdemeanors.” Jefferson’s attempt to flush Federalist judges out of the system was unsuccessful—most remained on the bench for life. The judges did tend to rule a bit more to the president’s liking, however, as the threat of impeachment hung heavy over the judicial system. Nevertheless, this episode proved to be the last time that a Supreme Court justice would be impeached, maintaining the precious separation of powers between the legislative and judicial branches.

JEFFERSON’S CHALLENGES

Thomas Jefferson easily won re-election in 1804 and entered a much more difficult presidential term. His authority was challenged by his own former vice president, a threat from within his party, and foreign troubles.

A small, radical group of Republicans led by Jefferson’s cousin John Randolph grew increasingly annoyed by the president’s abandonment of his once staunch states’ rights advocacy. The “Quids” accused Jefferson of entanglement in a faulty land deal in the western half of Georgia in 1804 (Yazoo River area, now Mississippi). Georgia had turned over her western lands to the federal

government but not before granting much of it illegally to land companies. Desiring a quick end to the debacle, Jefferson and James Madison attempted to pay the land companies restitution for the illegally obtained land that the federal government was now taking. Randolph and his Quids leaped at the chance to portray Jefferson as corrupt by claiming that the president was paying a bribe. The Yazoo Land Controversy led to a schism within the Republican party, which would further challenge Jefferson during his second term.

BATTLES WITH AARON BURR

Before Jefferson ran for his second term, the Republicans decided not to select **Aaron Burr** as his vice presidential running mate. In 1804, the Constitution was amended by the **Twelfth Amendment**, which called for electors to the Electoral College to specify which ballot was being cast for the office of president and which was being cast for the office of vice president. The tie vote that occurred in 1800 between Jefferson and Burr would not happen again under the new amendment. Burr became very bitter over the snubbing by his own party and the injustice he believed he had endured back in 1800 at the hands of Alexander Hamilton. Seeking retribution, Burr joined forces with a small group of radical Federalists called the **Essex Junto**. This group was plotting for a New England state **secession** from the Union and had originally asked Hamilton if he would run for governor of New York to join in their exploits. Hamilton refused the offer, so the group then asked Burr if he would run. He gladly accepted and began his campaign.

Upon hearing the news of the campaign, Hamilton leaped at the chance to crush Burr's chances of election by leading the opposition faction. Fearing what an ex-Republican would do, Federalists in New York chose not to elect Aaron Burr as governor, and the plot faded away. After hearing of a snide remark made by Hamilton about his character, Burr challenged his enemy to a duel. Refusing such a challenge would have certainly affected Hamilton's stature as a leader and a man; therefore, the duel was set. Burr shot Hamilton, fatally wounding him, in 1804. Just when Americans thought Burr was gone, another secession plot arose in 1806 dubbed the **Burr Conspiracy**. His plan was to wrest Mexico from the Spaniards and join it with the Louisiana Territory to create a new country to the west. The plot was reported to President Jefferson, who called for Burr's immediate arrest and trial for treason. Chief Justice John Marshall sat on the bench of the jury trial, at which the prosecution could produce no credible witnesses. Burr was acquitted and freed.

TROUBLES ABROAD

Foreign troubles left over from his first term plagued Jefferson through his second term. The Barbary pirates in North Africa continued to seize U.S. merchant ships as they traveled in the Mediterranean. Presidents Washington and Adams reluctantly had paid leaders of North African nations a "protection fee" to reduce the number of times U.S. ships would be seized. Once Jefferson took office, the leader of Tripoli demanded a much higher sum for protection. Jefferson refused to pay the fee and instead sent a small fleet of naval ships to stop the pirates. The U.S.

Navy fought the pirates in the Mediterranean Sea for four years in what came to be called the **Tripolitan War** (1801–1805). While chided for their efforts, the small American force was able to put a dent in the work of the pirates and gained the United States credibility overseas.

A much greater challenge to U.S. authority came with the continued escalation of the **Napoleonic Wars** that continued to rage in Europe. The British and French were busy punishing each other by issuing decrees that would blockade trade into one another's ports. Beginning with Napoleon's **Berlin Decree** in 1806, his attempt to cut Britain off from trading with the rest of the world meant that American ships traveling to Europe to deposit goods would get caught in the mess. The British quickly responded by issuing their **Orders in Council**, which retaliated against France by blockading all ports under French control—any American ship traveling to mainland Europe that did not stop first in Britain would be confiscated. In 1807, Napoleon fought back by issuing his **Milan Decree**, which authorized his navy to seize any foreign ship traveling to Europe that had first stopped in Britain. In other words, American shippers could continue trade at great risk but reap great profits.

Americans were growing increasingly concerned over the British practice of impressment and violations of U.S. neutrality. With thousands of American sailors forced into British military service on the high seas, the continued seizures of neutral ships, and a skirmish at sea with a British vessel, Jefferson was compelled to act. In 1807, the British ship *Leopard* fired upon the U.S. ship *Chesapeake* right off the coast of Virginia, killing three Americans, and the British impressed four sailors after they boarded the *Chesapeake* to search for deserters. Despite the war fever taking hold in the public sector, Jefferson sought to use the power of diplomacy and economic sanctions to keep the United States from fighting the British. He had no interest in going to war or getting involved in European affairs, but he hoped that the United States could hurt the British economically and, thus, force them to cease violating American neutrality.

THE EMBARGO ACT

Jefferson persuaded Congress to pass the **Embargo Act** in 1807, which prohibited U.S. merchant vessels from engaging in foreign trade. His hope was that Britain and France would be crippled economically by the loss of U.S. trade and would be forced to respect his country.

Unfortunately, Jefferson's plan was ruinous for the U.S. economy—most of the damage was inflicted on New England merchants and Southern farmers. A vast network of black market goods arose along the Canadian border to circumvent the embargo. This led to the passage of harsher enforcement laws that many, especially New Englanders, saw as punitive and oppressive. Congress repealed the Embargo Act in 1809 but soon replaced it with a similar bill.

MADISON PLAGUED BY EUROPEAN AFFAIRS

James Madison managed to defeat Federalist Charles Pinckney in the presidential election of 1808 and would carry on the legacy of Republicanism that Jefferson had left behind. Still, issues overseas would dominate U.S. politics during his presidency. **The Non-Intercourse Act of 1809** had been passed by Congress in the last days of Jefferson's presidency to replace the Embargo Act. This law, which expired one year from its enactment, allowed the United States to trade with foreign nations except Britain and France. Like its predecessor, the Embargo Act, it was difficult to enforce and mostly ineffective. Congress took up the issue again in 1810 and enacted **Macon's Bill Number 2**, which sought to lift trade restrictions against Britain or France but only after they agreed to honor U.S. neutrality. Napoleon happily repealed his Berlin and Milan Decrees in the hopes of stirring up tensions between the United States and Britain. Madison issued Britain an ultimatum—remove the orders in Council within three months, or U.S. trade restrictions would continue. Madison had been duped, however, by Napoleon, who never intended to honor his promise to remove the restrictions on shipping and trade. The British and French continued their practice of impressment and ship seizures, pushing the United States closer and closer to the brink of war.

"MR. MADISON'S WAR"—THE WAR OF 1812

A heightened sense of nationalism ushered in the first meeting of Congress in 1811. New, young Republican representatives and senators from the south and the west urged a war with Britain to secure a place in the global political structure for the United States. "War hawks," such as Henry Clay from Kentucky and John C. Calhoun from South Carolina, insisted that this war would finally clear Britain's influence from North America. Aside from dealing with the British at sea, the Americans were hoping to eliminate the threat of English-armed Native Americans, who continued to cause trouble for western frontier settlers.

The **Battle of Tippecanoe** in present-day Indiana caused many members of Congress from the frontier to feel justified in their call for war. Prior to the outbreak of the War of 1812, **General William Henry Harrison** sought to break up a large native confederacy that a pair of Shawnee brothers, **Tecumseh** and **The Prophet**, had organized in the face of an American advance westward. General Harrison and his men successfully fought back a surprise attack and subsequently burned a tribal settlement at Tippecanoe. Now with the Native American threat removed in the west, the war hawks looked to conquer Canada.

The British refusal to lift trade restrictions, and immense political pressure pushed President Madison to ask Congress for a declaration of war in June 1812. Ironically, the British at that very time had repealed the orders in Council. However, by the time word traveled across the Atlantic Ocean and reached Washington, D.C., the war had already begun. Few Americans and members of Congress were in favor of "Mr. Madison's War," with New Englanders voicing the greatest opposition. However, the war hawks were successful in amassing a large enough coalition to officially declare war.

"The Second War of Independence" was a small and disappointing war for the United States. The nation was not prepared to wage war—particularly not with the most powerful naval force in the

world. The economy had been devastated by the Embargo Act, and America's standing military was small, poorly equipped, and undertrained. The "Mosquito Fleet," or U.S. Navy, was no match for the British Navy. U.S. ships were able to outmaneuver the British in the Great Lakes region, but the American invasion of Canada was a debacle.

With Napoleon under control in Europe by 1814, the British were able to focus their attention on North America. The Americans were able to repel a British attack on New York but could not save Washington, D.C., from being burned to the ground in August of 1814. The British amassed at Fort McHenry near the city of Baltimore, Maryland, but U.S. soldiers held the fort through a night of bombing, inspiring a prisoner on a nearby British ship to write a poem about it. Francis Scott Key put words to an old drinking song to express his love for his country and called it "**The Star Spangled Banner.**"

The formidable **General Andrew Jackson** led the American troops in their campaign in the south. He and his men were able to cut a swath through the British from Alabama to New Orleans and thwart the English attempt to control the Mississippi River at the **Battle of New Orleans**. Interestingly, the battle—while an impressive victory for the Americans—was completely unnecessary, as it was fought two weeks after the signing of the peace treaty that ended the war. Nonetheless, Jackson emerged as an American war hero.

The **Treaty of Ghent** that ended the War of 1812 was signed by American envoys and British diplomats in Belgium on December 24, 1814. The provisions of the treaty provided for the end of the fighting, the return of any conquered territories to their rightful owners, and the settlement of a boundary between Canada and the United States that had been set before the war. Essentially, the war ended in a draw—neither side gained any concessions, restitutions, or apologies. Most Americans were pleased, however, because they had fully expected to lose territory. Despite their complaints, the war did allow manufacturing, especially in New England, to flourish. The country became a bit more independent from European markets. In effect, this was the beginning of America's industrial revolution.

IDEOLOGY DIVIDES THE UNITED STATES

A very serious ideological split divided the nation during the War of 1812—a split between the Federalists and the Republicans, which was essentially a split between New England and the rest of the nation. New England states were vehemently opposed to the war effort and the direction in which Republicans were taking the nation. A radical group of New England Federalists met at a convention in Hartford, Connecticut, during the winter of 1814–1815 to discuss ways to demand that the federal government pay them for the loss of trade due to the Embargo Act, Macon's Bill No. 2, and the War of 1812. The group also discussed possible amendments to the Constitution, which included a one-term limit for the office of president; a two-thirds vote for an embargo, declaration of war, and admission of new states; and an end to the Three-Fifths Compromise—all aimed at Republicans. A radical, small, vocal group even suggested secession from the Union. Hartford representatives were sent to Washington, D.C., to make the demands of the Convention clear to the

federal government. However, before they could speak, news of the signing of the Treaty of Ghent and Jackson's victory at New Orleans drowned them out. With the war now over, the Federalists looked like a bunch of complainers and were labeled "unpatriotic." The **Hartford Convention** was basically the final nail in the coffin for the Federalist party, which was routed by Republican James Monroe in the election of 1816. These ideological divisions would continue to intensify and become sectional as the nation moved into the 1820s and began to expand further westward.

KEY TERMS	
Names	Meriwether Lewis William Clark William Marbury John Marshall Aaron Burr William Henry Harrison Tecumseh and the Prophet Andrew Jackson
Groups	Essex Junto
Events	Louisiana Purchase Burr Conspiracy Tripolitan War Napoleonic Wars Battle of Tippecanoe Battle of New Orleans Hartford Convention
Documents and Laws	Pinckney Treaty Judiciary Act of 1801 Twelfth Amendment Berlin Decree Orders in Council Milan Decree Embargo Act Non-Intercourse Act of 1809 Macon's Bill Number 2 "The Star-Spangled Banner" Treaty of Ghent
Places	Louisiana Territory
Vocabulary	midnight judges writ of mandamus judicial review impeachment partisan secession

REVIEW QUESTIONS

- Jefferson contradicted his constructionist view of the Constitution when he
 - asked Congress for a declaration of war.
 - authorized the purchase of the Louisiana Territory.
 - repealed the Embargo Act.
 - enforced Macon's Bill Number 2.
 - signed the Alien and Sedition Acts.
- In the case *Marbury v. Madison*, Chief Justice John Marshall established the
 - Judiciary Act of 1789.
 - rules of impeachment.
 - precedent of judicial review.
 - Embargo Act.
 - compact theory.
- In the years prior to the War of 1812, Presidents Jefferson and Madison
 - showed little interest in engaging in a war with either France or Britain.
 - remained steadfast to their beliefs in regards to the Constitution.
 - were not prepared for the office of president.
 - ignored the rulings of the Supreme Court.
 - sought revenge against Britain and France.
- The War of 1812 led to all of the following EXCEPT
 - the removal of the Native American threat in the Ohio Valley.
 - a heightened sense of nationalism.
 - the growth of American industry.
 - newfound respect for the United States abroad.
 - rising support for the Federalist Party.
- The Hartford Convention was significant because
 - the call for secession was struck down.
 - a law passed by Congress was nullified.
 - Federalists gained new followers afterward.
 - renewed signs of sectional tension became evident.
 - states amassed an opposition to Jefferson's policies.