

# WHAT THE HECK IS GOING ON HERE?

## The Political Schizophrenia of the Federal Period 1789-1800

Your initial foray into the chaos that is Scalia's bump and stumble through American History  
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You know, Americans have this uncanny knack for misplaced assumption. Consider:

1. Early-mid seventeenth century: Britain embarks upon a policy of Salutary Neglect; enter the American art of smuggling. Now the colonists *assume* everything will be hunky-dory with everyone rolling in cash while choking down nasty New England clam chowder with equally nasty Barbados rum. NOT SO FAST . . . here come the Navigation Acts, Writs of Assistance, and other imperial goodies, and Salutary Neglect goes down the toilet. Result? Trouble in New England, trouble in which deflated footballs are irrelevant.
2. The good guys finally kick the French off of the North American continent by winning the French and Indian War, no more funny-talkin' dudes prancing around, smelling like an Axe factory gone bad, and confessing their sins to their papist priests. Free from French popery and their Indian "stooges" the "appreciative" American colonists and their "loving" British brothers *assume* that they can now live in perpetual harmony, each secure in the *assumption* that neither cares merely for himself, but for the mutual benefit of all. NOT SO FAST . . . by 1776 the colonies have gone absolutely nuts, trashing and burning houses, hanging dummies from every tree in sight, inventing imaginative new ways to introduce hot tar to the human body, and dumping moldy tea into Boston Harbor. Result? More trouble on the horizon.



3. War's over, freedom won!! (I LOVE George Washington chasing those British goons across a field in a black Dodge Challenger waving an American flag. Now THAT'S good history!) The inhabitants of the new United States *assume* they will ALL now share in this exciting new republican experiment, with African slaves, Native Americans, and women all finally gaining equality and social respect. NOT SO FAST . . . although some slaves are freed due to their service in the revolution, slavery is still a legal (and growing) institution in the new republic; Native Americans only gained the right to be chased further and further West (and be shot at while doing so), and women, who previously were expected to crank out babies, keep the cabin clean, and get those biscuits on the table, now have a legitimate social standing in society, the "REPUBLICAN MOTHER," where they now crank out REPUBLICAN babies,

keep the REPUBLICAN cabin clean, and get those REPUBLICAN<sup>1</sup> biscuits on the table. Meet the new boss; same as the old boss.

4. Now that those pain-in-the-butt Brits are gone, the former American colonists *assume* they can all kick back and enjoy just being Americans! I mean, since the British were the cause of ALL of America's problems, now that they're history, so are the problems . . . right? NOT SO FAST . . . Daniel Shays? The Paxton Boys? Regulators in the Carolinas? And that's just the tip of the ol' revolutionary iceberg. You say you want a revolution? Be careful what you ask for. Guess what, you goobers back East? Not all Americans are happy: some are a bit miffed, many are a tad irritated, and way too many are flat out MAD . . . and not shy about doing something about it.
5. Finally, Americans suffered through the Articles and finally trashed that inept abomination, and by 1789 had adopted a brand new constitution that would finally solve all of those pesky residual revolutionary problems (like factions) and set the new nation on the road to "domestic tranquility." I mean, with Washington as the first president, how can you go wrong? NOT SO FAST . . . the fun is only beginning; there is still the issue of human nature and politics with which to deal. No reality show beats this stuff, so stay tuned . . .

## **THE FEDERAL PERIOD**

The period from 1789 to 1800 is known as the **Federal Period** due to the dominance of the Federalist faction over American government. For example: the President (George Washington), Vice-President (John Adams), Secretary of the Treasury (Alexander Hamilton), Secretary of War (Henry Knox), Attorney General (Edmund Randolph), and the first Chief Justice of the Supreme Court (John Jay) were all Federalists; the only non-Federalist in Washington's cabinet<sup>2</sup> was Secretary of State Thomas Jefferson, and it wouldn't be long before he would cop an attitude, pitch a hissy fit, resign, and go sulk in Virginia at Monticello. In addition, the overwhelming majority of both houses of Congress were also Federalists, in other words Alexander Hamilton's perception of Nirvana (the mythical place, not Kurt Cobain's claim to fame).

### **Chapter I. Hamilton's Financial Program**

The most pressing problem for the new country involved the woeful state of its finances; in other words, we were flat broke and owed our rear ends to the world (especially France). Enter Alexander Hamilton, who was indeed a financial visionary who harbored a dream of America as a manufacturing, industrial financial giant (as opposed to Jefferson's dream of America as an agrarian paradise). To facilitate his idea for America's future Hamilton submitted a multi-faceted financial plan that outlined the steps by which the United States could not only emerge on a firm and stable economic foundation but lead the world in doing so. Dude had major dreams.

1. **Debt Assumption.** The problem of the states' war debts had not yet been solved, and Hamilton knew there was no way southern states (who had little or no residual debt) would agree to assume the debt of the northern states for the good of the country as a whole. Remember: the South was the region that embraced the Articles (ie states' rights) and were already suspicious of northern motives as set forth in that New England Yankee Federalist Constitution. Consequently Hamilton realized he would have to compromise, and he would have to do so with his arch-rival Thomas Jefferson . . . a necessity of which Jefferson was also aware.

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<sup>1</sup> It is important to understand that, in this instance, the term "republican" refers to a socio-political governmental system, NOT the political party. That comes later.

<sup>2</sup> The president's cabinet is a result of traditional precedent; in other words, it is NOT called for in the Constitution. Pretty much everything Washington did became precedent for succeeding presidents, and since he had an advisory committee of four "trusted" advisors, the cabinet became a governmental institution. By the way, you'll see that "trusted" can a relative term.

Jefferson took the lead, and at his behest he, Hamilton, and Jefferson wanna-be lil' Jimmy Madison met for dinner at Jefferson's Philadelphia apartment to discuss the issue. The result of this dinner party is known as the **Assumption Compromise**. Jefferson agreed to support national debt assumption in exchange for the location of the new national capitol city, which was rumored to be New York, to be instead placed in the South. Jefferson's insistence of a southern location for the capitol reflected southern suspicions of northern dominance of the government through the Constitution, and a sixty-one square mile federal district of land was culled from the northern Virginia-southern Maryland border in what became known as the District of Columbia. The capitol city itself, which was originally designated as Columbia and later changed to Washington City after the death of George Washington (for obvious reasons), would be designed by French architect Pierre L'Enfant . . . which explains why driving in DC is an exercise in insanity.



The Federal District of Columbia.

2. **The Four-Step Plan.** After securing a sound plan to fund the states' debt through national assumption, Hamilton's next step involved four E-Z steps for financial security. They included:
  - a. Government encouragement and support of manufacturing over agriculture as the basis for America's economy. Hamilton saw England as America's major competition for foreign markets, and therefore sought to copy England's manufacturing success and then challenging the British for global (primarily European) trade. You know, if you can't join 'em, beat 'em.
  - b. American encouragement of foreign investment in the United States. Hamilton reasoned that if America borrowed money from foreign governments those governments would consequently

have a vested (ie financial) interest in American commercial success. After all, if you were to lend money to someone you'd want them to succeed so you could not only get your money back, and get it back with interest. I tell ya, this dude is sharp . . . if you regard common sense as genius.

- c. Standardized and controlled currency through creation of a **national bank**. The new government would abolish all of this paper-money-versus-specie nonsense through government printing and control of a set amount of gold-backed currency. This bank would combine individual and governmental interests (therefore guaranteeing public support) by urging private investment and ownership of the bank. If you've been paying attention this should sound suspicious to you, as in: what are the southern states going to think of this? You'd be correct; the Bank of the United States (BUS) will be a major sectional (and political) bone of contention for years. You'll be hearing of it all year long.
- d. Develop a strong economic and commercial **relationship with England** at the expense of **revolutionary France**. In American eyes, the conservative British know how to make money; the liberal French know how to spend it. Which is the tougher (ie more responsible) task? 'Nuff said.

By 1790 Hamilton had consolidated this plan into two separate reports that he presented to Congress. The first, his *Report on the Public Credit*, sought to convince Congress to:

1. **Maintain** enough of a **national debt** so that both domestic and foreign investors would maintain an interest in American economic success; hey, if someone owed you money you'd want them to be successful in order to pay you back, right?
2. Use this national debt as a reason to impose and maintain a system of **national taxation** (you KNOW how well THIS is gonna be accepted) as a means to raise revenue in order to maintain investor confidence in America. As you might imagine, because the Revolution was fought over the concept of taxation by a central government, this didn't fly well and disappeared quickly, as Hamilton had seen enough tar and feathering of British officials to know it wasn't a good situation in which to find oneself.
3. To help pay off the existing national debt by **selling federal lands** in the West (the process for which, the **Land Ordinance of 1785**, was pretty much the only thing the Articles of Confederation accomplished) and therefore establishing a good credit rating. Hamilton knew that the only way anyone would invest money in America was if America was judged a safe financial risk, and the only way anyone is ever judged a safe financial risk is through a sound credit rating. Not much has changed; this is why these goobers on television keep pimping "Free Credit Report Dot Com."
4. **Pay off war bonds at par value**. You see, to raise money to fight the Revolutionary War Congress printed and sold war bonds, which were pieces of paper that held a pre-determined value only redeemable (that means they could only be cashed in, sort of like a delayed IOU) AFTER the war was won; this is a common method by which countries raise money during wartime (we still do it through United States Savings Bonds, a practice started during World War II). Most of the revenue from citizens' purchase of these bonds was used to pay soldier's salaries.

Anyway, because the war went badly for the Americans during its early months the potential value of these bonds fell drastically, causing many soldiers to sell their bonds for whatever price they could get (these men needed money to support their families, NOT a promise that they might get paid IF America won the war . . . jeez, who could blame them?) to **speculators**.<sup>3</sup> These speculators were betting that the bonds would be worth money later on, and knew that soldiers were willing to dump theirs for any money they could get. In other words, they adhered to the guiding

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<sup>3</sup> A speculator is someone who takes risks through the purchase of a commodity in the hope that it will grow in value, thus earning him a profit. If you buy stock you are speculating; many speculators who bought land in post-Katrina New Orleans became rich because they risked their money on land that was practically worthless (mostly under water) the day after Katrina hit.

philosophy of all investors: buy low and sell high. Anyway, when America won the war these bonds gained in value, and the speculators were ready to sell their bonds for a substantial profit. The problem? Speculators, which included Hamilton, wanted to sell their bonds at **par value**, which meant the current, post-war market value, rather than the predetermined, pre-war amount, which was substantially less. Hamilton reasoned that selling at par was a convenient way to raise revenue; however Anti-Federalists screamed that this was a case of the government being held for ransom by shifty crooks who had taken advantage of poor soldiers to increase their own fortunes.

Because the first Congress was heavily Federalist Hamilton's financial plan passed with flying colors. Anti-Federalists were enraged, and began thinking in terms of making their faction into an official opposition party; all they needed was a leader.

Before the Anti's could consolidate themselves further, Hamilton struck again, this time with his second report to Congress, the *Report on Banks and Manufacturers*. In this report Hamilton stressed his belief that the United States should embrace a national, progressive economic identity as an industrial, rather than agrarian, nation. In this report, two primary issues emerged:

1. Hamilton stressed the importance of governmental support for business through government **subsidies (monetary support) for businesses** and **protective tariffs**<sup>4</sup> to protect American manufacturing from foreign competition.
2. Hamilton again pressed for his **Bank of the United States**, which would sell \$10 million worth of public stock to investors, thus guaranteeing public-government joint ownership. Now remember: the job of a bank is to not only keep people's money for safekeeping, but to also invest that money for their clients. Also remember that we are talking about 18<sup>th</sup> century America here, a time and place in which few people understood the intricacies of investment banking. I mean, this is the age of burying your money in the backyard in a coffee can. Anyway, the problem here is that a large portion of the Bank's investors were the aforementioned American coffee can-burying citizens, most of whom had a major problem figuring out how the heck anyone could make a profit off of other's people's money. These were NOT private investors, but rather ordinary people who had been raised to guard their money carefully; all they wanted was a safe place to put their money. Consequently Hamilton's bank held no logic for these folks, who simply wanted their invested money to help support their country—not make some goober rich.

Almost immediately Hamilton's bank evoked cries of its unconstitutionality, as there was nothing in the Constitution about the government becoming the proprietor of a bank. However, before he could engage his critics, another of his bright ideas erupted into bloodshed.

### **The Excise Tax and the Whiskey Rebellion**

Hamilton was not a man to take disappointment well. Having had to abandon his plan for a national tax, he concocted another version of taxation which featured the introduction of an **excise**, or sales, tax on certain consumables . . . including alcoholic spirits. Now, while sophisticated city-type folks had no problem paying a tax on their fine wines, frontier folks very much minded having to pay for their rotgut moonshine and sippin' whiskey. Now think back: you'll recall that frontier folks utilized commodities such as corn and, yep, whiskey as a replacement for cash. Under Hamilton's plan, not only could they not use farm commodities and whiskey as currency, they now had to pay a stinking tax on it as insult to injury. Consequently, in 1794 a group of Pennsylvania farmers refused to pay tax on their rotgut, and **☠☠☠☠ SHADES OF THE STAMP ACT ☠☠☠☠**

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<sup>4</sup> A government subsidy involves money from the federal government lent to businesses to help them get started. It is noteworthy that Hamilton did not extend this offer to farmers. A protective tariff is a tax on foreign imports; the amount of the tax raises the overall cost of the import, making American-made products cheaper and more attractive to consumers.

took out their frustration on local tax collectors in what became known as the **Whiskey Rebellion**. This latest in a series of back-country disputes<sup>5</sup> posed the first domestic dispute for the new government; however this time the national government was primed to deal with the insurrection. Afraid that he had another Shay's Rebellion on his hands Commander in Chief George Washington recalled up 15,000 of the Continental Army and personally commanded them against the Whiskey rebels; the result of this action was the immediate abandonment of the rebellion.

The result? Predictable. Federalists praised the action as an example of the effectiveness of the new Constitution, while Anti-Federalists saw Washington's action as proof of governmental abuse (not to mention the potential of one man—Washington-- having too much power with regards to the military) and the potential of violation of the people's constitutional right to protest. The loudest voice of protest came screaming across the Atlantic, as Thomas Jefferson thrust himself into the role of the Federalist government's chief critic, champion of people's rights on the western frontier, and the unopposed leader of the Anti-Federalists, no longer a mere faction but a vital, powerful political party known as the **Democratic-Republicans**<sup>6</sup> (no confusion there, huh?). Now the fur can officially fly, the mud can be slung, characters assassinated and reputations destroyed . . . ah the joy of party politics!

## Chapter II. Foreign Policy

Face it: to emerge from an emotionally and physically exhausting war against the most powerful nation on earth is enough to drain even the most socially and politically stable of nations. Americans may have won their revolution, but they were in no shape, form, or fashion socially and politically stable; no bi-polar or depression medication could address the kaleidoscope that was the new American national psyche. On top of that, the country they defeated, Britain, had been primary to their colonial success; after the war that economic basis no longer existed. Even though the British people could really care less about the new country, the British government harbored a deep-seeded anger and humiliation at losing a war to one of their colonial possessions, colonies that added to the humiliation by allying themselves with the hated French at that. For the United States to emerge with any hope of credibility on the global stage, she would have to build and base that legitimacy upon a wise and enlightened foreign policy. The problem? Heck, forget wise and enlightened, ANY foreign policy would do, and in the uber-political, faction-charged global environment of the late 18<sup>th</sup> century, a country with no foreign policy, well, you've heard about the chances of an ice cube in the infernal regions . . . or of a freshman spelling a multi-syllable word. In either case, the odds ain't good.

### America, France, and the Good Ol' Days

America's first involvement in foreign policy was with the France of Louis XVI and based upon the **1778 Treaty of Amity and Commerce**. Based on the necessity of acquiring French aid in winning the Revolution, this treaty carried with it America's hope for her freedom by virtue of French military and economic aid; however it clouded America's post-war foreign relations by securing a promise that the new nation would neither abandon the French in their ongoing global war with the British nor sign a separate peace with England. The problem? Well, the young nation violated both of these conditions as soon as humanly possible; in retrospect this treaty may appear a dangerous path upon which to have tread in the first place. However it was not a result of American naiveté. American ministers, led by the enlightened Benjamin Franklin, signed this dangerous agreement based upon the necessity of winning the war, and in that respect any risk was outweighed by that necessity. Indeed, war makes strange bedfellows; desperation in war makes downright weird ones.

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<sup>5</sup> Remember Bacon's Rebellion, the Paxton Boys, the Regulators? Back country rebellion is as much a part of American Exceptionalism as the concept of popular democratic government . . . actually, it may be the manifestation of that very ideal. THERE'S food for thought! "Do Your American Duty: Get PO'D at the Government!" You won't be alone.

<sup>6</sup> Jefferson's followers will become known simply as Republicans, but in no shape, form, or fashion do they resemble today's Republican Party. KHS and the Dirty Bird Would-Be Bridge Burners have more in common.

### That Was Then, This is Now

By the late 1780s the warm and fuzzy France of 1778, with its maddening ego, revolting elitism, and confusing foppish masculinity had been replaced by the bloodbath that was the French Revolution, its leadership guiding French citizens along such a path that had observers wondering whether they had lost their minds . . . which was in many cases applicable for those opponents of the Jacobin regime whose futures involved their heads becoming a separate entity from their bodies, compliments of Dr. Guillotine. As such, by 1789 many Americans, bolstered by Federalist propaganda that embellished the carnage, refused to support her erstwhile ally in her effort to preserve her revolution against the combined monarchies of Europe. Others, however, influenced by Mr. Jefferson and his democracy-loving Anti-Federalists, pointed out that the French were only doing exactly what the Americans themselves had done only a few years earlier,<sup>7</sup> and consequently supported a pro-French policy as outlined by the still-valid Treaty of Amity and Commerce.

### The Two-Headed (Dr. Guillotine's Definition of irony) Argument

The pro-British Federalists tried scare tactics (which were quite effective) by reminding everyone about the bloody nature of the "democratic" French Revolution, a tactic helped immeasurably by Jefferson's insensitivity and big mouth. In addition, there was no shame or illegality in violating the Treaty of Amity and Commerce since it had been signed with the pre-revolutionary government of Louis XVI, and not the current government. Besides, doggone it, Americans were British citizens one-removed and had far more in common, past, present, and future, with their Protestant cousins than they ever would with those silly popish French. Finally, in a more practical notion championed by the Mac-Daddy of Federalists Alexander Hamilton America's economy would be far better served through an alliance with British mercantilism than the brand practiced by France, whatever it was.

Pro-French Jeffersonians begged politely to disagree . . . NOT! They vehemently protested that America was bound by treaty with France to support her in securing her future, no matter with whom it was signed, king or no king, head or no head. The British, after all, had begun to punish the Americans for their support of France by seizing American ships at sea which were sailing for French ports and confiscating both cargos and sailors.<sup>8</sup> The result? **The Anglo-French War began to take on the mantle of political party factionalism in America**, a nasty place to be when one considers that the war had been raging in one form or another for centuries and had exhibited a maddening tendency to produce no winner. Yeah, and we want to jump on this wagon.

### George Rides the Fence

In any event, President George Washington was faced with the consequences of not having a viable foreign policy, consequences that demanded a timely solution. Even though he harbored Federalist tendencies he was nevertheless enough of a realist to realize that the weak American military was in no condition to fight any war with anyone. As a result in 1793 Washington guaranteed American noninvolvement by issuing the **Proclamation of Neutrality**, which claimed that United States sought neutral rights<sup>9</sup> by supporting neither side in the European conflict.<sup>10</sup> Republican Jefferson, for his part, was infuriated to the point of throwing one of patented hissy-fits and resigning as Secretary of State; Federalist Hamilton praised Washington's decision as a new dawning for the American nation. In any event, the Proclamation, coupled with Federalist-Republican

<sup>7</sup> It was in response to this controversy that Francophile Thomas Jefferson horrified Federalists everywhere with his comment that the "tree of liberty must be nourished from time to time with the blood of patriots and tyrants . . . a little revolution every so often is a good thing." Jefferson was referring to Shay's Rebellion, but in the context of the bloodbath known as the French Revolution . . . well, timing is everything, Tom.

<sup>8</sup> The seized sailors were forced to serve in the British navy, a practice known as **impressment**. Britain claimed that the sailors were actually British sailors who had deserted the British navy (in some cases this was true); Americans disputed that this was merely a reason to stop American ships, a claim that was also true.

<sup>9</sup> The concept of neutral rights involves the right of a neutral nation to carry on maritime trade with no danger of becoming entangled in a belligerent country's conflict.

<sup>10</sup> American neutrality, like many other acts of George Washington, will become the cornerstone of American foreign policy for years by virtue of precedent.

factional squabbling, guaranteed that America's foreign relations would remain as much a political hot potato as a foreign policy one. They still are; the play is the same, only the actors change.

### **Citizen Genet: La Grande Goober Francaise!**

Now you just KNOW that there is no way the French are going to take this lying down; if they didn't do something incredibly, uh, maddening they wouldn't be following the French tradition of making a bad situation infinitely worse. In response to the Proclamation of Neutrality Paris ordered the French minister to the United States, **Edmond Genet**, to bypass the distinctively-Federalist American government and take France's case directly to the distinctively-Republican (in their estimation) American people. Whoa, talk about a miscalculation! Genet was so offensive and abrasive in his attempts, which bordered dangerously close to treason, to rally Americans to the French cause that Washington demanded that Paris recall the minister before he was arrested for inciting revolt . . . a decision with which even Jefferson sheepishly agreed. Genet, knowing what probably awaited him in Paris due to his failed mission (he was in no mood to have a Jacobin "barber" give him a manly close "shave" with Dr. Guillotine's new razor), rubbed his neck and decided that staying in America with one's head was preferable to going home and losing it. As such, Genet stayed in America, married an American, and lived to a ripe old age . . . always under suspicion, mind you, but secure in the knowledge that being married to an American woman is better than having your head cut off.<sup>11</sup>

**The result of the Citizen Genet affair is an increase in anti-French sentiment throughout America.**

Federalists, as well as the British, delighted in the entire mess; the increased popularity they enjoyed as a windfall of the entire mess was a large factor in their winning the congressional elections in 1794. It would embolden Federalists to push the limits of this anti-French fervor to damaging and unhealthy proportions.

### **Playing With Fire: Jay's Treaty 1794**

Meanwhile, the British navy continued to seize American vessels at sea and impress American sailors, a policy which angered Americans in the seat of Federalist power, New England. In response Washington sent John Jay to England to negotiate an end to the practice, seek reparations (ie reimbursement) for American commercial losses, and hopefully secure permission to initiate trade with Britain's lucrative possessions in the West Indies. Now, keep in mind that the French still held the United States to the provisions of the Treaty of Amity and Commerce, and screamed bloody murder when Jay arrived in London; this attempt to ease relations with the hated British alarmed France that they may be on the verge of losing their ace in the hole in their game of Texas Hold'em with the British Empire. The French know how to hold a grudge (although they don't particularly scare many people with them), and suddenly Americans weren't terribly welcome in France (another precedent I suppose, because this certainly hasn't changed . . . UNLESS, of course, there are Germans on the march, at which point its "*Viva la Americain!*" . . . oops! Sorry, I digress; that's another war for another time. My bad) The British? Well, look at this from their point of view: "Do we really have to negotiate anything with those ungrateful Americans? I mean, what are those ingrates going to do, start another war?" Not hardly; this attitude will guide the negotiations, and produce predictable results. The resulting commercial was the infamous **Jay's Treaty**, which: (1) secured a promise to remove British troops from remaining British frontier posts in the Ohio Valley (and removing British Indian-meddling); (2) gained reparations for a percentage of American losses by virtue of cargo seizures and impressment in 1794 only, and (3) prompted a recognizance of American neutrality based upon a *British* definition of neutrality (how smart is that?). **Britain, on the other hand, denied permission for Americans to legally trade with their Caribbean island possessions,<sup>12</sup> as well as refused to stop seizure and impressments of American ships and sailors . . .** which led, of course, to the obvious question: without these provisions, what exactly was the point?

**The result of Jay's Treaty in America?** Actually a bit strange. Of course the French and their Anti-Federalist allies in America were horrified at the appearance of a thaw in Anglo-American relations; they were hoping that continued British violations of American neutral rights would lead to an American declaration of war.

<sup>11</sup> Hmm, this is quite debatable . . . I wonder if he would have felt the same had he married a Texan . . . like I did?

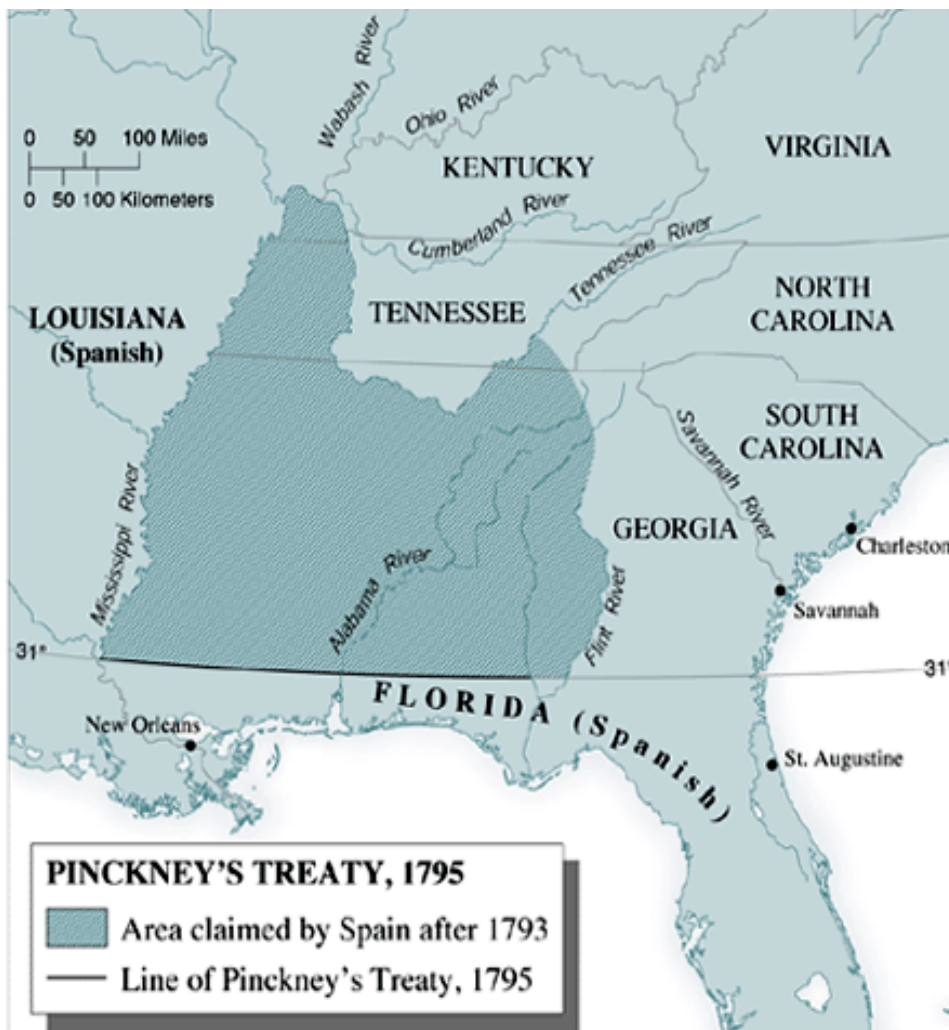
<sup>12</sup> Well, the US did get permission to trade with Canada . . . Wahoo; Moose burgers for everyone!



However, Federalists also heavily criticized the treaty due to the failure to secure American trading rights with the British West Indies. For his part, John Jay commented that he could travel the width and breadth of America at night by “the light of his burning effigies.”<sup>13</sup> Washington, whose prestige suffered due to his support for the treaty, signed the treaty, not because he was terribly warm and fuzzy with it but primarily because he feared that failure to do so would convince the British that Americans were indeed French allies, and extinguish all hope of a future Anglo-American relationship.

### **Not to be Left Out, Enter the Spanish!**

Man, maybe it was something in the water . . . anyway, Spain became quite wary of all of this American-British-French dialogue. Spain was allied with France, but the upheaval in Paris convinced the Spanish that perhaps they should approach the Americans about the security of their diminishing New World possessions. As a result, in 1795 American minister to Spain Edward Pinckney signed **Pinckney’s Treaty** with Spain which: (1) secured a promise from Spain to open the Spanish possession of New Orleans to American river commerce under an agreement of provision of “right of deposit,”<sup>14</sup> and (2) an agreement on the border of Spanish Florida and the United States.



<sup>13</sup> David Tindall and George Shi, *America: A Narrative History Brief Fifth Edition* (New York: WW Norton and Company, 2000), 249.

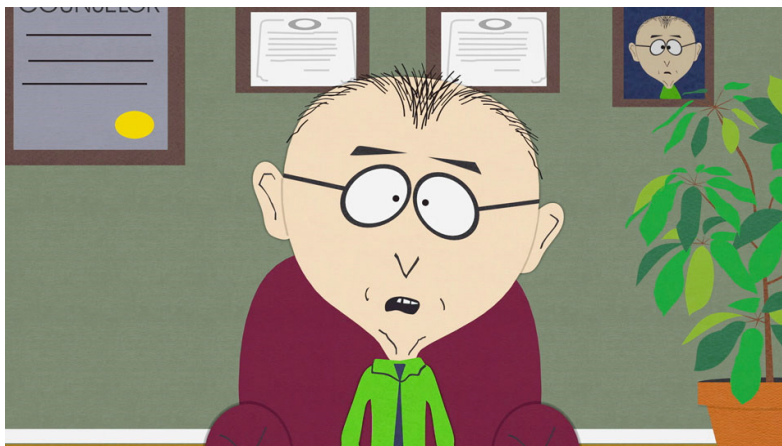
<sup>14</sup> “Right of deposit” refers to the right to use a foreign port without having to pay and sort of toll or duties. This was vital to the United States, as New Orleans was a chokepoint for all American commerce west of the Appalachian Mountains. This gives Spain immense influence over American commerce, and will be of the utmost importance in just a few years.

### Adios Jorge!

By 1796 Washington had just about had all he could stand from Jefferson, Hamilton, Adams, France, Britain, Spain, and all of the other usual suspects. So, setting a precedent that would last until 1940, he left office after two terms. However, upon leaving, he issued his Farewell Address, in which he set the precedent for American Foreign Policy for the next century.

In his Farewell Address, Washington stated:

1. **Political parties are bad**, please try to avoid them (never mind that he was the titular party head of the Federalists; sort of a “do as I say not as I do” deal)



“Parties are bad, m’kay?”

2. **Do not get involved in European affairs** (uh, a little late for that, Mr. Jay’s Treaty)
3. Try to **avoid sectionalism**; north and south should learn to love each other.
4. Most importantly, steer clear of **“permanent alliances” with any foreign power:**<sup>15</sup>

“The great rule of conduct for us in regard to foreign nations is in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop . . . It is our true policy to steer clear of permanent alliances with any portion of the foreign world.”

George Washington, *Farewell Address*, 1796

The predictable end to all of this is that Americans will ignore Washington’s directions, and poor John Adams will have to deal with this mess . . . and not well at that.

### DOMESTIC ISSUES 1789-1800

Hey, all of this foreign policy stuff doesn’t mean that things were all hunky-dory at home. We start with the poster children of getting the shaft: Native Americans.

### The More Things Change, the More they Stink if You Are an Indian

Due to increased white encroachment into the Ohio Valley and beyond, contact between American settlers and Indians soon became violent (big surprise, huh?), especially since British agents from Canada were supplying

<sup>15</sup> This dictate to avoid foreign alliances would provide the basis for a policy isolation and neutrality, around which American foreign policy was formulated until 1945

Native Americans with firearms and supplies. This warfare cumulated in 1794 at the **Battle of Fallen Timbers**, in which American militia under General Anthony “Mad Anthony” Wayne (love the name) defeated an combined Indian force of Shawnee and Wyandot. After Fallen Timbers Indian resistance faded away, and in 1795 local Indian chiefs and American officials signed the **Treaty of Greenville**, in which the Indians signed away all claims to the Ohio Valley and agreed to white settlement therein.

The overall result of these domestic issues set a precedent for the state of Indian-American affairs. Rather than being defeated in battle and losing their land by right of conquest, now Indians simply signed away their land in hopes of gaining some semblance of a future within English America. However, this was a matter of blind faith; in future incidents Indian rights will heavily depend on the value of the land which they inhabit, and sadly, if the American government wants the land, they will get it . . . by any means necessary, and regardless of treaty obligations. Not our finest moment.

#### THE ADMINISTRATION OF JOHN ADAMS 1796-1800

Poor John Adams. He, of all of the Founding Fathers, could have really used Prozac or at least a stiff drink from time to time. You want to talk about a colossal pain in the butt? He was incredibly anal about practically everything, had absolutely no patience at all, was insufferable with his ego and Puritan sensibilities, thought that he was always right about everything (generally he was), and generally a pain in the butt to everyone, except of course, Abigail, who refused to indulge his idiosyncrasies. He was practically one huge button that everyone constantly pushed. The problem was that he was a theoretical political genius without whom America would have never won her independence. Be that as it may, America needed a flexible, calm, patient president in 1796, and they got Adams instead. As a result, the foreign policy mess inherited from Washington would dominate his presidency, and predictably, he would make a colossal mess of it . . . of course you’d never know to ask *him* about it.

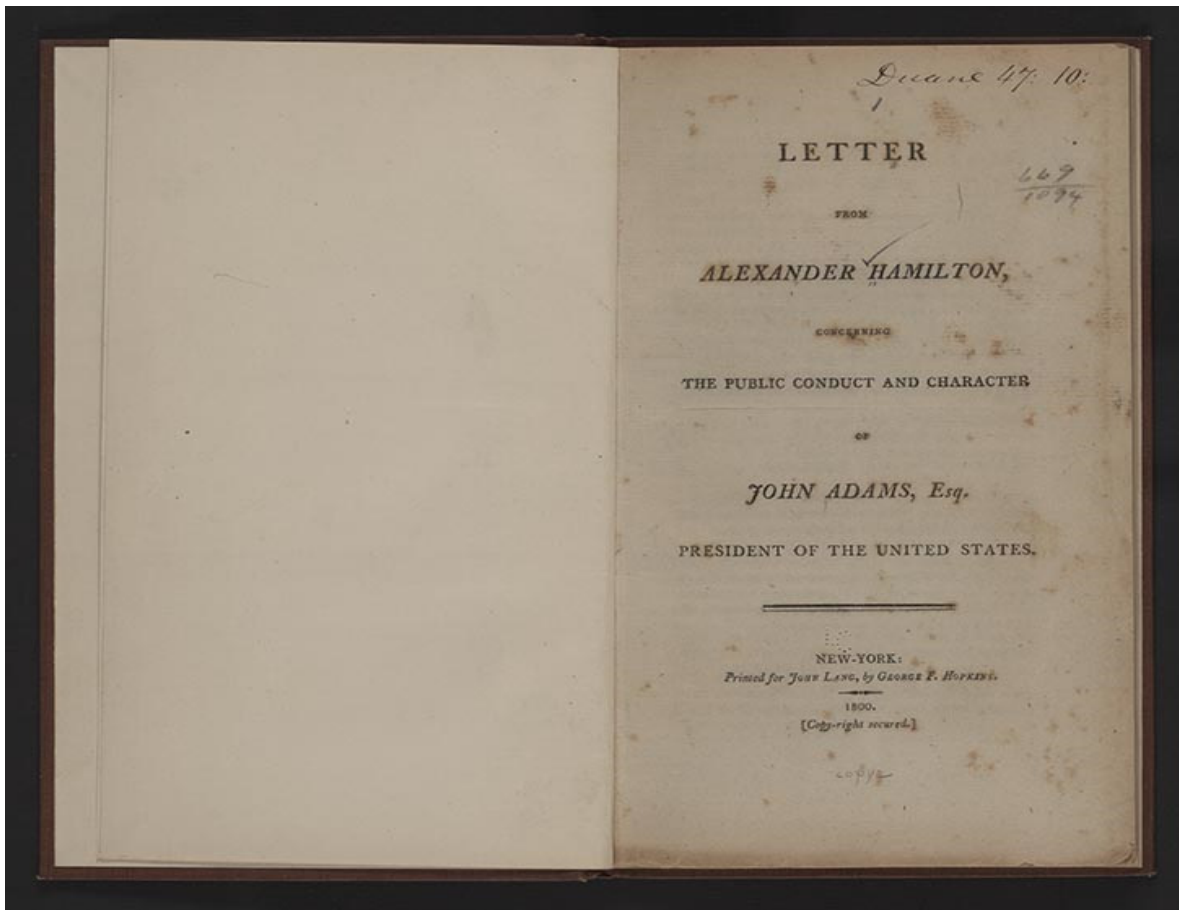
#### **“ABC, as easy as XYZ . . .”**

By 1796, Washington’s Federalist foreign policy had managed to alienate both Britain and France, and as a result both were now seizing American ships and sailors. In his first attempt to address this growing crisis, Adams sent American ministers to France to try and negotiate a peaceful resolution to the crisis. However, upon arriving in Paris the Americans discovered that three French foreign ministers, codenamed X, Y, and Z<sup>16</sup> demanded both a bribe and promise of an American loan just for the right to negotiate. The infuriated ministers returned to America, and once word of the **XYZ Affair** hit the newspapers, Americans were screaming “millions for defense but not one cent for tribute!” French attitudes in American had reached an all-time low, and Federalists, particularly Alexander Hamilton, began clamoring for war.

You know, *war is easy for those who don’t have to fight it*; even today some people excel at wasting other people’s lives in the name of patriotism or computer games. Adams knew this, and as such realized that Hamilton’s saber-rattling was primarily a political attack on him personally. In addition, although Adams knew that the United States was woefully unprepared for any sort of military conflict he knew that some measure of preparedness was necessary. As such he proposed a series of taxation measures with which to build a navy for the protection of American commerce, as well as coastal defense. Adams’ refusal to declare war on France, in addition to his taxation policies, guaranteed his unpopularity with the American people, even to the extent of those in his own party, who, led by Hamilton, sought his removal from office. As tensions rose and passions were further inflamed against the French, Adams did what he was best at: making a bad situation worse . . . much, much worse.

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<sup>16</sup> Mystery of the ages solved!!! “X” was Jean-Conrad Hattinguer; “Y” was Pierre Belleamy; “Z” was Lucien Hauteval. Don’t you feel better now that you know?



**Hamilton's Scathing Public Indictment of John Adams**

### **Constitution? We Don't Need No Stinkin' Constitution.**

Growing public anger against the French strengthened the Federalist position, and in 1798 they won control of Congress. Seeing this as a mandate, they incorporated two measures to both antagonize France while also weakening their Republican opponents.

1. **The Alien Act:** This law gave the president authority to deport and/or detain any person he deemed dangerous to national security. Because this was intended as a wartime measure the deportee would not have the benefit of a trial by jury.
2. **The Sedition Act:** The biggy. This law made criticism of the president or national policy a crime punishable by imprisonment. Ya reckon there are some constitutional implications here?

### **The Kentucky/Virginia Resolutions**

As expected the Republicans came out swinging after passage of the Alien Sedition Acts. Both Jefferson and James Madison issued legal challenges to the constitutionality of the acts, but since the Federalist Supreme Court had not yet definitively determined their right to determine the constitutionality of laws passed by Congress (known as judicial review) no attempt was forthcoming from the federal judiciary. As a result, Jefferson and Madison, claiming the rights of the states, issued their challenges at the state level; Jefferson in Kentucky and Madison in Virginia. These **Kentucky and Virginia Resolutions** stated that:

1. When ratifying the Constitution the states had entered into a compact with the national government; this is known as the **compact theory of government**.
2. Citing James Otis as precedent, if any act of the national government violated the compact due to a law that was injurious to the state, the state had the right of **nullification**, or to declare the law null and void.

Although the Alien and Sedition Acts would expire by 1800, the notion of **nullification would become the basis for the philosophy of states rights** for years to come.

### **Meanwhile, at sea . . .**

The French were getting a bit out of control with their depredations of American shipping. By 1797 over three hundred American ships had been seized by French vessels. In response Congress authorized construction of the first American warships, six frigates.<sup>17</sup> By 1799 the US Navy consisted of a total of thirty three assorted ships, all of which were at sea fighting an undeclared naval war with France, known as the **Quasi War**.

### **And at Home . . .**

At home, fears of a French invasion were stoked by Federalist (as in Hamilton) propaganda, and measures to build an army of conscripts were tossed around Congress. However, the leadership of the army was a sticking point; obviously the first choice was Washington; however due to his age and poor health he had to decline. He did stipulate that he would support an army under the command of his former aide-de-camp Alexander Hamilton, a position for which Hamilton had been campaigning. This was unacceptable to John Adams (he feared, with some justification, that Hamilton would use this army to seize the government) so he, in his constitutional role as Commander in Chief, refused to authorize such a force. He would deal with the French through diplomacy, unpopular (even within his own party) though it may be.

By 1798, with the Quasi War raging at sea, control of the French government shifted from its revolutionary leadership to First Consul Napoleon Bonaparte. Bonaparte authorized negotiations with the Americans, and in the **Convention of 1800** France and the United States agreed to kiss and make up, and ended the Quasi War. No one expected this to last, but for the moment it solved a lot of problems for some (Jefferson) and created more for others (Adams).

### **Adieu Monsieur Adams**

The foreign policy blunders of his administration (and there were many) doomed Adams' chances for re-election, particularly when Jefferson announced his "reluctant" candidacy for president in 1800.<sup>18</sup> Adams, quite cognizant of this, knew that public backlash against his Federalists would be crippling, and he was right. The Federalists were due to lose both the executive and legislative branches in the election, leaving only the appointed judiciary to the Federalists. To ensure the continuance of Federalist influence in the post-1800 government, Adams evoked the provisions of the **Judiciary Act of 1789** (which had originally established the federal judiciary) and named a series of federal judges which would render the federal judiciary heavily Federalist in persuasion. Because these judges were named in the closing moments of his administration they were referred to as the "**midnight judges**," one of which was named William Marbury. You'll hear more from him later.

As far as Adams' competition for the presidency, well, Thomas Jefferson knew a lame duck when he saw one. To help guarantee his public acceptance, Jefferson went on the offensive (covertly, of course) by attacking Adams through Scottish mud slinging journalist James Callander to help slander Adams and the Federalists.<sup>19</sup> The election of 1800 was the first real political hoot for the United States; it was a masterpiece of political depredation, sleazy deals, and outright personal slander. In other words, not much has changed.

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<sup>17</sup> A frigate is a relatively small, fast warship carrying 24-36 guns.

<sup>18</sup> Don't you believe this "reluctant" business for one minute. Jefferson was foaming at the mouth to run, but it was considered bad political form to formally announce it. Besides, his ego would only himself to be asked to run, to save the republic from what he described as an "administrations of witches," aka the Federalists.

<sup>19</sup> Jefferson, in an attempt to disassociate himself with the despicable Callander, refused to pay the Scotsman for his services. In retaliation, Callander decided to become a Federalist in order to slander Jefferson as much as he could while appearing legit. The result? His is the first account of the suspected sexual relationship between Jefferson and his mulatto slave Sally Hemmings. It would remain rumor until the late 2000s, when DNA testing determined that it was most likely true.

### The Election of 1800

First of all, allow me to introduce a new goober to the mix: **Aaron Burr**. Burr, a New York political wannabe, was Republican by affiliation, but due to his unbridled ambition this was subject to change. In the election of 1800 Burr, Jefferson, Adams and Charles Pinckney all ran, and in the end Jefferson and Burr tied for the victory. Now, the Constitution stipulated that a tied electoral vote must be settled by the House of Representatives, and for days on end the results remained deadlocked. However, political intrigue being what it is, enter a new figure to this mess: Alexander Hamilton. Hamilton was a political rival of Burr's in New York, and hated Burr more than any other human, including (surprisingly) Jefferson. Hamilton did not desire a Jefferson presidency, but he could not stomach the thought of a Burr presidency, which, for Hamilton, would constitute a sticky situation. (Get it?? STICKY? BURR??) Judging Jefferson the lesser of two evils, Hamilton persuaded Federalists in the House to cast their votes for Jefferson, which of course gave him the election.<sup>20</sup>

### We Are The World . . .

In his inaugural address, Jefferson cultivated his election as a matter of public mandate, a public repudiation of the Federalists and their policies. The Election of 1800 is also known as the Revolution of 1800, due to Jefferson's claim of solidarity in the face of growing party factionalism; in fact, Jefferson claimed in his address that despite factional differences, "**We are all Federalists, we are all Republicans.**" Whether anyone truly believed this is a matter of conjecture, when regarding Jefferson's brand of politics it sounds quite hypocritical. However, the "**Revolution of 1800**" was revolutionary in that it **proved that the Constitution's provision for changing government by way of popular vote did actually work. Power changed hands from Federalists to Republican without violence**, which was a common occurrence of the time.

## THE ADMINISTRATION OF THOMAS JEFFERSON 1800-1808

Thomas Jefferson performance in office was, during his first term, somewhat like hunting in a baited field: things were so screwed up he really couldn't do much wrong. However, we can look at the Jefferson presidency and ponder **its characteristics**: (go ahead, ponder.)

1. For the first time in years, the country experienced **political peace** . . . for the time being.
2. The United States would experience massive **territorial expansion**.
3. Even though committed to neutrality Jefferson would go to **war against pirates** (no, not Jack Sparrow)
4. Even though Jefferson oversaw growing foreign policy problems, particularly with the British at sea, he nonetheless **shrunk the size of the army and practically destroyed the navy** due to his aversion to anything resembling a standing army.
5. He did **shrink the size of the federal government** by eliminating hundreds of government jobs.
6. He did keep a campaign promise and **repeal Hamilton's excise tax**, although he was curiously quiet about his promise to destroy the bank of the US . . . .hmmm . . . . wonder why?

**The Louisiana Purchase** Without a doubt the number one accomplishment of Jefferson's administration was the Louisiana Purchase. In the single stroke of a pen he doubled the size of the United States in the greatest real estate deal in history.

In 1802 Spanish authorities reconsidered Pinckney's Treaty and revoked the United States' right of deposit at New Orleans. Realizing the danger to America's economy Jefferson approached the Spanish with an offer to purchase New Orleans, which the Spanish refused. In the meantime, however, Napoleon's French armies had defeated and occupied Spain, and for the first time since 1763 the Louisiana Territory returned to French

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<sup>20</sup> Hamilton was no fool, of course, and let Jefferson know much help he could be for the right price. Several deals were discussed, but the biggest part of the bargain which gave Thomas Jefferson his presidency was his agreement not to veto Hamilton's beast, the Bank of the United States.

control. In 1803 Jefferson, who considered New Orleans so vital that “the possessor of [New Orleans] controls the fate of the nation,” sent three ministers, including James Monroe and John Marshall, to negotiate the purchase of New Orleans for \$12 million. However, Napoleon need money for his war of conquest in Europe, so to the surprise of the American ministers French foreign minister **Talleyrand** offered the entire Louisiana territory for \$15 million. Shocked at the incredible offer, the American ministers violated their authority and agreed to the purchase. Heck, who wouldn't?

Although Jefferson agreed with the purchase, he nonetheless realized that his participation would present a constitutional issue. As a strict interpretationist<sup>21</sup> he was well aware that there existed nothing in the Constitution allowing the president to purchase land, at least without the advice and consent of Congress. To circumvent this issue, Jefferson presented the purchase as part of a treaty, which he was allowed to make pending ratification of the Senate. Federalist opponents, including Hamilton, screamed at the hypocrisy of the deal, but the purchase was so popular, especially with yeomen, that no one paid any attention to the uproar.

### **WAHOO! Road Trip!**

Curious as to what he just bought, Jefferson sent a “**Voyage of Discovery,**” led by **Meriwether Lewis and William Clark** to explore the new territory. They were primarily sent on a mission of scientific and economic discovery; however, they were also ordered to determine the extent of the new territory, determine the viability of land access to the Pacific Ocean, and make sure everyone new that it was American property.<sup>22</sup> It was within this vein that Lewis and Clark claimed the **Oregon Territory** for the United States, not realizing that both Russia and Britain also claimed it. It will become an issue in the future.

### **Jeff and The Judges: NOT a Sitcom (although it should've been)**

Riding high and drunk on his own popularity, Jefferson set his sights on those pesky Federalist judges who Adams had appointed upon leaving office. His first move was a **campaign of impeachment**, in which he sought to remove Federalist judges. He did succeed in removing one judge who was deemed “mentally unstable,” but he failed in his attempt to impeach Judge Samuel Chase. Chase was impeached by the House but acquitted by the Senate, who could not find evidence of “high crimes and misdemeanors.”

Continuing his assault on the federal judiciary, in 1803 Jefferson targeted John Adams' “midnight judges” by ordering Secretary of State James Madison not to deliver the judicial commissions.<sup>23</sup> One of these judges, the afore-mentioned William Marbury, sued for his commission, dumping the entire matter into the lap of newly-appointed chief justice **John Marshall**. Marshall, a staunch Federalist, realized the danger to the government if he allowed his personal prejudice to interfere with his professional duty. As such, he issued the landmark ruling **Marbury v. Madison**, in which he did not address the issue of Jefferson or Madison. Rather, Marshall engaged the Judiciary Act of 1796 and its provisions for the appointment of the judges. In his ruling, Marshall ruled the Judiciary Act as unconstitutional, thus rendering the entire midnight judges issue irrelevant. This established the philosophy of **judicial review, the right of the Supreme Court to rule on the constitutionality of laws passed by Congress**. After the establishment of judicial review, an enraged Jefferson could do nothing but seethe, and consequently dropped his campaign against the federal judiciary, not a happy camper.

Despite his defeat at the hands of his cousin John Marshall, Jefferson was at the height of his popularity, while that of the Federalists eroded, steeped in a sense of sour grapes. To make matters worse, they were about to lose their guiding spirit.

<sup>21</sup> A strict interpretationist employs a literal meaning of the Constitution. In other words, if the Constitution doesn't expressly and specifically allow you to do something, you cannot do it. Case closed. Jefferson was the Mac Daddy of strict interpretationists . . . except when it benefitted him otherwise, like this case.

<sup>22</sup> Other somewhat muted goals were to explore the reported existence of live dinosaurs, as well as locate the reported biblical Lost Tribes of Israel, sort of Jurassic Jews thing . . . They were also directed to answer the perplexing question ‘Where's Waldo?’

<sup>23</sup> A commission is a legal license which authorizes a position in government, in this case, a federal judgeship.

### **Burr and Hamilton**

As Jefferson planned to follow Washington's precedent and seek a second term, his concern centered on the vice presidency. Having lost faith and trust in Aaron Burr, he decided to drop Burr and appoint a new vice president. Burr, who was justifiably infuriated, joined Virginian **John Randolph's** faction of anti-Jefferson Republicans known as the "**Quid Tertium**"<sup>24</sup> and decided to take action by conspiring with fervent anti-Jefferson New England Federalists on a grand conspiracy.

Burr decided to seek the governorship of New York, after which he would engineer a partnership with New England and lead the group's secession from the United States. His competition for the New York governorship was his nemesis Alexander Hamilton, who discovered the conspiracy and exposed it. Burr denied the whole affair and publicly accused Hamilton of slander, a charge which could only be answered on the field of honor, a euphemism for a duel. The two men met in Weehawken, New Jersey, and Burr shot Hamilton dead. Burr was now wanted for murder in two states, so he fled to the Louisiana Territory, where he planned to join renegade General James Wilkinson in seizing Louisiana from the United States and Mexico from Spain to form their own country. However, Wilkinson chickened out, squealed, and gave up Burr to the authorities. Burr went on trial for his life under charges of treason, which delighted Jefferson. However, the lead judge in the trial was none other than cousin and political rival John Marshall, who punished Jefferson for his federal impeachment vendetta by defining "treason" so narrowly that Burr was actually acquitted.<sup>25</sup> Politics as usually, who cares if he was actually guilty?

### **Jefferson's Disastrous Second Term**

For all of the success of his first term, Jefferson's second term was an unmitigated disaster, fraught with the one area in which he was horribly vulnerable: foreign affairs.

**The Barbary Pirates** As America began to trade throughout the Mediterranean area, her merchant marine fell victim to state-sponsored pirates of the Barbary States (primarily Libya and Algeria). The primary sponsor of these pirates was the Pasha of Tripoli, who demanded protection money (or tribute) before he would allow foreign merchant vessels the right to sail in the Mediterranean Sea. Washington and Adams had reluctantly paid the tribute, Jefferson was determined that he would not. As a result, from 1801-1804 Jefferson and the fledgling American fleet (which Jefferson was desperately trying to decommission)<sup>26</sup> fought a series of wars with the Barbary Pirates, wars which featured the incredible rescue of American sailors in a Libyan prison by Lieutenant Stephen Decatur, as well as land engagement by the new United States Marines, which attacked and defeated Tripolitan forces "on the shores of Tripoli."

### **The Leopard v Chesapeake Affair**

Throughout Jefferson's first term, and continuing into his second, the issue of British predations on US ships at sea increased to ridiculous proportions. The primary issue at hand was the British impressment (a putrid practice to which John Jay had agreed in Jay's Treaty) of American sailors, a practice which the small United States Navy, primarily employed in the Mediterranean, was practically helpless to prevent. In the summer of 1807 British arrogance reached new heights when the British warship HMS *Leopard* approached the American frigate USS *Chesapeake*, well within eyesight of onlookers on the Virginia coast. The *Leopard's* captain demanded that the *Chesapeake* allow a British boarding party to search the American ship for British deserters, and when the American refused the *Leopard* opened fire, sinking the *Chesapeake*. Desperate to prevent war, Jefferson hoped to repeat the success of economic boycott which proved so successful during the days before the revolution.

<sup>24</sup> Literally "The Third Thing," which referred to the group's identity as a quasi-third party.

<sup>25</sup> Marshall stated that Burr had exhibited no "overt act" of treason, therefore no treason existed. OK.

<sup>26</sup> No friend of the US Navy, one wonders how Jefferson would have fared without the "six frigates," which included both USS *Constitution* and USS *Constellation*, both of which are afloat today in Boston and Baltimore Harbors.



### Economic Warfare: O Grab Me!

In 1807 Jefferson pushed through Congress the **Embargo Act**, which prohibited any US vessel from sailing to any foreign port, an act which really puts your foreign trade policy in a bit of a bind. This proved a disaster to American merchants, especially those in Federalist New England, who depended on the sea for their living. Some New Englanders referred to the Act as Jefferson's Intolerable Acts; indeed it had the same primary effect of closing down northern commerce. It is at this point that a long-standing New England desire, that of seceding from the United States and forming their own British-friendly government, began to gain momentum. Jefferson destroyed any hopes of a third term with this disastrous act, and announced that he would honor Washington's precedent and retire in 1808, much to the delight of Federalists everywhere.



1807 Anti-Embargo Cartoon

### THE ADMINISTRATION OF JAMES MADISON 1808-1816

Jefferson's hand-picked successor was his Secretary of State and longtime protégée James Madison.<sup>27</sup> Jefferson left his boy Madison in one heckuva mess, and as a result, like John Adams before him, his administration would be dominated by foreign policy issues.

Madison's first item of business was to get rid of that darned Embargo Act before the entire country went broke. However, he shared Jefferson's intent to wage economic war, so in 1809, at his behest, Congress issued the **Non-Intercourse Act** (quit giggling)<sup>28</sup> in which the United States could trade with any nation except Britain or France. This accomplished absolutely nothing, for regardless of with whom America was trying to trade, British

<sup>27</sup> For many years the position of Secretary of State was seen as a stepping stone to the presidency.

<sup>28</sup> Yeah, yeah, I've heard all the silly comments: "The Don't Get Busy Act," "The Just Say No Act," ad naseum. Ha. Ha. Ha.

ships still seized American cargos and crews. Madison's administration attempted one last attempt at economic war by passing **Macon's Bills 1 and 2**, in which the United States would trade with whichever warring country (Britain or France) would stop seizing American ships. In addition, whichever country stopped impressment, the United States would aid in their war effort by boycotting the other. Needless to say such an offer coming from the weak United States carried little weight, and amounted to nothing. Big surprise.

## **War**

Clearly the United States was heading for war, but what were the issues involved?

1. Obviously freedom of the seas was a primary concern. The United States demanded the same rights as other nations, those of free trade and neutral seas.
2. The western frontier and Indian problems. The British, who had never intended for America to keep her freedom for very long, had resorted to their ugly habit of arming Indians on the western frontier, in clear violation of Jay's Treaty. In addition, Spanish forces in Florida were also helping keep American settlers out of the Mississippi and Alabama territories by instigating Indian attacks, providing refuge for said renegade Indians, and harboring runaway slaves. In the north this issue came to a head when, in 1811, United States troops led by General **William Henry Harrison** (remember this guy), governor of the Indiana Territory, fought and defeated a band of Choctaw, Cherokee, and Creek Indians under the leadership of the remarkable war chief **Tecumseh** at the **Battle of Tippecanoe**. Tecumseh escaped; he would emerge again later.
3. **The War Hawks** With American expansion came an entire new generation of western American politicians, among them **Henry Clay** (Kentucky) and **John C. Calhoun** (South Carolina), even **David Crockett** (Tennessee). These young hot head expansionists were termed the "War Hawks" for their relentless agitation in favor of war against Britain. They claimed to desire only the total removal of British influence along the frontier, but primary on their list (if somewhat understated) was land, land, and more land, particularly that land to the north of the US, otherwise known as Canada.

Pressure from all sides became too much for "little Jemy Madison," and on 12 April 1812 he asked for and received from Congress a declaration of war against the British Empire. Halftime was over; now was time for the second half. Once again America was at war with the most powerful nation on earth, and this time there would be neither George Washington nor French help.