

## **Building America: The United States in the Federalist Era (1789-1800)**

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We all know the story of the passerby who asked Benjamin Franklin what kind of government the participants in the Constitutional Convention had created in Philadelphia in 1787. Franklin's answer purportedly was "A republic . . . if you can keep it." He might have easily responded, "A republic . . . if you can build it." The 55 participants in the Constitutional Convention had written a remarkable document, but no one was sure how, or even if, it would work. This class will focus on the key events of the 1790s as the United States went about the process of nation-building.

### **Session 1:**

This session will take a "big-picture" look at the decade from 1789 to 1800. This period is often overlooked in survey courses on American History. Once the Constitution was ratified in 1787, we are all generally aware that the first years were a little rocky. After the musical "Hamilton" recently took the country by storm, we all became a bit more knowledgeable about this decade. But beyond having the words "How does a bastard, orphan, son of a whore and a Scotsman dropped in the middle of a forgotten spot in the Caribbean" stuck in our heads, or singing about "the room where it happened" or "not throwing away our shot," our knowledge is probably more wide than deep.

To put it mildly, there was a lot going on in the 1790s. The new nation was faced with solving a bunch of problems all at once. Who actually had the power to do anything in this unique system of government? How was the government going to be funded? How were it supposed to interact with other countries? What was its policy toward the Native Americans on its frontier going to be? And probably most importantly of all – how was this new Constitution supposed to work anyway?

These were problems that permeated the decade and don't lend themselves to chronological analysis. In this first session we're going to examine the following points:

- **What was going on in the world at the time?** The 1790s can't be studied simply from an American perspective; world events had a dramatic impact on what was happening domestically. Specifically, American leaders always had one eye on the French Revolution and subsequent European wars that lasted from 1792 until 1815. Many of the policy decisions they made were driven by what was happening in Europe and in the Caribbean. Anyone who tries to study the 1790s from anything but a global perspective is going to miss out on a lot.
- **What was happening on the American frontier?** The lure and value of western land was another important influence on early policy makers, as Americans in large numbers were moving over the Appalachian Mountains to the Ohio and Mississippi River Valleys. This forced the new federal government to develop policies related to governance and land ownership, as well as policies dealing with the Native Americans on the frontier and the European nations – Britain, Spain, and France – who had designs on these areas. This is

intermingled with the first point, as ongoing European Wars began to complicate the process of westward expansion in the United States.

- **How was the government to be funded?** Money was always a problem. Alexander Hamilton, the first Secretary of the Treasury, made enormous contributions to the development of financial programs that were expected to put the United States on a firm financial footing. But suspicion – between the North and the South, between the agrarian and industrializing parts of the country, about government power in general – made these programs controversial.
- **How was the government supposed to operate?** Making the new government work was a constant source of confusion and controversy. A relatively brief document, the Constitution a lot of room for interpretation. During the 1790s, even the people who wrote and signed the document disagreed about what major parts of it meant.
  - George Washington and the leaders of the United States Senate disagreed over the meaning of “advice and consent” as it related to international treaties. This result in Washington being snubbed by the Senate the first time he asked them to ratify a treaty; they basically told him to come back another day for their decision. He didn’t take this well.
  - A Cabinet emerged even though the Constitution didn’t say anything about a Cabinet (it just authorized the president to receive advice from the heads of the executive departments, which are not defined in the document). No one was certain about how the executive departments should be staffed or how much power the Cabinet secretaries should have
  - Huge elements were left out altogether. For example, the Constitution doesn’t spell out how elections were to be held; we find that for the first decades, states held their elections at wildly different times and under wildly differing circumstances.
  - The gradual emergence of a system of political parties during this decade hobbled the Electoral College process laid out in the Constitution almost from the beginning.

Slavery was a topic that did not gain much attention during this decade, although it was clearly at the root of much of the dissension over economic policy and over trade policy in the Caribbean, where the ultimately successful slave revolution in Haiti scared the pants off southern slaveowners, many of whom served in government. As we’ll see in the second session, lawmakers made a specific decision not to discuss slavery during this decade, because they recognized that it was the issue that would pull the country apart. They were ultimately proven right.

## **Session 2:**

In this session, we will begin the chronological analysis of events of this important decade. Specifically, we’ll examine the first part of the decade – 1789 through 1794. We’ll look at the first elections (what a mess that process was!) and the establishment of the first Congress and Administration. The men involved in these processes were aware that they were creating precedents that future decision-makers would rely on, and they were constantly reminding themselves and the people around them about the importance of getting this right.

The first Cabinet featured two powerful figures – Hamilton as Secretary of Treasury and Jefferson as Secretary of State – whose enormous egos first set them at loggerheads and then turned them into implacable foes. And all of this was played out within the Administration.

- Hamilton appeared to believe that because every government activity involved money, he (as Secretary of the Treasury) should have a hand in everything the government did. He was almost certainly thinking of his role as more like that of the British Prime Minister, a governing position that was defined by men like Robert Walpole and William Pitt the Younger, who had served in similar positions to Hamilton's – Lord of the Treasury and Chancellor of the Exchequer – before becoming Prime Minister.
- Jefferson, on the other hand, was the quintessential Enlightenment idealist, adored for the scope of his mind and vilified for his inconsistency and his unwillingness (or inability) to contemplate an industrial future for America.

Decisions about economic policy dominated the first few years of this decade. Hamilton put forth a series of financial plans in 1790 and 1791, as the men in charge of running the government tried to figure out how to generate revenue, manage foreign and domestic debt, create a common currency, and conduct international trade

We'll also look at events abroad as they impacted the thinking and actions of American policymakers. From the storming of the Bastille in 1789, through the early more moderate actions of the new French government, to the executions of both King Louis XVI and Marie Antoinette and the onset of the Reign of Terror in 1793, France was on everyone's mind. Eventually abandoning the hope that France would join with its sister Republic (the US) in spreading liberty across the world, even the most pro-France Americans despaired at the increasing violence in France and across Europe through the 1790s.

Two important domestic conflicts also occurred during this period.

- In 1793, opposition to taxes imposed by Hamilton's financial framework exploded in outright rebellion in western Pennsylvania. Violent opposition to the excise tax on whiskey had begun almost from its inception in 1791, when it was announced as part of Hamilton's financial plan, but the violence came to a head in the Whiskey Rebellion in the fall of 1793.
- The second conflict was in the Northwest Territory, where several concerns – including British unwillingness to give up their forts in the area and the increasing number of violent confrontations between the native tribes that lived there and the white settlers who wanted to move onto the land – led to a series of military engagements. After failures in 1791 and 1792, eventual success in 1794 at the Battle of Fallen Timbers in northwestern Ohio brought a tentative peace to the region.
- Both of these episodes brought to the fore the question of whether the United States should maintain a standing army, and further questions about how that army would be organized and managed in the face of both foreign and domestic security challenges. The United States continues to confront these questions in the 21<sup>st</sup> century.

### **Session 3:**

In this session, we'll look at the events of the second part of this decade – 1795-1800.

Economics takes a back seat during this period, at least in comparison to the first half of the decade. The financial plans proposed by Hamilton and approved by the first Washington administration were in place, and, although there was still significant disagreement about the scope of the government's economic powers, there was little legislative change in this area during the second half of the decade.

Instead, foreign policy dominated the period. After the United States avoided going to war with Britain in 1794, leaders spent the rest of the decade alternately contemplating and actively avoiding war with France. The situation in France was uncertain and disturbing, and the involvement of virtually all of Europe in war complicated America's position in the world. The United States had declared its neutrality in 1794, but with Britain and France at war, the safety of American shipping and American sailors was under constant threat. The United States' economy was based on foreign trade, as virtually all of the government's income was generated by tariffs on imported goods. The tumultuous events in Europe threatened America's financial well-being.

The United States came very close to going to war with France during 1798 and 1799. The situation was called the "Quasi-War," as pro-Britain elements within the United States pushed the country in the direction of war and pro-France elements resisted the pressure. This situation was complicated by the eventually successful slave uprising in St. Domingue (soon to be Haiti), which was the richest colony in the world at the beginning of the 1790s. The desire for access to the trade generated by this colony placed Britain, France, Spain, and the United States in regular contact, and often conflict, in the Caribbean and the wider Atlantic world.

The difficulty was complicated by the fact that the constitutional structure was fraying. With the retirement of Washington from public office, the election of 1796 became a battleground between the two political parties – the Federalists and Republicans – that had grown in the early 1790s. It is true that the men who wrote the Constitution warned against parties, and Washington repeated that warning in his 1796 Farewell Address, but it is also true that the men who wrote the Constitution were at the forefront of creating parties after 1792. Madison never wrote anything that was as well-known as his contributions to the Federalist Papers – including his warning against factions (parties) in Federalist 10 – but his writings in 1793 and 1794 acknowledged that parties were both more necessary and more inevitable than anyone had realized in 1787 and 1788.

It is safe to say that the presidential election of 1796 was a disaster that we don't often think of as a disaster because it was overshadowed by the disaster that was the presidential election of 1800. In both of these elections, conflict between the factions within the parties themselves played as big a role in electoral politics as the conflict between the parties. Hamilton, certainly the leading proponent of the ideals of the Federalist Party, had come to believe that John Adams would be a terrible President, and he spent much of the 1796 election cycle undermining Adams' candidacy and putting forward Thomas Pinckney, a member of the powerful Pinckney family from South Carolina. Meanwhile, the emerging Republican Party (known to historians as the Democratic-Republicans or Jeffersonians, but always called "Republicans" at the time), under the leadership of Jefferson and Madison, positioned itself as a "loyal opposition," ready to grab power as it seemed available. This became even more complicated after the 1796 election, when the Federalist Adams became President and the Republican Jefferson became Vice President.

By 1800, the war within the Federalist Party had taken over every other political issue of the time. Hamilton worked once again to deny Adams the party's nomination for president – again favoring a Pinckney from South Carolina, but this time he supported Thomas's brother Charles Cotesworth Pinckney. For the first time, both parties used congressional caucuses to formally nominate tickets. The Federalists chose Adams and Pinckney while the Republicans chose Jefferson and Burr. Hamilton so despised Adams that he eventually supported Jefferson – despite disagreeing with him about almost everything. Because strict party discipline prevailed within the Republican Party, no Republican electors defected, creating a tie between Jefferson and Burr and sending it into the House of Representatives for resolution. (The split Hamilton had created among the Federalists put Adams and Pinckney behind the two Republican candidates, taking both of them out of consideration.) It took the House 36 ballots over seven days to resolve this problem.

The election of Jefferson in 1800 closes this particular building period for the United States. The country had successfully navigated its first decade (well, somewhat successfully – everyone was a bit bloodied), experienced a peaceful (although dramatic) transfer of power from one political party to its adversaries, stood its ground in the face of the two most powerful militaries in the world, secured some measure of stability on its frontier, and managed to end the decade with less debt than it had held at the beginning.

Its problems, however, were by no means behind them:

- The Napoleonic Wars raged in Europe for the next 15 years, drawing the United States into global conflict in 1812
- Peace with the Native Americans on the frontier was not assured – the United States continued to confront and displace native tribes as the country inexorably moved west.
- Slavery – the issue that the politicians of the 1790s had decided not to deal with because they knew that dealing with it could break up the fragile new country – continued to fester and thus impact virtually everything the United States did for the next 60 years.
- The functioning of the government continued to evolve. The branches of the government – the executive, legislative, and judicial branches – fell into patterns of operation that became institutionalized over the years in ways that the framers of the Constitution could not have anticipated. James Madison, who died in 1836, was the last surviving signer of the Constitution. He left us some observations about how the interpretation of the document had evolved since its inception – summarized by one scholar in these words:

*“If the government doesn't work, if the Constitution is interpreted in such a way as to make it so rigid as to be completely unable to adapt, government will fail of its essential purpose. Maybe those who construe the constitution could use a little more practicality and a little less theory.”*

(Richard S. Arnold, “How James Madison Interpreted the Constitution.”  
New York University Law Review, Volume 72, No. 2, May 1997, pages  
267-193 <https://www.nyulawreview.org/wp-content/uploads/2018/08/NYULawReview-72-2-Arnold.pdf> )