

FROM BULLETS TO BALLOTS

*The Election of 1800 and the First Peaceful Transfer of
Political Power*

by
John Zvesper

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*To give the victory to the right, not **bloody bullets**, but **peaceful ballots** only, are necessary.*

—Abraham Lincoln, notes for speeches, 1858

*If the game runs sometimes against us ..., we must have patience till luck turns, and then we shall have an opportunity of winning back the **principles** we have lost. For this is a game where principles are the stake.*

– Thomas Jefferson, Letter to John Taylor, June 1st, 1798

But every difference of opinion is not a difference of principle.

—Thomas Jefferson, First Inaugural Address,
March 4th, 1801

To a few of us here today, this is a solemn and most momentous occasion; and yet, in the history of our Nation, it is a commonplace occurrence. The orderly transfer of authority as called for in the Constitution routinely takes place as it has for almost two centuries and few of us stop to think how unique we really are. In the eyes of many in the world, this every-four-year ceremony we accept as normal is nothing less than a miracle.

– Ronald Reagan, First Inaugural Address, 1981

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PREFACE

As part of its continuing efforts to promote the challenge and blessings of self-government around the world, the Claremont Institute is pleased to present John Zvesper's monograph *From Bullets to Ballots* to a world-wide audience. While the book doubtless will inform many American readers, its primary audience is intended to be sophisticated advocates of liberal democracy in the developing democracies abroad. In this fact-packed history of the development of and threats to American democracy in the 1790s the discerning reader can note and anticipate the threats to emerging democracies in our time and at any time. American political history is not only the history of great heroes of the stature of Thomas Jefferson and Alexander Hamilton, as Zvesper notes, but is also an account of the follies, greed, base ambition, and stupidity that one finds exhibited by human nature throughout all history and in all parts of the world. Yet, in some nations what founding father and fourth president James Madison called "the reason of the public" can prevail and the rights fundamental to and productive of democracy are protected.

Friends of democracy correctly note the importance of institutions, such as the separation of powers and federalism, in the new democracies; others emphasize processes, such as voting; and still others point to character, such as the trust necessary for a free market to thrive. Those who rightly emphasize the "liberal" in liberal democracy will insist that a core of rights not only be protected but flourish: freedoms of speech, press, assembly, and religion, together with property and other legal rights, at a minimum. In a just regime, all these aspects of democracy will obtain, in some form or other. While most of the new democracies will be parliamentary forms, they might nonetheless draw significant lessons from American political history, especially the history of its political parties. Parties, we will see, must avoid being factions or unjust groups injurious to the common good. After all, it is one thing to write a constitution, quite another to live by it—an idea that great French friend of America, Alexis de Tocqueville,

remarked upon. How is it, then, that America was able not only to produce a constitution that defined the polity it became? How was America able to make its theory become its practice? Zvesper here points to the success of American political parties.

America has been able to determine its political future, with the towering exception of the Civil War, via elections whose results are respected—by the victors with restraint and by the losers with unquestioned deference to the decision of the people. The election of 1800 marked not only the test of America’s success on this question of principle but also the standard for all democratic elections in the future. It was, as Zvesper illustrates, the first election of its sort in modern world history. For all the fury at the contested presidential election of 2000, both sides accepted the results as arrived at under procedures supervised by the judiciary, ultimately the U.S. Supreme Court. The partisan outrage was a trifle compared with what the competing parties felt in the 1790s. Just as Abraham Lincoln would reflect on the Gettysburg battlefield, each side in the 1790s thought that the issue was whether “government of the people, by the people, for the people could long endure.”

Jefferson’s success had its limitations, as the Civil War proved only 60 years later. Propositions about the basic American ideals of equality and liberty proved to provide actual political practices, in basic liberties as well as defining the structure of the government and elections. That the evil of slavery would not be resolved by this founding generation was its tragic flaw. Following Lincoln, Americans still need to refine their understandings of equality and liberty—how they are principles generative of self-government, how they limit the power of government, how they protect fundamental freedoms, and how they encourage a culture in which debate and reason have weight. It is to that debate that we offer John Zvesper’s insightful scholarship.

The source for Zvesper’s argument here, the comparison of the crisis of the Civil War with that of the election of 1800, is Harry V. Jaffa—*Crisis of the House Divided: An Interpretation of the Issues in the Lincoln-Douglas Debates* and *A New Birth of Freedom: Abraham Lincoln and the Coming of the Civil War*. We unhesitatingly recommend these writings, along with his essays in *Equality and Liberty*.

John Zvesper's work is superbly introduced by John S. Waggoner, translator and author of a lengthy commentary on *The Dialogue in Hell Between Machiavelli and Montesquieu* (1864) by Maurice Joly. He has taught abroad at the Sorbonne and the American University in Cairo.

Applications of this monograph's argument can be found at www.frombulletstoballots.com. It can also be accessed through www.claremont.org. Here, foreign and American scholars will apply and evaluate Zvesper's argument about the election of 1800 to various countries and regions of the world. The website will be periodically updated, especially as world crises arise.

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INTRODUCTION

By John S. Waggoner

With the fall of the Berlin Wall, the West suddenly emerged from the dark shadows of a long, cold war to the light and warmth of a new day. The prospects at the dawn of this new day were auspicious. Liberal democracy had, or so it seemed, withstood an aggressive assault both on the battlefield and in the academy. The totalitarian alternative was definitively routed. The ground was now clear. Deeply rooted in Western Europe and North America, liberal democracy would now spread unimpeded. Good news was the order of the day.

But within a decade, we were witness to staggering violence and barbarism on a scale not seen since the wars of the first half of the last century, humanity's cruelest. Scenes at Srebrenica seemed to trump the scenes of unity and euphoria at the Brandenburg Gate. Pessimism was now the order of the day. Instead of peace and prosperity, the specter of a new dark age hovered— a clash of civilizations and long dormant ethnic rivalries. The former Yugoslavia stood both as precursor and microcosm for the world to come. At the least, the prospect of democracy was more troubled than originally thought in our brief moment of optimism.

Significantly, after September 11, 2001, Americans looked out upon another, even more ominous world, a new “new” world, as it were. It ended the period of mere “theorizing” about the future and will orient practical politics for an unforeseeably long time to come. It made what could be called “the democracy question” one of urgency and even national survival. Failed states have been shown to have repercussions beyond the sorry consequences for their inhabitants. They are sanctuaries of terrorists targeting civilized life per se. Democratic nation-building in such areas and liberal reforms elsewhere cannot be left to hopes in the long-term workings of a benignly destined historical process.

John Zvesper's *From Bullets to Ballots* is a practical meditation on the “democracy question,” with particular salience to the post-9/11 situation. It can be appreciated on two levels. First, it is a superb historical analysis of the evolution of responsible party politics in the United States— the first example

of a modern democracy to solve “the crisis of succession” and to endow popularly elected partisan candidates with legitimacy. Moreover, it is also a meditation on this American experience for guidance, if not imitation, for the transformation of existing non-democratic regimes to liberal polities.

Zvesper’s history concentrates on Jefferson’s project to establish principled party opposition in the American republic. The oftentimes grimy political world that Jefferson introduced to America is motivated by a cold calculation, as however the most benign and effective way to treat the inevitable conflicts that would embroil the country as it rose to power. He had understood that the unity occasioned by the war of independence and a successful founding moment would pass and indeed had done so. Effective ways to define the future and lead the country had to be devised. His project is ultimately redeemed by high principles of republican statesmanship—to defend and deepen the democratic polity in the United States and to ensure its effective perpetuation by providing an alternative of ballots to bullets in deciding important political questions.

In treating the Jeffersonian project, Zvesper also brings judicious light to the Hamiltonian project that inspired the Jeffersonian “counterrevolution.” There is special emphasis in an appendix on the “debt issue” that evinces greater sympathy to the New Yorker than to his Virginian antagonists. The point is that Zvesper is not out to grind axes in the Jefferson-Hamilton historic dispute but to assess the lasting impact that this confrontation and era brought to the American polity.

In the context of his discussion, clear and penetrating analysis is brought to such matters as the Alien and Sedition Acts; the Kentucky Resolutions; the manner of choosing presidents prior to the twelfth Amendment; the status of George Washington as a boon and drawback in rooting American democracy in responsible partisan politics; Madison’s role in the “counterrevolution”; as well as other topics. Zvesper’s forte is his sure-footed contextualizing of the matters he treats. As a measure of this, interpretive problems of complex issues and ambiguous texts (Jefferson’s Inaugural Addresses, for example) dissolve in the clarity he brings.

But Zvesper is not interested in “mere” history but history as a lesson. The frame of the work— its introductory material, a helpful glossary and appendix— intend to extend the range of his readership. Friends of liberal democracy in turbulent and unsettled areas of the world can profit from Zvesper’s study. Americans, too, were once in a “post-colonial” situation, buffeted by a superpower from which we had recently liberated ourselves. At our founding, we too had to confront the dilemmas of discarding what was bad in our experience and political culture and retaining what was good.

From one point of view, then, there seems nothing exceptional to the American experience; this experience can usefully serve other peoples and statesmen. On the other hand, there is something “miraculous” about American experience. This Ronald Reagan reminded us in his First Inaugural, referring in particular to what is the subject of Zvesper’s work— the orderly transfer of authority that has taken place every four years for well over two centuries now. Americans need periodic reminding of the miracles they tend to accept as routine, Reagan was saying.

Contemplating the uniqueness of American achievements cannot but deepen the appreciation of the founding generation. It also can serve as a cautionary note to a simplistic optimism that presumes an easy passage for others to a democratic future, unaware of the difficult, existential choices that are in play (as in Muslim regimes) and the oftentimes contingent circumstances that provide statesmanship with even bare opportunities.

An awareness of both the possibilities and limits of generalizing the American experience seems an appropriate beginning point in addressing the vexed questions that face our world. We can approach such questions enriched and deepened by Zvesper’s book.

CHRONOLOGY

- 1776 – Declaration of Independence; war with Britain until 1782
- 1777 – Articles of Confederation (first United States Constitution) written by Continental Congress; ratified by each state (the last one in 1781)
- 1778 – Wartime treaty of alliance with France
- 1783 – Formal peace treaty with Britain
- 1787 – New constitution written by convention in Philadelphia
- 1787-1788 – Constitution ratified, after debates in each state between proponents (Federalists) and opponents (Anti-federalists). Alexander Hamilton, James Madison, and John Jay write *The Federalist Papers* as a contribution to the campaign for ratification.
- 1788 – First congressional and presidential elections
- 1789 – First Congress and President George Washington's first administration begin, with Alexander Hamilton as Secretary of the Treasury and Thomas Jefferson as Secretary of State.
 - Bill of Rights (Amendments 1-10) adopted
 - Congressman James Madison unsuccessfully proposes trade war with Britain.
- 1790 – Treasury Secretary Alexander Hamilton successfully proposes federal takeover (“assumption”) of states' war debts.
- 1791 – Hamilton's proposal for National Bank approved
- 1792 – Republican party initiates first national partisan campaigns, in congressional elections.

- 1793 – News of execution of King of France reaches United States.
– War between France and Britain (which continues with little pause until 1815)
- 1795 – Jay Treaty between United States and Britain
- 1796 – Washington’s Farewell Address; Republican party now contests presidential as well as congressional elections.
- 1797 – President John Adams’ administration begins.
- 1798-1800 – Naval “quasi-war” with France
- 1798 – Congress passes Alien and Sedition Acts; Thomas Jefferson and James Madison secretly draft Kentucky and Virginia Resolutions.
- 1800-1801 – Republicans win big majorities in House and Senate elections.
- December 1800 – Republicans narrowly win presidential election, with electoral college tie between Jefferson and his running mate, Aaron Burr.
- February 1801 – After a week of balloting, House of Representatives chooses Jefferson as President.
- March 1801 – Peaceful transfer of power to Republicans; Jefferson’s First Inaugural Address

PROLOGUE

It is heartening when a country first recognizes the equal right of every citizen to participate in free elections. For this step is—or at least should be—a reflection of the equality of every human being, and recognition of human equality is the foundation of civilized politics. As the experience of many new democracies in recent decades has shown, however, the adoption of free elections does not by itself guarantee the civilized conduct of politics and the peaceful resolution of political conflicts. New democracies have to find their way towards attitudes, practices and institutional arrangements that complement free elections with a culture and a constitution of freedom.

This was demonstrated by the very first modern new democracy, the United States of America. The Americans' first experiences as an independent democratic republic in the 1780s and 1790s were turbulent and occasionally violent. However, in 1801 this first modern democratic regime added to its already impressive set of political achievements the first-ever peaceful transition of power after democratic elections had been won by a party in opposition to the government of the day. Never before in human history had such a thing taken place. Hitherto, legally-sanctioned persecution and punishment of the losers in such political revolutions were the invariable rule. Even in the immediately preceding American experience, the conflict between Patriots and Loyalists during the war for independence from Britain in the 1770s and 1780s, the resolution of the conflict between these deeply-divided political forces had been violent and intolerant.

What can citizens and democracy builders in other countries today learn from the American experience of two centuries ago? Americans' experience with their new democracy in the 1790s illustrates several lessons for today's new democrats. These are lessons about the kinds of partisan divisions that serve democratic politics, and about the ways in which democratic institutions can be made compatible with such partisan divisions. America's first

party system demonstrates that decent democratic politics requires good political parties as well as other good political institutions.

The lessons of the 1790s can be concisely summarized under four rubrics: *partisan principles*, *public respectability*, *partisan vices*, and *individual statecraft*.

Partisan principles. Good political parties have principles. But not all political principles make good partisan principles. In the first place, good democratic citizens will agree on the fundamental principles of democracy itself—the principles of majority rule and minority rights—so these are not proper objects of democratic partisan conflict, although partisan rhetoric will often make it appear that they are in dispute even though they are not. In the second place, certain other kinds of political principle are equally inappropriate as partisan issues in democracies. Theological beliefs are the prime example of these. It is not that democratic citizens must agree on these (they probably will not), but that any disagreements they have on them are not justly settled by political debate and voting. In fact, thus distinguishing religion from politics is one of those fundamental principles of modern democracy on which democratic citizens must agree if they are to avoid violent partisan conflict.

Principles that *are* properly disputed in partisan contests in democratic countries are differing views about the appropriate policies or actions that a particular democracy should pursue in the given circumstances. American political history shows that deep partisan divisions on such matters need not constantly arise: there have been long periods during which the major parties have not advocated significantly different sets of policies. But this history also shows that when such deep divisions do arise they can be settled in a civilized manner by peaceful transfers of power when the party in government loses an election. Politics during elections deciding such principled disputes are likely to be much less calm and orderly than politics at other times, but the peaceful American electoral “Revolution of 1800” showed that it is better for a democracy to make space for principled electoral battles than it is to pretend that there will always be complete agreement on important policy questions. Repressing such honest disagreements

of principle simply tends to make them surface in uglier and less manageable forms in the end.

Public respectability. By engaging in principled conflicts, parties help ensure that significant policy innovations receive reliable signs of public approval in the shape of decisive electoral victories. In this manner policies are tested and strengthened. Political parties thus make democratic government more complete and more sure-footed. In order to do this, they need and deserve a degree of public respectability. It is not easy for statesmen to prescribe or to produce the right degree of public respectability for political parties. Democratic citizens are often tempted to take a cynical view of party conflict, even when the conflicting parties rightly claim that they are fighting about matters of principle. Often this natural cynicism is encouraged by political leaders, either because—perhaps wisely, perhaps unwisely—they judge that it is imprudent for partisan conflict to be encouraged at the time; or because—unwisely—they believe that partisan conflict should always be discouraged. This unwise blanket rejection of partisanship can be inspired by the fact that political parties—even properly principled ones—have vices as well as virtues, and citizens naturally recoil from these vices.

Partisan vices. Successful parties rest on solid economic interests as well as on policy principles. While it is foolishly cynical to adopt the Marxist view that parties' "ideologies" are merely rationalizations of the economic interests that they favor, it would be naïve to expect parties to thrive without their connections to various interest groups. This feature of political parties is not in itself a vice. Like individuals, political parties naturally have material interests as well as opinions. But this natural fact repels many citizens from party politics, or at least makes their support for party politics less wholehearted than it should be.

What is more truly vicious about political parties, and what makes statesmen and citizens rightly distrust their effects on politics, is their apparently innate tendency to use some of the most destructive weapons of rhetoric—lies, character assassinations, scandal-mongering—and to promote exaggerated

adversarial positions, personality cults and clashes, ideological distortions of political facts, and fears of imagined conspiracies. All of these dubious partisan methods were part of the American experience of the 1790s, and reinforced some statesmen's judgments (for example, that of George Washington) that the introduction of party conflict was unnecessary and undesirable. However, one of the most important lessons that arose out of this experience is that it is precisely by granting political partisanship a significant amount of public respectability that the healthy air of publicity can moderate some of the vices of partisanship as well as the vices of irresponsible governments. Former President Konare of Mali, when asked recently about the problem of corruption in that very new and fragile democracy, pointed out that corruption was not something new: "Democracy is simply making it more visible. Because of the freedom of speech, people are free to say things even if they are incorrect and without evidence." Openly organizing a party and publicizing its purposes tends to make it less of a private conspiracy, to bind it to its professed public-spirited principles, and to make it responsible for its actions. Moreover, the distorting tendencies of partisan ideologies are sometimes checked by reason and reflection, as shown by the progress of Thomas Jefferson's Republican party in learning from experiences that went against its ideological predilection for revolutionary France. The low ways of partisan politics do not prevent the establishment of a useful public respectability for political partisanship, even if they do ensure that democratic citizens will generally continue to have at least a healthy skepticism about their parties.

Individual statecraft. One of the most striking parallels between the American experience of the 1790s and that of later emerging democracies is the importance of the chief executive office, and of the person occupying that office. George Washington (president from 1789 to 1797) was the hero of American patriots, and it was almost impossible for partisan opposition to be mounted against the policies of his administration. John Adams (president from 1797 to 1801) also tried to be superior to party politics. However, Thomas Jefferson took office as President in 1801 as the

acknowledged leader of a political party. For political partisanship to gain a sufficient degree of public respectability, chief executive officers must either become party leaders themselves, or eventually they must be replaced by someone like Jefferson, willing to combine responsible constitutional executive power with responsive party leadership. An interim period in which party conflict remains somewhat muted and a country has a supra-partisan leader is not unnatural. However, eventually party politics can help solve the important problem of how to transfer executive power from one person to another without a loss—possibly even with a gain—in legitimacy. The inevitable rivalries inspired by the availability of a single, non-hereditary chief executive office (whether a president or a prime minister) can be well structured by open partisan competition.

This means that one of the useful functions of a modern party system is to make government leadership by less-than-heroic politicians more acceptable and legitimate. Politicians publicly identified with a party can be more responsible because of the constraint imposed on them by that identification. As the experience of America and other mature democracies in the last quarter of the twentieth century showed, the return of more candidate-centered elections, and the corresponding decline of the power of political parties to contain the ambitions of individual candidates, is a retrograde step. However, modern party government does not make individual statecraft less necessary. Good political parties are parties that not only have the right kinds of principles but also have resourceful leaders, able to employ the sometimes hypocritical tactics and manipulative techniques of partisan warfare without debasing themselves, their party, or their country; and equally able to lead their parties away from deep policy and ideological battles when they are neither necessary nor desirable. The advent of party government does not replace the need for wise statesmanship. But it does mean that wise statesmen will work within the context of party politics, in spite of its vices, because they will recognize that healthy party competition enhances democratic politics.

These are the main lessons supported by the narrative and analysis of this monograph. Readers will be in a position to draw

several further important conclusions as well. These further conclusions concern the psychology of effective partisan strategies, and ways of introducing a good form of party politics into an emerging democracy. They also concern certain problems that are likely to be encountered in this process, such as preoccupations with national solidarity, and entanglements of domestic conflicts with attachments to foreign powers.

One set of these further conclusions is the importance to party politics of patience, perseverance, and persuasion. The eight-year effort by Jefferson's Republican party to turn what they always believed was support for them by a majority of the electorate into a decisive electoral victory demonstrates that perseverance and patience are valuable qualities in democratic partisans and that these qualities can pay large electoral dividends. This is true not only of challengers but also of those ousted from power in electoral revolutions, who must—and can—content themselves with the fact that they have the right to retreat, to regroup, and to try to become triumphant challengers in their turn. The Federalist party, ousted from power by the Republicans in the elections of 1800, were in this respect in the same position as Jefferson's Republican party would have been in during the 1790s, if instead of having a majority in the electorate that they had only to mobilize, they (like later majority parties in American history) had had to build such a majority, turning themselves from a minority into a majority by their powers of persuasion and by exploiting the course of events. After all, one of the main assumptions of the case for having the possibility of reasonably-principled party conflict in a democracy is that advocacy and persuasion are essential parts of political life. As Aristotle pointed out, human beings are political animals because they talk about what is good and bad. If persuasion is central to political life, then, especially in a democracy, provision for public partisan conflict is preferable to the government's assumption that it deserves and enjoys widespread popular support or deference.

Electoral revolutions brought about by peaceful transfers of power after deeply-divided partisan conflict serve as a replacement for but also as a supplement to violent political change. Threatening a party in power with rejection by a majority of voters

at the next election is a reminder that humans possess a natural right of revolution, which can be used to threaten a party in power with force. Ballots supplement bullets as a way of controlling government. They are far preferable to bullets, but they work partly because they concentrate the minds of governments by reminding them that giving in to electoral pressure is a way of avoiding having to give in to forceful revolutionary pressure. The natural right of revolution is based on the natural purposes of government—the safety and happiness of the people—and when governments stray from those purposes it is well for party campaigns to recall them to their minds. Partisan campaigns that recall the natural ends of government can also improve the quality of deliberation by voters, by encouraging them to judge the government fairly and reasonably. By judging governments and by improving the deliberation of voters, political parties can be the best preventatives of violent revolutions, even though they cannot in every case rule out the possibility and the possible justice of such revolutions. Partisan elections can be, as Jefferson said in his First Inaugural Address, “a mild and safe corrective of abuses which are lopped by the sword of the revolution where peaceable remedies are unprovided.”

1.

FIRST PRINCIPLES

The Significance of the Revolution of 1800

Democratic elections change government office holders and policies. Often the changes in policies represent a change of emphasis. Sometimes they are more significant but not so drastic that the defeated party cannot readily accept them at least until the next election. But occasionally political parties in democratic regimes become deeply and bitterly opposed to each other because the parties are convinced that their opponents threaten to abandon the country's most fundamental principles.

When political parties have these extreme differences, how can civil war be avoided? Can we reasonably expect those in power before the elections peacefully to surrender their offices to opponents who they know will pursue policies that are not only unwise or unjust but also wholly destructive of the very ends of the political community? Should the government of the day respect the election results, and quietly hand over power to such traitors? Or, if it is the challenging party that has lost the election, should it be content to leave peacefully in office people who are not just partisan opponents with disagreeable policies, but dangerous enemies of the country who do not deserve to be considered as legitimate governing officials? And what if the election result was very close, and perhaps also included (as is generally the way with close elections) some very contestable counting of the votes? Why should either a governing or a challenging party accept an unfavorable election outcome determined by a few doubtfully legitimate vote counts, when such important principles are at stake?

The first ever peaceful transition of power after bitterly contested popular elections fought by principled partisans occurred in America, in the “Revolution of 1800,” after elections that gave the Republican party led by Thomas Jefferson control over both the presidency and congress. Both the Republicans and their opponents, the Federalist party, believed that the fundamental principles of democracy were at stake in the conflict between the two parties.

Today it is widely recognized that the political experience of the United States in the 1770s and 1780s—the winning of independence, the writing of constitutions in each of the new states, and the establishment of the new federal Constitution of 1787—provides useful lessons about constructing liberal democracies. It is less widely recognized but no less true that the American political experience of the 1790s offers useful lessons about setting democracy into motion by developing a publicly respectable role for modern political parties. Without this, democracy is incomplete. The American republic was the first “new nation” and the first “emerging democracy” in the modern world. Its experiences resemble those of later-emerging democracies. The electoral Revolution of 1800 shows how even political parties that deeply distrust each other’s character and policies can nevertheless accept the outcome of an election that replaces one of these parties by the other. This American experience is the first example of a peaceful liberal democratic transfer of political power. Even if studying that experience cannot supply solutions that can be directly applied to later experiences in other times and places, it does tell us much about the kinds of problems that citizens and politicians must expect to have to deal with in contested and divisive transfers. We can also learn much about the kinds of principles that can be at stake in democratic partisan conflicts.

For their part, American citizens, by recalling their own experience in the 1790s, can better appreciate the difficulties that confront new democracies, and can more fully understand some of the facts of human and political life that make democracy a valuable but also a rare and fragile species of government. Indeed, we shall see that, on the subject of political parties, Americans

have little room for complacency about their own current theory and practice. On this as on other political topics, the American founding holds up high standards for Americans themselves as well as for democrats elsewhere. All democracies are emerging democracies, in the sense that they are always in danger of sinking into bad habits of thinking and acting.

Some years after the event, Thomas Jefferson described the election of 1800 (which made him president) as “a revolution in the principles of our government” which was every bit “as real ... as that of 1776 was in its form.” But in 1776 the revolution to a republican form of government independent from monarchical Britain had been violent—internally as well as externally—while in 1800 the revolution was peaceful. This in itself was a revolutionary change in the way that principled political conflict was normally resolved. But Jefferson meant more than that when he described 1800 as a revolution in “the principles of government.” He meant that the Republican party had introduced *a new set of principles by which the government was to be administered*, very different from the Federalists’ principles. How could these two revolutionary changes be compatible? How could he expect the defeated Federalist party peacefully to accept reversals of major policies both domestic and foreign?

The Revolution of 1800 was the first time in human history that the long-hallowed appeal to bullets was replaced by the appeal to ballots in such a contest. We shall see that many circumstances contributed to this happy outcome. We shall also see that partisan political conflict can be based on several different kinds of political principles, some more and some less conducive to non-violent resolutions of partisan conflict. This is the most important lesson for democratic citizens and statesmen to learn from the American Revolution of 1800. As Jefferson said in his First Inaugural Address, “every difference of opinion is not a difference of principle.” Moreover, as his peaceful partisan revolution shows, not every difference of principle is a difference of *fundamental* political principle. Not every partisan principle is a fundamental principle of democracy itself, for which one must fight unrelentingly, with bullets if necessary. In any lively democratic partisan debate, there is bound to be some confusion

between the fundamental principles of democracy and conflicting partisan opinions (also called principles) about what is to be done. But the distinction between these two kinds of principle must be kept within sight by democratic citizens and statesmen who would allow or encourage principled political conflicts, while maintaining the possibility of the peaceful resolution of those conflicts. The Revolution of 1800 shows us that the replacement of bullets by ballots in conflicts of political principle requires that the conflicting parties avoid illiberal principles, embrace shared democratic principles, and identify their parties with principles that present important policy choices to the electorate but do not present the choice of abandoning the fundamental principles of democratic government.

The “Terrorism” of the 1790s: Violent Prelude to Peaceful Change

In the 1790s, the name “Federalist” was taken by Americans who had favored the replacement of the Articles of Confederation (the first United States Constitution, adopted during the Revolutionary War) with the Constitution of 1787 (still in effect today). Federalists were “the friends of the Constitution,” who labored to get it ratified by conventions in each state, and to get the new government working after the ratification had occurred in 1788. The opponents of the new Constitution were called “Anti-federalists.” The “Republican” party were those who, a few years later, in 1791 and 1792, began to have serious doubts about the administration of the new government, because they suspected it was leading the country to adopt policies and forms of government that were not truly republican, and that threatened to undo the republican achievements of the Revolution and the Constitution.

Given that the Federalists and Republicans came to view each other as serious threats to the country’s future, the scope and the depth of the partisan animosity that appeared in the 1790s are not surprising. They are nevertheless remarkable.

Partisan warfare divided families in every state. It also broke up friendships—perhaps most notably and poignantly the friendship between the revolutionary collaborators Thomas

Jefferson of Virginia and John Adams of Massachusetts. They became rival candidates for the presidency in 1796 and 1800, with Vice President Adams, as the heir apparent, winning in 1796, and Jefferson more convincingly and durably triumphing in 1800. Another notable casualty of party warfare was the political partnership between James Madison of Virginia and Alexander Hamilton of New York, who had collaborated in working for ratification of the Constitution, and were the main co-authors of *The Federalist Papers* (a still famous series of essays advocating and analyzing the Constitution).

In 1813, Jefferson, in retirement, looking back on the 1790s, recalled that the “public discussions” in this decade, “whether relating to men, measures, or opinions, were conducted by the parties with an animosity, a bitterness, and an indecency, which had never been exceeded. All the resources of reason, and of wrath, were exhausted by each party in support of its own, and to prostrate the adversary opinions.”

The partisanship of the 1790s took place in the midst of foreign policy crises, and involved Americans’ very conflicting attitudes to Britain and France, the two superpowers of the day. So it was not surprising that it inspired hostility against recent immigrants seen to be supporting the rival party. But it also provoked incivility between former friends and long-time fellow citizens. In 1796, Jefferson deplored the social atmosphere in Philadelphia, the nation’s temporary capital while the District of Columbia was being planned and built: “Men who have been intimate all their lives cross the streets to avoid meeting and turn their heads another way, lest they should be obliged to touch their hats.” Jefferson and George Washington stopped communicating with each other nearly three years before Washington’s death in December 1799. Jefferson (then vice president) failed to attend Washington’s funeral, and in 1801 John Adams failed to attend Jefferson’s presidential inauguration ceremony (perhaps only because he was not invited).

The poisonous social and political climates in Philadelphia were made more deadly by recurrent yellow fever epidemics. Even the proper way to combat that disease became a partisan issue, with Republicans blaming the disease on local conditions,

and Federalists seeing it as a foreign import. (Historians now think that both medical theories were partly right.) Americans were also disturbed by recurrent financial panics during the decade. The first of these, which coincided with the first partisan campaign in 1792, came on the heels of the dispiriting news of the humiliating defeat of a United States army by Indians in the Ohio Territory, who killed more than 900 out of a force of 1400. These events were also linked to the partisan conflicts, because Republicans blamed Federalist policies for speculative financial bubbles, and one of the reasons for the army's defeat in Ohio proved to be mismanagement of procurement contracts. The man mainly responsible for this mismanagement was a speculator in government debt certificates, who was blamed (not without reason) for setting off the first financial panic, and who spent the rest of the decade (until his death in 1799) in debt and in jail.

The partisan conflict of the 1790s brought not only money but also sex scandals to widespread public attention. (Both Hamilton and Jefferson were touched by the latter.) It fed on and encouraged violent taxpayer revolts and the federal government's armed suppression of these revolts. There were violent public protests against the federal government's foreign policies. Political conflict was criminalized; each party attempted to weaken the other by prosecuting its supporters for seditious libel. Printers of partisan writings were also physically harassed. Fights broke out in the capital between street gangs formed on party lines. There was at least one scuffle between two congressmen on the floor of the House of Representatives, and the Speaker of the House was stabbed (though not killed) by his cousin after the Speaker had betrayed his Republican party (and family) ties by breaking a crucial tie vote in favor of the Federalists. The famous pistol duel in which the former Federalist Secretary of the Treasury, Alexander Hamilton, was killed by the current Republican Vice President, Aaron Burr, in 1804 was an aftershock of the partisan competition of the 1790s. At the end of the 1790s, there was talk in both parties of disunion in order to avoid compromising with the opposition, and of organizing armed attack or resistance.

After they resumed their correspondence in 1812, Jefferson and Adams wrote of the “terrorism” in America in the 1790s, meaning an attempt by one party to intimidate the other into submission. (The word was introduced into English after the French coinage of it by advocates of such tactics during the French Revolution.) Jefferson claimed that the Republicans had been the only party subjected to terrorist tactics, in the shape of the alien and sedition laws passed by the Federalist-controlled congress in 1798, laws that authorized the President (then Adams) to deport dangerous aliens, and that criminalized “false, scandalous and malicious writing...against the government.” But Adams promptly pointed out to him that the Federalists too had felt terrorized, for example by the violence of tax rebels in 1794 and 1799, and by large and unruly antigovernment crowds in the capital city, who in 1793 “threatened to drag [President] Washington out of his House, and effect a revolution in the government, or compel it to declare war in favor of the French Revolution, and against England,” and who in 1799 made Adams’ own presidential household feel so threatened that Adams had “judged it prudent and necessary to order chests of arms from the War Office to be brought through bye lanes and back doors” to prepare to defend the presidential home.

After the electoral Revolution of 1800, Federalists and Republicans continued to hammer at each other for some years, rhetorically and electorally. However, the Republican victory of 1800 was never seriously threatened with reversal, so the partisan warfare became muted by the Republicans’ satisfaction that they had won the war and by the Federalists’ grim realization that they had lost it. That realization by the Federalists, and the terrible animosities that had dominated elections for several years up to 1800, make it all the more remarkable that the elections of 1800 resulted in a peaceful transition of power. It would have been less surprising if the Revolution of 1800, like other partisan revolutions throughout history, had been violent in itself, and had been followed up if not by executions and exiles then at least by long-term economic, social and political harassment, exclusion and punishment of the defeated partisans.

The Character of Modern Party Government

Before turning to the political history of the 1790s in order to see why this “terrorism” arose and how the peaceful “Revolution of 1800” came about in spite of it, it will be helpful to reflect on the nature of modern party politics more generally. We can better appreciate the thoughts and actions of the first modern partisan politicians if we look at them in this context.

While political parties are as old as politics, party government—the openly acknowledged and publicly respectable practice of parties organized to compete for office over a long period of time, along with the presumed right of such parties to influence or to control government policy—is a much more recent development, which rose out of English and American political experience in the seventeenth and eighteenth centuries. It is also a development that is not nearly as natural or straightforward as its current familiarity might suggest.

Even today the normalization of political parties—the public acceptance of parties as respectable ways of organizing political conflicts and choices—remains incomplete, even though it has become second nature. This has been true in all modern regimes, totalitarian as well as democratic. There are important differences between totalitarian and democratic regimes on this issue of public acceptance of the role of political parties, but there is also this very important similarity: even in modern totalitarian regimes, where the single ruling party is understood and treated as superior to the constitution and the legitimately-constituted government, this party remains more hidden and less public than the government. In liberal democracies, the hesitation to completely identify legitimate governmental power with political party power is even more obvious. In these regimes, even when one party is hegemonic, governments generally remain not only very distinct from but also more dignified and respectable than parties, and there is a public distrust of parties, party politics, and party politicians.

Sometimes—as in many liberal democracies during the last quarter of the twentieth century—this distrust becomes too exaggerated and unhealthy, making parties seem completely useless to many good citizens. In America, this extreme and

unhealthy distrust of political parties—which persists in many quarters today—grew out of the “Progressive” reaction to the corrupt condition of political parties in the late nineteenth and early twentieth centuries. It is important to appreciate that this Progressive attitude is very different from the suspicion about parties that the American founders displayed. Today Americans generally have a greater need to relearn the advantages than to dwell on the disadvantages of political parties. But it would be odd if the distrust of parties were to disappear altogether, for in liberal democratic politics there is something inherently suspicious in a party—by definition a part of the community, however large—claiming to have superior knowledge or ability. So while total rejection of party politics is dangerous, the incompleteness of the public acceptance of party politics is understandable, and can be compatible with a healthy appreciation of the advantages of parties for modern democracy.

By acknowledging this continuing questionableness of political parties, we can better understand why the first establishment of political parties as normal and more or less respectable political devices was not easy, and why it has been difficult to initiate party government in many new democracies.

The Paradoxical and Two-sided Nature of Modern Political Parties

Emphasizing this difficulty in the birth of party government does not mean we have to adopt the condescending view that the partisans of the 1790s were improvising a way of organizing political conflict that they did not understand at all. Historians are generally too inclined to conclude that these early partisans were simply fumbling in the dark, wholly unenlightened about the usefulness of political parties. Historians who come to that conclusion have clearly missed an important fact about the nature of political parties in liberal democracies, today as well as in the past. Today, if we avoid a Progressive or other purist distaste for political parties, we are so much in the habit of accepting them—and we are in any case harangued by political scientists into accepting them—that we easily forget how strange this acceptance

is. What has happened is not that we have grown out of the supposedly “immature” anti-party attitudes of the first partisans, but that we have forgotten some of the reasons why democratic citizens continue to be of two minds about parties.

Moreover, by assuming the superiority of our easier acceptance of parties, we forget how the public acceptance of party competition, insofar as that acceptance is shared by the partisans themselves, requires a paradox within the parties. It requires that these parties must have within them two different and potentially conflicting tendencies: a principled tendency, and a compromising tendency. In liberal democracies, there is always something awkwardly contradictory in the basic positions taken by major parties, for they must sincerely uphold and insist upon principles that cannot be compromised, at the same time that they must subject themselves to the democratic rule that their party’s principles can govern the country only if they are supported by the voters. Being a sincere, principled partisan and being at the same time an equally sincere partisan of a party system in which your party might lose is not an easy posture to adopt or to maintain. It is easy enough to be accommodating towards your opponents if there are no principles involved and it is just a matter of compromising among various interests, but once principles are at stake, accommodating the opposition becomes harder to justify. However, it is well worth the effort, and it becomes easier if accurate distinctions are made between the kinds of principles that should and should not be subject to partisan debate.

Successful political parties have two sides: they need organizations—that is, networks of activists and of supporting interests—and they also need opinions, about people, principles and policies. Benjamin Disraeli’s succinct definition makes the point: “Party is organized opinion.” Would-be parties that are merely sets of opinions, without such an organization and without a focus on winning elections by forming coalitions of interests, will be more like debating clubs. Parties without political principles and opinions, however much they might help broker coalitions of interests, will be unable to rise above the politics of self-interested factions, so in the long term they risk losing the interest of the public, and will be despised as mere parties of

interest or cliques or cronies. When parties dwindle into mere “accommodationist,” patronage-oriented parties, they can easily miss out on their chance to capture enough popular support to form durable governing coalitions. If their rhetoric becomes “mere” rhetoric, mere lip service, they lose one of their main reasons for being—and risk turning the public’s natural and instinctive distrust of party politics into an unnatural and alienating disgust. So while it is important for parties to learn to accept compromise and to focus partly on the maintenance of their supporting coalitions of interests, it is equally important for major parties to remain parties of principle. If ballots replace bullets by completely reducing the significance of balloting to choices between easily compromisable private economic interests, then some of the purpose of balloting is lost.

2.

THE LESSONS OF CONSTITUTION MAKING

Between 1776 and 1787, Americans wrote fifteen new constitutions for the new states (one for each of the thirteen states, and second, revised ones in two of these states), as well as the Articles of Confederation (in 1777) and the Constitution of 1787. All of this experience in making constitutions increased the already well-advanced political maturity of the Americans, which by the 1760s had made them so difficult for the rulers of the British empire to manage and even to comprehend. Even before their independence and their constitution-making marathon, the British colonists in North America (which included many non-British immigrants, notably many Germans) had schooled themselves in English “whig” political thinking and had acquired civic institutions and habits that rested on a high level of political competence among colonial politicians, both at the local and at the colonial level. Elections to representative assemblies were based on a relatively broad franchise—much broader than anywhere else in the eighteenth century—and this was extended even more during and after the Revolution. It varied from place to place, but everywhere in the elections of the 1790s it included well over the majority of adult male citizens (and did not always exclude females). At that time, it should be noted, voting was generally a very public act, and how one voted was public knowledge.

By the beginning of the eighteenth century, the representative assemblies, especially their increasingly powerful lower houses, dominated colonial politics, disappointing British imperial administrators’ hopes that the royally-appointed governors would play the dominant role. The British government’s inability to accept their American colonists’ political competence, and its disagreement with the colonists’ belief in the political claims of

their own legislatures, were major causes of the conflict between Britain and America that led to the American Revolution.

The Desirability of Government

In recent decades many historians have emphasized the extreme suspicion of power as a characteristic of American political thinking from the colonial period onwards. It would be a mistake to ignore this strand of American political thinking, but it would also be a mistake to consider it as the only or the dominant theme of American political thinking in the revolutionary and constitution-making period. Immediately upon declaring their independence from Britain, Americans set about constructing new governments, so they were by no means anarchists, and the governments that they constructed were granted imposing powers. After all, the Declaration of Independence itself was not an antigovernment statement. It was not only a statement of individual rights; it was equally a concise summary of good constitutional arrangements that the British government had violated or abandoned. Most of the things that the Declaration condemns as sure signs of an intention to establish “an absolute tyranny” are British governmental actions that trampled not on the rights of individual Americans but on the rights and powers of American governing bodies (colonial legislatures and judges).

Between 1776 and 1787, American political thinking became even more receptive to the case for energetic government. We shall see that in the 1790s Alexander Hamilton and some of his Federalist allies developed an interpretation of this case that went too far in their opponents’ eyes, in that it seemed to Madison, Jefferson and their “Republican” allies (as they soon began calling themselves) to threaten to make American government too monarchical, first in its policies and then in its forms. This was to be the point of departure for the battle between Federalists and Republicans. But up to that point, the kind of Federalist thinking (for example, *The Federalist*) that advanced the case for the more energetic republican government framed by the Constitution of 1787 was not out of step with the kind of thinking that had advanced American independence. There was considerable

continuity and agreement between the case for independence and the case for the new Constitution, as to the necessity and desirability of government. 1787 should not be seen as a reaction against 1776. Nor, as we shall see, should the Revolution of 1800 be seen as a resurrection of the thinking of the Anti-federalists, the disparate groups who had unsuccessfully opposed the new Constitution. It is true that the Republicans transformed the case for energetic government into a case for what Jefferson, in his Inaugural Address in 1801, was to refer to as “a wise and frugal government.” Jefferson was no friend of big government. But in that same Address, Jefferson reconfirmed the Republicans’ commitment to the union of the states, and made a point of denying that a “frugal” government “cannot be strong,” or that it must lack sufficient “energy to preserve itself.” So the Republican party clearly did not share the Anti-federalists’ opposition to a firm union and a strong federal government.

The Necessity of Executive Power

To understand the beginnings of party politics in the new nation in the 1790s, it is particularly important to note the lesson about executive power that Americans were beginning to draw from their political experience in the 1770s and 1780s. Here we see them learning from their failures as well as from their successes.

Suspicion about and jealousy of power wielded by political executives had become an almost automatic reflex during colonial and revolutionary politics, because colonial governors had been officers with British rather than American political bases and loyalties, and because American whigs accepted the English whig tradition that had championed the rights of the legislature over a tyrannical executive. However, by the time that Massachusetts politicians (most prominently and vigorously, John Adams) wrote that state’s second constitution in 1780, and even more clearly when the federal Constitution of 1787 was being discussed, it had become evident to thoughtful Americans that it was a serious error to make executives too weak and too subordinate to the legislature. In his *Notes on the State of Virginia* (1782), Thomas Jefferson, partly on the basis of his experience as governor of

Virginia during the war for independence, noted among the “capital defects” in Virginia’s constitution the tendency for all powers—legislative, executive and judicial—to end up being exercised by the legislative branch, thus creating an “elective despotism” in that branch. One of the most striking innovations in the federal Constitution of 1787 was the creation in the presidency of a strong, energetic executive relatively free from close supervision by congress. (The Articles of Confederation had provided for no national executive office at all; congress had simply set up committees of its own members to supervise matters when congress was not in session.) Americans were learning how an energetic executive power wielded by a single person, a constitutional arrangement previously identified with monarchical government, was compatible with and even necessary for republican government.

By 1800, the presidency came to be recognized as *the* prize for political parties to contend for. And the influences between the presidency and the advent of political parties flowed both ways, because the way in which presidential powers were used was changed by presidents acting as party leaders at the same time as they acted as chief executives. Thomas Jefferson’s use of presidential power was to be very different from that of his two predecessors, George Washington and John Adams, not merely because of personal or stylistic differences but also because Jefferson embraced the open and long-term partisanship that Washington and Adams had distrusted and avoided. His use of the office was not less “energetic,” but—like all presidents after him—he made more out of the possibility of presidential power based on popular opinion and partisan loyalty.

This partisanization of the presidency reduces the contrast between presidential and prime ministerial government, and thereby makes the American experience in developing party government more immediately relevant to modern parliamentary democracies. In parliamentary democracies the executive body is formally selected by and part of the legislative body, but in practice prime ministers resemble American presidents insofar as they too owe their selection and their authority to their leadership of a political party. Parliamentary systems tend to get into trouble

when, like some American state constitutions (both before and after 1787), they do not provide for a clearly responsible executive. Whether called prime ministers or presidents, chief executive officers are crucial figures in modern democracies, and their importance and legitimacy are largely based on their partisan ties.

Why Political Parties Were Not Respectable

One very good reason why Americans in the eighteenth century found it less easy than we do today to consider political parties as useful and even respectable devices is that in the sixteenth and seventeenth centuries political parties—and bloody international and civil wars—had been based on religious differences and (as in the English civil war) on conflicts over sovereignty that were inseparable from such religious differences. Before political parties could even be thought of as tolerable—much less as respectable—by reasonable statesmen, parties had to be separated from this type of dispute. We have already noticed the problem that arises if political parties move to the opposite extreme and become completely unprincipled. If they descend to the level (at best) of power brokers and compromisers of economic interests, they can still perform a useful function, but they risk alienating public interest and losing needed support, because of their indifference or hostility to the common good. But that problem can only arise once the other extreme—the extreme of religiously-motivated parties—has been removed from the center of the political stage. As long as political conflict was essentially conflict between different religions, or between different sects within one religion, prudent statesmen were bound to encourage citizens to treat political parties with suspicion, because conflict between parties based on religious principles too frequently means persecution, civil war, and misery.

Americans of the founding generation rightly prided themselves on having understood and applied the principle of separating religion and politics, and—as Jefferson said—on “having banished from our land that religious intolerance under which mankind so long bled and suffered.” The first president,

George Washington, acknowledging congratulations on his election from Hebrew congregations and from several denominations of Christians, remarked that American citizens “have a right to applaud themselves for having given to mankind examples of an enlarged and liberal policy” by recognizing in every citizen the “liberty of conscience,” and by no longer thinking and speaking of religious toleration “as if it were the indulgence of one class of people that another enjoyed the exercise of their inherent natural rights.”

The federal Constitution’s clear separation of church and state (an advance on the situation in several states at the time, as well as on the situation in the rest of the world) was one reason why Americans could have much greater faith in republican government than earlier political thought had encouraged. Republican government meant government based on representative democracy, with no admixture of hereditary offices. As James Madison noted in *The Federalist* Number 14, the state constitutions established from 1776 onwards had already demonstrated this American invention of “wholly popular” systems of representation and it was this “unmixed” type of republic, a republic with no hereditary elements, that was established by the federal Constitution of 1787 as well. Only after religion had been constitutionally removed as a possible basis of political conflict did it seem truly safe to establish wholly popular government, because it could seem safe to entrust power to public opinion only when the public were willing to abstain from trying to make their religious opinions into political opinions. The secularization of politics made republican politics a safer option.

This secularization was also a necessary step in modifying the traditional hostility to partisan conflict and eventually in making party politics seem not only tolerable but also respectable and even desirable. Eliminating religious differences as a basis for partisanship made it possible to consider changing the ruling opinion about partisanship, to abandon the general hostility and to treat partisanship as a respectable means of reflecting, leading, and organizing public opinion.

Thus, the case for principled parties can be made only after religiously-principled party conflict has been settled. Prudence

may well dictate the continuation for the time being of arrangements in which some religious groups are more favored than others. True statecraft always aims to secure the best outcome in the circumstances. Few emerging democracies have enjoyed such an advantageous set of circumstances as applied to America at its founding, when the great variety of religious denominations made toleration seem the only possible policy. Nevertheless, experience not only in America but also in other places shows that there must be a significant degree of separation of religion from politics, and of toleration of all genuine religions, if democratic party government is to work well. If parties are to be respectable, they must be principled; but first they have to be tolerable, and they cannot be tolerable if their principles are those of intolerant, persecuting religions.

The separation of religion and politics usually improves both. Beneficiaries of this separation can easily forget how it continues to form the basis of democratic politics, but when we look at the world around us we can easily see reminders of how important it is (though not easy) to settle religion-driven partisanship. So we must add to our point about the necessity of principle in modern political parties the qualification that the principles must be limited to secular, this-worldly opinions. While parties must not be too petty, they must also not be too grand. They must have principles, at least in the sense that they have the potential for principled action by having a history and a memory of having begun with principles, and by retaining the capacity to revive them. But these must not be other-worldly, salvationist principles.

The experience of the twentieth century taught an important supplement to this point: fanatical atheism can be as intolerable as fanatical religion as a basis for political partisanship. Such atheism, coupled with “sciences” that replace the recognition of human nature with the division of the human species into “races” or classes, can be even more destructive of democratic politics than religious fanaticism.

In practice, fanatical religion and fanatical atheism have each very often combined with a third, more primitive kind of destructive partisanship, that of a tribal barbarism altogether ignorant of human nature and natural human rights.

Given the thuggish tendencies of these three bases of partisanship (fanatical religion, fanatical atheism, and barbaric tribalism), hesitation about granting public respectability to partisanship in democratic politics is understandable. Nevertheless, party systems that avoid these inhuman extremes can enrich and perfect democratic politics, so it is important for us to see what kinds of principles can be disputed in healthy democratic politics. Studying American politics in the 1790s is a good way to do this.

National Politics Without Partisanship

The story of the 1790s is the story of the invention of the first truly modern political party, the Jeffersonian Republicans, the first publicly respectable party of principles *and* interests. How had the founders expected politics to work without such a party?

Parties of interest. James Madison's *Federalist* Number 10 makes it clear that political parties of a kind were (as one would expect) anticipated by the experienced politicians who favored the new Constitution. However, what Madison, like other Federalists, expected to see in American national politics was not parties of principle, but "factions," that is, parties motivated by passions and interests that, if they could have their way, would surely enact policies that are unjust or unwise. In free countries these inevitably try to exert political influence. Madison noted that one way to prevent such "parties" from acquiring undue legislative influence would be by expanding the sphere: having a political arena sufficiently large and diverse that every party will be a minority. Even if one of the factions is a majority, at least that dispersed majority will find it more difficult to discover this fact and to act in unison.

Madison also argued that in a larger polity, the relatively small size of legislative bodies and the relatively large size of electoral districts would enlarge the pool of potential candidates. This would therefore make more likely the election of representatives "whose wisdom may best discern the true interest of their country and whose patriotism and love of justice will be least likely to

sacrifice it to temporary or partial considerations.” Madison’s optimistic argument was that elected representatives at the national level would be “men who possess the most attractive merit and the most established and diffusive characters.” Moreover, these legislators would be able to count on a relatively faction-free zone in congress, so that they could be largely resistant to unwise or unjust constituency pressures. Madison’s view of congressional lawmaking was optimistic, and (as we shall see) would soon be revised by him. But it was not wholly unfounded or implausible. Many important laws throughout American history have been products of non-partisan or bipartisan efforts. Party is important in modern democracy, but it is not everything.

Parties of principle. As for parties of principle, Federalists made the assumption, which turned out to be incorrect, that, at least once the campaign to get the Constitution ratified had been successful, the nation would no longer be troubled by parties of principle, since everyone would then be committed to the Constitution, and there would be no further disagreements on the principles of government. The Federalists themselves would have little reason to maintain their partisan networks, once the government got underway and the opposition to the Constitution by disgruntled but defeated Anti-federalists died away. So the new government would not only be above parties of interest, it would also be untroubled by parties of principle.

In support of this assumption that there would be no recurrence of great public parties of principle, we could say that the conflict between Federalists and Anti-federalists over the merits of the Constitution, a conflict that *The Federalist* itself was participating in, had not really been an instance of a national contest between political parties, and therefore was neither a harbinger of nor a precedent for the national party contests of the 1790s and beyond. In the first place, the ratification struggle was a series of state-level conflicts rather than a national partisan conflict. In the second place, it was a brief, single-issue disagreement about the proper arena for American politics: the immediate question was where political decisions should take place, rather than what principles should guide the decision

makers (although of course there were many assumptions and discussions about what the policies of the new government would be). Finally, the situation of the winning sides was significantly different. In contrast to the political conflicts in the Revolution, as well as those in the 1790s, in the ratification contest of 1787-1788 there was no unified enemy that had taken a threatening initiative: no British government, no crypto-monarchist Hamiltonians, just a poorly-organized assortment of nay-saying "Antis." The Federalists had taken the initiative. For all of these reasons, the ratification contest was unlike those party-driven revolutions in England and America (including the American Revolution) that had invariably resulted in very harsh treatment of the defeated party by the victors, until what was accurately seen at the time as the precedent-breaking Revolution of 1800: Anti-federalists were not executed, exiled, dispossessed, or otherwise excluded from the regime.

In further support of the Federalists' assumption that principled party divisions would not trouble the new republic, it should be added that there was a clear chronological and logical break between the ratification contest of 1787-1788 and the first party contests of 1791-1792. It is true that the principled policy disagreements that sparked the party contest of the 1790s would rejuvenate some of the alignments and revisit some of the disagreements that had appeared in the ratification battles of 1787-1788, and both Federalists and Republicans would find rhetorical reasons to claim that there was much continuity between the two periods of party division. Federalists found it convenient to argue (as they never stopped arguing, even after their defeat in 1800) that the Republican party was merely a tool of Anti-federalists intent on weakening the federal government and the union, in order to make the states once more the main arenas of American politics, thereby snatching back from Federalists their victory of 1788. For their part, Republican leaders were often content to allow the distinction between their cause and that of the Anti-federalists to be blurred, because they were anxious to have electoral support from the defeated Anti-federalists. However, the leaders of the Republican party knew there were important distinctions between the two causes; for example, in spite of the

mollifying tone that would be adopted by Jefferson in some parts of his First Inaugural Address, he there would strongly assert that Republicans were good federalists (with a small “f”), and were certainly not disunionists.

This clear break between the ratification contest and the partisan quarrels between Federalists and Republicans means that during the years from 1788 to 1791—a brief but very important period, during which all the participants and observers knew that weighty precedents for the new government’s future were being set—the assumption that there would be no principled partisan disputes to trouble the newly-constituted federal government was perfectly plausible. Very few who had been opposed to the new Constitution were elected to the first congress (no more than 11 of 59 Representatives and 2 of 20 Senators). In the first session of the first congress, there was rapid agreement on constitutional amendments to form a bill of rights, which several states had formally recommended, and which had been informally but crucially promised to critics of the Constitution during the ratification debates in the several states. This agreement stymied the mischievous suggestion by some Anti-federalists that these amendments should be discussed in a second constitutional convention, where it would have been possible for the work of the convention of 1787 to have been undone. The swift congressional agreement on a bill of rights, managed by Congressman James Madison, effectively served Madison’s and other Federalists’ primary purpose of “satisfying the minds of well meaning opponents” of the Constitution. The Federalists could then count on being reasonably free from principled challenges to their administration of the new government. The Anti-federalists posed no credible challenge, and the Republican challenge did not appear until 1791 at the earliest. An admirable political unity, led by friends of the Constitution, seemed to be the order of the day, and falsely promised to endure.

The Importance of George Washington

In a letter written in 1814, Thomas Jefferson, who had not always seen eye to eye with George Washington, and who, as an

impenitent optimist, still felt at odds with Washington's tendency to "gloomy apprehensions," nevertheless described him as "in every sense of the words, a wise, a good man and a great man ...; and it may truly be said, that never did nature and fortune combine more perfectly to make a man great, and to place him in the same constellation with whatever worthies have merited from man an everlasting remembrance." It would hardly be an exaggeration to say that in the history of the founding and the early republic, all roads of enquiry lead to the breathtaking magnanimity of George Washington. It would certainly be difficult to overstate the importance of Washington in explaining the appeal of the assumption that parties would play such a minimal role in American national politics, as well as in understanding the way that the party conflict unfolded from its outbreak in 1792 until just after Washington's death in 1799. Here we can see parallels with other new nations that have been created by revolutions and that have focused much attention on one large figure in the center of the political stage.

In 1787 and 1788 the widespread belief that Washington would be the first president had helped both to secure ratification of the Constitution and to encourage the assumption that national politics could and would be above parties of interest, and untroubled by parties of principle. Washington's wisdom and attachment to the public good, if never matched by those elected to the House of Representatives and the Senate, were nevertheless expected to set the tone of national politics in the legislative as well as the executive branch, so that "factions" or interest groups would not be able to dictate unwise and unjust legislation. At the same time, Washington's patriotism made the idea of any principled challenge to the new government over which he presided seem unthinkable. His devotion to the union and to the republican form of government was unquestionable, so there seemed to be little reason to think that principled challenges to his administration would be considered either desirable or possible.

Washington greatly respected the rule of law and was unremittingly just: there was nothing in him of a Caesar or a Bonaparte. Washington's attachment to republican government was also undeniable. Although he served in executive as well as

legislative capacities, in both his political and his military experience he had developed a habit of great deference to legislative authority. He had seen that it was the British government's attacks on the authority of colonial legislatures that had provoked the American Revolution. In leading the Continental Army to victory in the Revolutionary War, he had constantly and patiently negotiated with state legislatures and with the Continental Congress. His republicanism meant that—even quite apart from the fact that he had no children—the idea of becoming a hereditary king, or even president for life, would have been absurd to him. He wanted to retire after his first four-year term, but the outbreak of partisan quarrels persuaded him to stay on until 1797, when, in spite of the continuation of the quarrels, he did retire, thereby setting the informal but powerful precedent (formalized in the twenty-second amendment in 1951) for presidents to be limited to two terms in office.

In spite of Washington's strong and undeniable republicanism, it can be said that his two presidential terms served a monarchical function in the sense that they made political partisanship more difficult to contemplate and to carry on. In republics—as Madison pointed out in *The Federalist* Number 10, and Washington would remark in his Farewell Address in 1796—there is a natural tendency for factional partisanship to flourish. However, no one was more disappointed at the outbreak of party quarrels in the new American republic than Washington was. He intentionally used the presidency to discourage the excesses of partisanship, because he believed that in republics, where all governing offices were (directly or indirectly) elective, there would never be too little partisanship, and therefore that the fire of party spirit “demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.”

It was difficult for Washington to discourage the excesses of partisanship without discouraging all partisan opposition to his administration, which seemed “always to distract the public councils and enfeeble the public administration.” Although Washington was in fact remarkably open-minded in his attempts to understand why Congressman James Madison and Secretary of State Thomas Jefferson had chosen to launch a partisan attack on

Secretary of the Treasury Alexander Hamilton, in the end he agreed with Hamilton and other Federalists that the Jeffersonian Republicans had no justifiable grounds for mounting a principled opposition to the administration. In other words, Washington continued to believe that there was no case for troubling the American republic with principled partisanship. He knew better than anyone that the war against Britain had been won only by national unity, and he thought national unity was still needed for the young republic to survive. Patriotic partisanship against the British government and against loyalists had been justified, but such principled partisanship was no longer needed. So while Washington was president, the energetic executive office created by the Constitution would be used not alongside partisan organization but against it.

Electing the Executive

The story of the United States in the 1790s—like the history of many another new nation—is in part the story of finding a way of transferring the executive power of the national government from one person to another without impairing the government's legitimacy. As in other revolutionary regimes, there was bound to be some kind and level of rivalry for the country's executive office among the leading revolutionary politicians; or at least this was inevitable once the first leader of the revolution was no longer available for the office. Since this meant finding a way of choosing a successor to George Washington, it required coming to terms with replacing a hero, who was twice unanimously elected president, with someone of lesser stature and less universal popularity. One of the functions fulfilled by the party system begun by the Republican party was to help make acceptable and legitimate the presidency of men less great than Washington.

In 1775 John Adams' suggestion that Washington be made commander of the army had helped secure the collaboration of the southern states with New England in the war for independence. In a comparable political calculation, when Washington later became president, it was logical for a New Englander—and therefore for John Adams, the most respected revolutionary politician from

New England—to be elected vice president. In 1796, when Washington decided he would retire, Adams was elected president, but by then the new partisan rivalries of the 1790s had made Adams a less apparent heir than he had seemed to be earlier in his two terms as vice president. Thomas Jefferson had come (a very close) second to Adams, and therefore rather strangely served as a Republican vice president alongside a Federalist president, in accordance with the electoral rules that operated before the twelfth amendment (1804) eliminated this possibility of party government “cohabitation,” which the advent of partisanship had made not only possible but also highly probable without such an amendment. During the four years of Adams’ single-term presidency, the partisan animosities between Republicans and Federalists became even more bitter than they had been during Washington’s second term, in part because it was easier to oppose an administration headed by Adams than one headed by Washington. Washington’s retirement posed a great difficulty for Federalists, who had come to rely very much on popular respect for Washington as an essential means of preserving their own popularity.

The story of the 1790s was also the story of developing the constitutional methods for choosing the president and vice president. At times there must have been a certain awkward consciousness at the constitutional convention in 1787, when the secret and wide-ranging discussions about the election and powers of the president were quietly being chaired by Washington, the man who it was known would almost certainly be the first to hold that office. This expectation, coupled with the reassuring consciousness of Washington’s virtues, made it more possible for the convention to entrust great powers to a unified executive. At the same time, certain details of presidential electoral politics were necessarily left a little vague in the Constitution, because it was really not clear to anyone how things would work once Washington was no longer there.

The presidential electoral college was designed to encourage the election of nationally-known figures as presidents, but without relying on congress to elect the president (a reliance that would tend to make that office more like a prime minister in a

parliamentary system). Thus, each state chooses a number of electors equal to the total number of its national representatives and senators, and each elector casts two votes, at least one of these votes for someone who is an inhabitant of a different state. (The twelfth amendment in 1804, which changed the electoral college to the system that still operates today, kept this provision for out-of-state votes for at least one of the persons voted for by each elector, and simply added that the two votes by each elector were to be separately cast, one for the president and the other for the vice president.) The electors from every state meet to cast their ballots on the same day, although they do this geographically quite separately, with each group of electors meeting in their own state, unable (at least until the invention of the telegraph) to communicate on the day with electors in other states.

Before presidential electoral partisanship arose in the 1790s, it was difficult to see how the electoral college could be relied on to produce a majority choice for president. In the 1787 constitutional convention, some members thought this difficulty was so great that they expected the choice would generally be made by the Constitution's fallback system, election by the House of Representatives, voting by state. However, other members of the convention (including its prime mover, James Madison) indicated that they expected some kind of informal management of the electoral college to occur in each presidential election, so its voting would be decisive and election by the House would not be necessary. This backstage, ad hoc management was not a step towards advocating open partisan control of presidential elections; in fact, if and when it worked, it would have the effect of making such open partisanship unnecessary, since it would remain out of sight of the public. It would be part of the private constitution, the way things actually worked, but not part of the public constitution, the way things were seen to work. This is not a cynical, Machiavellian way of looking at politics; it is a sensible observation: there is a world of difference between a constitution in which partisan activities take place only behind the scenes and one in which they—or an important part of them (rarely if ever is it going to be all of them)—routinely and intentionally take place in the glare of publicity.

In the first presidential election, although there was no doubt that everyone wanted Washington to be elected president, it was still necessary for such an informal management to be used. Management was needed to produce some understandings and agreements among electors around the nation, to ensure (1) that some, but not too many, electoral votes would be cast for “third” candidates (in the event, there were ten of these), thus avoiding a tie between Washington and Adams, and (2) that Washington did indeed come clearly first, and John Adams clearly second, so that the right man would win each office, and Washington would not be embarrassed by Adams coming in too close behind. (In fact, it was Adams’ pride that was wounded, as he received fewer than half of the number of votes received by Washington.)

One general lesson of the history of the 1790s is that Federalists were just not as good at party politics as Republicans were (for reasons that we shall be looking at, and that are applicable to partisanship in other modern democracies). However, although the Republicans would soon prove to be more successful than the Federalists in the public theatre of partisan presidential electoral campaigns, in this pre-party, behind-the-scenes management of the electoral college voting in the first four presidential elections, the Federalists were more successful than the Republicans. In 1800 the Republicans faced the nightmare scenario of beating the Federalists but having their victory take the shape of an electoral college tie between their presidential and vice presidential candidates (Thomas Jefferson and Aaron Burr)—which moreover, in accordance with the Constitution, had to be decided by the House of Representatives immediately, while it was still under the control of the outgoing Federalist majority!

After 1800, the role of political parties in presidential elections, combined with the twelfth amendment, made such ad hoc management of the electoral college unnecessary. When party organizations decide which candidates to present for election as president and vice president (by one method or another: congressional party caucuses, national party conventions, primary elections), there is no longer any need for informal understandings and agreements among members of the electoral college in order to make sure that their separate meetings produce a president

without recourse to election in the House of Representatives. The previous, ad hoc management had not been easy or certain, and it probably would have become even more difficult as more and more states used popular elections to choose presidential electors instead of having them chosen by state legislatures. (Five of the thirteen states already used the popular election method in 1788, and by 1832 all states but South Carolina had adopted it.)

The rise of party politics and party campaigning in presidential elections allowed the electoral college to work more smoothly, but also eliminated one of the main difficulties that the electoral college had been designed to address. This was the difficulty (after George Washington's presidency came to an end) of not being able to depend on having any presidential hopefuls who were well known throughout the nation. Nationwide parties made their candidates nationally known.

However, parties began because of principled disagreements about policy, not about institutions or the electoral system. In fact, the new partisan system first appeared in elections to congress in 1792, rather than in the presidential election of that year (in which Washington was unanimously re-elected). Principled disagreements that had arisen in the executive branch, between Jefferson, the Secretary of State, and Hamilton, the Secretary of the Treasury, were the focus of party attention, but the first electoral objective of the Republican challenge to Federalists was the House of Representatives, not the presidency. It would take the Republicans some time to learn, or to face up to the fact, that they had to aim at controlling the presidency as well as congress. Even if the presidency had not been occupied by the unchallengeable Washington, if the principled policy disagreement raised by the Republicans had been settled by congressional elections, then all these changes that we have come to see as essential developments of the presidential electoral system might not have happened, or at least might not have happened as soon as they did, because it was only the extension of the partisan conflict to the presidential elections that brought these changes in its train.

In parliamentary systems, treating the executive as the main target of partisan competition is more obvious; it goes with the territory of controlling the legislative body. In presidential

systems, electoral contests for control of the executive and legislative bodies are separate, however well coordinated. In the 1790s, American partisans learned that it was necessary to have a significant amount of coordination of these separate contests, if the main (policy) purposes of partisanship were to be served.

3.

ANXIOUS CONFIDENCE

The Anxieties of a New Republic

As we have seen, there was great reluctance among many American political leaders in the 1780s to contemplate, much less to encourage, the introduction of partisanship into national politics. Parties of interest (“factions”) were only to be expected, but such parties were to be involved in legislative deliberations only as “interested parties” who could not be allowed to be judges in their own cause by determining the outcome of those deliberations. Parties of principle, on the other hand, were to be avoided altogether, for a number of reasons.

In addition to the reasons against parties of principle that we have already looked at, and as a way of encapsulating many of these reasons, it is possible to compare the American polity in the 1780s and 1790s with other modern new nations that have come out of revolutions and wars of independence. Such nations often share with their American precursor a mixture of confidence with much uncertainty and anxiety about their political future, along with great dependence on one or more of the world’s greater and more established political powers. In such circumstances, even where there are precedents for peaceful and respectable principled democratic partisan conflict (there were none in the United States, which was in the process of creating the first such precedent), politicians will generally be reluctant to disrupt the nation’s political solidarity. Therefore there is an instinctive opposition to principled political opposition in such modern new nations. This helps to explain the bitterness and depth of party animosities once they do emerge.

This characteristic feature of new nations was even more deeply rooted in the United States than in later new nations. In the first place, the union of the states, already stretching across a large and diverse part of the North American continent, was a recent and fragile creation, and its future looked very doubtful to many observers. Furthermore, it was not just the fate of this particular country that was being determined by its political success or failure. The United States, as the first modern democratic republic, was from the very beginning considered by its leading statesmen to be (as Jefferson was to put it in his First Inaugural Address) “the world’s best hope.” Pinning that hope on party government—that is, on the possible respectability of partisanship—rather than on a national political solidarity that ruled out that possibility, was a great innovation. It was a step that called for serious consideration before proceeding. The American party system has proved to be an object of scorn and derision to many foreign observers, rather than something to be learned from and perhaps in some ways emulated. Those critical observers may well be misinformed or mistaken in their judgments, but the fact remains that the founding of the American republic, if it endured, seemed to the founders to be a more certain way of gaining fame and the gratitude of later generations of liberty-loving people than was the founding of the American party system. There was—and continues to be—something less admirable in partisanship than in patriotism. No American founder ever suggested “father of the American party system” as a desirable epitaph.

One characteristic of all new regimes that adds to the anxieties surrounding partisanship within them is the issue of relating the present to the past. Questions will always arise about the risk of slipping back into the old ways. This risk, however exaggerated it might be, will always be plausible, because there will always be some continuity, so the question will arise: which of these ties to the old regime should be kept, and which regarded as damaging to the new regime? In the United States, as in other post-colonial new democracies, this issue took the form of troubled political, economic and cultural relations with the “mother country.”

The Confidence of Unchallenged Federalism, 1789 - 1791

Although there were some doubts and anxieties in the minds of the advocates of the new Constitution, and there would soon come to be many more, Federalists enjoyed a few years of relative calm and confidence. They saw public opinion running in their favor at least from 1787 onwards, when they saw (as Hamilton wrote in *The Federalist* Number 26) that “experience has ... wrought a deep and solemn conviction in the public mind, that greater energy of government is essential to the welfare of the community.” To some extent, such judgments about public opinion may have been products of wishful thinking: Federalists did not commission public opinion surveys. In spite of Federalists’ soundings to the contrary, it may have remained true that (as a French diplomat in America commented in 1790) “the people” were “less disposed in America than anywhere else to provide for the needs of government.” However, there were in the late 1780s and early 1790s many public expressions of the denial of the idea that strengthening the government meant weakening the people’s liberty. As mentioned, there were also several other important developments that justifiably boosted Federalists’ confidence. The elections of 1788 produced a congress that was decidedly Federalist, the new government got itself up and running without any serious hitches, and the agreement on the promised bill of rights was reached expeditiously in 1789.

As well as the confidence encouraged or at least allowed by these practical political circumstances, we need to take notice of the confidence inherent in Federalist political thought in the years before the Republican party arose and challenged and eventually defeated the Federalists in office. Federalists’ thinking about politics in general and American politics in particular is known for its realism, but Federalists’ realism fuelled confidence rather than despair. This distinguished them from many Anti-federalists, whose thinking was full of despair for the future, so much so that it helped demoralize their efforts to prevent ratification of the Constitution. Anti-federalists’ gloomy political despair was also an important point of difference between them and the determinedly optimistic and confident Jeffersonian Republicans. Jeffersonian confidence is well known, and it is a hallmark of Jefferson’s liberal descendants in American political thinking. But the fact that optimism and

confidence were also marks of Federalism in its early years is less well remembered, because many Federalists would eventually become less optimistic about their political project and about America's future. As we shall see, a few of them even abandoned their faith in the principles of American democracy, so they are now remembered for this rather than for their earlier optimism. The earlier optimism must be taken into account in order to understand the projects and policies that led the Republicans to challenge them.

We can see the confidence of this early Federalist political thought in two topics that we have already touched upon: the need for energetic executive power in republics, and the usefulness of largeness and diversity in the task of keeping parties of interest in their place.

The Federalists' case for a unified, adequately empowered executive with a relatively long (four-year) term of office and no limits on re-eligibility was part of a realistic reconsideration of the traditional whig hostility to executive power. It was realistic because it was based on Americans' real experiences in the 1770s and 1780s. It could be described as a retreat from traditional whig and American idealism about the virtues of the people and their immediate representatives in legislatures, in contrast to executive office holders, who always had to be assumed to be up to no good. However, it was equally a statement of great confidence in a president who was to be properly armed with authority but who was also elected and who would be assessed and held to account by having to stand for re-election and by the judgment of history.

The Federalists' case for a large, diverse republic was assuredly a rejection of those idealistic, overconfident "theoretic politicians" who are criticized by Madison in *The Federalist* Number 10 for advocating a "pure democracy" rather than representative democracy. And, like the Federalist revision of the character of a republican executive, it could also be described as a retreat from a kind of idealism or romanticism about popular virtue that had been more appealing and influential during the Revolution (and that was still being voiced by some Anti-federalists), an idealism that assumed that threats to liberty will always come from government rather than from the people. In 1787 Madison reported this change to Jefferson (who was then in Paris serving as the American

minister to France): in America, in contrast to France, it was being realized, said Madison, that “the invasion of private rights is chiefly to be apprehended, not from acts of government contrary to the sense of its constituents, but from acts in which the government is the mere instrument of the major number of their constituents.” But these realistic thoughts about the limits of popular virtue were also an assertion of confidence that (as Madison said in the Virginia ratifying convention in 1788) “the people will have virtue and intelligence to select men of virtue and wisdom” to the House of Representatives and the Senate, and therefore that (as we have already seen him arguing in *The Federalist* Number 10) those who are elected to the federal congress will be more likely than those elected to state legislatures to be wise, patriotic and just; and, furthermore, that federal representatives would be well positioned to avoid becoming mere registers of unjust pressures from their constituents.

The Hamiltonian Financial and Industrial Project

The confidence of Federalist political thought in the years between the Federalists’ battle against Anti-federalists and their conflicts with Republicans can also be seen in the Hamiltonian financial and industrial project. Alexander Hamilton, as the first Secretary of the Treasury, articulated this project in his official reports on public credit (1790) and manufactures (1791). The proposals that Hamilton incorporated in these reports amounted to a plan to use the newly energized federal government to promote the development of the American economy. The presentation of this project triggered an unexpected quantity and kind of political opposition. *Opposition to Hamilton’s economic development plan was the primary basis of the Republican party.* Many other subjects of conflict would come into the partisan struggles between Federalists and Republicans between 1792 and 1800, but this original conflict over Hamilton’s economic proposals remained at the heart of their quarrels.

Hamilton and his assistants and allies were confident that their plans would be readily accepted, and they were bitterly disappointed when reaction to these plans created a party opposition. Hamilton’s initial reaction, as expressed in a letter to John Adams in 1792,

would be to treat the opposition as a kind of political paranoia: “Were ever men more ingenious to torment themselves with phantoms?” He knew his project was not antirepublican, and it seemed incredible that any sane person would oppose his brilliant project on that ground.

Why had the Hamiltonians not anticipated the degree and kind of opposition that their plans inspired? Probably because it seemed to them that their economic plan was logically and politically a part of the new, improved political science that Hamilton had helped other Federalists (notably James Madison) to articulate. Their plan built on insights into American government and society that were shared by many other Federalists. To their project of reconstituting the federal government, Federalists had for a long time coupled their view of the return of the American people towards honest industry and frugality. They saw these as the less than brilliant but necessary virtues of a busy people occupied with making money and thereby with developing the natural and commercial advantages that the North American continent offered up for an enterprising people to exploit. By the late 1780s, Federalists were confidently able to discern industry and frugality—“a spirit of enterprise”—regaining their proper place in American habits and feelings, although they recalled perceiving in the American people a disappointing taste for dissipation and extravagance during the war years (1776-1782). They looked forward to the continuation of this moral improvement, which would cause America to be economically developed, and eventually rich and powerful.

This vision of the enterprising present and an ever more industrial future for American society intermeshed with Federalists’ views on government, in several ways. In 1790, all Federalists—including those who soon became Republicans—agreed that the United States, now that it had put its political house in order, had to do the same to its financial house. The country had to put itself on a sound financial footing, so it would no longer be embarrassed by a shortage of funds as it so often had been under the Articles of Confederation. (Because of wartime spending, the United States owed substantial sums: \$12 million to foreigners and over \$40 million to American creditors, and the individual states owed about \$21 million on top of that.) New and firm commitments had to be

made to service the debts previously contracted by the United States, and sources of revenue had to be found to make good these new debt funding arrangements, so the country's credit rating would be good.

For Hamilton, this task of setting up a new funding and tax system seemed less of a burden than a golden opportunity for the United States. In the first place, it offered a chance to cement the loyalty of the nation's creditors (the holders of the certificates of debt) to the new government. This would help ensure the political future of the government, thus turning the government's financial liability into a political asset. It would also help the economic future not only (in the short term) of those citizens who would immediately benefit from a rise and a stabilization in the value of debt certificates, but also (in the longer term) of the whole country. The steady flourishing of the American financial community would prime the more general development of American commerce and industry. For Hamilton, the federal funding of the debts (preferably including those of the states) by import and excise taxes, along with a national bank, was a way of increasing the amount of capital available for the useful purpose of business investment and economic development. A public debt could be "a public blessing" if it could be made to serve these purposes.

In 1790 and 1791, the proposed funding system, new taxes, and the national bank were approved by congress. At the end of 1791, in his Report on Manufactures, a set of proposals that was not enacted by congress, Hamilton argued in favor of federal government subsidies for American manufactures, which he said were necessary if domestic manufacturing was ever to overcome the competition of cheap imported goods and the inertia of businessmen's and investors' habits. This Report was to have been the capstone to the Hamiltonian version of the Federalist project, revealing the fuller purposes of the sound credit system and national bank. The overarching purpose was to create a more complex and dynamic and therefore more prosperous economy. Hamilton justified the immediate benefits that the government's sound finance and (proposed but never enacted) manufacturing subsidies would bestow on some interests by arguing that "everything tending to establish substantial and permanent order in the affairs of a country,

to increase the total mass of industry and opulence, is ultimately beneficial to every part of it.” The purpose of creating a much more prosperous country, which would benefit everyone, justified government policies that temporarily benefited a few more than others.

Hamilton’s project was original, even audacious, but it drew some inspiration from British development of the financial institutions of early modern capitalism: a national bank, a substantial funded national debt, a regulated commerce, and a powerful Treasury—all of which had been set up in large part because of Britain’s expensive series of wars with France in the seventeenth and eighteenth centuries. This obvious parallel made Hamilton’s plans vulnerable to accusations that they represented a hardly-disguised imitation of a suspect and un-American approach to these matters. The Republican party would soon exploit this vulnerability.

Hamilton’s financial and industrial project, in effect a sophisticated development economics, was not understood by all of his supporters (to say nothing of his opponents). Nevertheless his plans were widely supported by Federalists, partly because Washington continued to support them after they were challenged by Madison, Jefferson and others who were to form the Republican party. Hamilton retired from the Treasury to his New York legal practice in 1795 (thinking he had accomplished all that he could from his cabinet post), and John Adams, elected as Washington’s successor in 1796, was deeply suspicious of Hamilton’s character and ambitions. But Hamilton continued to be very influential on administration policy, during Adams’ presidential term as well as the remainder of Washington’s second, by the simple expedient of sending a constant stream of advice to members of the cabinet. (Adams imprudently kept Washington’s cabinet appointees, who were and remained loyal to Hamilton rather than to Adams.) However, starting in 1792, Hamilton’s ambitious project was subjected to incessant attacks by Republicans, and from then on he and other Federalists became more and more doubtful about the future of their projects, and of the republic.

4.

DOUBTS AND DISUNITY

Was the Downfall of the Federalists Inevitable?

In retrospect, knowing that the Republicans triumphed over the Federalists in the end, it might seem ludicrously unrealistic for the Federalists to have embarked on the Hamiltonian project in the first place. Should they not have known that what they were proposing would be unacceptable to large sections of the public, and would cause some political leaders who had been Federalists to form an opposition party? Was there not something inevitable about the eclipse of Federalism by Republicanism?

There may well have been, perhaps even without the Hamiltonian version of the Federalist project. The Federalists' honest and often repeated statements that they expected the American people to be enterprising and industrious, when combined with letting capable politicians have a relatively free rein to manage national politics, were not well calculated to endear themselves to public opinion in a country becoming ever more democratically minded, let alone in which the political press was also enterprising and industrious. But most Federalists thought Americans had learned useful lessons during the political and economic crises that had led to the new Constitution, and that they were therefore now able to accept sage advice about their limited political capacities. And to some extent, they were right about that, so this element of Federalist politics on its own might have endured, even though it would probably have prevented Federalism from ever becoming as deeply rooted in America as the more purely democratic Jeffersonian persuasion would become. If Federalism had offended only with its political elitism rather than also with its moral, social

and economic project, the partisan conflict of the 1790s might well not have occurred, or at least might not have been so deep and bitter that it produced the beginnings of party government.

However, when this confident but perhaps imprudent honesty of Federalist political science about the limits of popular virtue was coupled with Hamilton's specific financial and industrial plans, it raised the possibility—which the Republicans vigorously pursued—of grave doubts about the Federalists' fundamental commitment to republican government. The "Republicans" chose their name because they thought that Hamilton's program amounted to an attempt to transform the peaceful and quietly prospering, basically agrarian American republic into a society and even eventually a government on the English models. Republicans believed that this was a social, economic and political model that most Americans had always rightly distrusted, and from which they had recently cut their ties, freeing them to continue on their own more republican and less corrupting path of political development. It seemed to Republicans that under Hamilton's influence, Federalists, if not trying to reverse the American Revolution, were certainly trying to reproduce in America a courtly English style of economics and politics.

This was the constant major theme of Republican objections to Federalism, from the electoral campaigns of 1792 right through to those of 1800. Other issues—mainly those connected with foreign policy—were introduced, but this theme persisted throughout the symphony, and the foreign policy disputes related to it. To see the persistence of this theme, we can glance ahead to January 1799, when Thomas Jefferson, in a letter to Elbridge Gerry of Massachusetts, stated "a profession of my political faith." Copies of this letter were so widely circulated among Republicans that—in an age when gentlemen did not publicly campaign for election—it served as the Republican platform in the campaign for the presidency in 1799-1800. Jefferson's brief "profession of faith" naturally touched on more recently introduced themes (foreign alliances, the military establishment, and freedom of the press), but most of the issues that he took positions on were present at the creation of the party conflict in 1791 and 1792. And these primary issues all related to the charge that the Federalists were treating the public debt as a "public blessing" and were therefore using every

excuse to increase it. Not only were Federalists intent on “monarchizing” the way the Constitution worked, with a view to transforming the presidency and Senate first into offices for life and then into hereditary offices. They were also using Hamilton’s overcomplicated financial schemes to turn elected legislators into pro-government “partisans.” This kind of executive patronage was a device that the British government had long used in order to maintain and to control (technically, to “corrupt”) its majority in Parliament. It was un-republican, and Republicans, led by Jefferson, thought it should remain un-American.

Once this accusation that the government was committing itself to anti-republican policies had been made not just by the defeated Anti-federalists (they would say that, wouldn’t they?) but by several leading politicians who had been and remained friends of the Constitution, were not the Federalists’ days in power clearly numbered?

But if we are to have the advantages of hindsight, we must beware of its distortions. To the participants at the time, there was no certainty about the Revolution of 1800. No one knew that the Republicans would defeat the Federalists, and no one knew that the transition from Federalist to Republican control would be peaceful.

Moreover, even if retrospectively we judge that Americans’ rejection of Federalist economics and politics was in some sense inevitable or at least very likely, we have to ask why the Federalist demise took so long. Why did it take eight years for the Federalists to be defeated? Why were they able to hang on so long? Mentioning the name “George Washington” is one good answer to this question, but it is an answer that raises another question: why were the Republicans unable to persuade Washington that he was harboring in his administration such un-republican intentions and policies? And that question should then be extended: why did it take the Republicans so long to persuade large sections of the public that something was amiss? They were sincere in their accusations, but it took a long time for them to persuade other Federalists that they (however unknowingly) had abandoned republicanism by countenancing the Hamiltonian project.

The eventual victory of the Republicans owed much to the superior appeal of their principles. There were other reasons for the

eventual Republican triumph. Powerful interests supported the Republican party, and benefited from its progress. But powerful principles were also at work, and the superior rhetorical appeal of the Republicans has to be an important part of any adequate explanation of their electoral success. However, we shall see that the political events of the 1790s often hindered the Republican persuasion. Principled partisan revolutions do not make themselves. They require opportunities, and exploitation of these opportunities by skillful party leaders. And in the first place, they require that making partisan appeals to voters be a publicly respectable activity. As in many later instances in other new democracies, this respectability had to be established before the electoral revolution could occur.

Political Disunity and the Absence of Principled Partisanship

In 1789 and 1790, there was a dog that failed to bark: principled partisanship failed to be initiated by leading politicians, even though the circumstances seemed to be calling out for it. There were several questions on which members of the first congress sharply disagreed. There was a lack of political unity on some important questions of foreign and domestic policy, and a decline of congressional comity. The intensity and the persistence of these disagreements disappointed some participants and observers, who had confidently believed that serious disagreements among federal legislators would be less frequent and more easily settled, and who deplored the signs that these legislators were sometimes acting too exclusively in the interests of their own constituents, to the neglect of the common good of the whole country. However, these disagreements did not yet lead to grand partisan divisions either within congress or in the country at large. They did not yet lead to the establishment of parties of principle. There were some principles involved in the disagreements, but Federalists in congress were not accusing anyone of pursuing an un-republican policy with regard to these issues. The disagreements did reflect the activity of various petty “parties” (or “factions”) based on local economic interests, the kind of parties that Federalists had hoped would be kept at a greater distance from national politics. This was what

some found so disappointing. But elected officials' loyalty to the principle of republican government was not yet a serious issue.

Foreign commercial policy. The first serious policy conflict arose in the new congress in April 1789, when in the House of Representatives James Madison proposed that duties on imports, one of the regular sources of revenue for the United States government, should now include a tonnage tax on ships, with low rates for American ships, higher rates for ships from countries with which America had commercial treaties, and very high rates for all other ships. This discrimination was designed by Madison as a means of striking against Britain, in favor of France. Britain had no commercial treaty but much trade with America. France had a treaty but very little trade. Madison's proposal was intended as a way of breaking the British monopoly on trade with America, by encouraging America to be less commercially dependent on Britain. It was approved by the House of Representatives, but not by the Senate. In 1790 he made a similar proposal, which failed even to get through the House.

Since the end of the war between America and Britain, Britain's policy had been to avoid agreeing to mutual commercial concessions with America. Such an agreement was not necessary since trade with America would flourish anyway, and letting American shipping trade with the British West Indies would hurt Britain's commercial and military interests. Madison and others, including Secretary of State Thomas Jefferson, bristled at the fact that political independence from Britain was in danger of being undermined by renewed economic dependence—and, adding injury to insult, a dependence in which Americans were no longer even to enjoy the trade advantages that had come with being part of the British Empire. They were convinced that America should and could develop trade with France and thereby wean itself from commercial dependence on Britain, though in fact there was little evidence for the possibility of much growth in Franco-American trade. They argued—again probably mistakenly—that the British government would not dare to retaliate against Madison's proposed tonnage tax discrimination, and that in any case if there were a trade war between the two countries the United States would be in a

better position to survive it, because of the possibility of a growing trade with France.

Madison's proposals failed to be approved because American merchants and ship owners, who in the mid-1780s had shared Madison's resentment against Britain's highhanded commercial treatment, were by 1789 prospering again even without a formal commercial agreement with Britain, and because very few if any of them thought trade with France could ever be a viable alternative to the very large trade with Britain. Much as Americans wanted to reassert their national dignity and their independence from Britain, their material interests remained stubbornly bound up with that nation. Like other post-colonial new nations, Americans faced the problem of conflict between their new political and moral independence and their continuing economic dependence on (or, at best, interdependence with) their "mother country."

Although Hamilton had previously expressed support for commercial retaliation against British restrictions on American trade, he now viewed Madison's proposals with alarm. He saw any deterioration of relations between Britain and America as a threat to the government's revenues, which depended very much on the tariff on imports, most of which came from Britain. His financial and industrial project presupposed stability and then growth in government revenues, to fund the national debt. British capital investments in America would also be threatened by any further disruption in relations between the two countries. So while Madison and Jefferson were intent on initiating a commercial confrontation with Britain, Hamiltonian Federalists were becoming increasingly anxious to maintain existing relations with Britain and to try to settle various outstanding political and commercial conflicts by negotiation. During the years between 1783 and 1788, not only Hamilton but the bulk of the American mercantile community had been on Madison's side, in favor of a confrontation with Britain. But their support for commercial retaliation was never based on the deep Anglophobia that motivated many southerners (including Madison and Jefferson), and by 1789 American merchants and shipbuilders were becoming much less interested in a trade war with Britain. They knew that, in spite of British legal restrictions, profitable trade had revived, even with the West Indies,

where local interests bent and broke the British commercial laws whenever that was necessary for this trading to flourish.

Attitudes and policies towards Britain and France were to play a very large role in American party politics later in the 1790s (and beyond), but these disagreements in 1789 and 1790 were not yet connected by Madison and Jefferson to any great party conflict. However, they demonstrated the existence of a deep well of potentially very passionate antagonism between Hamilton on the one hand and Madison and Jefferson on the other, on the relationship between the United States and Britain. When the party conflict broke out in 1792, it would soon add this passionate disagreement to the more purely domestic issues that were the primary cause of partisanship. For Hamilton, domestic (financial and industrial) policy was already of a piece with foreign policy (non-confrontation and non-disruption with Britain, and no unrealistic hopes about the French alliance left over from the Revolution). Madison, Jefferson and other future Republican leaders did not yet see foreign and domestic policy as quite so interwoven. They did not realize how interdependent Hamilton thought his domestic policy was with foreign policy, so they did not yet connect their doubts about his domestic policy with his new tilt towards Britain.

Funding the national debt. No democracy is ever entirely new. Even if the old order, and the “mother country” (if any), are vigorously opposed by everyone, this very opposition will have an impact on the new order. More commonly, there will be some traditions of the old order that continue to appeal very strongly even to the most enthusiastic proponents of the new. There will be cultural debts to the old order. There will also be financial debts carried over from the previous government. Every new political order has to decide whether and how to honour its financial as well as its cultural inheritance.

The new American government of 1789 inherited many cultural and economic ties from its British past. It also inherited the debts that the government under the first constitution (the Articles of Confederation) had incurred during the war against Britain. There was widespread agreement in the first sessions of congress that

adequate provision must be made to repay these war debts, both for reasons of justice to existing creditors, and to underwrite the country's future creditworthiness. There was some disagreement on the amount that the government should now undertake to repay (the nominal value of the certificates, or the significantly lower current market values?), and on what rate of interest the debt holders should be paid, but it was generally agreed that these issues should be settled in a way that ensured that the government was trusted both nationally and internationally.

But the more unsettling question then arose, who should benefit? Everyone agreed that the foreign lenders must be paid fully. But in the case of domestic creditors there was more room for dispute. Some Federalists, including James Madison, proposed that, out of fairness, the government should undertake to repay not just current holders of the certificates—who in many cases had bought them at large discounts from the original holders, as speculative investments—but also, in some proportion, these original holders. After all, these original holders were the ones who had given money or military service or supplies to the revolutionary war effort, and therefore should not be overlooked now that the nation was at last going to honor its financial obligations. Were war veterans or widows not more deserving than rich speculators? Madison put this case at its strongest in a letter to a fellow Virginian who had questioned his position: "...there must be something wrong, radically and morally and politically wrong, in a system which transfers the reward from those who paid the most valuable of all considerations, to those who scarcely paid any consideration at all." To the House of Representatives he proposed that the current holders be owed the highest market price, but that the balance between that and the nominal value be owed to the original holders.

Madison's proposal was defeated by a large margin. Opponents argued that Madison's scheme was too complicated and expensive; and that it risked actually undermining the government's credit by creating further delay, confusion, and uncertainty. True, speculators would benefit, but that was a matter of honoring contracts. And Hamilton's funding proposal, in anticipating and arguing against any scheme like Madison's, had pointed out that this breach of

contract would also impair the capacity of the debt certificates to serve as money, and therefore as investment capital.

In proposing the discrimination between original and subsequent holders of the debt, as in his proposal for commercial retaliation against Britain, Madison was again opposing his previous collaborator, Alexander Hamilton. First it had been for the sake of America's dignity in its dealings with Britain, now it was for the sake of an equitable treatment of its domestic creditors. In both cases Madison's position was based on firm moral convictions. In the second case Madison's distaste for financial speculation and speculators was one of his motives. However, in neither case did Madison yet connect these moral views to the accusation that Hamilton's project was anti-republican. Nevertheless, Madison's disagreements with Hamilton were clearly beginning to amount to more than a friendly debate between two politicians who had their differences but were still singing from the same hymn sheet.

Federalizing the states' debts. Hamilton's and Madison's disagreement was intensified by Hamilton's proposal that all of the outstanding war debts of the individual states should be taken over ("assumed") by the federal government. This was a way of reinforcing the Federalist shift of American political activity and loyalty towards the federal level. Madison was not opposing that shift, but he was deeply concerned that the interests of Virginia (the state he was now representing in congress) would be adversely affected by the federal assumption of all the states' war debts. By the summer of 1790 this complicated dispute (see Appendix I for a more detailed discussion of it) had reached a stage where Madison and other opponents of assumption had narrowly defeated Hamilton's proposal, but not even Madison was happy about this outcome, because he appreciated the proponents' position and interests.

What got Hamilton's desired assumption program through congress in the end was a political deal—the compromise of 1790, as it came to be called. This was famously described by Thomas Jefferson as having been arranged one balmy evening over his dinner table, where doubtless he plied the temporarily disappointed and desperate Hamilton and the temporarily triumphant but uneasy

and always very pro-union Madison with some of his excellent French wine, and (as he recorded) “encouraged them to consider the thing together.” The result was an agreement that Madison, for the sake of “concord among the states,” would allow assumption to be approved, and that, in return, southerners would be soothed at this bitter pill by a firm commitment that the country’s capital city would by 1800 be permanently located on a site near Georgetown on the Potomac, and by a calculation of Virginia’s debits and credits in such a way that the state did not risk any loss by the federal assumption of the states’ debts. Jefferson was then well able to soothe Virginian correspondents unhappy about assumption by saying: “I think it is necessary to give as well as to take in a government like ours.”

These questions of the location of the capital and the assumption of the states’ debts had disturbed congressional waters for some months. However, these disturbances came not from differences of principle, but from complex estimates of the conflicting but compromisable interests of the various parties to the debates. Fisher Ames, a congressman from Massachusetts, described the debates about the location of the capital as a “despicable grog-shop contest, whether the taverns of New York or Philadelphia shall get the custom of Congress.” He deplored this low politicking: “the world ought to despise our public conduct, when it hears intrigue openly avowed, and sees that great measures are made to depend, not on reasons, but upon bargains for little ones.”

Anti-federalist concerns. This disappointing preoccupation with managing petty interests was a decline from the high-toned deliberations that Federalists had expected to take place. Federalists had counted on congress being more insulated from constituents’ selfish interests. Yet this decline, though disappointing, was not extremely disappointing—at least, not among the friends of the Constitution. On the other hand, at various points during 1789 and 1790, Anti-federalists, the defeated enemies of the Constitution, had denounced the federal government’s initiatives, in much more desperate, apocalyptic terms than any Federalist was using. Anti-federalists thought the funding and assumption legislation was

modeled on detested and detestable English precedents. In December 1790, Anti-federalist politicians, led by the famous patriot Patrick Henry, pushed through the Virginia legislature a set of resolutions to be sent to congress, expressing strong opposition to the debt legislation, claiming it was unjust, unconstitutional, and contrary to republican policy. In England, a large funded debt had “insinuated into the hands of the Executive an unbounded influence,” threatening the destruction of English liberty. Was not the very same scenario now being set up in the United States? These Anti-federalist diehards were here speaking the language of British “opposition” or “country” ideology, which in England had for some decades been voicing apocalyptic doubts about the direction of English politics, in the rather impotent way of a marginalized opposition with no chance of getting power. This language had served its purposes in the American Revolution. Then even Alexander Hamilton had deployed it (as a brilliant nineteen-year old student at King’s College, now Columbia University) in a pamphleteering defense of the colonists’ resistance to Britain, where he talked of the colonists’ being taxed to support British “ministerial tools and court sycophants.” But country ideology was of course inappropriate in a country where there was no court to oppose, was it not?

Just as politicians from states desperate for federal assumption of the war debts had talked of disunion back in the spring and early summer of 1790, when it seemed they had been defeated, these Virginia Anti-federalists implied recourse to disunion in their resolutions of December 1790. This led Hamilton to react to their resolutions as “the first symptom of a spirit which must either be killed or will kill the Constitution of the United States.”

Madison and Jefferson shared some of the Virginia Anti-federalists’ concerns. And they did not share Hamilton’s assessment of these Anti-federalists’ continuing danger to the union. (And of course, they would soon be trying not to “kill” their spirit, but to co-opt it.) But at this point, in 1790, they were not nearly as displeased with or as uncompromisingly hostile to the Hamiltonian project as the Anti-federalists were. They saw in it much to dislike—particularly its encouragement of speculative bubbles—but they did not yet raise constitutional objections, nor did they see in it

a deep current of anti-republicanism and a return to a worse-than-colonial status with Britain. (Neither were they yet retreating to the state legislatures to say what they had to say, as they would be obliged to do in 1798.) In December 1790, the same month that the Virginia resolutions were being drafted and sent to congress, Jefferson reported to a French correspondent: “Our second experiment is going on happily; and so far we have no reason to wish for changes....”

The elections of 1790 brought many changes of personnel but none of political persuasion. The Republican persuasion had not yet been created. It was not until statesmen who had supported Federalism began to elaborate the same suspicions and accusations that a few discontented Anti-federalists were uttering that the moderate political disunity of 1789 and 1790 would be transformed into the extreme political party conflict that first appeared in federal elections in 1792. *The rise of principled partisanship requires a decision by political leaders to dramatize and to simplify the complex issues of conflicting interests.*

THE REPUBLICANS ORGANIZE

Hamilton's Frustrating Winning Streak

In 1791, Madison, Jefferson, and other soon-to-be leaders of the Republican party began to be much more disturbed about the direction of the government's domestic policy under Hamilton's influence. They seemed to be losing every conflict, to be "giving" much more than "taking." Hamilton's sweeping initiatives in public finance seemed to carry every aspect of policy in their train. The interdependence of domestic and foreign policy, which Hamilton's project was intensifying, meant that Hamilton as the principal domestic policy official and Jefferson as the principal foreign policy official had a choice. They either had to share many views, which they increasingly did not, or one had to let the other have his own way, which neither was prepared to do.

In practice, it was Hamilton who was getting his own way, and Jefferson and Madison were losing. They had tried several times, and in 1791 continued to try, to get congress to adopt some version of their long-treasured plan to cut Americans loose from their commercial dependency on Britain, but the more conciliatory approach to Britain that was favored by Hamilton was always preferred by congress. It is not clear when they first perceived Hamilton's new non-confrontational attitude to Britain, nor when they first saw the inseparability of Hamilton's financial policies from his new attitude, but when they did make this connection they must have been very worried by the rapid progress of Hamilton's projects, and by their new realization that

it was those projects that had been blocking and would continue to block their own policy agenda with regard to Britain.

In 1790, Hamilton had got his funding bill through with no provision for discriminating between original holders and speculators in the national debt. Also approved was his scheme for the federal government to take over the states' debts. To make things worse, from Jefferson's perspective, Hamilton had duped him into helping with this last item: in 1790 assumption had been accepted by Jefferson as a necessary way of calming disunionist sentiments that had been emerging in states with heavy war debt burdens, but by 1792 Jefferson would avow that his part in the deal was a horrible mistake, since it turned out to be mainly a way of increasing the national debt in order to increase the money available for speculation and corruption.

In 1791, congress approved (without much opposition) Hamilton's proposal for new excise taxes on whisky that were needed for funding the national debt. The next stage of his public finance system was the plan for a national bank (with a significant capital, \$10 million). This was discussed and quickly approved by the House of Representatives (by a vote of 39 to 20). The national bank was designed to facilitate federal tax collections and payment transactions, and to provide credit and currency for business investments and developments. Among the objections to this element of Hamilton's project was the fact that this bank was to be permanently located in Philadelphia. Since Philadelphia was also the temporary political capital (until the District of Columbia had been laid out sufficiently by 1800), the establishment of a national bank there, with a charter for twenty years, might provide an argument for repealing the legislation to move the capital to the Potomac, with a view to maintaining the convenience of having the bank and government offices in the same city. (There was some talk of reducing the bank's charter to ten years, to make its renewal—or non-renewal—coincide with the government's southward move, but this talk went nowhere.)

When the bank bill was debated in the House of Representatives, there were some hot protestations from a few members about the intrinsic evils of banking and monopolies, but

Madison's objections were cool and rational. He did not challenge the purposes of the bank, although he did raise some doubts about whether it would efficiently serve some of those purposes. His main objection was on grounds of the bank's constitutionality: it was dangerous, said Madison, to read the Constitution's grant of powers to congress as anything but limited to those powers specifically mentioned, and there was no mention of the power to charter a national bank. There was an air of bewilderment in some representatives' responses to Madison's argument. How could Madison be making such an argument? He was one of the principal architects of the Constitution—and, it could be added, one of the two main authors of *The Federalist*, where there were clear arguments (most, as we now know, written by none other than Madison himself) against such a narrow way of construing the Constitution, arguments that were now quoted (although they were then thought to be Hamilton's) by Madison's congressional opponents. These opponents also pointed out that Madison had interpreted the Constitution's grants of power more liberally in previous congressional debates.

Was there not, then, some other, truer reason for Madison's opposition to the bank? Madison was clearly frustrated at Hamilton's long run of getting his own way. Perhaps the legalistic arguments about constitutional construction that Madison was making here—and that Jefferson and Attorney General Edmund Randolph would elaborate when Washington asked his cabinet for opinions on whether he should veto the bank bill—were a kind of holding operation, intended to see how much Hamilton could be opposed without these politicians actually having yet done enough in the way of organizing allies and preparing a sufficiently formidable opposition party to stop him. Washington signed the bank bill into law in February 1791, having considered and rejected the legalistic arguments of Madison, Jefferson and Randolph. From that month on through the remainder of 1791, we will see Madison and Jefferson taking steps to make up for lost time in organizing and in preparing the rhetoric for a broader and more effective *political* opposition to Hamilton's policies.

This suggests that their true objection to Hamilton's bank—or, more generally and more precisely, to the whole Hamiltonian financial and industrial project as it was now revealing itself—was that it consisted of innovations that were so important that their legitimacy demanded more than the majorities of the current congress (and signatures of the current president, as they would soon add). It could not be finally legitimized by congresses or presidents elected without any reference to it. It required a kind of popular referendum. In other words (since there is no provision for such a referendum in the Constitution), it required popular approval—or, as they were sure the case would be, disapproval—through elections fought on the basis of these policies. This is the reasoning that both Jefferson and Madison would use to justify their own deviations from the strict constitutional construction rules during their presidencies from 1801 to 1817. The most germane example is President Madison's justification of his *approval* of the renewal of the national bank's charter in 1816 by citing evidence of the "concurrence of the general will of the nation" in legislative, executive, and judicial recognitions of the bank's constitutionality.

Thus the appeal to strict constitutional construction was in one sense a desperate measure by losers trying to stop their losses (if that's the kind of thing that congress is going to go on doing, we'd better establish narrow limits to its powers!); in another sense, it was a holding operation (these are important issues; just wait a minute while we get ourselves organized so we can see what people think about it, please!); and finally, in its most confident and original sense, it was an insistence that there be reliable signs of public approval of major legislative programs (in the future, wouldn't we representatives be better off with a clear public understanding about what policies we can assume the people are in favor of?). This last sense was a significant addition to American republican thinking. And Americans were beginning to learn that *this insistence on signs of public approval can be operationalized most readily by party government, in which both voters and representatives have ties to a political party that bind them to that parties' principles and policies.* But

how could such principled partisanship not result in bloody conflict with a persecuting resolution, as all such partisanship had previously done, in every historical instance without exception? This was the question they had to answer first.

Principled Partisanship as a Temporary Last Resort

In February 1791 Jefferson started writing letters to political leaders across the country, sounding out their reactions to the government's policies, and suggesting that some of the people's representatives in congress had been claiming falsely that their constituents were "well contented with the proceedings of the government...." To George Mason (a respected Virginia politician who had opposed ratification of the Constitution), whom he had written the previous June, apropos the assumption bill, that soothing line about it being necessary "to give as well as to take in a government like ours," he now wrote, with regard to the excise and the bank bills (which he said would certainly become law): "Whether these measures be right or wrong abstractedly, more attention should be paid to the general opinion." He remarked to another of this batch of correspondents: "Governments being founded on opinion, the opinion of the public, even when it is wrong, ought to be respected to a certain degree."

Jefferson indicated that he was by now in agreement with Madison that the Hamiltonian measures were wrong, being (as he wrote to Mason) too favourable to "the stock-jobbers." But evidently his concern is also with the fact that public opinion had not been consulted. If it had been, he suggests, Hamilton's program would not have been enacted. The implication is that since that program has been enacted, there is now nothing for it but to go public with what is actually a Federalist schism between Hamiltonian Federalists and a Republican party. Jefferson was not saying that public opinion is always right or even that it is always to be followed. As we shall see, in 1798, when Jefferson and Madison had been pushed to the more desperate tactic of using southern state legislatures as their primary means of putting out their party's message, they would

not be so sanguine about the results of elections based on the issues. But that was after American domestic politics had been badly skewed by the intense public attention to foreign policy, when a military and ideological war between Britain and France was virtually determining the course of American politics. In 1791 Jefferson was simply implying that in republics, public approval should at least be a starting point for important legislative programs. The people might not get it right, but they *cannot* get it right if they are not even asked!

At the end of February 1791 Jefferson offered Philip Freneau a government job that left him enough spare time to publish a newspaper. Freneau, a former classmate of Madison's at Princeton, was a wandering poet and journalist. In politics he had been Anti-federalist, and he was extremely Anglophobic and highly critical of the fact that speculative profits were being made from the funding of the national and state debts. When Jefferson and Madison finally persuaded him to move from New York to Philadelphia, he set up as editor of the *National Gazette*, which soon after its first publication became known as the regular Republican newspaper in the city, for which Republicans—including Madison, but never Jefferson—would write pieces about public affairs, usually under pen names. Federalist writers would frequently contribute to John Fenno's *Gazette of the United States*, which had been set up in 1789 as a relatively calm forum for presenting favorable views of the government. A newspaper war in the capital was part of the partisan campaign of 1792. Articles from these papers were regularly reprinted in other towns and states.

In May 1791 Jefferson and Madison set off on a month's tour of New York and New England. This was a genuine vacation trip—they fished and botanized—but in New York they met certain political notables who were soon to become important in the Republican party. Among these were Robert Livingston (still smarting because his request for a cabinet office had been ignored by Washington) and the former Anti-federalist Aaron Burr (who had recently begun his own feud with Hamilton by beating Hamilton's father-in-law out of one of New York's Senate seats). An entente between Virginia and New York was

to be one of the mainstays of the Republican party. A friend of Hamilton's reported to him (however accurately) that Livingston, Burr, Jefferson and Madison were showing signs of "a passionate courtship" and that they all saw Hamilton as their common enemy.

The creation of the Republican party was preceded by an attempt to stop Hamilton by other means. At first the Republicans-to-be hoped that the reapportionment of congressional seats following the census of 1790 would produce a majority against Hamilton's policies, but this did not happen. Then they tried to challenge the constitutionality of some of the policies (most famously, the national bank, but tax laws were also later challenged on this ground). Soon after the first public party campaign had begun (in 1792), the Senate received proposals for constitutional amendments to prohibit congress from granting monopoly charters (such as for national banks), and to prohibit any directors or managers of any bank or financial corporation from being eligible for election to the House or Senate. More promisingly, Jefferson tried talking and then writing to Washington to persuade him that his confidence in Hamilton and his policies was misplaced, and that there was reason to think that American republicanism was under threat. But in the end these future party leaders decided to create the weapon of principled popular partisanship. They organized that party, assembled its persuasion (its "profession of political faith"), and then deployed this sometimes blunt but extraordinarily powerful tool in the elections of 1792 and subsequently. They then reached out to some of the Anti-federalists that they had been keeping their distance from, but they made Anti-federalists and their ideas part of the more optimistic, more nationalist, more focused and much better organized Republican party.

What would have happened if the Republicans-to-be had won their point without having to resort to principled partisanship? What if, for example, reapportionment had been sufficient, or they had succeeded in persuading Washington to ease Hamilton out of office and to replace him with someone more acceptable? Perhaps in this hypothetical alternative

history, there would have been less bitter open political conflict in the remainder of this decade. If so, then the principle of the peaceful transition of power after deeply divisive popular elections would not have been established at this time.

But the less hypothetical question is: Why did they hesitate to use the powerful weapon of principled popular partisanship? They appear to have tried everything but this. Why did they hesitate to play the “country ideology” card—in the manner that they were soon to do, blending the Anti-federalist “country ideology” mantras with their own optimism and nationalism? Why not start with this move, instead of spending so much time and effort on the other tactics?

One answer to this question is that they did not actually hesitate, or at least did not hesitate very long. It was not before the beginning of 1791 that Jefferson and Madison concluded that Hamilton (who had just unveiled stage two of his project, the bank) must be stopped, if necessary by going public. By then it was of course too late to do anything about the 1790 elections (though—as throughout the decade—a few elections took place in the spring following the main election year). To have an effect on the elections of 1792, they had time to do some organizing—which as we have just seen is precisely what they immediately set about doing. We can imagine: they did not want to rant impotently as some Anti-federalists were doing, they wanted to win. But they wanted to create as little havoc as possible. They wanted a quickly won campaign, not a long total war. It was not as if they had to win the presidency, even if they felt they could. All they had to do was shift the balance of power in congress (in the House, by perhaps 10 seats: a large proportion, but not a large number). Even less than that might do; possibly unseating only a few would encourage the others to start paying more attention to their constituents’ opinions.

Another, related, answer to this question is that in their experience, principled partisan combat was best kept for a last resort, as well as a temporary one, after a “long train of abuses” has shown that such partisanship is necessary in order to put an end to threats to liberty. As we have seen, their most recent precedent for such combat was not the constitutional ratification

contest, a relatively tame and limited affair, but the ideological conflict between patriots and loyalists in the American Revolution, which had ended well but—like other principled partisan battles in previous historical experience—had cost many lives and fortunes, and had left behind many bitter legacies as well as some fine achievements.

So their hesitation in starting a principled partisan conflict was understandable, not a sign of cowardice or of not knowing what they were about, but precisely the opposite, a sign of their knowledge of and previous experience with principled partisanship. It was a known but very dangerous path, and anyone taking this path needed to measure their forces. They had become confident that partisan action was justified. They had to say with James Monroe, the young Virginia Republican (who was to become president after Jefferson and Madison), that “to be passive in a controversy of this kind ... is a satisfactory proof that [one] is on the wrong side.” But Madison and Jefferson also knew that the consequences of their actions could be very serious indeed, both for themselves and for their opponents. It was all very well for Anti-federalists, like comfortable but politically marginalized country ideologists in England, to chatter in their somewhat paranoid fashion about the dreadful pass that the federal government was getting us into. But for a leading congressman like James Madison (actually *the* leading congressman) or a cabinet officer like Secretary of State Thomas Jefferson (in a cabinet of only four men) to raise questions about the republican character of the central policies of another cabinet officer, was bound to have more serious consequences. If nothing else, they would have to put up or shut up. As Jefferson clearly realized: in June 1792, while waiting for Washington’s invitation to see him to discuss a letter that Jefferson had written to him asserting that Hamilton’s policies had been enacted only because of the corruption of several congressmen, Jefferson asked Madison for a list of names, so that in case “the P. asks me for a list of particulars, I may enumerate names to him, without naming my authority, and show him that I had not been speaking merely at random.”

6.

THE REPUBLICANS PERSUADE

Economic Anti-republicanism and Political Anti-republicanism

If truth is not a necessary casualty of party warfare, it is (as Winston Churchill remarked when speaking of war pure and simple) sufficiently precious that sometimes it must be surrounded by a bodyguard of lies. One of the common features of partisan politics is that certain things come to be talked about with profitable imprecision, and this is no less true with parties of principle. Opinions are misrepresented for partisan advantage. Powerful but partial slogans and sound bites are coined. Similarities are denied. Distinctions are blurred.

One of the distinctions that the Republican party of the 1790s sometimes blurred in order to advance its popularity was that between the allegedly anti-republican, “monarchical” character of Hamilton’s fiscal policies and the more straightforward anti-republican position of defenders of hereditary monarchy and aristocracy. John Adams, who in fact found Hamilton politically and morally suspect, and was not a fanatical supporter of Hamilton’s fiscal system, nevertheless was placed by Republican writings into the same frame as Hamilton. Republicans portrayed Adams as an advocate of hereditary forms of government. Adams was in truth no such thing. Nevertheless his falsely-alleged monarchism was used in a fallacious way as evidence to prove the monarchical intentions of Hamilton. Of course, Hamilton himself was known to have spoken in the secret debates of the Constitutional Convention in favor of considering life tenure for presidents, and Republicans did not fail to draw attention to this when accusing Hamilton of monarchism. But there is a great difference between tenure for life (or for “good behavior”) and

hereditary offices: as Madison's *Federalist* Number 39 points out, tenure for good behavior in some offices is fully compatible with republican government. So if Adams could be convicted of favoring hereditary offices, he would be a more vulnerable target than Hamilton for Republican suspicions about the promotion of monarchism.

Hamilton's economic "monarchism" seemed to Republicans to be more dangerous than political monarchism, because it was less open and avowed, and therefore less immediately vulnerable to attack. The insinuating crypto-monarchism of Hamilton consisted of the unrepublican spirit of speculative profit-making at the public expense, made possible by fiscal policies that in turn had been enacted only because the Treasury scheme's corruption of a sufficient number of representatives had prevented the wishes of the people from being followed or even from being consulted. Economic monarchism was an attempt to transplant the corrupt and corrupting British way of governing into the heart of the American republican regime, and it was dangerously close to succeeding, because of popular inattention to the danger. Or so the Republicans believed, and so their story went.

Adams' reputation on this subject dated back to 1789, when he, as vice president (presiding over the Senate), together with an Anti-federalist Senator from Virginia, led the Senate to agree to honorific forms of address for the highest elected officials in the new government (e.g. "His Highness" the President). This would have embarrassed Washington had it been approved. The House of Representatives had decided to reject any such idea, and to address Washington simply as "President of the United States." The Senate soon agreed with the House, and the matter was settled. However, Adams' support for titles—which he thought would have been perfectly republican and quite useful in enhancing the dignity of the republic at home and abroad—got him into trouble with a press and a people for whom the universal fashion was for republican simplicity, and earned him a great reputation for anti-republicanism. (The fact that Adams had sons—unlike Washington, Jefferson, Madison, or indeed any other president until Andrew Jackson—may have added some plausibility to the absurd idea that Adams hankered after

hereditary monarchy. In 1800 there was even a rumor that he had tried to get one of his sons married to one of King George III's daughters, to set up an American royal dynasty!)

In 1790 a French diplomat in America reported that Adams' part in the debate about forms of address, plus Adams' criticism of the French Revolution, had made Jefferson rather than Adams into the heir apparent to Washington—a premature conclusion, but ultimately not all that inaccurate. In a series of articles in the *Gazette of the United States* in 1790 and 1791, Adams criticized constitutional developments in France for their too hasty and too levelling egalitarianism and for their rejection of such prudent constitutional arrangements as bicameral legislatures. At this time many Americans were still looking on revolutionary France as a republican soul mate, so there was potential for Adams' articles to make him more unpopular. In fact, he expected they would.

What most helped actualize that potential was a step taken—inadvertently, it seems—by Thomas Jefferson, in an incident that was the first stage in the breakup of the friendship of Adams and Jefferson. Jefferson's praises for Thomas Paine's *Rights of Man* were published (without Jefferson's intention) as a blurb in the first American edition of that book. Paine's book defended the rationality and justice of the French Revolution against the attack by Edmund Burke's *Reflections* on it, and denounced the intrinsic injustice of all hereditary forms of government. Jefferson noted that he was "extremely pleased to find ... that something is at length to be said publicly against the political heresies which have sprung up among us"—an undeniable reference to Adams' articles, and an offensive and false assertion that they were lapses from the republican faith. (Jefferson probably had not even read Adams' articles.) Newspapers everywhere picked up this sensational conflict between the Vice President and the Secretary of State. Jefferson wrote a soothing letter to Adams, but did not stop his misrepresentation of Adams' views, even though Adams immediately challenged Jefferson to find a single passage in his public or private writings that could be interpreted to mean that he favored the introduction of hereditary government in the United States. Jefferson never responded to Adams' challenge. In fact, in their correspondence after they had both retired, Jefferson

admitted that he and other Republicans had attacked Adams during his presidency for views that they did not even believe he held. To Jefferson, misrepresentation was a fair partisan tactic.

This abuse of Adams' writings, and the more general debate about the emergence of republicanism in France, enabled Republican propagandists to link Hamilton's economic policies with the political monarchism and aristocracy that Adams was mistakenly believed to favor and that Edmund Burke and other English critics of Revolutionary France and defenders of Britain clearly did favor. Republicans could enjoy greater credibility in their attacks on Hamilton's project as economic anti-republicanism if they could argue that it was of a piece with a less indirect and a clearly evident political anti-republicanism. Being able to say—inaccurately, but credibly—that political anti-republicanism was being openly avowed even in high places in American government strengthened the force of their argument that Hamilton's policies were intended to lead on to the introduction of hereditary forms of government.

The Campaign and Elections of 1792

Finding the media for the message. Technologies have changed, but the close connection of politics and the media was not an invention of the twentieth century, it was an essential tool of modern political parties from the very beginning. The Revolution of 1800 was built on communication networks among those actually or potentially sympathetic to the Republicans' revolutionary goals. The Republican leaders were skillful media managers. At least one Republican even organized and published the results of public opinion surveys, as well, completing the modern campaign circle linking candidates, parties, public opinion, and communications media.

Republicans did not hesitate to use “negative” campaigning in the media, raising doubts about the character of their opponents when this was appropriate; after all, they were asserting that Hamilton's policies were a conscious imitation of corrupt and anti-republican English fiscal politics, and that assertion had to make

Hamilton and his allies look bad. Hamilton and other Federalists soon responded in kind.

As in the Revolution of 1776, one important medium of communication was letters circulating among the partisans, very often copied by the recipients to others, and sometimes also published in the press. In the revolutionary resistance against Britain, “committees of correspondence” had been a key part of the patriots’ efforts. If Thomas Paine had become United States Postmaster General, which was Thomas Jefferson’s suggestion to President Washington in 1791, his holding that position would surely have had practical as well as symbolic political significance, both in terms of patronage and in terms of controlling this medium. (Later in the 1790s, Jefferson and others would sometimes feel obliged to avoid using the post office to carry their letters, fearing divulgence of their contents to party rivals.)

Pamphlets and newspapers were also important in both Revolutions. Americans recognized that public opinion is more powerful in republics than in non-republican regimes, and that a free press is therefore crucial in republics, for the enlightenment of public opinion. So they would have understood Jefferson’s statement (in a private letter, and typically exaggerated) that it would be far preferable to have newspapers without a government than government without newspapers. Newspapers greatly proliferated throughout the United States in the 1790s, and became the major medium for partisan campaigning.

Jefferson’s and Madison’s bringing Philip Freneau to Philadelphia to set up his newspaper was an excellent way both to nationalize the Republicans’ concerns and opinions, and to spread the partisan conflict from congress to the American people in every state. Not without reason was the paper called the *National Gazette*. Unlike the daily Philadelphia newspaper that the Republicans could have used for their purposes, the *National Gazette* was a weekly, and therefore (as Jefferson said) “likely to circulate through the states.” Starting with the campaign of 1792, fiery Republican polemics, followed by Federalist responses, first appeared in newspaper articles in the capital (Philadelphia), then were circulated and reprinted across the country, supplementing or inspiring local newspapers sympathetic to the Republicans’ cause.

This pattern was repeated during subsequent campaigns in the 1790s. (Although the *National Gazette* itself fell victim to yellow fever and shortage of funds, the Philadelphia *Aurora* replaced it as the main Republican paper in the capital.) Even in New England, the toughest nut for the Republican party to crack, newspapers from the middle and southern states circulated with increasing regularity, and in the latter part of the decade some local Republican presses were set up there as well.

The campaign begins. As every media consultant knows, timing is important, as is an element of surprise. The Republicans' first journalistic polemics were strategically focused on the elections of the autumn and winter of 1792-1793 that would determine the composition of the third congress (scheduled to convene in December 1793). The Republicans took the initiative in attacking the Federalists, whose own media resources and skills then took some time to prepare, and never matched the Republicans'. The Republican media initiative was also intended to complement continuing efforts to defeat Hamilton's project, or at least to put him on the defensive and to harass and to embarrass him, during the remainder of the second congress. Several months of relative calm in editorial opinions in Freneau's new *National Gazette* as well as in Fenno's older *Gazette of the United States* were broken by a series of partisan pieces by various writers, which started appearing in Freneau's paper at the end of February 1792 and continued for the rest of the year. These articles were unprecedented in their number and in their partisan vitriol. Before then, Freneau's new journal had been politically circumspect. Fenno's, always sedate, had become even more mellow since moving with the capital from New York (where he had been antagonized by an Anti-federalist paper) to Philadelphia; Fenno had even published a few articles against the national bank. Now Republicans politicized the press.

Republicans attacked with *National Gazette* articles that pilloried Hamilton's funding system and the excise tax for their unrepublican character, and advised readers that although the proposal for honorific titles had been defeated two years ago, anti-republican principles were still in the air and on the ground. The

funding system was blamed for having inspired an excessive “thirst for rank and distinction” in America. Steered by the funding system, one writer warned, “Our political bark seems to be gently sliding down that stream leading from freedom to slavery.”

Fenno, caught by surprise by this initial onslaught, eventually responded with articles in his *Gazette* charging the *National Gazette* writers with the sins of Anti-federalism and electioneering. The Republican writers shot back that it was not a question of Federalism or Anti-federalism, it was “the Treasury of the United States against the people.” As for electioneering, well, yes (Freneau himself wrote), they were a kind of “faction,” but he did not mean that they were at all the kind of faction that Madison had been so suspicious of in *The Federalist*, since they comprised “a very respectable number of the anti-aristocratical and anti-monarchical people of the United States”—including, although in principle anonymously, Congressman Madison. The construction of a respectable party of principle was underway. The first step was for respectable politicians and citizens (not just more easily dismissible poetic journalists) to publicize respectable principles that attacked current government policies.

While this newspaper warfare was underway, Hamilton was having a hard time of it in congress, too, where further elements of his project (fishery subsidies, new taxes) continued to be approved, but with smaller majorities, and with little promise of enough momentum to carry through to what was to have been the third major stage, the systematic encouragement of domestic manufactures that Hamilton had recommended in December 1791 in his Report on Manufactures (and which was never taken up by congress). Ominously, congressional opposition to Hamilton’s project by those who were prepared to be associated with the “respectable ... anti-aristocratical and anti-monarchical” party now included not just disgruntled Anti-federalist diehards but also Hamilton’s principal congressional antagonist, James Madison. Madison now began to attack Hamilton not just on the ground of fairness or constitutional construction—that was bad enough—but also on the ground of the anti-republican bearing of Hamilton’s schemes. In March 1792 Madison reminded the House of the

Virginia Resolutions of 1790, with their criticism of funding and assumption as English and un-republican. Madison had joined other congressmen in quietly ignoring these Resolutions when they had arrived in congress fourteen months before. But now “Little Jimmy” Madison, the political heavyweight and eminently respectable Federalist, had begun to play the Anti-federalist, country ideology card, in order to help create the Republican party’s more liberal, more national, and more optimistic rhetoric.

Madison on public opinion and parties. If further confirmation were needed that Madison was one of the new Republican party, his own eighteen *National Gazette* articles would do nicely. These appeared from November 1791 to December 1792. They repay careful study, even though they are brief, unsigned, partisan newspaper polemics. Their arguments call for comparison with Madison’s *Federalist* essays (which of course were also unsigned partisan newspaper polemics, although they were longer, more elevated and elaborate, and, running to 85 numbers, more numerous—“the dry trash of Publius in 150 numbers” had been one contemporary putdown!). In these Republican party pieces, Madison did not completely reverse his *Federalist* thoughts on republican politics and parties. However, he expressed some very important amendments and developments, which can help us think about the creation of party government that Madison is here both engaging in and reflecting on.

Madison’s newly-vivified concern with the form, formation and function of public opinion leads him to some important differences of emphasis. Madison stops emphasizing the need to energize the central government, and starts emphasizing the need to strengthen the influence of public opinion on government. As we have seen, bringing public opinion to bear on government policy is what Jefferson and Madison had already privately suggested in 1791 as their chosen method of turning back Hamilton’s influence. Madison now publicly calls for enabling “the great body of the people” to “interpose a common manifestation of their sentiments.” In an article on “Public Opinion,” Madison clearly spells out the main disadvantage of an extensive territory, which can be “unfavorable to liberty” because

it can make each individual “insignificant ... in his own eyes.” The republican (and Republican) remedy for this is to “consolidate” not the government but “the affairs of the states into one harmonious interest,” and to erect an “empire of reason, benevolence, and brotherly affection” over “the various authorities established by our constitutional system.”

Before, in *The Federalist* Number 10, Madison had emphasized the advantages not only of an extensive territory but also of economic and social heterogeneity (having more factions makes them less threatening to just and wise statecraft). Now, in his *National Gazette* essays he emphasizes the advantages of social homogeneity in the sense of a consolidation of “interests and affections,” and calls for a greater “concord and confidence throughout the great body of the people.” He pleads for facilitating “a general intercourse of sentiments,” by means of “good roads, domestic commerce, a free press, and particularly [he emphasizes] *a circulation of newspapers through the entire body of the people, and Representatives going from, and returning among every part of them.*” The contrast between Madison in 1787 and Madison in 1792 is not absolute. For example, in *The Federalist* Number 14, in order to assure his readers that the United States was not too large for republican government, Madison had cited the existing and steadily improving means of transport; he does not there mention the circulation of newspapers and representatives’ consultations with their constituents, but he does note the “many cords of affection” that knit Americans together. However, there is clearly a large change of emphasis, obviously based on the fact that in 1792 Madison is concerned with finding a way of mobilizing enough public opinion to help him challenge the government’s policies.

In spite of these important changes, Madison has not reversed his views on political parties. *The Federalist* does not anticipate, but neither does it rule out, the possible usefulness of a majority party of principle of the kind that Madison was building and justifying in 1792. Nor, according to *The Federalist*’s arguments, will the large republic pose insuperable barriers to a majority party of principle, in the way that it does to any majority party of interest (a majority faction). Compared to a small republic, a

large, diverse republic has “greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority.” The greater difficulty of communication in a large country will help keep the unjust projects of factions “secret,” because factions, being based on “a consciousness of unjust or dishonorable purposes”—and therefore wanting to keep their motives hidden—will be less able to engage in public discourse than a party that is based on a consciousness of just and honorable purposes. The difficulty of organizing a majority party of principle should therefore be much less than that of organizing a majority faction. It would be unfortunate if the need to do so were to arise, for that would mean that government policies had gone gravely wrong, and opposing the government might require courage and cause trouble. But one would not have to feel uncomfortable about the right to do so, which in fact was a duty as much as a right, for *The Federalist* as well as for Madison in 1792.

Of course, any good party of principle will also be a party of interests, because otherwise it will not be able to do any good. A successful party has to have body as well as soul. Any successful modern political party will have a network of supporting interests as well as policy commitments based on principles. One of the lessons of the 1790s is precisely the necessity of having both of these elements if a political party is to be effective. Opponents of the new Republican party were able to point out that it involved an alliance both of certain states (notably Virginia and New York), and of certain interests (not just farmers but also various commercial and manufacturing interests that felt excluded from Federalist circles). But it is impossible to conceive how these various interests could have come together into the effective Republican party unless that party had also thought of and presented itself primarily as a party of principle, not merely an assembly of interests or factions. This principled side has always been essential to great political parties, and it is especially evident in their origins, when they are assembling themselves for their first battles.

New campaign issues. Hamilton did not reply to the Republicans’ spring media offensive until the middle of the

summer. Then he took up his pen and began to accuse his accusers. Writing in the *Gazette of the United States* under various pseudonyms, he cited facts to prove that the Treasury had not been guilty of unnecessarily increasing the debt. However, he did not make a sustained positive case for his financial-industrial project. He quickly went on the offensive against Jefferson (he “went negative”), but not very effectively. He simply repeated and elaborated Fenno’s charges of Anti-federalism and partisanship (charges that *National Gazette* writers had already effectively responded to). On the Anti-federalism charge, Hamilton raked up old issues on which in any case Jefferson’s conduct was not culpable: he accused Jefferson of having been a lukewarm supporter of the Constitution—an accusation that was at best misleading. He also accused Jefferson of having displayed a deficient sense of the need for the federal government to establish its credit when he was minister to France back in 1786. This was false, and Jefferson made short work of it when writing to President Washington about Hamilton’s accusations. On the real issue of the day, Hamilton accused Jefferson of having put Freneau onto the payroll of the Department of State so he could set up a newspaper that was a political mouthpiece of Jefferson, the Secretary of State. This last accusation was substantially true, and Jefferson’s attempts to explain it away in his letter to Washington were resourceful but unconvincing. But Jefferson did not regard his principled partisan opposition to Hamilton (the purpose of his establishing Freneau) as anything but laudable. And in any case, he was able to point out to Washington that the cabinet officer who had actually personally written partisan squibs in a national newspaper was not he, but Hamilton (anonymously, but transparently so). Hamilton had not done the dirty work very well, and he made the mistake of doing it himself, which enabled Jefferson plausibly to portray Hamilton, not himself, as the one who was the bad cabinet colleague deserving Washington’s censure.

In the autumn, the Republican newspaper campaign, in the *New York Journal* as well as in the *National Gazette*, made John Adams rather than Alexander Hamilton the chief target. In all probability, this was a sign that the media campaign was again

being intentionally focused on electoral goals, since party leaders had just decided to try to replace Adams as vice president with Governor George Clinton of New York. (Madison had opposed Clinton's candidacy for vice president in 1788 because of his Anti-federalism). Clinton's winning this office would have been helpful for the Republican cause, since (as Jefferson would find from 1797 to 1801) the vice president's job of presiding over the Senate meant he would immediately be privy to secret Senate proceedings. But even if the Republicans did not really expect their efforts to unseat Adams to be successful, these efforts were nevertheless a way of inspiring and maintaining support for the Republicans' cause.

The election results. By December it was clear that Adams would retain his office. In the event, it was Adams 77 to Clinton 50, with Clinton getting all of the second votes of New York, Virginia, North Carolina and Georgia. (There were also 4 votes for Jefferson and 1 for Burr.)

Elections to the House of Representatives had always seemed to the Republicans to be more important than the vice-presidential race. Party loyalties and labels having just sprung up, it was not possible to count exactly what the party balance in the next House would be. Besides, that congress would not meet until December 1793, and the minds of congressmen elect could be changed by many events during the intervening months. (Indeed, 1793 did introduce some momentous new issues.) However, when the results were in, they thought they had done extremely well, especially in New York and Pennsylvania. Even before all the elections were over, Jefferson saw (in December 1792) "a decided majority in favor of the republican interest."

As for the presidency, there was no question but that Washington would be re-elected if he did not retire, and he was unanimously re-elected. He had talked to Madison, Jefferson, and Hamilton about his desire for retirement, but did not announce it, and by the autumn it was just assumed that he would be available. In December, Freneau's newspaper turned for the first time to direct criticism of Washington; in February it scorned the splendor of his birthday celebrations, and, in March, when Washington's

second term of office began, Freneau suggested that Washington make his second term less courtly. Apparently some Republicans hoped that their victory in the congressional elections would persuade Washington to join them in opposing Hamilton's projects.

However that might turn out, there was little chance of Washington approving of the Republican press campaign. An avid reader of newspapers, he was not pleased by their recent turn towards partisanship. Well before Freneau's newspaper dared to start criticizing the President himself, Washington was of the firm belief that the criticism of government officers and policies that was being published in Freneau's newspaper was threatening to destroy the Union. Jefferson was certain that the opposite was the truth. In May 1793, after the election results were known, Jefferson recorded in his private notes his belief that Freneau's "paper has saved our Constitution, which was galloping fast into monarchy, and has been checked by no means so powerfully as by that paper. It is well and universally known, that it has been that paper which has checked the career of the monarchs."

The Problem of George Washington

Washington's opinion on the quarrel between the Republicans and Hamilton mattered to Jefferson, for party as well as for personal reasons. In addition to the Republicans' continued attempts to defeat Treasury policy in the congress elected in 1790 (which they did not expect to succeed, and which did not), and to their electoral campaign (in which they placed much more hope, and which they thought was succeeding), there was a third, less public front in the Republicans' efforts in 1792: they—in particular Jefferson—had to deal with the problem of George Washington's immense reputation and presidential power, which were acting as barriers to changing the government's policies, both directly by Washington's not criticizing Hamilton and indirectly by his criticizing the views of the new Republican press.

Jefferson had a series of conversations and exchanges of letters with Washington from February through October 1792, and kept Madison informed about these. The Republican leaders

probably had several motives in these exchanges with the President. If they could not reasonably hope to get him on their side, perhaps they could nevertheless hope to weaken his support for Hamilton. Failing even that, their efforts might at least prevent Washington from turning against them; maintaining Washington's neutrality and even-handedness towards his quarrelling cabinet officers was worth something. If nothing else, it might goad Hamilton into making mistakes: Hamilton's ill-thought-out journalistic response to the Republican newspaper campaign against him was probably in part a response to having just received a letter in which Washington had presented to him a long catalogue of the charges that Jefferson was making against him. Finally, there is the fact that Washington was considering retiring (i.e. not being available for re-election). Jefferson sincerely told him that he hoped he would remain as president (as did Hamilton, of course!). If he had retired, the Republicans would have faced the difficult question of whether and how to contest John Adams' elevation from the vice presidency. All in all, the Republicans had nothing to lose and some possibilities of gain from Jefferson's maintaining good relations with the President.

However, they clearly did not persuade Washington to join the Republican cause. In conversations and letters from February through May, Jefferson explained to him how Hamilton's policies produced barren, immoral speculative activities, and asserted that they had passed only because the funding of the debts had supplied the means of "corrupting such a portion of the legislature as turns the balance between the honest voters." By this, Jefferson meant that congressmen with private interests in government loan stocks had been influenced by this fact rather than by their constituents' interests or wishes, when voting for Hamilton's policies. But by the end of August, it was clear that Washington was not in agreement with this Republican view. He stopped getting involved in the details of his cabinet's quarrels (as when he had catalogued Jefferson's charges and presented them to Hamilton). Instead, he wrote letters to each of the quarrelers (Randolph as well as Jefferson and Hamilton), asking that they treat each other with greater charity, make liberal allowances for differences of opinion, and make mutual accommodations and

“yieldings.” In other words, Washington did not agree that there was any uncompromisable difference of principle, did not take sides, and did his best to suppress rather than to settle the partisan differences.

It is true that he came down the hardest on Jefferson, to whom he denied that it was reasonable for any member of the administration to oppose agreed-upon measures (e.g. the funding system) before their utility had been given a fair trial. In this remark to Jefferson he was echoing Hamilton’s response to Washington’s catalogue of Republican accusations, that only “experience” could show whether the dire, theoretically-based predictions of the accusers would come true (and that experience to date had shown they had not yet come true): although the birth of America’s new public finance system was accompanied by rational speculation, and even by irrational speculative bubbles, these were very temporary effects, not durable and intrinsic features of the system. While it was not logically or physically impossible that the system might lead to unrepublican government, there was no sign of this happening yet, so the Republicans’ predictions had no basis in Americans’ practical experience. Neither was the Republicans’ accusation that a few congressmen had been preferring their own interests to their constituents’ wishes when voting for Hamilton’s projects any more than a speculative hypothesis. On this point Jefferson would have had to agree: only time—and future elections, after campaigns explicitly seeking voters’ reactions to these projects—would tell.

But Washington also called on Hamilton to remember that no mortal is infallible, and that it cannot be helpful to make wounding and irritating charges in the newspapers. He saw nothing but disadvantages in the emergence of partisan politics and its vicious ways. He did not see how the growing partisan conflict could be anything but a liability for the American experiment, and a threat to this “fairest prospect of happiness and prosperity, that ever was presented to man.”

Getting the acceptance of partisanship to be fully recognized as an asset rather than a liability for American democracy was the work of several decades, but the work got well underway in the

1790s, against Washington's advice. Washington's greatness was an incalculable asset for America as an emerging democracy in a hostile world, but was also a barrier to the addition of party government to American democracy. As in other new democracies, there was a powerful general opinion that serious partisan opposition to the revolutionary regime and to its prime champion must be bad. Washington's grandeur as president supported that opinion. So did his retirement from the presidency, which was accompanied by a "Farewell Address" (printed in the press, never actually given as a speech) in which Washington warned against "the baneful effects of the spirit of party," especially in republics.

However, insofar as Washington's presidency was a kind of republican monarchy, Washington's Farewell advice can be turned against itself, since Washington noted that in monarchies, one could justify favoring or at least indulging the spirit of party among patriots, in order "to keep alive the spirit of liberty." One of the arguments in favor of political parties in monarchies is that it is better for partisan intrigues and infighting to be dragged out of the monarch's court (in this case, the president's cabinet) and to be made public and accountable. That is how the Republicans read the situation, and from 1792 onwards, having failed to get Washington on their side, they felt their way towards more open and scathing criticism of him. In July 1796, when he was about to leave office, Washington could not stop himself from complaining (to Jefferson, who was then in temporary retirement, and still corresponding with Washington) about "the grossest and most insidious misrepresentations" of his administration, in one-sided, exaggerated and indecent terms "as could scarcely be applied to a Nero; a notorious defaulter; or even to a common pickpocket."

From 1794 onwards, Republicans were becoming more and more conscious that they would have to mount a partisan campaign for the presidency, their control of the House of Representatives having proved insufficient to outweigh the presidency's influence on public policy. Discrediting and eventually replacing Washington became their goal, although they knew that this would always be a delicate business. Jefferson then helped other Republicans build up a picture of Washington as a

somewhat senile puppet being controlled by Hamilton and others. Of course, Jefferson himself never criticized Washington in public—except inadvertently when yet another of his private letters found its way into the press, and (in March 1797) there was (now Vice President) Jefferson to be seen by one and all, declaiming against “the apostates” to the republican cause, “men who were Samsons in the field and Solomons in the council, who have had their heads shorn by the harlot of England.” (After that, no further communication ever took place between Jefferson and Washington!) Washington’s death in 1799 was mourned, but remembering Washington then did not serve to revive Federalists’ political fortunes.

The presidency was the obvious top prize for American partisans to contend for, but seeing or admitting this was difficult while Washington’s prestige remained great. If Republicans had been able to set their sights on the presidency in 1792, the partisan warfare of the 1790s might have been over much more quickly. There were some purely historical reasons for the lack of electoral competition for the presidency: there had been no such prize either in colonial politics or under the confederacy (1776-1787), so American electoral politics had always naturally focused on legislators rather than executives. But the main reason that it took so long for the presidency to become the focus of electoral attention was Washington. When his retirement made the office available to others, the fact that it is a unitary executive office became a force encouraging a two-party competition. (A plural executive could have been more likely to encourage a multi-party system.) Under Washington, the presidency worked against party government; after Washington, it tended to work in its favor. So his Farewell Address, for all its advice against partisanship, was the signal for partisan competition for the presidency to begin.

Hamilton’s Innocence and Guilt

Alexander Hamilton got himself involved in a sex scandal when an adulterous affair of his became known privately to a few politicians in December 1792. In 1797 this scandal was made known to everyone by James Callender, a journalist who had no

scruples about publishing it. Ironically, this was the same journalist who in 1802 would print and thereby spread the (never proven) rumor that Jefferson had had a sexual liaison with one of his slaves. The emergence of party politics was the reason why both of these scandals were widely publicized: in 1797 Jefferson had encouraged the journalist to reveal Hamilton's affair, and in 1802 the journalist—as Abigail Adams (John's wife) piquantly wrote to Jefferson—"bit the hand that nourished him" when Jefferson refused to go on supporting him. The journalist had spent time in Richmond jail (where he had heard the rumor about Jefferson's liaison) after being convicted under the Federalists' sedition act of 1798. He was pardoned by President Jefferson in 1801 (along with all others convicted under that act). In 1803 he died in circumstances unknown; his body was found floating in shallow water of the James River in Richmond.

Although Hamilton admitted to his adultery, he was not guilty of financial misdeeds, either in his duties as Secretary of the Treasury (which he performed faultlessly), or (as far as is known) in any other way. Therefore, Republicans could never prove their various suspicions and charges about Hamilton's financial and administrative misconduct. Congressmen investigated him as thoroughly as they could, and he always replied with an impressive amount and quality of information to every question that they raised. In fact, the reason that Hamilton furnished details of his sexual affair (both privately in 1792 and publicly in 1797) was that this was necessary in order entirely to clear himself of the charge that he was involved in any financial or official impropriety.

However, Republicans never stopped thinking that Hamilton must be guilty of some kind of corruption. But what they really had in mind was their thought that his whole system of policy was corrupting America, and in one sense they were undeniably right about this. Here Hamilton was guilty. He did not buy support in congress, and did not fiddle the books at the Treasury, so he was not guilty of that kind of corruption. But his program was encouraging the American people to become corrupt, if by that was meant two things: (1) being susceptible to the temptation of the fast buck, rather than always being patiently industrious; and

(2) being content with a subordinate or at best an interdependent commercial relationship with Britain. In fact, in most Republicans' eyes these forms of "corruption" were two sides of the same coin, and the coin was the British model of economics and politics. In spirit and in form this was a non-republican model. Hamilton's program introduced the spirit, and eventually, they reasoned, the form would follow. Madison tied it all together very nicely in congress in January 1794 (in a speech also published as a pamphlet), when explaining (again) his opposition to continued overdependence on trade with Britain. This not only gave British money too much influence on American commerce and therefore on American "public councils." It was also very likely to affect "our taste, our manners, and our form of government itself." What was the point of the American Revolution if America was now going to slip back into the British orbit, and slide back into low, unrepublican ideas and practices?

James Callender, the journalist who was to publicize the Hamilton and Jefferson sex scandals, began his career in American partisan rhetoric by republishing in Philadelphia in 1794 (from the London and Edinburgh edition) a pamphlet dissecting and displaying the sleaze of the British Empire. Callender purported to show how the British system of taxation, war and conquest inevitably resulted in destruction, misery, and an endless series of massacres and ruinous taxes. Callender's preface cited Jefferson's comments that the pamphlet showed "the most astonishing concentration of abuses, that he had ever heard of any government." Against such ideologically-determined anti-British sentiments, patronized by the American Secretary of State, it was difficult for the cool Hamiltonian Federalist response to have any effect. It was useless for Hamiltonians like William Loughton Smith (congressman from South Carolina) to point out (like Madison, in a pamphlet as well as on the floor of the House) that Madison's and Jefferson's repeated proposals for commercial retaliation against British trade rules would simply have had the effect of making Americans pay for more expensive imports from other countries. This argument did not meet the rooted Republican objection to continuing such a high volume of commerce with a country that embodied everything worst about

unrepublican government and economics. In their view, continuing that commerce could only continue to infect America with anti-republican views and practices.

In the minds of some leading Republicans, Hamilton's guilt was compounded by his personal background. Hamilton had been born and brought up in the West Indies, and in spite of his brilliant and courageous army service in the Revolution, his lowly origins and non-native status as well as his attachment to British ideas of political economy made it possible for Republicans to raise doubts about his American and republican loyalties. This personal dimension of the Republican distrust and even hatred of Hamilton is visible in Jefferson's malicious remark in his response to Washington's appeal to the members of his cabinet to pull together: Hamilton, he wrote, is "a man whose history, from the moment at which history can stoop to notice him, is a tissue of machinations against the liberty of the country which has not only received and given him bread, but heaped its honors on his head."

Economic Reality and Political Rhetoric

How did the spirit of the Hamiltonian project register in the minds of various groups of American voters in the 1790s? Although we do not have exit poll results to show us the sociological patterns of the support for the two parties, we can discern a close though interestingly indirect relationship between economic interests and party principles, policies and rhetoric.

Hamilton had a very sensible response to the Republican accusation (catalogued for him by Washington) that speculation in government debt and bank stock "nourishes in our citizens vice and idleness, instead of industry and morality." To Washington, Hamilton admitted that this accusation, "within certain limits, is true," but insisted that "most theorists and all practical men" agree, and observation tells us, that this stock acts as investment capital, so its general effect is to promote not the gambling spirit occasionally displayed by a few, but an industrious spirit, encouraged by the rising level and diversity of employment that the new capital makes possible.

Hamilton's defense against Republican accusations was theoretically and practically sound, but had an important rhetorical weakness. There was indeed a gradual, solid growth in the American economy in the 1790s. But this economic fact was accompanied by a remarkably high level of anxiety, which easily translated into Republican fears about the moral perils of economic development. So while many Americans obviously found the Hamiltonian project attractive, they also found it repulsive. They could not help fearing that Hamilton was the serpent in their republican Eden, slyly tempting them with Machiavellian ploys to indulge acquisitive passions that they felt they should be suppressing.

This anxiety did not lead Republican supporters to a wholesale rejection of the Hamiltonian temptation. It did not lead them to a romantic retreat to an agrarian utopia in which there were no calculations of profit and loss. Americans—including Republicans—were acquisitive and industrious, and sometimes even not averse to the odd speculative gamble. But if they ate the fruit of the tree of economic knowledge, they denied having done so, by supporting and engaging in a political rhetoric that denied that they were adopting the theories and practices inherited from unrepublican regimes, particularly from their “mother country.”

This was not completely neurotic behavior, and it can be described in terms that are more sympathetic and generous to Republicans, and more critical of Federalists. It was not simply that Americans wanted what the Federalist project was offering (economic development) but were unwilling to admit this. There is some truth in that picture, but it was also true that Federalists, for all that they championed the principle of equality of opportunity, were slow and indirect in making economic opportunities widely available. So while the Republicans failed to preach what they practiced, the Federalists failed to practice what they preached. We have seen that Hamilton's policies allowed temporary monopolies for the sake of priming economic growth. That was justifiable, though sometimes politically difficult to justify, especially when the trickling down of employment and wealth was slow. However, there was a less justifiable social and economic exclusivity among Federalists, which made those

outside the circle feel they could never get in, and therefore stirred them to set up their own circles—which included their own enterprises, even their own banks. Historians who have studied the economic interests of Federalist and Republican voters during the 1790s have shown that the pattern was for Federalists to have greater support in longer-established, less upwardly-mobile groups and areas. Republicans—sometimes surprisingly to some of the richer and more established of the party leaders—got support not just from farmers but from “new men” of all occupations, men taking advantage of economic growth to better their condition. Federalist observations of the socio-economic basis of the partisan division back up this portrait, although naturally the Federalist account puts down the Republicans by calling them not enterprising “new men” but (in the words of a Massachusetts newspaper in 1800) “desperate, embarrassed, unprincipled, disorderly, ambitious, disaffected, morose men,” in contrast to the Federalist ranks, filled with “quiet, honest, peaceable, orderly, unambitious citizens.”

If anything, then, Republican supporters wanted what the Federalist project was offering but wanted it faster and less exclusively. But Republican rhetoric did not say that. Although (perhaps because) Republicans wanted it faster, they did not want to admit that they wanted it at all. Republicans did not justify their challenge to Federalists on the grounds of Federalists’ failure to practice what they preached on the theme of equal opportunity. That would have risked agreeing with the Federalist principle that equality of opportunity among the people had to be supervised and regulated by a central government capable of channelling and moderating as well as empowering the people’s economic ambitions. Instead, Republican rhetoric insisted that central government policies, not the people’s ambitions and vices, were the source of any economic troubles, such as the occasional speculative bubble or economic panic. Albert Gallatin (later President Jefferson’s Secretary of the Treasury, and a very astute financier) claimed that Hamilton’s funding and bank systems, “with the speculations that have grown out of them, have substituted an avarice for wealth, for the glory and love of country.” James Sullivan (formerly a Federalist, and later the

Republican Governor of Massachusetts) took issue with Hamilton's systems because they introduced "a spirit of envy" into the minds of Americans who "had been quite content with their situation"; Hamilton's systems were a "Machiavellian policy—to render *vice*, as *vice*, subservient to the purposes of virtue." Sullivan contended that this was an unreliable and unnecessary policy, which spread corruption down from the government to the people: "natural genuine virtue exceeds all the artificial substitutes, which a corrupted and abandoned set of politicians can produce." Under Federalism, it was not wealth but corruption that trickled down.

Republican rhetoric also insisted that these corrupting government policies could only be mended by the Republican party's acceding to power and committing the federal government to less control over the economy. John Smith, in a Fourth of July oration at Suffield, Connecticut in 1799, made this Republican point: the need for energy in government is in inverse proportion "to the vices which it creates." If government did less harm to the people's character, it would thereby be less obliged to do good in order to compensate for that harm. It would not have so closely to supervise the people's economic life if it had not first corrupted that life.

This paradoxical relationship between the Republican party's economic and social interests and its sincere and passionate rhetoric is psychologically similar to American attitudes towards Britain. Here also there was a deep and troubling conflict, between interests and passions. In 1787 (that is, even before France became a republic), Jefferson warned a French visitor to America that he would notice a conflict between American habits and affections, the habits bound up with England ("chained to that country by circumstances, embracing what they loath"), but Americans' affections all with France. Republican policy was to escape from these circumstances, to cut America loose from dead or dying England, and to redirect Americans' habits towards their true love, France. In 1799, Fisher Ames (a Massachusetts Federalist) commented on the love-hate relationship between Americans and their mother country. Americans like individual Englishmen, but hate England, he said, precisely because America

and England are so alike: nations, like individuals, often prefer their passions (France) to their interests (England).

Republican rhetoric thus took a very roundabout way to make a point, and it was a way that sometimes brought more heat than light to the subject. But this rhetoric did not lack a reasonable and justifiable point—namely, that Federalists were too socially and economically exclusive, and that they underrated the morality and political competence of the American people.

Furthermore, if Republicans had made that point in a less indirect and less heated manner, they would have been far less able to create a political persuasion with the breadth and depth of appeal that they needed to have in order to create American party government. So the more general lesson here is that *principled political parties, in order to be successful in rallying popular support, must mobilize righteous indignation and pride as well as coolly calculated coalitions of interests.* Hamilton himself reached such a conclusion about the rhetorical weakness of his project, when, reflecting on the Federalist downfall, he wrote, in 1802: “Men are rather reasoning than reasonable animals, for the most part governed by the impulse of passion.”

7.

FOREIGN AFFAIRS DELAY THE REPUBLICAN VICTORY

Republicans believed they had won the House elections of 1792, and hoped that this would be sufficient to achieve their goal of ridding the federal government of anti-republican policies, and therefore that principled partisanship would not need to be repeated. But things did not work out that way, so Republicans not only had to repeat their victory of 1792 in later House elections, but also had to gain control of the presidency and the Senate, before they could achieve this aim. From 1793 to 1800, foreign policy disputes and their domestic repercussions erupted onto the scene even before the Republican-controlled House produced by the elections of 1792 convened. This eruption showed that the Republicans had to make a more sustained and more comprehensive partisan challenge to Federalist control of the federal government. The events of 1793-1800 had the effect of making this partisanship seem more necessary, even though these events also made both parties more deeply and bitterly opposed to each other.

The New Democracy and Old World Diplomacy

Throughout the 1790s, but especially after Britain and France went to war in 1793, Americans defined many of their partisan political opinions with reference to these two countries. But these two conflicting superpowers did not pay all that much attention to America and Americans. American policy was not nearly as high on the British and French governments' agendas as European policy was on the American government's agenda. European

inattention to American affairs had the effect of prolonging the period of the American parties' preoccupation with foreign affairs. If the British and French governments had been paying more attention to America during the 1790s, American differences with them might have been settled more quickly, and the intensity of the American concern with European affairs might have ended in the early 1790s instead of lasting as it did to 1800.

American political history from the middle of the eighteenth century to the beginning of the nineteenth intertwined with conflicts among European powers, and Federalists' and Republicans' attractions to and repulsions from Britain and France in the 1790s have to be understood in the light of this longer history. In the space of five decades, Americans had two wars with France and two wars with Britain. They fought (with Britain) against France (1756-1763), then (eventually with France) against Britain (1775-1782), then against France (1798-1800), and then against Britain (1812-1815).

During the Seven Years War (1756-1763) between Britain and France—known in British America as the French and Indian War—American colonists fought with the British against the French and their Indian allies. (The young George Washington's military abilities began to be recognized during this war.) In 1764 the colonists began resisting British rule, and in the 1770s they (apart from the many loyalists among them) chose to fight for their independence from Britain. For this purpose they agreed to a military alliance with the French in 1778. The formal peace treaty between the United States and Britain in 1783 included agreements that both sides failed to follow up. Britain failed to evacuate military posts in the American northwest (the very lucrative fur trade was probably the main motive for this), and failed to provide compensation for slaves that had been taken away by the British army. The British justified these non-performances by (accurately) complaining that, also contrary to the treaty, several American states were preventing the collection of debts owed to British citizens, and were harassing former loyalists. Britain also dragged its heels in establishing proper diplomatic relations with the new American republic, and (as mentioned) imposed damaging restrictions on American maritime

commerce, inspiring Madison and others to call for a trade war by way of retaliation.

After Britain and the new French republic went to war in 1793, Britain gave even more serious reason for American grievances by attacking and confiscating American ships and cargoes, on the bare suspicion of intending to trade with France. Because of this, in 1794 the American government made preparations for a new war with Britain, but also sent a minister (John Jay) to negotiate the two countries' differences. A new treaty (the Jay Treaty), ratified in 1795, secured for America the northwest posts as well as compensation for Britain's attacks on American shipping. In return Britain got ways of settling British creditors' claims, and American agreement not to retaliate against British commercial restrictions.

The Jay Treaty provided an excuse for the French government to insult Americans and to authorize its navy and privateers to attack American shipping. America fought a naval "quasi-war" with France from 1798 to 1800, which resulted in a formal end to the alliance of 1778. France then decided not only to make peace with America but also practically to give America the huge territory of Louisiana. During the presidencies of Jefferson (1801-1809) and Madison (1809-1817), commercial conflict with Britain resumed, America set up a commercial embargo, and finally another war (the last) between the two countries was fought from 1812 to 1815.

So the new American republic resembled other new nations not only in its executive successor problem and its wariness of internal party divisions but also in its having to pass its earliest years in a world of rivalry and war among greater powers.

Moreover, American government, even before party government was in place, had to pay more attention to public opinion than European governments did when making foreign policy. As a democracy, America was less able and less willing to engage in old-world style, balance-of-power diplomacy and war. Old world powers had to pay relatively little attention to public opinion to justify action, inaction, or quick changes of allegiance. This was not so in America. Even though the American government stayed neutral in Europe's conflicts, American

commerce was still targeted by the conflicting European powers. This, along with ideological sympathies for and against the French Revolution, made American public opinion respond to European conflicts, swinging one way or the other as events unfolded. This unstable response exacerbated the partisanship that had emerged in 1792. Partisan tensions greatly increased when the French Revolution's intensification of European conflicts made American relations with Europe more dangerous. As Jefferson wrote to Madison in June 1793, the war between revolutionary France and England that began in that year "brought forward the Republicans and Monocrats in every state," making their "relative numbers" easier to see.

Republican Party Strategy Adapts to the French Revolution

The newly-intensified public attention to foreign affairs that began in the spring of 1793 made an effective Republican strategy more difficult to calculate and to maintain. At first there was a great temptation among Republicans to assume that the new French republic's self-assertion in Europe could only help the Republican cause in America, by helping America challenge both British commercial power and the British political and economic model. But they soon learned that they could not rely upon the advent and the actions of the French Republic to make American public opinion more consistently sympathetic to the Republican party. On the contrary, the presence of foreign policy disputes in American party politics from 1793 to 1800 had the effect of delaying the electoral victory of the Republicans, by providing temporary and artificial props to Federalist popularity. It was understandable therefore that Thomas Jefferson's First Inaugural Address should echo earlier speeches by Washington and Adams by warning against "entangling alliances," since foreign entanglements had proved to be such a barrier to the emergence of the Republican party's underlying electoral strength. Republican leaders throughout the decade remained reasonably confident that the majority of the American electorate favored their side in their battle against the Hamiltonian project, but they had to learn that

foreign affairs had to be removed from the top of the political agenda in order for this underlying support to show itself.

The French Revolution resembled the American Revolution in some ways. Both involved violence, war, and enthusiasm for republican government. However, the French Revolution soon embraced principles alien to American republicanism, principles more akin to the radically ideological revolutions that brought totalitarian governments to power in the twentieth century. Many French revolutionaries saw no limits to governmental authority once it had been legitimated by popular consent. They easily justified a cold-blooded terrorism against public enemies, and French republicanism soon transformed itself into the absolute rule of one man, Napoleon Bonaparte. In this way, the French Revolution paved the way for later regimes that denied human equality by denying rights to certain (often ill-defined) categories of humans ("Negroes," "bourgeois," Jews, etc.). In contrast, all American republicans (including those who joined the Federalist movement in support of energizing the federal government) saw that the natural rights of all human beings set limits to the legitimate power of any government, however thoroughly based on popular consent. Jefferson reaffirmed this in his First Inaugural Address, when he promised that the enhancement of popular consent by means of the first democratic partisan electoral revolution would not overthrow the "sacred principle" of American republicanism "that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression." As we have seen, even the quasi-monarchical authority of George Washington did not threaten but enhanced the principles of limited government and the rights of all, because Washington always spoke and acted with an abiding loyalty to constitutionalism and the rule of law.

However, some Americans perceived these great differences between American and French republicanism less fully and less quickly than others, so the partisan divisions within America became deeply affected by passionate admiration and more far-sighted but equally passionate criticism of the French Revolution.

Washington's Proclamation of April 1793 was the first official American response to the new war between France and Britain. France had declared war on Britain, therefore was not fighting a defensive war, so the treaty of 1778 did not require the United States to fight with France. Washington's proclamation of American "impartiality" between the two sides remained the official policy for the rest of the 1790s (and beyond), but it took many Republicans a long time to accept this as the right policy, because Republicans (now much more than Federalists) were tempted to agree with Thomas Paine that the cause of revolutionary France was "the cause of all mankind." Before Washington issued his proclamation, Secretary of State Jefferson had advised him that even if the treaty of 1778 were to be suspended, the "moral duties" of nations might still give France claims on America's support. And during the spring and summer of 1793, in spite of Washington's Proclamation, much enthusiasm for France and Franco-American solidarity was expressed in political speeches and demonstrations. However, by the middle of 1793 Jefferson saw that neutrality probably was the best policy in this case, and moreover that foreign affairs were quite capable of turning public opinion against the Republicans very quickly if the Republicans identified themselves with the cause of France and that cause then became less popular. He warned other Republican leaders that as popular enthusiasm for France melted away, this would "damp that energy of republicanism in our new Congress [to meet in December], from which I had hoped so much reformation." Republicans soon learned that it was far safer to continue attacking Federalists for their Anglophilia than to depend on a popular Francophilia lasting for long. So when Jefferson retired from his cabinet post in January 1794 he could remain confident that the mandate given to the Republican anti-Hamiltonian cause by the elections of 1792 remained in place.

The new maritime belligerency of Britain in 1793 and 1794 brought a real threat of war, and helped Republicans get renewed proposals for commercial retaliation (by non-importation of British goods) through the House of Representatives. Such a measure had long been the centerpiece of Madison's and Jefferson's alternative to Federalist complacency about continued

reliance on commerce with Britain, and they calculated that even if their proposal again failed, it would (as James Monroe wrote to Jefferson) “open the eyes of the eastern [New England] people respecting the conduct of their representatives.” In other words, even losing this fight in congress would enhance Republicans’ appeal in future elections. In 1792, Republicans had hoped that one partisan election would be enough, but they were now ready to contemplate another such battle if it proved to be necessary in order to win the war.

It did prove to be necessary. The Republicans’ bill was narrowly defeated in the Senate (by the casting vote of Vice President Adams). By the summer of 1794 the Republicans were in despair, Monroe declaring that “the republican party is entirely broken,” and Hamilton was celebrating the fact that all the Republicans’ “mischievous measures have been prevented.” The renewed threat of war, even though it would have been war with Britain (to whom the Republicans showed more antipathy than the Federalists), strengthened public support for the government and therefore for the governing Federalists. The Republicans fared much better both in public support and in congress when threats of war receded.

But when threats of war with Britain receded after the Jay Treaty was ratified in 1795, hostilities broke out with France. Only in 1800, therefore, when a settlement had been reached with both Britain and France, were the Federalists deprived of the support they had received from the danger of war, and the Republicans duly rewarded, the appeal of their persuasion finally being embodied in an electoral ascendancy that would last several decades.

However, the Republicans did not have to wait until 1800 for a second victory in House elections. Most of the elections of 1794-1795 were conducted while peaceful means of settling American differences with Britain were being explored, during several months of negotiations by John Jay in London. With dangers from foreign powers less prominent than they would be for the rest of the 1790s, the Republican campaigns of 1794 could expect success from a repetition of the 1792 theme that Hamiltonian Federalism had implanted principles of “corrupt

selfishness” into American government. The result of these elections—the first partisan “mid-term elections”—appeared to conform to what is today the standard expectation that the loser will be the president’s party (as the Federalists could be called, though Washington would not have called them that). At the end of December, Jefferson assured Madison that the House elections were going well for Republicans and even the Senate was being purged of its “impurities.”

The Partisan Effects of the Jay Treaty

Confounding Jefferson’s assurance, the long delay between the elections and the resulting congress (the fourth, to convene in December 1795) again introduced a new issue that weakened Republicans both in congress and in the country. A furious public outcry against the Jay Treaty began even before the Senate (meeting in its customary secrecy) had approved it and its contents were fully leaked to the Republican press in June 1795. For several months, the treaty was very unpopular, because its settlement of issues between Britain and America seemed too favorable to British interests, and because it ruled out the Republicans’ favored option of starting a trade war with Britain. Threatening crowds assembled around Washington’s house in Philadelphia, demanding war with England and support for France. Other cities witnessed similar passionate scenes. Jay’s effigy and copies of the Treaty were burned; rioters attacked the British minister’s house; Hamilton was hit by a stone when he spoke in favor of the Treaty. The Senate’s approval of the Treaty was condemned as proof of the existence of an American “aristocracy” organized on the basis of Hamilton’s funding system.

But President Washington, in spite of having received petitions against the Treaty originating in every state, began to move public opinion the other way when he went ahead with ratification of the Treaty, which he judged to be not very unreasonable, and which he thought in any case was a good alternative to another war with Britain. Like John Adams, he saw that America might well have to challenge Britain militarily again,

but that it would be in a much better position to do this after another decade or two had passed.

Washington's decision to proceed with the Treaty infuriated some Republicans, and they got the House to request the president to send them copies of all of the papers concerning Jay's mission. House Republicans also threatened to withhold enabling legislation. Did not the House, as the most republican body, have as much right to debate the merits of the treaty as the president and Senate did? The Republican press denounced the secrecy of the Senate and the president as monarchical practices. Jefferson privately wrote that the "infamous" treaty was "really nothing more than a treaty of alliance between England and the Anglomen of this country against the legislature and people of the United States." However, the president refused the House's request, which he pointed out was unconstitutional (unless the House was contemplating an impeachment), since the Constitution gave treaty-making powers to the president and Senate (precisely in order to maintain the possibility of secrecy). And Republican congressmen soon learned from their constituents that their stand against Washington was no longer popular. Americans had realized that they were risking their prosperity and their chance to get the British out of the northwest posts by rejecting the Treaty, and Federalist defenses of the Treaty (especially a long series by Hamilton, writing as "Camillus") made its reasonableness more apparent. Petitions now poured into congress from all parts of the union in favor of the Treaty. The Republican effort to refuse enabling legislation collapsed, and the legislation was passed at the end of April 1796.

The Republican stand against the Jay Treaty, the Senate and the president was a great liability in the House elections of 1796. The Republicans had enjoyed slight majorities in the House after the elections of 1792 and 1794. The Federalists won a clear majority in 1796 (again, difficult to count precisely, but something like 64 to 43), and they held their majorities in both the House and the Senate until 1801. For Republicans, the first lesson of the elections of 1796 (as it would be again in 1798) was that it was difficult to attack the government successfully in the presence of foreign policy crises. In 1796, the second lesson was that it was

always going to be difficult if not impossible to get Republican policy enacted without a Republican president. The presidency, the “less republican” branch of government, had to become the primary goal of electoral campaigning. Some Republicans still gave in to the old whig instinct of trying to reduce the constitutional powers of the executive office, but that was too defensive. The more decisive stroke would be not to weaken the presidency but to partisanize it.

In 1796, Republicans could but console themselves in the face of Federalist policy and electoral victories by reflecting, as Jefferson wrote to Monroe, that Federalists had become completely reliant on “the colossus of the President’s merits with the people,” and that his retirement would clear the way either for a “monocrat” (Adams) who will be unable to resist “the republican sense” of public opinion, or by a republican (say, Jefferson), who will of course restore “the harmony between the governors and the governed.”

Republicans might have taken some consolation as well from the fact that in the Jay Treaty dispute even Federalists were now relying much more on the direct influence of public opinion on the government’s policy deliberations. That was the major innovation in American government that Republicans had intended from the very first. Federalists—many of them very uneasily—were now actually going along with this innovation. But it was the Republicans’ idea, and it would be the Republicans who would institutionalize this idea in party government.

Jefferson, Adams, and the Partisan Presidency

One of the few Republicans who hesitated to favor Jefferson for president in 1796 was Jefferson himself. He judged that it was not a good time to occupy that office. (He was right.) He thoughtfully suggested that Madison might consider the honor—a suggestion he did not repeat in 1800! Jefferson saw that the Jay Treaty would produce a crisis in American’s relations with France, and that no president, not even Washington, would find it easy to avoid being “shipwrecked” by this crisis. So he was not devastated when he learned that he had come second to John

Adams in the electoral college, which by giving 71 votes to Adams and 68 to Jefferson elected a Federalist president and a Republican vice president.

Washington's stepping down as president released personal rivalries within the Federalist party. The Republicans (like all other large political parties thereafter) also experienced this kind of rivalry, but proved more capable of covering them with partisan solidarity. In the contest to succeed Washington in 1796, Hamilton and a few other Federalists had intrigued to make Adams come second to Thomas Pinckney of South Carolina (who ended up in third place, with 59 votes). This helped open up the prospect of a rapprochement between the former friends, Adams and Jefferson. But here too we can see the Republicans, in the persons of Jefferson and Madison, displaying greater deference to the demands of partisan solidarity and ideology, as opposed to personal ties and friendship. Adams, perhaps even more than Washington, was conscientiously opposed to the temptations and disciplines of partisanship, in which he saw many vices and no virtues. He adored the pleasures of popularity when these occasionally came his way, but he was determined that his presidency would be like Washington's in its disdain for courting electoral popularity and in its determination to resist popular opinions that were strong but wrong. If anything, Adams went farther than Washington in challenging public opinion; he often acted as if he felt that being out of step with others was evidence that he was right.

Some of Adams' best friends were Republicans, and in letters to these friends between his election and his inauguration, Adams proposed a bipartisan cooperation with Jefferson and Madison. When Jefferson had retired from Washington's cabinet in 1793, Adams had written to his wife that Jefferson's mind was "poisoned with passion, prejudice, and faction." Now he wrote to a go-between in praise of Jefferson's "talents ..., honour, integrity, [and] love of country." Adams proposed to appoint Jefferson or Madison as the chief of a new negotiating mission to Paris, to head off war with France, as the Jay Treaty had done with Britain.

At first Jefferson seemed to give this bipartisanship serious consideration, but he was soon following Madison's astute advice

that taking up Adams' offer would undo all the Republican party's hard work to date, by undermining the morale of all who had supported them in their disagreements with the federal government's actions since 1792; and, moreover, that it would mean that Jefferson and Madison would be unable to oppose Adams' policies if—as seemed very likely—they should ever want to do so. Far better to remain outside the tent. So by January 1797, even before Adams' inauguration, Jefferson was recorded as remarking to a French visitor to Monticello that a Washingtonian attempt to avoid making the president the head of a party was doomed now that the country was divided between “two parties, which mutually accuse each other of perfidy and treason.” Jefferson thought that in these circumstances not even Washington himself could have remained publicly aloof from partisanship any longer. John Adams remained as he always had been, passionately determined to “quarrel with both parties and every individual in each, before I would subjugate my understanding, or prostitute my tongue or pen to either.” He was very disappointed by Jefferson's rebuff, and he soon wrote to his son John Quincy Adams that he was reluctantly obliged to conclude that Jefferson's mind had been so “warped by prejudice” that he had become a party “dupe.” But Jefferson did not think he was choosing party over principle. Unlike Adams and Washington, he saw the possibility of a new kind of partisanship. He saw that partisanship could be a good means not just for the principled patriotic warfare that he had pursued alongside Washington and Adams in the American Revolution, but also for principled electoral (i.e. peaceful) revolutions as well.

The Partisan Effects of War and Peace with France

Jefferson's prediction was accurate: Adams' presidency turned out to be one long and thankless struggle to settle American differences with France. In the end, Adams was successful in his efforts to make peace, but his hopes to keep the presidency above party battles were disappointed, since his efforts were rewarded with electoral defeat in 1800 by Jefferson, who was willing, by then even eager, to make the presidency subject to all the vices

and virtues of the new kind of partisanship. Adams' presidency was the first one-term presidency in American history. Indeed, it was the only one-term presidency until his son John Quincy matched this experience in 1825-1829.

Adams (unlike Jefferson) never had illusions about the chances for successful republican government in France. He judged these to be about as great as the chances of a snowball surviving "a week in the streets of Philadelphia under a burning sun." But in his Inaugural Address, Adams—in addition to reassuring everyone that he harbored no desire to change the presidency or Senate into "more permanent" offices (that slander was still haunting him)—clearly stated his intention to engage France in "amicable negotiation." And Adams persisted in this intention throughout his four years in office, even in the face of the French government's maritime aggressions and insulting and duplicitous treatment of American diplomats.

Federalists became more and more wary of Adams' persistence. The Republican party saw they could benefit from it, if it succeeded in reducing conflict between America and France. As Jefferson wrote to Monroe soon after Adams' inauguration, anti-French sentiment, incited by Federalists, was a force that replaced the effect that Washington's popularity had had in making Americans fail to see "the truth ... that they have been duped into the support of measures calculated to sap the very foundations of republicanism" (the measures of the Hamiltonian project). If this truth could only penetrate into New England to "the people there, who are unquestionably republicans," then the republic could be saved. Settling foreign disputes—especially with France, but also (Republicans had learned in 1796) with Britain—would make it possible for American public opinion to take a less distorted view of domestic policy, and at last to rid the country of the anti-republican Hamiltonian project.

Although they favored Adams' persistent peacemaking, Republicans did not by any means agree with everything that Adams did in relation to France, because from the beginning of the conflict Adams took the same approach to the French as Washington had taken with the British in the months preceding the Jay Treaty: negotiate, but also prepare for war. In fact, Adams

had to go farther down the warpath than Washington. In his first year in office, Adams created the United States Navy. Under its first Secretary, Benjamin Stoddert, the Navy skillfully and very effectively defended American shipping from French attacks during the three years that the French government spent not negotiating with American diplomats. (One of the heroes of this naval “quasi-war” was Thomas Truxton, who in 1799 captured *L’Insurgent*, the fastest frigate in the French navy, in a brilliantly-executed attack in the West Indies. The following Fourth of July, a favorite toast was to “Captain Truxton: our popular envoy to the French, who was accredited at the first interview.”)

In 1797 and early 1798, Republicans, now moving to a clear minority status in the House of Representatives, opposed Adams’ proposals for increased defense spending, and urged a retrenchment in the diplomatic establishment, in order to reduce government spending and executive patronage. At this point the Republicans believed that full-scale war with France would easily be avoided, and wanted to position themselves to take advantage of the public’s resentment of new taxes, even though these taxes were justified by Federalists as military necessities. For example, in the summer of 1797 Jefferson counted on this fiscal weapon to come to the Republicans’ electoral assistance: the new taxes would “awaken our constituents, and call for inspection into past proceedings.”

Republicans maintained their hopes for peace even after news arrived in March 1798 that the French were prepared to negotiate only after they had received an apology for allegedly insulting remarks by President Adams, a bribe to the French negotiators, and a loan to help the French wars in Europe—what came to be known as the XYZ Affair. This development was perhaps more astonishing to the young republic of the new world than to hardened diplomats of the old; nevertheless its revelation guaranteed a long and deep hostility of American public opinion to France and to any American who might persist in harboring French sympathies. Jefferson was reduced to explaining away the French affront by imagining that it was a fabrication, part of a plot by Adams and John Marshall (the American diplomat who had written the dispatches revealing the XYZ Affair) to justify and to

incite a war with France. For a time, his only hope was that a successful French invasion of England would soon take place, to make continuing Republican sympathies with France look like cool calculations of America's national interest!

In fact Adams did not want a fuller war. Fortunately, neither did the French government, although it was happy to cause trouble for a time and to see how far a pro-French party might succeed in influencing American policy. Until Napoleon took charge in 1800, the French government was an ever-shifting kaleidoscope of conflicting factions, but at no point was French policy based on the view that a full-scale war with the United States was desirable. President Adams rightly judged that France was never in a position to invade America. It was clear to him that the French would eventually have to agree to a negotiated settlement. Accordingly, in February 1799, he astonished everyone, Federalists as well as Republicans, when he cut through the war fever raging in America, and nominated another diplomatic mission to France. This stunning move by Adams (for which he had had indications of support from George Washington) was probably motivated in part by his deep distrust of Hamilton (who was taking advantage of the war fever to come back into national politics). Nevertheless it is a good illustration of a president acting not as the leader of a party but as a president whose constitutional powers enable him to claim fame for having acted against the public opinion of the moment. (Adams did in fact suggest for his epitaph: "Here lies John Adams, who took upon himself the responsibility of peace with France in 1800.")

After eighteen months of delay and negotiation, this mission concluded a settlement with France, the "Convention of 1800," which simply restored peace (without providing compensation for French raids on American commerce), and quietly ended any American commitment to France under the entangling alliance of 1778. By this time, the American people were weary of the uncertainties of the continuing state of "quasi-war," and content to accept this undramatic ending of hostilities.

The news of the Convention of 1800 did not reach America in time to influence the elections that year. The still Federalist-controlled Senate, after some hesitation, consented to the

Convention. Republicans were also rather grudging in their acceptance of this settlement—probably more because it had been negotiated by Federalists than for any other reason. However, the Republican party benefited more than the Federalists from this effective destruction of the presumption that Americans' fidelity to republican government required sympathy for France in international politics. In fact, Republicans had already begun to benefit from their belated and quiet acceptance of Washington's and Adams' policy of neutrality, when, after Napoleon's coup against the French republic at the end of 1799, they started distinguishing between the fate of the American republic and the fate of republicanism in Europe. Indeed, as early as June 1798 Jefferson had suggested (in a letter to a fellow Virginian, John Taylor) that the United States had better "haul off from Europe as soon as we can, and from all attachments to any portions of it." It was not just that the strength of Republicans' party organization and support meant that they no longer needed the propaganda weapon of the glorious French alternative to corrupt Britain. They also recognized that this very double-edged weapon was no longer available to them.

By 1800, while Republicans had not outgrown their ambivalent attitude to Britain, they had largely discarded their ideological attachment to France. In this they showed that a principled political party, which perhaps by definition is bound to have some blinkering ideological beliefs, is nevertheless capable—with some incentive and some effort—of learning from, or at least incorporating, experiences that go against those beliefs.

8.

SUPPRESSION, PROTEST AND THE REVOLUTION OF 1800

The Federalists' Aggressive Domestic Initiatives of 1798

While the Republicans at the end of the 1790s were becoming wiser about international politics, the Federalists were becoming less wise about domestic politics. Most of them did not want war with France, but many of them did want to use the foreign policy crisis to clamp down on domestic opposition to their administration of the federal government. The Federalist party's determination to triumph over domestic political opposition was so counterproductive that it can be seen as one of the main reasons for the Republican party's triumph in the Revolution of 1800.

In the spring of 1798, at the height of the outrage against the French treatment of American diplomats and commerce, Federalist strength in congress increased even before any elections; many Republican congressmen simply gave up and went home. Federalists took advantage of their congressional strength to embark on a program of political suppression. In June and July they passed (by very slim margins) a naturalization act that extended from five to fourteen years the period of required residence before applying for citizenship, an alien act (expiring in two years) giving the president the power to deport non-naturalized aliens that he deemed dangerous, and a sedition act (expiring in March 1801, i.e. at the end of the current presidential term) that made it a criminal offense, punishable by a fine or up to two years in prison, to publish false and scandalous writings against the federal government or to excite unlawful combinations to oppose any law or act of the government. These measures were

designed to be used against Republican party publicists and supporters, particularly Irish and French immigrants (some of whom were also editors of Republican newspapers). The sedition act was never invoked against hawkish Federalist critics of Adams.

Hamilton was very wary of the alien and sedition acts. Adams had not requested such measures (although he did not veto them). Federalists in congress also exceeded President Adams' response to the French crisis in their spending (and taxing) legislation, to create a large new army. (Adams preferred to focus the country's defense efforts on the navy.) This new army, it was eventually agreed, was to be commanded by ex-President Washington, which Adams favored, but, at Washington's insistence, and to Adams' dismay, Hamilton was appointed second in command.

These arrangements, premised on the dangers of a French invasion which was never really a threat, and became even less so after Nelson's destruction of the French fleet at the Battle of the Nile in the summer of 1798, could have been designed by a clever Republican dirty tricks operative to ensure that the Federalists would unite American public opinion not in their favor but against them! This was certainly the case once Adams undercut Hamilton's military career—and made Washington's reappearance in national politics a brief episode—by nominating the new peace mission to France in February 1799. But the Federalists' legislative program of 1798 had already provoked the traditional American hostility to standing armies in peace time (a well-known anti-republican device), as well as vigorous protests about the alien and sedition acts. This program also had the effect, which Republican leaders had been expecting for some years, of alerting Americans to the increasing tax burden that the federal government was placing on them.

The alien and sedition acts did not represent the Federalists' finest hour. In their defense, it could be argued that these acts were considered as wartime measures, and that they were not all that extreme in the context of their day. Britain had passed and enforced much more extreme laws along these lines. For example, over there Thomas Paine's *Rights of Man* was judged to be seditious, and anyone printing or selling it was prosecuted. Also,

the American laws of 1798 made truth a defense against a sedition prosecution; this was a major departure from English law. However, there were also great and relevant differences in the circumstances of Britain and America. In Britain, the danger from revolutionary France was more immediate, and the radical critics of the government were much thinner on the ground. American public opinion was much more divided, even at the height of the war fever of 1798. The Federalists' laws were therefore preposterous attempts to generate the kind of unified public opinion that such laws presupposed for their legitimacy and effectiveness.

Neither the alien nor the sedition acts were very effective, at least not in the ways intended. President Adams never exercised the deportation power (though some aliens did leave of their own accord). One of the main effects of the alien laws (like similar legislation in later times in American history) was simply to encourage large numbers of naturalizations (including that of the journalist James Callender, who had left Britain to escape punishment for sedition, but was then convicted under the American sedition law). New applications for citizenship—and for voting rights—were encouraged by Republican partisans, and these new citizens helped swell the numbers of Republican voters in 1800. The Federalists' clumsy relations with non-English ethnic groups, including their armed suppression of a tax revolt in Pennsylvania, turned even solid, Federalist-sympathizing German-Americans into good Republicans.

The sedition law (which had been opposed by some eminent Federalists, such as John Marshall, who joined House Republicans in a nearly-successful effort to repeal it in January 1800) resulted in 25 arrests, 14 prosecutions, and 10 convictions. But even the sedition act, which compared to the alien laws was a more serious (albeit temporary) blow to the Republican party (and to any future party that wanted to use the full range of the freedom of the press), had its immediately and sometimes hilariously counterproductive side. Prosecution under the sedition act transformed Matthew Lyon and Jedidiah Peck into heroes of the Republican cause, whose political futures were greatly enhanced by their martyrdoms. (Congressman Lyon of Pennsylvania had been

known earlier for his brawling with a Federalist on the floor of the House of Representatives. Peck was a Federalist legislator in the New York state Assembly, whose crime was to start criticizing the alien and sedition acts soon after taking up his Assembly seat.) A few prosecutions of Republicans in New England (under state as well as federal sedition laws) resulted in severe punishments, but also became campaign issues for the Republican party in 1800. One prosecution in New Jersey based on the defendant's unflattering reference to President Adams' posterior resulted in a jury verdict of not guilty on the ground that the truth of a statement was a good defense.

In spite of the ineffectiveness and occasional silliness of the alien and sedition laws, they demonstrate the depth and seriousness of the partisan divisions, which made such laws seem like reasonable measures to many of the partisans. In fact both sides used such weapons, not just Federalists. Abigail Adams—whose political judgment was usually good—suggested that prosecutions for seditious libels would help place the Republican “traitors” in a category like “Tories in our Revolution,” deserving no respect and no part in public life. The man she was then calling “Scoundrel Jefferson” darkly predicted that the federal sedition law was another proof of Federalists' anti-republican conspiracy; this step would be followed by a move to make the presidency and Senate into offices for life, and then by even more extreme measures of the monocratic plot. Yet Jefferson also spoke of his partisan enemies as traitors and heretics, and after he became president, he himself encouraged the prosecution of Federalist editors (“tory presses,” he privately called them) under state sedition laws. In his Second Inaugural Address (1805), he noted that in the American press controversies during his first administration, “truth and reason have maintained their ground against false opinions in league with false facts,” and he suggested that therefore “the censorship of public opinion” was perhaps better than legal actions against unrepentant propagators of “false reasonings and opinions”; but he did not rule out the possibility of having to depend on “the salutary coercions of the law.” In 1799, state libel laws were used by a Republican, Benjamin Rush, in the Republican-controlled courts in Pennsylvania, to ruin and to force

into retirement a Federalist-sympathizing editor (and English citizen), William Cobbett.

The main point remains, however, that as a partisan tactic, the Federalists' attempts to legislate greater unanimity in their favor was completely counterproductive. It provided the Republicans with an appealing issue around which to build their renewed electoral efforts. In retrospect, we can see that the Federalist party was acting so self-destructively that the Republicans actually had to do very little in order to gain their Revolution of 1800. In the autumn of 1800, the bitter enmity between John Adams and Alexander Hamilton, and the related divisions within the Federalist party, were made matters of public record by Hamilton's circulation of a pamphlet diatribe against Adams' *Public Conduct and Character*. By then, large numbers of voters had already turned away from the Federalists.

The Republicans' Response

The retrospective view, notoriously, is never available at the time. Republicans, not knowing the end of the story, and knowing only too well the proven capacity of the Federalists to avoid electoral punishment for their anti-republican actions, took the new aggressiveness of the Federalists in 1798 very seriously. They maintained their bedrock confidence, but their first protests against this aggression were a little desperate and at first not completely effective. In November and December 1798, the legislatures of Kentucky and Virginia passed resolutions protesting against the unconstitutionality of the alien and sedition acts, using strict constructionist arguments similar to those that Madison and Jefferson had first used against the national bank in 1791. They also repeated the now familiar Republican accusation that the federal government's policies had the effect of consolidating government power, with the inevitable result of transforming the republic into a monarchy. Jefferson and Madison had drafted these resolutions in great secrecy. Madison had retired from congress in 1797, and although Jefferson was vice president, unchallenged Federalist control of all branches of the federal government left the state legislatures as the highest government

bodies where majorities could now be found in support of the Republican cause. But using this only available governmental channel might have made the party seem to be only a local, southern phenomenon, if Madison's and Jefferson's roles had not been cloaked in secrecy.

At the beginning of June 1798, just before congress passed the alien and sedition acts, Jefferson had written a very revealing letter to John Taylor (who would actually propose the Virginia resolutions drafted by Madison). When writing this letter in Philadelphia, Jefferson, presiding over the Senate, was well aware of the collapse of the Republicans in congress after the revelation two months previously of the French demands for apologies, bribes and loans. So although the alien and sedition acts were not yet in the statute books, Jefferson was aware of the war fever against France and the public temper that would lead Federalists to pass these acts. Nevertheless, Jefferson expressed optimism about the Republican party's prospects. He assured Taylor that although the Republican party was for the moment out of power, time and events were still on their side. Therefore, any talk of breaking up the union in order to get rid of the Federalist ascendancy, which was most solidly entrenched in New England, was unwise. He reminded Taylor that there were good republicans "through every part of the union" who knew that it was "the cunning of Hamilton" in playing off "the irresistible influence and popularity of General Washington" that had "turned the government over to anti-republican hands, or turned the republicans chosen by the people into anti-republicans." It was only the "very untoward events" of 1797-1798 (the crisis with France), "improved with great artifice," that had made the American public not yet prepared to throw out the anti-republicans. Never mind: "A little patience, and we shall see the reign of witches pass over, their spells dissolve, and the people recovering their true sight, restoring their government to its true principles."

The Kentucky and Virginia Resolutions suggested that there was reason for less confidence than Jefferson had voiced a few months before in this letter to Taylor. The Kentucky Resolutions (drafted by Jefferson) emphasize that it is wrong for the people to place too much confidence in elected officials: "In questions of

power ... let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution." Confronted with palpably unjust and unconstitutional acts by their duly elected federal government, it would clearly be "a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights." Not confidence but "jealousy" is the basis of constitutional limits that "bind down those whom we are obliged to trust with power." Only such a spirit of jealousy can be relied upon to arrest such unjust and unconstitutional acts "on the threshold." If they were not so arrested, they could well "drive these states into revolution and blood...." For the sake of the future of the federal government as well as for the security of our rights, we must no longer patiently rest on our oars, we must immediately arrest misdeeds by those we have elected to the federal government.

But what follows from these resolutions? If elected officials—"the men of our choice"—do not deserve our confidence, can elections deserve our confidence? In 1832, the Kentucky and Virginia Resolutions were to be used (misused, as Madison, still alive and thinking, ably demonstrated at the time) to justify nullification of federal laws and secession by any state that judged itself and its citizens to be in danger from unjust and unconstitutional acts of the federal government. And it is true that these Resolutions were addressed to the other states (who, however, failed to respond positively). Is unilateral action by individual states, or even by individual citizens, not justified when tyranny threatens rights, even if such action might involve violence, and even if these citizens have freely elected those who are now showing themselves to be tyrants?

The answer is yes, of course it is, but such unilateral action, if it goes beyond protesting to violent resistance, will be an exercise of the natural right of revolution, rather than of a more strictly political or constitutional right. This is the familiar reasoning of the Declaration of Independence, although there the tyrannical governors had not been freely elected. But *the* question from 1798 to 1801 was whether "revolution and blood" were the necessary outcome of the conflicts between the Federalist and Republican parties, or whether, now that the governments in question were

fully based on free elections, it was possible to resolve such conflicts of principle by electoral ballots rather than by revolutionary bullets. In his letter to Taylor, Jefferson was expressing confidence (as he had done ever since 1792) that the electoral process would eventually resolve conflict between Federalists and Republicans, in which “principles are the stake,” in the right way, with the Republicans on top. Had the new Federalist aggressions of 1798 changed that? Ominously, the Federalists were now attacking (as Madison said in the Virginia Resolutions) “the right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed the only effectual guardian of every other right.” The Federalists’ violation of the rights of freedom of speech, press, assembly and petition (in spite of their being stated in the first amendment) was the most alarming thing, and if allowed to stand would interfere with free elections, in which the Republicans had placed great hope.

Although the arguments of the Kentucky and Virginia Resolutions may suggest that the Federalist aggressions of 1798 had indeed radically changed the situation, it is clear that Madison and Jefferson, while emphasizing that confidence in the current elected government was not warranted, maintained their confidence in the electoral system. For they intended these Resolutions to serve as part of the ongoing and nationwide Republican effort to defeat the Federalists in elections—with ballots, not bullets. However, it was reasonable to engage in some revolution rattling as part of this effort, for several reasons. The natural right of revolution is based on the natural purposes of government—the people’s safety and happiness—which even freely elected governments need to be reminded of, to keep their minds on their jobs. Reminding them of the right of revolution also makes them realize that even if they did ever manage to thwart the wishes of the majority by suppressing political speech and organization or by rigging or suspending elections, the majority would not be without an alternative way of putting things right. By counting votes, free elections replace (more precisely, supplement) but also approximate violent revolutionary conflict, in which numbers also matter. Voters sitting in judgment on elected

governments also benefit from being reminded of the right of revolution and the purposes of government; this encourages them to use elections to judge the government rather than mechanically to defer to it, and it recalls the criteria for their judging: the people's safety and happiness. By maintaining voters' alertness and judgment, parties can help ensure that the need for revolution does not arise.

The Kentucky Resolutions themselves conclude not with a call to arms, but by calling upon other states to unite with Kentucky in requesting the repeal of the alien and sedition acts at the next session of congress. And in 1800 Madison made clear in the Virginia report on other states' responses to the Virginia Resolutions that these Resolutions, primarily concerned with the credible threat that the United States was being transformed from "a republican system ... into a monarchy," were "expressions of opinion" intended only to excite others to reflect on their own opinions, with a view to bringing about changes in "the legislative expression of the general will." Recourse to bullets was not (and never can be entirely) ruled out, but in 1798 reliance on ballots was still a viable option. Perhaps resolutions of state legislatures were a misleading medium to use in a nationwide political campaign, but with Republicans having to keep a low profile in congress, the postal system currently an untrustworthy method of communication, and Republican presses under legal as well as physical assaults, the use of state resolutions was justifiable.

At this stage, it was the Federalists rather than the Republicans who—or at least some of whom—felt they might need to depend on bullets rather than ballots. The Republican leaders carefully discouraged any violence or law breaking. In February 1799, Jefferson advised and predicted: "keep away all show of force, and ["the American people"] will bear down the evil propensities of the government by the constitutional means of petition and election." However, the new army, serving little purpose against foreign threats, could be a tempting means of suppressing domestic enemies. A few Federalists speculated about this possibility. Among them was Hamilton (now General Hamilton). In February 1799, when Federalist newspapers were circulating (false) rumors that Virginia was backing up its stand in its

Resolutions by arming, Hamilton wrote (in a private letter) that the army might be useful to “put Virginia to the test of resistance.” It is difficult to imagine Washington leading the army against Virginia. And in fact, when the army was used domestically, in the spring of 1799 (before it was finally disbanded in 1800), it was used not against Republicans, but to hunt down (too late, and probably quite unnecessarily) what it could find of a tax rebellion in southeastern Pennsylvania—thereby converting counties full of Federalist supporters into life-long Republican supporters. But the speculation of Hamilton and the others about the use of force did reveal the Federalists’ longing for the authority and the popular legitimacy that they no longer seemed to possess the good means to inspire, and did show that the peaceful resolution of the partisan warfare was not necessarily as inevitable as the Republicans were hoping.

The Kentucky and Virginia Resolutions were reprinted in the press, and very quickly became topics of public discussion. By January 1799, their effects were combined with those of petitions signed by thousands of citizens, coming into congress from every part of the country, protesting against the Federalist initiatives of 1798, not only the alien and sedition acts but also the peacetime “standing army” and the taxes needed to support it.

However, many of the elections of 1798-1799 occurred while the war fever and patriotic enthusiasms were running high, and the Federalist majority in congress remained intact. Federalists did particularly well in Virginia and the Carolinas, where unionist reaction to the Kentucky and Virginia Resolutions was strong. But Republican electoral support strengthened in western Virginia, as well as in New York, New Jersey and Pennsylvania. From the spring of 1799 forwards, while self-destructive Federalist policies and infighting continued, Republican confidence, organization, and electoral victories grew steadily, just as the always sanguine Jefferson even at the lowest point of Republican morale in 1798 had predicted they would. By August 1800, Fisher Ames foresaw the coming Federalist debacle: “The question is not, I fear, how we shall fight, but how we and all federalists shall fall.” But the partisan war was not yet over.

The Electoral Revolution

When the congressional elections of 1800-1801 were completed, the Republicans could count on a majority of 65 to 41 in the House—an even bigger margin than the Federalists currently held over them. This majority included several Republican members from the northeastern stronghold of Federalism. The Republicans also won their first majority (of five) in the Senate. Their victory was not only comprehensive, it was also durable. Federalists never regained a majority in either house of congress. Nor did they ever again come close to electing a Federalist president.

However, the last Federalist-controlled House did have the interesting task of deciding which Republican would become president. The electoral college in December 1800 gave 73 votes to both Jefferson and Burr, 65 to Adams, and 64 to Pinckney. In contrast to all three previous presidential elections, no college votes were cast for anyone but these four agreed-upon party candidates, apart from one Federalist vote (by a Rhode Island elector, for John Jay) that went to ensure that Adams came ahead of Pinckney. The Republican electors—perhaps because they were so struck by the sight of the Federalist party's well-publicized internal bickering—did not arrange for even one such wasted vote, so their two candidates got the same number of votes. The electoral college system, before the twelfth amendment (1804) separated presidential and vice presidential voting, was not designed to cope with such total party solidarity. The failure of the electoral college to choose a president meant that the choice between Jefferson and Burr had to be decided by the House of Representatives (with each state delegation having one vote) as soon as congress officially received the electoral votes in February 1801, so a president could be elected before inauguration day, set for the fourth of March 1801.

When Federalists contemplated their task of deciding between Jefferson and Burr, it seemed to hold an opportunity for them to snatch victory from defeat. Even if they had been defeated in the election, they believed as strongly as the Republicans that only their party had deserved to win. They thought that the electorate had been grossly misled by Republican propaganda, and they believed that Republican control of the presidency as well as

congress would be a catastrophe for the country. Were they not justified, therefore, in seeing if they could at least use their power of breaking the tie to extract from Jefferson a promise that he would not undo essential elements of the Federalists' accomplishments? Or perhaps there were even more promising possibilities. Could Burr, a man known to be much more flexible in his views than Jefferson, not be made president? Then, in his gratitude to the Federalist king makers, he might be depended upon to pursue their policies rather than the Republicans'. Or, more radically: could this first failure of the electoral college not be regarded as a justification to declare the presidential election invalid? Between the electoral college result in December 1800 and the House convening to make its choice during the second week in February 1801, some Federalists considered refusing to choose between Jefferson and Burr, so they could name an acting president and organize another election.

So perhaps Jefferson's hope to take the presidency could still be defeated, or at least his presidency could be defanged by extracting policy guarantees from him (or if necessary from Burr) before he was permitted to take office. If the Federalists could achieve either of these things, then Jefferson's belief that Americans were in the process of discovering a new, non-violent kind of revolution through elections, as a supplement to the older, violent kind of revolution, would be mistaken.

In the whole history of mankind there was no precedent for such a peaceful transfer of power from one set of politicians and principles to another, based on free elections. Why should the Federalists allow such a precedent to be set now?

Arguably, with the most favorable Federalist spin, even the election results could be seen as not unambiguous in support of the Republicans. True, Republicans had won a majority in congress, but they had had slight majorities in the House of Representatives from 1793 through 1797 as well, so perhaps that was not the decisive thing, and the presidential contest was what mattered. Here was room for Federalist hopes, for the future as well as for the present. In the electoral college voting, apart from in New York, the Federalists actually did better than they had in 1796. In 1796, New York's presidential electors had voted for Adams. The

switch of New York's twelve electoral votes away from Adams in 1800 cost him the election. And that switch had occurred only because of Aaron Burr's energetic organization between 1796 and 1800 of an urban political machine in New York City. Burr was not a principled republican politician but one whom Hamilton called (among other things) an "embryonic Caesar." (That is why Hamilton later on would be horrified at the idea of the House Federalists making Burr president.)

To Hamilton and other Federalists in New York, the success of the Republicans in the contest in New York City had been so shocking, and its probable consequences in the upcoming presidential election so evil, that they tried (without success) to persuade the Governor (John Jay) to call a special session of the legislature to change the state's presidential election procedures, to select electors by popular vote in each district rather than by the state legislature's vote. Burr's success in New York City meant that the next legislature would have a Republican majority that would (as they did) give all of the state's twelve votes to Jefferson (and Burr). Election by district would mean that the state's twelve votes would end up being divided between Adams and Jefferson. (The Hamiltonians hoped for a majority of the twelve for Adams, but as it happened even a shift of five New York votes to the Federalist column would have been enough to put Adams into first place in the national results.) Hamilton wrote to Jay in justification of this change that any "scruples of delicacy and propriety ... ought to yield to the extraordinary nature of the crisis." Such adjustments of election procedures with a view to influencing their results were not uncommon, but it was not usual for them to take place after the agreed procedures were underway. Nevertheless, Hamilton was sure that the action was justifiable: it was, he pointed out, legal and constitutional, and it was necessary, he wrote, in order to prevent Jefferson, "a fanatic in politics," from taking over "the helm of the state."

The Federalists sincerely believed that the country had nothing to gain from a peaceful transfer of power to Jefferson, and very much to lose. The system of public credit and the neutral foreign policy established with such pains during the Washington and Adams administrations were sure to be undermined by the

Republicans in power. And the wild, Jacobinical ideological tendencies that the Republicans had displayed since the French Revolution suggested that all of the achievements of the American Revolution and the constitution making of the 1770s and 1780s would be reversed by them. Even at its best, a Jefferson administration would turn back the clock to the days before the Constitution had energized the federal government and had thereby put a stop to many of the short-sighted and unjust actions of the state governments in the 1780s. At its worst, Jefferson and the Republicans would replicate in the American republic the mobocracy of the French republic and the military dictatorship that grew out of it. The hopes of mankind for all the benefits of liberty rested on America. How could the Federalist party just walk away from the battle?

Federalists did not pursue their idea of declaring the presidential election invalid. If they had, or even if they had succeeded in taking the perfectly constitutional step of choosing Burr over Jefferson, there would probably have been armed backing for measures to reverse their action. Republicans regarded both of these contemplated Federalist actions as “usurpation.” At the very least (as Jefferson would write soon after his inauguration), Republican congressmen would have assembled a constitutional convention, which would have amended the Constitution in order to ensure that the “virtual” president and vice president (i.e. himself and Burr, respectively) would become the actual president and vice president. The Virginia and Pennsylvania militias were put on alert; with the government now installed in Washington, DC, these forces would have been well placed to protect such a convention and to detain its opponents if necessary.

The partisan divisions in the state delegations in the House of Representatives were such that it took six days and thirty-six ballots for the House to choose Jefferson as president (which automatically made the remaining candidate with the most votes—Aaron Burr—vice president). The man who finally changed his mind to make this possible was James Bayard, a young lawyer and the (sole) Federalist representative from Delaware (who therefore controlled single-handedly that state’s vote in this balloting). Hamilton had written to him (and to many other Federalist

congressmen) about the imperative of choosing Jefferson over Burr (even though Jefferson was “a contemptible hypocrite”). But Hamilton’s advice was not being followed by Federalists in Washington. It may have had some influence on Bayard’s decision, but even after receiving it Bayard had at first been going along with other Federalists’ efforts to elevate Burr over Jefferson. But voting by state delegations meant that Federalists did not have enough votes to choose Burr, though they did have enough to prevent Jefferson from getting the required majority of nine out of the sixteen states. Why did Bayard change his mind and break the deadlock? Bayard claimed to have received indirect assurances that Jefferson would not remove anyone from office merely on political grounds. But later, in 1805, Bayard explained his decision (which was not to vote for Jefferson—dreadful thought—but to cast a blank ballot) by saying that he was “chiefly influenced by the current of public sentiment, which I thought neither safe nor politic to counteract.”

Bayard’s explanation can stand as a concise summary of the reasons for the Revolution of 1800. Public opinion, along with the possibility of any necessary coercion visible in the background, was the decisive factor, not just in Bayard’s decision allowing Jefferson to be elected president in an orderly manner, but in the whole electoral revolution that had been in the making since 1792. In eight years, Federalists had lost the battle for public opinion. They were not easily reconciled to accepting that loss, but reluctantly and gradually they saw they had no alternative, unless it were to consist in a forlorn attempt to organize a secession of the states in which they felt they could muster a majority.

CONCLUSION: THE REVOLUTION OF 1800 AND PARTY GOVERNMENT

The Meaning of the Electoral Revolution

The Federalist party having publicly considered “usurpation” in 1801 made Federalist leaders deeply suspect to many of the very people who had recently voted for them. So in the end the party’s threat to ignore the country’s choice of Jefferson to be president helped to underpin the Republican victory. Two days after the end of the presidential balloting by the House of Representatives in February 1801, Jefferson sent his son-in-law a summary of the Federalists’ actions during that stressful week of balloting. He knew that the Federalist leaders, in spite of having backed down, were not at all reconciled to him being president. The way they had arranged the voting in that last ballot, with no Federalist obliged to soil his hands by voting for him, had to be “considered as a declaration of perpetual war.” But, he gloated, “their conduct has completely left them without support,” because throughout the country it had alienated Federalist voters from Federalist leaders. The Federalists’ threat of usurpation had made even people who voted against the Republicans come out in their favor, so that Jefferson’s victory, “when obtained ... came as a thing of their own wishes....” In short, the Federalist leaders’ conduct “has done in one week what very probably could hardly have been effected by years of mild and impartial administration.”

Given the Federalists’ view of the principles at stake, their provocative maneuvers between December 1800 and February 1801 were understandable, even though this final challenge to the election of Jefferson risked making the partisan conflict end

violently rather than peacefully. Ironically, the peaceful resolution of this great clash between the two parties helped to establish the precedent for the peaceful transfer of power. The necessity of overcoming the last barrier to the establishment of this new and peaceful kind of revolution added to the power and the momentum of its establishment when it finally happened. In fact, this is true of all of the barriers that had to be surmounted on the way to the establishment of the use of ballots instead of bullets in revolutions of political principles. Washington's quasi-monarchical presence up to 1797, the foreign policy crises with Britain and France from 1793 to 1800, the aggressive domestic initiatives of the Federalists in 1798, and the brief but threatening stand that Federalists made in their "usurping" maneuvers in 1801: all of these had been barriers to the Republicans' efforts to influence federal government policies. They all had the effect of impeding the electoral campaigns and delaying the electoral successes of the Republicans, and of making partisan divisions much more acrimonious. But not only did they serve to give the Republicans good reasons and occasions to perfect their organization, techniques, and persuasion; more importantly, they also made the precedent of the peaceful revolution of principles more visible, and therefore more of a durable precedent. If Madison and Jefferson had been able to rid the federal government of Hamiltonian influence with less fuss, more quickly and more quietly, as they had first hoped when they set off to do this back in 1791, the precedent might have been little noted and hardly remembered.

For the purpose of establishing this precedent, perhaps it was equally fortunate (although also sad) that some Federalists abandoned their initial respectable defense of American republicanism (maybe too snobbishly elitist, but they were not alone in that) and began toying with a much less defensible and less appealing skepticism about universal political principles. From 1793 onwards, Federalists had invariably accused Republicans of too closely identifying American republicanism with French republicanism. Yet in the end it was a small number of Federalists who actually collapsed the differences between American and French republicanism, when, in their reaction to the

offensive French diplomacy of 1798, they began to reconsider and to adopt Edmund Burke's view that good government must be based not on any abstract, universal principles (such as the universal truth that "all men are created equal"), but on "the combined wisdom of the ages." This turn in Federalist thinking implied that if French republicanism was intrinsically evil, then perhaps American republicanism, if it too was understood as being based on universal principles, was also very questionable. These Burkean Federalists began to see the American Declaration of Independence more as a product of the "cruel necessity" of "self-preservation," than as an inspiration for freedom everywhere. This late, pessimistic Federalism was completely at odds with Jefferson's consistent belief that the Declaration was (as his last extant letter would describe it in 1826) "the signal arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves."

For the sake of establishing the precedent of peaceful principled revolutions, it was, finally, fortunate that the Federalist party was defeated so comprehensively in the end. (Even the close presidential race of 1800, on examination, shows that Republican electoral strength was understated by the electoral college vote, particularly in New Jersey and Pennsylvania.) If Federalists had proved to be less self-destructive, more confident, and more popular at the end of the decade, and if they had not been defeated so soundly in 1800, and even more so in 1802 and 1804, then the Republicans would have found it much more difficult to be magnanimous in victory. A less decisive electoral battle in 1800 (for example, less convincing majorities or divided control of congress), or a resurgence of Federalist strength in 1802 or 1804, might well have prolonged the intense party conflict, and could well have ended in the disunion or civil war that many competent observers had been fearing—and a few of them even beginning to favor—as the outcome of the country's increasingly enraged partisan divisions. So while it was good that the conflict had memorable depth and duration, it was also good that it stopped when it did. As Jefferson immediately appreciated, it was also good that the Federalists had engaged in some very public eleventh-hour partisan skulduggery in 1801, because this

immensely magnified the effect of the Republicans' electoral victory by making so many recent supporters of Federalism into Republican sympathizers.

As president, Jefferson immediately exploited this opening, and energetically pursued a strategy that tried to turn everyone except "incurable" Federalist leaders into Republicans. This strategy began with his First Inaugural Address, which seemed (but only seemed) to promise what he had referred to in his recent letter to his son in law as "years of mild and impartial administration." Jefferson's Address disparaged "political intolerance," which could be "capable of as bitter and bloody persecutions" as religious intolerance. He blamed "the throes and convulsions" of the old world for having divided Americans' opinions on how best to maintain American security. "But," he continued, "every difference of opinion is not a difference of principle." In fact, he now noted, "We have called by different names brethren of the same principle. We are all republicans—we are all federalists."

Remarkably, Jefferson's Inaugural Address was his first truly public statement in the partisan conflict of the decade. His earlier ones had been leaked letters, or, in the case of the Kentucky Resolutions, impenetrably anonymous. Astonishingly, Jefferson's Address seemed to be promising a non-partisan and non-revolutionary administration. Federalist leaders expressed relief that Jefferson would not after all do what he and his party had seemed to be threatening (thank goodness he was a "contemptible hypocrite!"): he would be not vindictive, but conciliatory and tolerant towards Federalists; moreover, they (wrongly) concluded, he would not undo the essentials of Federalist legislation. In particular, Federalists noticed that Jefferson's Address had announced among "the essential principles of our government, and consequently those which ought to shape its administration," no "entangling alliances" (so Washington's and Adams' neutrality policy was safe), and "sacred preservation of public faith" (so no repudiation of the national debt, even though it had been greatly enlarged by Hamilton's policies).

But the Federalist leaders who expressed relief at these statements were misled by the tone of Jefferson's Address, and

paid too little attention to its evident (and soon more obvious) meaning. In private letters in 1801 and 1802, as well as in his statements in letters to Republicans or potential Republicans (including Washington) while campaigning against the Federalists from 1792 through 1800, he made it clear that he was interested only in reclaiming the lost sheep, not in working with the errant and ineducable shepherds of Federalism who had led these parts of the flock astray. He did not intend to conciliate or to cooperate with the Federalist party, to compromise with its principles or its leaders, or even to tolerate its partisan opinions and principles as anything but (as he stated in the Address itself) individual examples of “error of opinion,” unable to counteract the effects of reason on the vast majority of Americans. People with these erroneous political opinions could be left as isolated “monuments” to the kind of tolerance that rational parents show to their erring children. Even this patronizing tolerance did not apply to the Federalist party as a political force, which was one of those unfortunate “moments of error” in devotion to “the creed of our political faith,” from which we must always “hasten to retrace our steps” in order to return to the true principles of government. More bluntly expressed (in a private letter to a fellow Republican leader in 1802): Jefferson and his party’s re-establishment of the true principles of republicanism was intended to sink Federalism “into an abyss from which there shall be no resurrection for it.” Saying this publicly in 1801 might have endangered the Republican congressional and presidential majorities in 1802 and 1804.

So Jefferson’s gracefully beguiling line “We are all republicans—we are all federalists” (which echoes statements made by him as early as December 1792) really meant what Jefferson and other Republican leaders had been saying throughout the decade of partisanship: contrary to what Federalist leaders have said, we Republicans are not Anti-federalists, we are and always have been the truest friends of the Constitution; furthermore, the mass of those who have misguidedly supported Federalism (but when awakened to what Federalist leaders have been doing will more and more come to support us), have good republican principles, unlike those who have been their leaders.

Just as Madison in his partisan press articles at the launch of the first partisan campaign at the beginning of the decade had emphasized the need to consolidate American public opinion, Jefferson now called for American citizens to “unite with one heart and one mind,” to “restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things.”

The Success of Jefferson’s Strategy

Early confirmation of the success of Jefferson’s strategy of consolidating into the Republican party all but a few incurable Federalists was the increase in the Republican majorities in congress to over 70% in the 1802 elections (no hint of a mid-term anti-presidential trend), and to over 80% in 1804. The Republicans also received over 90% of the electoral college votes in 1804 (in contrast to just 54% in 1800). In his Second Inaugural Address in 1805, Jefferson celebrated this as a manifestation of a growing “union of sentiment,” and looked forward to the completion of an “entire union of opinion.” Within fifteen years of Jefferson first taking office, the Federalist party disappeared from American politics. In 1825, John Quincy Adams, the son of the last Federalist president, was elected president as a “Republican” (albeit a “National” Republican, with policies that proved to be too suspiciously Federalist to be accepted by congress, and which therefore helped ignite the second American party system).

As for Jefferson’s approach to Federalist policies, here too the Federalist leaders’ expressions of relief on hearing or reading Jefferson’s First Inaugural Address were mistaken. Yes, Republicans had learned (Jefferson earlier than many others) that the best American foreign policy at present was one with “no entangling alliances.” But while this meant discarding illusions about the French republican experiment and the possibility of using a French trade agreement as an alternative to trade with Britain, it also meant not hesitating to try the weapon of a trade embargo with Britain as well as with France when American commerce was again attacked by these warring European powers

during Jefferson's second administration. In domestic policy, while Republicans did not close the national bank, they did reverse the Federalists' policy of guiding and stabilizing the financial system through the national bank's control of the state banks. Moreover, Jefferson's inaugural promise about "the sacred preservation of public faith" meant steadily paying off the national debt, not the Federalist policy of extending and perpetuating it. Jefferson and his Secretary of the Treasury Albert Gallatin reduced federal government spending (mainly the diplomatic service, the army, and the navy) by twenty percent. Coupling this economizing with sales of public lands and increases in revenues from import tariffs enabled them to reduce the debt even though they eliminated direct taxes (e.g. the much-hated whisky and land taxes). At the same time, they kept import tariff rates low, so domestic manufactures were not encouraged by federal policy, as Hamilton had wanted them to be. As Jefferson's Inaugural Address had announced, government policy was to be the encouragement not of manufactures but "of agriculture, and of commerce as its handmaid."

Jefferson's policies and his strategy of making Federalists politically impotent were implemented by means of his party's control of congress, and by his appointment of Republicans as executive branch officials and as federal judges. By getting congress to reduce the number of federal judges, he even managed to retire some existing Federalist judicial appointees.

However, Jefferson was unable to remove Federalist-appointed judges without abolishing their jobs (although he did nearly succeed in getting one removed by impeachment), so many Federalist judges remained in place. Especially important was the fact that John Marshall, appointed by John Adams as Chief Justice of the Supreme Court in 1801, remained in that position until 1835. From this position, Marshall led the federal judiciary to uphold the constitutional doctrine of implied powers (which Federalists had championed against Republicans ever since the battle over the national bank in 1791), and to establish the legal right of the federal government to regulate economic affairs, and to structure and to stabilize American economic development in a

Hamiltonian manner. So the voice of Federalism was not completely excluded from the dialogue of American politics.

Although Jefferson would not have agreed, we can see that the Federalists' having this opportunity to retreat to and to regroup in the judiciary was fortunate, for two reasons. In the first place, the enemy's having somewhere to retreat to, even though it was to the least political branch of government, made it easier for them to be reconciled to the overwhelming Republican political dominance, and therefore easier for the principle of peaceful principled revolutions to be established. In the second place, having an alternative voice in the politically subordinate but dignified position of the federal judiciary benefited the course of American political history by maintaining an alternative way of thinking about constitutional and policy questions.

Jefferson himself occasionally speculated (privately, as in his letter to John Taylor in June 1798, quoted above) that in a free society a principled party division might be useful, if only "to induce each to watch and relate to the people the proceedings of the other." However, as we have seen, in Jefferson's practice (and most of the time in his theorizing), the strategic aim was to turn incurable Federalists into quaint, eccentric monuments to free speech, not to set them up, in the judiciary or anywhere else, as minority censors of the Republicans in power. Jefferson saw that partisanship is justified whenever republican principles are threatened, and that successful republican partisanship must have recourse to an ideology, a "creed" of "political faith." He believed furthermore that the public aim of principled partisanship must be to make this creed so politically dominant that there is an "entire union of opinion, which gives to a nation the blessing of harmony, and the benefit of all its strength."

Ideology and Party Government

The word "ideology" (like "terrorism") was coined in France in the 1790s. From its first meaning, the science of ideas, it quickly passed to its more political meaning, the use of systems of ideas to advance political causes. The use of the word in this sense usually implies that the system of ideas is being expounded dogmatically

by political visionaries, and always implies that it is being used for partisan propaganda rather than for purely theoretical purposes. Those American founders such as Washington and Adams who were determinedly above partisanship in the 1790s deeply distrusted the ideological nature of the Republican party. Surely Washington and Adams were not wholly wrong in this distrust. The establishment of the respectability of republican partisanship, which made possible the establishment of the principle of peaceful revolutions of political principles, entailed losses as well as gains. Party government has vices as well as virtues.

At the outset of this enquiry, we noted that, although political parties in modern democracies have and need principles, it is important that the principles that democratic parties contend for must not be the persecuting principles that revealed religions have been prone to inject into political conflicts. So religious ideologies must, insofar as possible, be excluded from democratic politics. We also noted the destructiveness of fanatical atheist partisanship in democratic politics. But to ask that secular ideological principles be altogether excluded from partisan contention in modern democracies would be asking too much. Even though political ideologies often oversimplify political reality and distort political judgment, they are the necessary tools of party warfare and morale. In constitutional democracy and modern party government, these ideologies therefore necessarily come to constrain and eventually to make impossible the wholly nonpartisan statesmanship admired and practiced by men like Washington and Adams.

To understand the role of principles and ideologies in modern political partisanship, and its implications for statesmanship, we must distinguish among three different kinds of principle: religious, democratic, and partisan. The first kind—along with its counterpart, fanatical atheism—must be avoided by partisans if there is to be much prospect for representative government, in which popular elections decide between parties. The second kind—the basics of constitutional democracy—must be agreed upon by the parties: there must be widespread agreement on and willingness to fight for the preference of justice over injustice,

freedom over slavery, government by the consent of the governed over despotism, the subordination of military to civilian authority, and other institutions and practices of constitutional democracy. There is a third kind of principle, distinct from the second, but which partisans (for example, Jefferson in his First Inaugural Address), for partisan purposes, will naturally try to fuse with the second. *Only this third kind of principle is the proper object of partisan contention in a constitutional democracy.* These partisan contentions can involve passionate ideological differences, but these will be differences not about the universal truth of constitutional democratic principles, but about the meaning and requirements of these principles in their application to varying circumstances. So this third, permissibly partisan kind of principle will normally include programs of action or policies, based on an interpretation of what democratic principles demand in the current circumstances, and therefore on opinions about what this particular democracy, here and now, should do.

Jefferson asserted that the Revolution of 1800 meant that it could no longer be said that “there is nothing new under the sun.” The partisan storm and its peaceful end showed (as he stated in his First Inaugural Address) that popular elections can be “a mild and safe corrective of abuses which are lopped by the sword of the revolution where peaceable remedies are unprovided....” Electoral revolutions in democracies can be revolutions without swords, if they are about differences of partisan principles (however ideological), but not if they really are disputes about the superiority of the principles of democracy themselves. Parties’ disagreements about the application of democratic principles can seem tantamount to disagreements about the truth of the principles themselves, but the distinction is crucial for the displacement of bullets by ballots. Good democratic citizens and politicians will at some level firmly grasp this distinction even when their partisan rhetoric misleadingly suggests—perhaps even to themselves—that the indisputable basic democratic principles are at stake.

Federalists and Republicans really had no disagreements of the second kind, about the superiority of representative democracy (although in the end a few Federalists did flirt with abandoning their sound understanding of the principles of democracy as these

had been set out in the Declaration of Independence). But they did have disagreements of the third kind, in their programmatic policy disputes about the direction of economic development and about the role of government in superintending that development. And there was a great lack of clarity on the distinction between these two kinds of principle in the 1790s, because there was no precedent for this distinction, just as there was no precedent for the more peaceful kind of revolution that this distinction made possible. This lack of clarity and precedent, as well as the natural partisan tendency to hyperbole and misrepresentation, made both parties in the 1790s exaggerate the depth of their differences, by making them mistake their conflicts about programmatic principles for conflicts about the superiority of representative democracy (which they usually called “republican government”).

Can we reasonably expect this distinction between these two kinds of principle to control the conflicts between democratic parties, and to ensure that they will resolve their differences by peaceful ballots rather than by bullets? In the subsequent history of American political parties, even with the advantage of the precedent of the Revolution of 1800, American political partisans have often found the distinction between democratic principles and party principles both inherently difficult and instrumentally disadvantageous to maintain. We can see this in the revival of strong party conflicts in the second American party system. In the 1820s and 1830s, policy disputes arose between the National Republicans (subsequently merged into the new American “Whig” party) and the “Democratic” party, with the former favoring and the latter opposing neo-Hamiltonian financial and commercial schemes. Although their disputes never reached the bitterness and intensity of the parties of the 1790s, in their partisan rhetoric they did accuse each other of faithlessness to the fundamental principles of American democracy.

The intensity of conflicts in this second party system, in contrast to those of the 1790s, fell far short of civil war. In the second party system, party leaders could be far less doubtful than the first partisans had been about the desirability of publicly respectable parties as a permanent feature of the American regime, because they saw that their partisan conflict, notwithstanding its

seriousness and in spite of its rhetorical excesses, was about differing policy principles rather than differences that could be resolved only by civil war. They had learned from the Revolution of 1800 that fair and open contests between two large parties with honest differences about the principles on which the government should be administered could be peacefully fought and won. They added to this lesson of the Revolution of 1800 a firm belief that the open and long-term acceptance of such moderately-principled partisanship was far better than repressing such honest and natural disagreements, since the pretence that there could be total political unanimity would only obscure these inevitable disagreements, which would then manifest themselves in vicious factions and personality contests.

When the American Civil War came (1861) it was because a politically significant number of Americans, and not just in the south, had been denying or distorting the self-evident truths of the Declaration of Independence. The turn away from ballots to bullets in 1861, ignoring Abraham Lincoln's eloquent pleas, was based on deep disagreement not just about the best policies in the circumstances, but about the most fundamental principles of democracy. In this way, the Civil War confirms the lesson of the Revolution of 1800, that the resolution of partisan conflicts by ballots requires the partisans' agreement on those fundamental principles, even though their spirited and indignant rhetoric will often naturally deny that this agreement exists. If that agreement is ever endangered, it is the duty of democratic statesmen to restore it.

Democratic Citizens and Statesmen

We have noticed that the necessary role for ideological partisanship in constitutional democracy diminishes the scope for prudential discretion traditionally allowed to statesmanship, to the disappointment of anti-partisan statesmen like Washington and Adams. But prudent statesmen in constitutional democracies will recognize, as Jefferson and his Republican co-partisans recognized, that ideological partisanship also opens up the possibility of making the public more alert, and more immediately

involved in determining the direction of public policy. They will also see that the role of partisan ideology in modern democracies does not eliminate the need for statesmanship and prudent judgment. It simply means that democratic statesmen have to learn to work with the weapon of ideological partisanship in responsible ways that promote the competence of citizens and the common good.

Thus the demands on statesmen in party democracies are in fact very high. Principled partisan statesmen must use the weapon of ideological partisanship well, and they must forbear deploying this weapon (which, as we have seen, is not a smart device that causes no collateral damage) when it is neither necessary nor desirable. They have the heavy responsibility of ensuring insofar as possible that the ideological battles of popular referenda in important electoral watersheds like the Revolution of 1800 disrupt politics as usual only when it is right to do so. They must also judge how best to encourage wisdom in such important popular choices, for in the end, there is no getting away from the fact that triumphant partisan views on how to apply democratic principles in the given circumstances must be wise views if the country is to prosper. They must act and speak in ways that cultivate rather than undermine citizens' sense of justice, so all parties, especially the majority party, will agree on the principles of democracy—the principles of majority rule and minority rights. They will remember that only this agreement on democratic principles makes it possible for principled partisan conflicts to be resolved peacefully by elections.

In spite of the ideological nature of partisanship, modern democracy is greatly enhanced by political parties. When they work well, parties cultivate and demonstrate popular approval of wise leaders and policies and disapproval of unwise leaders and policies. However, it is not inevitable that parties will work well. The development and acceptance of political parties in modern democracies increases rather than diminishes the need both for competent citizens and for wise statesmen.

APPENDIX I: THE DEBT ASSUMPTION ISSUE

This question of whether or not the federal government should take over (assume) each individual state's war debts was complex but crucial. The very intricacy of the debt funding and assumption issues became part of the issues, with opponents claiming that Alexander Hamilton's policies were imitations of England's overcomplicated fiscal system.

However, Hamilton's proposal regarding the funding of the national debt, approved by congress in 1790, was less expensive as well as less complicated than James Madison's rejected scheme of discriminating between original and subsequent holders of the debt certificates in the case of domestic creditors. This was because Hamilton was content to have the debt funded at 4% rather than at the 6% rate originally contracted. He justified this lowering of the interest rate that the government would be paying to its creditors by arguing that market interest rates for any future government borrowing were bound to fall during the life of current debt, in fact very soon, because the government's credit rating would rise, and the supply of loan capital available in the United States would increase. In other words, Hamilton boldly but wisely built into his project the assumption that it would succeed.

Hamilton's reason for wanting to lower the cost of funding the national debt in this way was to make it more feasible for the United States to assume responsibility also for the debts that the individual states had incurred during the Revolution. One of Madison's reasons for proposing his more expensive funding scheme was probably that it would have ruled out this federal assumption of the states' debts, which the majority of Virginians opposed.

Hamilton was keen for the state debts to become federal debts because he did not want the state governments to compete with the federal government either for creditors' attention and dependence

or for sources of revenue required to service government debts. Federalizing the states' debts was also a way of honoring the Revolutionary commitment to treat the war as a responsibility of the whole country, not of the individual states. However, the question was complicated by the different situations of various states: some had spent more than others and were now desperate for the federal government to take over, some had now repaid much, some simply had less complete records than others. Virginia politicians in particular felt that a thorough and final reckoning of this complex of credits and debits should precede any assumption of the states' debts, otherwise states like Virginia, which had already repaid much of its war debt, risked being out of pocket, because the federal government, with tax revenues from Virginians as well as from residents of other states, would pay out money to some states now that it might not be able to get refunded by those states if the final reckoning later showed that refunds were owed.

When the issue was first discussed by the House of Representatives (in the spring of 1790), the opponents of assumption, among them the Virginian James Madison, narrowly won, removing the assumption proposal from the funding legislation by a vote of 31 to 29. However, that was not the end of the matter. Madison himself began to have doubts about the wisdom of letting this decision stand when he witnessed the extreme reactions by the losing side in this vote; his opponents began to predict that if the debts of the states were not assumed, the union would not hold together. Madison soon began to fear that he had underestimated the desperation of the advocates of assumption, so he was ready for the "compromise of 1790."

Although this "compromise" was later condemned by Jefferson and other Republicans as a bad bargain because of its *political* effect of entrenching Hamilton's "corrupting" fiscal system, in the *financial* terms that were used in the debate in 1790 it was actually less a compromise than a victory for Madison and the south. The agreements that constituted the "compromise" reversed the decision not to assume the states' debts, but in turn not only gave Virginia and other southern states the promise that the capital city would be located on the Potomac, but also gave

Virginia a guarantee that assumption would be managed in such a way that that state would not be out of pocket in the way Madison and other Virginians had feared it would be. Without such management of the numbers, Madison had estimated that Virginia would probably lose to the tune of \$2 million.

**APPENDIX II: THOMAS JEFFERSON'S
FIRST INAUGURAL ADDRESS**

**March 4, 1801
Thomas Jefferson**

FRIENDS AND FELLOW-CITIZENS,

Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens which is here assembled to express my grateful thanks for the favor with which they have been pleased to look toward me, to declare a sincere consciousness that the task is above my talents, and that I approach it with those anxious and awful presentiments which the greatness of the charge and the weakness of my powers so justly inspire. A rising nation, spread over a wide and fruitful land, traversing all the seas with the rich productions of their industry, engaged in commerce with nations who feel power and forget right, advancing rapidly to destinies beyond the reach of mortal eye—when I contemplate these transcendent objects, and see the honor, the happiness, and the hopes of this beloved country committed to the issue and the auspices of this day, I shrink from the contemplation, and humble myself before the magnitude of the undertaking. Utterly, indeed, should I despair did not the presence of many whom I here see remind me that in the other high authorities provided by our Constitution I shall find resources of wisdom, of virtue, and of zeal on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support which may enable us

to steer with safety the vessel in which we are all embarked amidst the conflicting elements of a troubled world.

During the contest of opinion through which we have passed the animation of discussions and of exertions has sometimes worn an aspect which might impose on strangers unused to think freely and to speak and to write what they think; but this being now decided by the voice of the nation, announced according to the rules of the Constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good. All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression. Let us, then, fellow-citizens, unite with one heart and one mind. Let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things. And let us reflect that, having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little if we countenance a political intolerance as despotic, as wicked, and capable of as bitter and bloody persecutions. During the throes and convulsions of the ancient world, during the agonizing spasms of infuriated man, seeking through blood and slaughter his long-lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore; that this should be more felt and feared by some and less by others, and should divide opinions as to measures of safety. But every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all Republicans, we are all Federalists. If there be any among us who would wish to dissolve this Union or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it. I know, indeed, that some honest men fear that a republican government can not be strong, that this Government is not strong enough; but would the honest patriot, in the full tide of successful experiment, abandon a government which has so far kept us free and firm on the theoretic and visionary fear that this Government,

the world's best hope, may by possibility want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest Government on earth. I believe it the only one where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the public order as his own personal concern. Sometimes it is said that man can not be trusted with the government of himself. Can he then, be trusted with the government of others? Or have we found angels in the forms of kings to govern him? Let history answer this question.

Let us, then, with courage and confidence pursue our own Federal and Republican principles, our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe; too high-minded to endure the degradations of the others; possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth, but from our actions and their sense of them; enlightened by a benign religion, professed, indeed, and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence, which by all its dispensations proves that it delights in the happiness of man here and his greater happiness hereafter – with all these blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow-citizens – a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

About to enter, fellow-citizens, on the exercise of duties which comprehend everything dear and valuable to you, it is proper you should understand what I deem the essential principles of our Government, and consequently those which ought to shape its Administration. I will compress them within the narrowest

compass they will bear, stating the general principle, but not all its limitations. Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the State governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against antirepublican tendencies; the preservation of the General Government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad; a jealous care of the right of election by the people – a mild and safe corrective of abuses which are lopped by the sword of revolution where peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority, the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia, our best reliance in peace and for the first moments of war till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information and arraignment of all abuses at the bar of the public reason; freedom of religion, freedom of the press, and freedom of person under the protection of habeas corpus, and trial by juries impartially selected. These principles form the bright constellation which has gone before us and guided our steps through an age of revolution and reformation. The wisdom of our sages and blood of our heroes have been devoted to their attainment. They should be the creed of our political faith, the text of civic instruction, the touchstone by which to try to services of those we trust; and should we wander from them in moments of error or of alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety.

I repair, then, fellow-citizens, to the post you have assigned me. With experience enough in subordinate offices to have seen the difficulties of this the greatest of all, I have learnt to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation and the favor which bring him into it.

Without pretensions to that high confidence you reposed in our first and greatest revolutionary character, whose preeminent services had entitled him to the first place in his country's love and destined for him the fairest page in the volume of faithful history, I ask so much confidence only as may give firmness and effect to the legal administration of your affairs. I shall often go wrong through defect of judgment. When right, I shall often be thought wrong by those whose positions will not command a view of the whole ground. I ask your indulgence for my own errors, which will never be intentional, and your support against the errors of others, who may condemn what they would not if seen in all its parts. The approbation implied by your suffrage is a great consolation to me for the past, and my future solicitude will be to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.

Relying, then, on the patronage of your good will, I advance with obedience to the work, ready to retire from it whenever you become sensible how much better choice it is in your power to make. And may that Infinite Power which rules the destinies of the universe lead our councils to what is best, and give them a favorable issue for your peace and prosperity.

GLOSSARY

Anti-federalists

Opponents of the United States Constitution during the debate over its ratification (1787-1788).

Country ideology

Also called opposition ideology. Historians' term for the attitudes, opinions and anxieties of certain eighteenth-century English political writers critical of the English political and financial establishment, convinced that executive ("court party") patronage had damagingly corrupted the English Parliament.

Electoral college

The method of electing United States presidents, set out in Article II of the Constitution.

Federalists

Advocates and supporters of the United States Constitution during the debate over its ratification (1787-1788). In the 1790s, the party that supported the policies of the administrations of Presidents Washington and Adams.

Funding

Providing specific revenues to pay regular interest on a public debt.

Jacobin

During the French Revolution, a group advocating the pursuit of extreme egalitarianism, in the name of the people but by an unaccountable elite using terrorist methods.

Loyalists

British North American colonists who, during the American Revolution, opposed American independence and remained loyal to Britain.

Opposition ideology

See country ideology.

Parties of interest

Political science term for political parties that are animated mainly by the prospect of influencing public policy to protect or to promote particular economic interests.

Parties of principle

Political science term for political parties that are animated mainly by the prospect of influencing public policy to protect or to promote political principles, programs, or sets of policies.

Party government

The openly acknowledged and publicly respectable practice of parties organized to compete for office, with the right of such parties to influence or to control government policy.

Patriots

American advocates and supporters of the independence of the United States from Britain, before and during the American Revolution.

Republicans

Members and supporters of the political party organized by Thomas Jefferson and James Madison in the first American party system (1790s-1820s). Later also the name of the (new) party that brought Abraham Lincoln to the presidency in 1861. (When not capitalized, the word “republican” means advocating or having to do with republican government.)

Republic, republican government

A government in which all offices are directly or indirectly filled by elections by the people, rather than by inheritance. In other words, a representative democracy.

Second party system

The period of party competition in the United States from the 1830s to the 1850s, during which the major parties were Whigs and Democrats (replacing the Federalists and Republicans of the first party system).

Sedition

Actions or words inciting rebellion against a government.

Tory

Originally, English political groups who opposed the right of Parliament to exclude a Catholic as king (1681); later, the English party eventually called the Conservative party. In the United States, a loyalist during the American Revolution.

Whig

Originally referred to the political forces in England who opposed the succession of a Catholic to the English throne (1681), and who insisted on the rights of Parliament versus the monarch, especially in determining the country's established religion. In the United States, "Whig" was the equivalent of "Patriot" during the American Revolution, and later the name of one of the two major parties during the second party system, indicating that party's suspicion of executive (presidential) power.

PRIMARY SOURCES

Below are the editions of works that are the most readily available and also the most reliable.

Colonies to Nation, 1763-1789: A Documentary History of the American Revolution, edited by Jack P. Greene

This collection of pamphlets, official government statements, and personal letters from the revolutionary period shows how the colonists pressed for independence from English rule and finally established the union.

Records of the Federal Convention (3 vols.), edited by Max Farrand
Farrand's Records gathers into three volumes all the records written by participants of the Constitutional Convention of 1787. The records appear in various abridged versions.

The Federalist Papers, edited by Clinton Rossiter and Charles Kesler

The Federalist, or *The Federalist Papers*, consists of a series of newspaper essays written in 1787-88 by James Madison, Alexander Hamilton, and John Jay advocating New York's ratification of the Constitution. It remains the most thoughtful and thorough study of the Constitution ever written. The most essential essays to read are numbers 1, 9, 10, 11, 39, 49, 51, 70, and 78.

Debate on the Constitution (2 vols.), edited by Bernard Bailyn
Speeches, newspaper articles, pamphlets and letters from 1787 and 1788 show the energy and elegance of the debate over ratification of the Constitution.

George Washington: A Collection, edited by W.B. Allen

Thomas Jefferson: Writings: Autobiography, Notes on the State of Virginia, Public and Private Papers, Addresses, Letters, edited by Merrill D. Peterson.

James Madison: Writings, edited by Jack Rakove

American Political Writing During the Founding Era, 1760-1805, edited by Charles Hyneman and Donald Lutz

This comprehensive and useful two-volume set contains essays, speeches, and pamphlets from little-known as well as famous leaders of the founding era.

The Founders' Constitution (5 vols.), edited by Philip B. Kurland and Ralph Lerner

This massive set examines the political arguments in forming the Constitution through judicious editing of primary source material. On CD-ROM.

SECONDARY SOURCES

A selection of the leading historical studies, one-volume biographies, and other readily available works about the first decades of America and the savior of the principles of the Declaration of Independence and the Constitution, Abraham Lincoln. More detailed information may be found on www.founding.com and through www.claremont.org.

The Birth of the Republic, 1763-1789, by Edmund Morgan

The best brief history of this period.

History of the United States of America During the Administrations of Thomas Jefferson and James Madison, by Henry Adams

This Library of America edition is the standard history of this period, written with verve and wit by President John Adams' great-grandson.

Vindicating the Founders: Race, Sex, Class, and Justice in the Origins of America, by Thomas G. West

This groundbreaking book refutes directly the pernicious modern school of scholarship that portrays America's founders as racist, sexist, and elitist hypocrites.

On Faith and Free Government, edited by Daniel C. Palm
 These essays and documents explain the Founders' view that religion is compatible with, and even necessary to liberal democracy.

Republics Ancient and Modern (3 vols.), by Paul A. Rahe
 The American Founding is impossible to understand apart from its roots in ancient and modern political philosophy. Massive notes and bibliography.

Founding Father: Rediscovering George Washington, by Richard Brookhiser
 An elegant brief study of Washington, modeled after Plutarch's *Lives*.

A Sacred Union of Citizens, by Matthew Spalding and Patrick Garrity
 A thorough and thoughtful treatment of George Washington's Farewell Address and its influence throughout American history.

Thomas Jefferson and the New Nation, by Merrill D. Peterson

The Sacred Fire of Liberty: James Madison and the Founding of the Federal Republic, by Lance Banning

Alexander Hamilton: A Biography, by Forrest McDonald

Abraham Lincoln, Lord Charnwood, introduction by Peter Schramm. Originally published in 1917, this remains the best one-volume biography.

Alexis de Tocqueville, *Democracy in America*, edited by Harvey C. Mansfield and Delba Winthrop

The French political philosopher and statesman Alexis de Tocqueville produced what remains a profound commentary on the American character. Written in the 1830s, this very readable work appears in several paperback editions. This more recent

edition by Mansfield and Winthrop, however, is the most authoritative.

Abraham Lincoln: His Speeches and Writings, edited by Roy P. Basler. This is the best one-volume edition of his works.

Abraham Lincoln, *Writings*, edited by Don E. Fehrenbacher (2 vols.)

Collected Works, edited by Roy P. Basler (9 vols.)

Lincoln-Douglas Debates, edited by Robert W. Johannsen

For splendor and profundity, no commentator on the nation's founding compares with Abraham Lincoln. See especially his Perpetuation Address (January 27, 1838), Dred Scott speech (June 26, 1857), Cooper Union Address (February 27, 1860), First Inaugural (March 4, 1861), Gettysburg Address (November 19, 1863), and Second Inaugural (March 4, 1865).

Crisis of the House Divided: An Interpretation of the Issues in the Lincoln-Douglas Debates, by Harry V. Jaffa

This indispensable work explains the issues central to the Lincoln-Douglas debates and the clash between popular sovereignty and natural rights that was at the center of the debate over slavery.

A New Birth of Freedom: Abraham Lincoln and the Coming of the Civil War, by Harry V. Jaffa

Forty years in the making, this is Jaffa's sequel to *Crisis*. Here he skillfully illuminates Lincoln's understanding of self-government, equality and statesmanship, setting them in the context of world history.