New Nation Worksheet
(Ch 10-12)
(You may want to use a separate sheet of paper). For each of the following, provide a detailed description of the event, person, concepts, etc… including the SIGNIFICANCE of each item. Please answer each of these after reading the chapters in the text. The glossary will not provide the context that you will need when we do the second part of this activity.

1. Washington's Presidency

2. Judiciary Act 1789

3. Hamilton's Trickle Down Theory

4. Nature of Man

5. Whiskey Excise Tax / Whiskey Rebellion

6. French Revolution / Neutrality Proclamation 1793

7. Reign of Terror 1793

8. Assumption of State Debts by National Gov't

9. Jay's Treaty (FA)

10. Pinckney’s Treaty (FA)

11. XYZ Affair
12. Washington's Farewell Address

13. Election of 1796

14. Election (Revolution) of 1800

15. National Debt

16. Tariffs and Trade

17. Constitutional Interpretation  (Strict or Loose)

18. Western Lands

19. 12th Amendment

20. Currency issues


22. Kentucky VA resolutions

23. Bank of the United States

24. Midnight Judges / Marbury vs. Madison
25. Tripolitan Wars

26. Toussaint L'Overture / Louisiana Purchase 1803

27. Lewis and Clark Expedition / Corps of Discovery

28. Aaron Burr vs. Alexander Hamilton

29. Impressment

30. Chesapeake Affair

31. Orders in Council

32. Embargo Act 1807

33. Non-Intercourse Act 1809

34. Macon's Bill #2

35. Tecumseh / Battle of Tippecanoe

36. 12th Congress War Hawks

37. War of 1812 (Causes, theatres, results, etc…)
38. Hartford Convention

39. Treaty of Ghent 1815

40. Rush-Bagot Agreement

41. Post war surge in American Nationalism (Nascent Nationalism)

42. American System

43. Tariff of 1816

44. Panic of 1819

45. Tallmadge Amendment

46. Missouri Compromise 1820

47. Marshall Court Significance

48. Florida Purchase Treaty (Adams Onis Treaty) 1821

49. Monroe Doctrine 1823

50. Russo-American Treaty 1824
### Hamilton – Jefferson Matrix

<table>
<thead>
<tr>
<th></th>
<th>Alexander Hamilton</th>
<th>Thomas Jefferson</th>
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<tr>
<td></td>
<td>(Federalists)</td>
<td>(Democratic-Republican)</td>
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<td>Secretary of the</td>
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<td><strong>Personal Descriptions</strong></td>
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<td><strong>Supporters</strong></td>
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<tr>
<td><strong>How to deal with National Debt</strong></td>
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<td>(Created by sale of bonds during Revolution)</td>
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<td><strong>Views on National Bank</strong></td>
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<tr>
<td><strong>Constitutional Interpretation</strong></td>
<td>Loose Interpretation:</td>
<td>Strict Interpretation:</td>
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<td>(Erupted over idea of National Bank)</td>
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Hamilton – Jefferson Matrix

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<th>Alexander Hamilton (Federalists)</th>
<th>Thomas Jefferson (Democratic-Republican)</th>
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<tr>
<td>Power of Government</td>
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<td>Foreign Affairs</td>
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Identify and describe each of the following:

- List some of Hamilton’s pro-business policies:

- What is assumption and why was it such a big issue between Jefferson and Hamilton?

- What were the Alien and Sedition Acts? WHY were they passed and by whom?

- What were the Virginia Resolutions? What were the Kentucky Resolutions? Why are these significant and what do they say about the strength of the new government?

- What was the situation in Europe between Britain and France? How did it affect the US in trade? How did it affect American politics?
How the Electoral College Works

The current workings of the Electoral College are the result of both design and experience. As it now operates:

- Each State is allocated a number of Electors equal to the number of its U.S. Senators (always 2) plus the number of its U.S. Representatives (which may change each decade according to the size of each State's population as determined in the Census).
- The political parties (or independent candidates) in each State submit to the State's chief election official a list of individuals pledged to their candidate for president and equal in number to the State's electoral vote. Usually, the major political parties select these individuals either in their State party conventions or through appointment by their State party leaders while third parties and independent candidates merely designate theirs.
- Members of Congress and employees of the federal government are prohibited from serving as an Elector in order to maintain the balance between the legislative and executive branches of the federal government.
- After their caucuses and primaries, the major parties nominate their candidates for president and vice president in their national conventions traditionally held in the summer preceding the election. (Third parties and independent candidates follow different procedures according to the individual State laws). The names of the duly nominated candidates are then officially submitted to each State's chief election official so that they might appear on the general election ballot.
- On the Tuesday following the first Monday of November in years divisible by four, the people in each State cast their ballots for the party slate of Electors representing their choice for president and vice president (although as a matter of practice, general election ballots normally say "Electors for" each set of candidates rather than list the individual Electors on each slate).
- Whichever party slate wins the most popular votes in the State becomes that State's Electors-so that, in effect, whichever presidential ticket gets the most popular votes in a State wins all the Electors of that State. [The two exceptions to this are Maine and Nebraska where two Electors are chosen by statewide popular vote and the remainder by the popular vote within each Congressional district].
- On the Monday following the second Wednesday of December (as established in federal law) each State's Electors meet in their respective State capitals and cast their electoral votes—one for president and one for vice president.
- In order to prevent Electors from voting only for "favorite sons" of their home State, at least one of their votes must be for a person from outside their State (though this is seldom a problem since the parties have consistently nominated presidential and vice presidential candidates from different States).
- The electoral votes are then sealed and transmitted from each State to the President of the Senate who, on the following January 6, opens and reads them before both houses of the Congress.
- The candidate for president with the most electoral votes, provided that it is an absolute majority (one over half of the total), is declared president. Similarly, the vice presidential candidate with the absolute majority of electoral votes is declared vice president.
- In the event no one obtains an absolute majority of electoral votes for president, the U.S. House of Representatives (as the chamber closest to the people) selects the president from among the top three contenders with each State casting only one vote and an absolute majority of the States being required to elect. Similarly, if no one obtains an absolute majority for vice president, then the U.S. Senate makes the selection from among the top two contenders for that office.
- At noon on January 20, the duly elected president and vice president are sworn into office.

Occasionally questions arise about what would happen if the presidential or vice presidential candidate died at some point in this process. For answers to these, as well as to a number of other "what if" questions, readers are advised to consult a small volume entitled After the People Vote: Steps in Choosing the President edited by Walter Berns and published in 1983 by the American Enterprise Institute. Similarly, further details on the history and current functioning of the Electoral College are available in the second edition of Congressional Quarterly's Guide to U.S. Elections, a real goldmine of information, maps, and statistics.
1. The 538 winning electors assemble in their state capitals (and Washington, D.C.) in December and cast their votes for President. Each state gets one elector for each of its members of the House of Representatives and one for each of its senators. Washington, D.C. gets three also. (2 Senators + 1 Representative = 3 minimum)

It takes a simple majority (more than half) to win

$$\frac{538}{2} + 1 = \text{Electoral College Majority}$$

2. If the population of the United States is about 285 million, and there are 435 representatives, approximately how many citizens would each represent?

$$\frac{265,000,000}{435}$$

3. If each state has at least one representative, how many citizens would it take to get another representative? (435 — 50 = 385)

$$\frac{265,000,000}{385}$$

4. Identify states (and the District of Columbia) which have only the minimum of 3 electors.

5. Identify the states that have only four electors.

6. Categorize by section of the country the above states (or district).

WEST    CENTRAL    SOUTH    EAST
7. Try to name the FEWEST states it would take for the electoral count to reach 270 votes. Start with the states with the largest number of electoral votes.

<table>
<thead>
<tr>
<th>VOTES</th>
<th>STATE</th>
<th>WEST</th>
<th>CENTRAL</th>
<th>EAST</th>
<th>SOUTH</th>
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<tbody>
<tr>
<td>1</td>
<td>California</td>
<td>X</td>
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TOTALS

8. The smallest number of states needed to elect a President is _____?

9. It is 8pm in the Eastern Time Zone and the polls just closed. How many electoral votes is it possible for one candidate to have won in this one time zone?

TOTAL ELECTORAL VOTES in the Eastern Time Zone _____

Identify the states contributing those votes:

10. List the total votes for each section of the country. Which section of the country has the greatest number of electoral votes?

WEST CENTRAL SOUTH EAST
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<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>9</td>
<td>Missouri</td>
<td>11</td>
</tr>
<tr>
<td>Alaska</td>
<td>3</td>
<td>Montana</td>
<td>3</td>
</tr>
<tr>
<td>Arizona</td>
<td>10</td>
<td>Nebraska</td>
<td>5</td>
</tr>
<tr>
<td>Arkansas</td>
<td>6</td>
<td>Nevada</td>
<td>5</td>
</tr>
<tr>
<td>California</td>
<td>55</td>
<td>New Hampshire</td>
<td>4</td>
</tr>
<tr>
<td>Colorado</td>
<td>9</td>
<td>New Jersey</td>
<td>15</td>
</tr>
<tr>
<td>Connecticut</td>
<td>7</td>
<td>New Mexico</td>
<td>5</td>
</tr>
<tr>
<td>Delaware</td>
<td>3</td>
<td>New York</td>
<td>31</td>
</tr>
<tr>
<td>D.C.</td>
<td>3</td>
<td>North Carolina</td>
<td>15</td>
</tr>
<tr>
<td>Florida</td>
<td>27</td>
<td>North Dakota</td>
<td>3</td>
</tr>
<tr>
<td>Georgia</td>
<td>15</td>
<td>Ohio</td>
<td>20</td>
</tr>
<tr>
<td>Hawaii</td>
<td>4</td>
<td>Oklahoma</td>
<td>7</td>
</tr>
<tr>
<td>Idaho</td>
<td>4</td>
<td>Oregon</td>
<td>7</td>
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<tr>
<td>Illinois</td>
<td>21</td>
<td>Pennsylvania</td>
<td>21</td>
</tr>
<tr>
<td>Indiana</td>
<td>11</td>
<td>Rhode Island</td>
<td>4</td>
</tr>
<tr>
<td>Iowa</td>
<td>7</td>
<td>South Carolina</td>
<td>8</td>
</tr>
<tr>
<td>Kansas</td>
<td>6</td>
<td>South Dakota</td>
<td>3</td>
</tr>
<tr>
<td>Kentucky</td>
<td>8</td>
<td>Tennessee</td>
<td>11</td>
</tr>
<tr>
<td>Louisiana</td>
<td>9</td>
<td>Texas</td>
<td>34</td>
</tr>
<tr>
<td>Maine</td>
<td>4</td>
<td>Utah</td>
<td>5</td>
</tr>
<tr>
<td>Maryland</td>
<td>10</td>
<td>Vermont</td>
<td>3</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>12</td>
<td>Virginia</td>
<td>13</td>
</tr>
<tr>
<td>Michigan</td>
<td>17</td>
<td>Washington</td>
<td>11</td>
</tr>
<tr>
<td>Minnesota</td>
<td>10</td>
<td>West Virginia</td>
<td>5</td>
</tr>
<tr>
<td>Mississippi</td>
<td>6</td>
<td>Wisconsin</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wyoming</td>
<td>3</td>
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While the Marshall Court handed down many decisions on a variety of issues, two themes stand out in this series of cases. One major theme is the dominance of national power over state power. The other is the sanctity of contracts and private property rights. In the first four cases explained below, you should see the emergence of a strengthened national government over that of the states.

**Marbury v. Madison:** (1803)

**Background:** In 1801, after Jefferson’s election but before his inauguration, a Federalist Congress and John Adams, as the outgoing “lame-duck” president, devised a plan to maintain Federalist control of at least one branch of government, the Judiciary. Congress passed the Judiciary Act of 1801, establishing a number of new lower federal courts, and therefore creating a need to appoint new judges to sit on these courts. Adams, literally on the eve of his departure from office, made these judicial appointments, called by critics, the “midnight” judges. Jefferson, a Republican President, was determined not to fulfill these appointments and ordered his Secretary of State, James Madison, not to deliver the appointments. Jefferson planned to ask the newly elected Republican majority in Congress to repeal the Judiciary Act of 1801, thereby deleting the judgeships. One of the Federalist Judge-appointees, Marbury, sued Madison for failure to deliver the judgeship appointment and the case was heard before the Marshall court. In effect, Marbury was requesting that the court issue a Writ of Mandamus – a court order ordering someone to do something – in this case ordering Madison to deliver the judgeship. While Supreme Court decisions are made by majority decision, the Supreme Court Justice, when voting with the majority, usually writes the “majority opinion” explaining the reasoning behind the decision. These “opinions” often have great influence in establishing precedents that affect decision making in future cases.

**Decision:** Marshall, and a majority of the Court, ruled against Marbury. In the majority opinion Marshall stated that while the Judiciary Act of 1789 gave the court the power to issue such a writ, the act itself expanded the Court’s original jurisdiction beyond what the Constitution intended it to be. He therefore declared the act to be unconstitutional.  

**Precedent:** The case established the precedent of Judicial Review meaning that the Supreme Court from this point on would be the body holding the responsibility for deciding whether acts of Congress are constitutional. The Constitution was unclear on this issue, and the states of Virginia & Kentucky had taken it upon themselves to declare the Alien & Sedition Acts to be unconstitutional. If that precedent had continued, we would have been faced with the danger of states picking and choosing which acts of Congress they wished to obey. The Supreme Court, based on the precedent set by this decision, would now be the sole judge of the constitutionality of Congressional law, and states would be bound to follow all laws upheld by the Supreme Court.

**McCulloch v. Maryland:** (1819)

**Background:** The Second Bank of the Unites States, chartered as part of the American System, had established branch banks in a number of locations. The state of Maryland levied a state tax on the Maryland branch of the National Bank. The branch manager, McCulloch, refused to pay the tax and sued for redress in the Supreme Court.

**Issues:** A major issue, of course, was whether the states can tax branches of the national government. But before rendering that decision, the Court had to decide whether, indeed, the national bank was constitutional.

**Decision:** Marshall, again writing the majority opinion, found the bank to be within the powers implied by the necessary and proper clause for carrying out its duties to coin money and regulate its value. Additionally, Marshall argued, since the power to tax is the power to destroy, states may NOT tax branches of the national government.

**Precedents:** By taking a broad interpretation of the “necessary and proper clause,” Marshall gave support to the use of implied powers in this and other cases. Additionally, by striking down a state law as a violation of national power, he supported the precedent, already established, of Judicial Review over state laws, and the supremacy of national power over that of the state.

**Cohens v. Virginia:** (1821)

**Background:** Cohens, convicted of illegal lottery ticket sales in the state of Virginia, appealed his conviction to the Supreme Court. This case did not involve a national law; Cohens had violated a state law and had been convicted in a state court.

**Decision/Precedent:** The Marshall Court upheld the Virginia Court’s guilty verdict. However, by agreeing to hear the case in the first place, the Supreme Court was establishing the precedent that the National Court can hear appeals from the states, even when no national law is at stake. This case firmly established the Federal Courts jurisdiction and authority above that of the states.

**Gibbons v. Ogden:** (1824)
Background: Ogden had been granted a monopoly over riverboat passenger service between New York and New Jersey across the Hudson River. Meanwhile, Gibbons was granted a license by Congress to operate a transport service across the Hudson. Ogden felt his monopoly was being violated and sued Gibbons in the New York State courts. Ogden won, but Gibbons appealed to the Supreme Court based on the idea that transportation across the Hudson constituted “interstate” commerce, and that one state had no right to regulate such activities.

Decision/Precedent: Marshall, again writing the majority opinion, took a “broad” view of commerce. While some argued that only the buying and selling of “goods,” not the transportation of people, constituted commerce, Marshall interpreted commerce to include the movement of people, as well as goods, between the states. Since the Constitution is clear in its assignment of regulatory powers over interstate commerce to the federal government, Marshall argued, the New York law granting a monopoly over such commerce was unconstitutional. Thus, Marshall again was taking a broad view of the Constitution and of the right of federal courts to overrule state courts. This decision was helpful in promoting interstate trade as it authorized the federal government to strike down state barriers to such trade.

Another area of concern before the Marshall Court, was the issue of the sanctity of contracts and private property rights. These decisions ensured businessmen that deals they entered into were indeed secure and couldn’t be changed at a later date, thus encouraging business development.

Flethcher v. Peck: (1810)

Background: In 1795, the Georgia legislature issued a large tract of land in the Ohio Valley to a group of land speculators, the Yazoo Land Company. It was later revealed that fraud had been involved in the granting of those holdings and an attempt was made by a subsequent Georgia legislature to correct that wrong by revoking the grants. Meanwhile, much of the land had been sold to individuals who would have been adversely affected by such a decision.

Decision: Marshall and the majority of justices ruled that a contract is a contract, no matter what the circumstance that surrounded its negotiation. The state law negating the contract was ruled an unconstitutional impairment of the contract.

Court Reversal: It should be pointed out that in recent years, the Court has moved to protect us from fraud by ruling that fraudulently secured contracts may be broken. If you enter a contract based on information provided by the other party, which turns out to be fraudulent, and you can demonstrate that you took reasonable steps to “check out” that information, you can be excused from your obligations under the contract.

Precedent: States may not pass laws impairing the sanctity of contracts already entered into. It also demonstrated that Marshall put the rights of property owners above the “passions” of the popular majority (public outcry had led the legislature to revoke the grants). This was also the first case in which a state law was ruled invalid by the Supreme Court, thus establishing the precedent of Judicial Review of state laws.

Dartmouth College v. Woodward: (1819)

Background: The charter of Dartmouth College had been granted by King George III, in 1769, during colonial rule. In 1819, the state of New Hampshire attempted to revise the charter making the private college a state university. Dartmouth appealed, arguing that its charter was a contract, and that a change in the status of the government, from King to State, did not invalidate the contract.

Decision: The Court upheld the sanctity of the Dartmouth contract. Marshall argued that a change in the nature of the government does not invalidate the contract; i.e. popular majorities cannot alter contracts entered into by individual parties.

Conclusion:
In all of these cases, Marshall moved to strengthen the role of the U.S. government over both states and individuals. By allowing a branch of the federal government (rather than the states) to be the referee of constitutionality of laws (judicial review), by giving support to a broad interpretation of implied powers, and by supporting national policies over state laws, he enlarged the role and power of the federal government. By upholding property rights and the sanctity of contracts against attempts at interference by popular majorities in the states, he not only strengthened the role of the federal government in striking down state actions, but strengthened the growth of a national economy by encouraging the growth and security of the business community. Remember that the Marshall Court fits into that time period of growing nationalism around the period of the War of 1812 and the post-war euphoria. Keep in mind also, that states’ rights advocates had growing concerns about this growth of national power. As southern states began to see their interests threatened by the growing dominance of the industrial North in Congress, and by Congressional actions upheld by these Supreme Court decisions, a Constitutional crisis began to develop.
I. Marbury vs. Madison

a. Who were the “midnight judges”?

b. Who appointed them? Why?

c. What position did Jefferson take on the issue? Why?

d. Who were Marbury and Madison?

e. How did the issue reach the Supreme Court?

f. What decision did the coach reach?

g. What precedent was established by this case? Explain the term “judicial review.”

II. McCullough v. Maryland

a. What action did Maryland take regarding the bank of the U.S.

b. Who was McCullough and what action did he take?

c. What two issues had to be decided by the Supreme Court?

d. What was the courts ruling on each issue?

e. What two precedents were established?
III. *Cohens v. Virginia*

a. What was the specific issue in the case?

b. What was the broader issue?

c. What was the court’s decision?

d. What precedent was established?

IV. *Gibbons vs Ogden*

a. Find the Hudson River on the map of the U.S.

b. Explain the roles played by Gibbons and Ogden in this case.

c. Why was this case considered within the jurisdiction of the federal court?

d. How did the Marshall Court interpret the meaning of Commerce? Why was this interpretation significant to this case?

e. What two significant developments were supported by this decision?

V. *Fletcher vs. Peck*

a. What transaction transpired between the Yazoo Land Company and the State of Georgia? Why did Georgia revoke (take back) the transaction?
b. What decision was made by the court? What reasoning did they offer? (Check precedent)

c. Explain the statement that “Marshall puts the rights of property owners above the ‘passions’ of the popular majority.”

d. What precedent regarding national powers was established?

e. How has this ruling been changed in recent years?

VI. Dartmouth College vs. Woodward

a. What was the basis of Dartmouth’s complaint against the state of New Hampshire?

b. What was the court’s ruling?

c. How was the decision similar to Fletcher vs. Peck?

VII. General Information

a. How many supreme court justices are there?

b. How many votes does it take to make a ruling?

c. What is the role of the Chief Justice?

d. What is John Marshall?
e. **Cite three actions that strengthened the National Government in its relationship with the states?**
   
   i.  

   ii.  

   iii.  

f. How did Marshall’s rulings promote the growth of the national economy?

h. Explain how these rulings demonstrate checks and balances.

i. Explain how these rulings demonstrate the role of the courts in “interpreting” the law and Constitution.

j. How do these rulings demonstrate the supremacy of the National Government over the states?
Jefferson’s Embargo

Thomas Jefferson envisioned a peaceful, agrarian society that used diplomacy, rather than military might, to execute America’s foreign policy. Jefferson believed that a large standing army was an invitation to dictatorship, and he drastically reduced the size of both the American Army and Navy. However, events in the Mediterranean quickly challenged Jefferson’s decision and forced him to re-evaluate his philosophy about the use of force.

On the Barbary Coast of North Africa, rulers of Algiers, Morocco, Tunis, and Tripoli extorted money from countries wishing to send cargo ships through their waters. For years, American shipping was safe because Britain regularly paid the pirates. However, after the Revolution, American vessels were no longer protected by British payments of tribute, and the leaders of the new American government agreed to take over payment of the protection money. Ironically, it was during this same time that the French demanded a bribe from America to meet with Foreign Minister Talleyrand. Colonists, angry at the attempted extortion, cried “millions for defense but not one cent for tribute.”

In 1801, the pasha of Tripoli increased the tribute demanded for safe passage. When Jefferson refused to pay, Tripoli declared war on the United States, and the president reluctantly sent warships to Tripoli. The American frigate Philadelphia was eventually captured and its men held hostage. After four years of sporadic fighting, Jefferson finally negotiated a treaty with Tripoli. For $60,000, the captured Americans were released. To make sure that the weapons on the Philadelphia could not be used against Americans, Lieutenant Stephen Decatur slipped on board the ship and set it ablaze.

Jefferson reassessed his decision to scale back the military and ordered several small gunboats that critics nicknamed “Jeffs” or the “mosquito fleet.” The undersized boats were fast but featured just one gun. Jefferson believed that the boats could effectively guard the American coastline but were not intimidating enough to lure the country into international incidents on the high seas.

In 1803, American shipping became entangled in European hostilities when Napoleon revived his war with England. The American Navy, which was no match for the heavily armed English and French, could offer only limited protection for American merchants. While both England and France captured American ships, it was the English who forced the detained American sailors to fight for the Royal Navy. For the next several years, England impressed more than one thousand Americans each year. The actions of the British angered United States citizens, and calls for retaliation intensified.

In the summer of 1807 off the coast of Virginia, the crew of the British frigate Leopard stopped the American ship Chesapeake and demanded to search it. When the captain refused to obey the orders, the British warship opened fire, killing three Americans and injuring several more. When Jefferson learned of the incident, he ordered all British ships to leave U.S. territorial waters. The British, however, responded with even more aggressive searches.

Jefferson set in motion his idea of “peaceable coercion” by encouraging Congress to pass the Embargo Act of 1807, which stopped all exports of American goods. Jefferson reasoned that both England and France relied heavily on American products and would be forced to work with the United States. Lax enforcement of the act along with alternate sources of products provided by Latin America ruined Jefferson’s plan. The embargo actually did more harm than good because American farmers and manufacturers had no outlets to sell their goods.
Jefferson’s popularity plunged and the Federalist Party began to make a resurgence as voters eyed the upcoming election. Critics shouted that Jefferson’s decisions damaged the economy and left America unprotected. The president finally conceded defeat and repealed the embargo during his last days in office. Congress then passed the Non-Intercourse Act, which reopened trade with all countries except France and England.

**Election of Madison**

Jefferson tired of the rigorous demands of America's highest office and left the presidency after two terms. During the election of 1808, he supported the nomination of Secretary of State James Madison. The two Virginians shared many characteristics and ideals. Both men relied more on their intellect and writing skills than on their speaking abilities, and both favored negotiating techniques over military supremacy. Although the embargo was unpopular with Americans, Madison and the Republican Party still captured an overwhelming number of votes, finishing strong in the South and West to win the election.

The new president inherited a government that was operating at a deficit and strained by tense foreign relations. The war between France and Britain saddled Americans with a number of restrictions. The British, acting under the “Orders in Council,” punished Americans who traded directly with France, and the French punished Americans who traded with Britain under orders referred to as the “Milan Decree.”

To revive the sluggish economy, Congress passed a bill introduced by Representative Nathaniel Macon of North Carolina. Labeled “Macon's Bill No. 2,” the measure eliminated all restrictions on commerce with France and England. It also stated that if either France or England revoked its sanctions against the U.S., America would re-establish its embargo against the other nation. Napoleon agreed to lift the French sanctions, and Madison restored the embargo against England. However, the French ruler never intended to follow through on his promise. He wanted to make America create a blockade against England so he could avoid involving his own forces. Madison realized that the embargo ended America's neutrality, and war with Britain was now a distinct possibility.

Relations with England continued to deteriorate when many Americans, mostly those located in the western territory, accused the British of inciting Indian resistance. Settlers encountered hostile Indians intent on recovering land they believed was stolen. The leaders behind the latest revolt were Shawnee chief Tecumseh and his brother Tenskwatawa, known as “The Prophet” because he claimed to have religious visions. The two worked to unify the tribes east of the Mississippi against the white "invaders."

In late 1811, William Henry Harrison, governor of Indiana Territory, assembled a small army and advanced on Prophet Town, a settlement located at the junction of the Wabash and Tippecanoe Rivers that served as headquarters for the Indians. While Tecumseh traveled to recruit followers, Tenskwatawa and a few braves attacked Harrison and his men. Although the Indians were overpowered, the Battle of Tippecanoe pushed Tecumseh to join forces with Britain against the United States. In the end, it was the Americans who actually helped the British-Indian alliance become reality. Britain's constant attempts to challenge U.S. authority and destabilize the unity of the states angered Americans and pushed the United States closer to war.

Support for Jefferson's strategy of peaceful coercion to manage international affairs began to weaken. War, Madison believed, was necessary to defend the future of the republican experiment and to prove to the world the viability of democracy as a form of government. On June 1, 1812, Madison asked Congress to declare war on England. After two weeks of debate, Congress narrowly approved his request.

The vote divided the House and the Senate. Republicans in the south and west backed their president's decision to use force, while Federalists in New England questioned the judgment to engage the largest navy in the world in battle. Many Federalists, intent on making sure that Madison's plan failed, secretly provided British troops
with food, supplies, and money. New England governors even refused to allow their militia to serve outside their own states. The president was feeling pressure from both the enemy and his own countrymen.

In Europe, Napoleon's control of commercial outlets left England's economy in dire straights. Manufacturers pleaded for the repeal of the Orders in Council so they would once again have access to the American market. Lord Castlereagh, England's new foreign secretary, finally agreed to suspend the Orders. However, the decision came five days after Congress voted for war.

The War

While Republicans, for the most part, still backed Jefferson's foreign policies, new elections were transforming the party. Older politicians who molded the Republican Party policy and put Jefferson and Madison in power were replaced by daring young go-getters, such as Henry Clay of Kentucky, who were intent on defending America's honor. These new leaders, called "War Hawks" by their Federalist opponents, were the primary force behind Madison's decision to call for war with Britain.

The War Hawks, who were interested in expansion westward and into Canada, were angry at British leaders for closing trade channels with America and considered Britain's treatment of American sailors illegal. They believed retaliation was necessary to gain respect from European leaders. In 1812, the United States entered into war with only a fraction of the manpower and weapons that Britain claimed.

To lead the Americans into battle, Madison relied on several veterans who served in the Revolution. However, these soldiers were now much older and far removed from battlefield experience. They lacked the training and discipline necessary to undertake a military campaign. An attempt to invade Canada failed when a large number of British troops, and a group led by Indian chief Tecumseh, overwhelmed American forces that were spread too thin.

As the war waged on, the American military became hardened by the experience of battle. In the fall of 1813, a fleet led by Captain Oliver Hazard Perry defeated British forces that controlled Lake Erie. As English troops retreated from Detroit, William Henry Harrison gave chase and defeated them at the Thames River. The battle was a turning point for the Americans because among the dead was Chief Tecumseh. Without their powerful leader, the Indians lost their will to fight, and the British military was forced to reconsider its strategy.

During the spring of 1814, British leaders launched a plan to end the war once and for all. An army of 11,000 men marched southward from Montreal while another group sailed from Jamaica to New Orleans to control the waterways. When the British troops reached Washington, they encountered little resistance and set the Capitol and the White House on fire. President Madison watched helplessly as Redcoats took souvenirs before the blaze grew out of control.

The group then moved on to Fort McHenry, where they fired more than 1,800 shells in just over 24 hours. Witnessing the continuous bombing was Francis Scott Key. Just before the attack, Key had sneaked on board a British ship in search of a captured doctor. Key kept his eyes on Fort McHenry, and on the American flag that flew over the fort, as rockets lit up the night sky. When daylight arrived, Key peeked out from his cover to see the Stars and Stripes still waving. The Americans had successfully defended their ground. Moved by the scene, Key scribbled his thoughts on the back of an old letter. Eventually, the notes became "The Star Spangled Banner," a song the United States would adopt as its national anthem.

Later that year, the British planned another attempt to overtake New Orleans. An armada of 60 ships and 11,000 men, led by Major General Sir Edward Pakenham, set out from Jamaica to the mouth of the Mississippi. As the fleet sailed through swamps and bayous before approaching the city from the east, American farmers saw the ships and raced to inform General Andrew Jackson, who was in charge of defending the Gulf Coast. Jackson
quickly rallied his troops and ambushed the British fleet. The battle raged for weeks before Pakenham ordered his soldiers to advance on the Americans who had dug in just outside New Orleans. The American army, which consisted of soldiers, sailors, pirates, militiamen, and freed slaves, used a strategy of revolving firing lines to make sure that guns were always firing at the Redcoats. The British army was forced to retreat after it suffered more than 300 fatalities, including Major General Pakenham. The Battle of New Orleans was an overwhelming success for the Americans and made General Andrew Jackson a hero.

While fighting occurred across the United States, many defiant Federalists continued to protest against the war. Some extremists participated in illegal trade with British troops stationed in Canada; others went even further. The Hartford Convention was the meeting of radical New England Federalists who considered seceding from the Union. Some members proposed the creation of a New England Confederacy that would establish peace with England so trading could be reinstated. As the group planned its strategy to strike against the Republican-led Union, the leaders received news about a peaceful resolution to the war. Rumors about the plan to secede from the Union spread throughout the states, and Federalist support declined drastically.

In 1814, during the same time that England carried out its plan to defeat General Jackson and take control of New Orleans, an American delegation met with English representatives in the small Belgian city of Ghent to discuss the possibility for peace. Members of the American group included former secretary of the treasury Albert Gallatin; Speaker of the House of Representatives Henry Clay; former senator James Bayard; Jonathan Russell, minister to Sweden; and John Quincy Adams, son of John Adams and minister to Russia.

Confident that their army would be victorious, the British made several heavy-handed demands. For example, Britain wanted the United States to give nearly all of the Northwest Territory to the Indians and relinquish control of the Great Lakes and portions of Maine, but the Americans refused. After several days of negotiating, the British envoys received word of several defeats the English army had suffered in the United States and reconsidered their bargaining position.

The Treaty of Ghent, signed on Christmas Eve in 1814, was essentially a draw. It called for both the British and Americans to quit fighting and return conquered territory. It made no reference to the complaints that prompted the United States to declare war on Britain. Search and seizures, Orders in Council, and the impressment of American sailors were basically ignored, and both parties were content to agree to a truce. After the treaty was signed, ships were free to sail to any port, goods could be traded with any customer, and Royal Navy warships no longer patrolled the American coastline.

The War of 1812 began and ended on an ironic note. It began while American and British diplomats were on the verge of reaching accord, and its peace treaty was signed before America’s great victory at New Orleans had been fought. Even more ironic was the fact that the most meaningful consequence of this divisive conflict was an upsurge of nationalism that united Americans and led to the development of a national identity and agenda in the postwar years.

Article found at: http://www.apstudynotes.org/us-history/topics/war-of-1812/