

Dissenting Voices in America's Rise to Power

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 **CAMBRIDGE**
UNIVERSITY PRESS

Dissent

Jefferson's rapture was matched for intensity by the querulousness of Federalism, most pronounced in its New England redoubt. A Federalist newspaper in Boston railed that the new lands amounted to a desert, too desolate for cultivation, inhabited by savages, too expensive for the national treasury. Christopher Gore and George Cabot, party stalwarts in Massachusetts, hinted that fresh western tracts presaged the Union's disintegration along south-north and/or east-west political fault lines. The brilliant Fisher Ames fired from his farm in Dedham, Massachusetts: "Now, by adding an unmeasured world beyond that [Mississippi] river, we rush like a comet into infinite space. In our wild career, we may jostle some other world out of its orbit, but we shall, in every event, quench the light of our own." In less vivid language, Pickering marveled after Congress had voted treaty passage and funding: "The purchase of an immense territory which we did not want and at [steep] price."²²

Federalism in New England was on the defensive at the time of the Louisiana debate, albeit not routed as elsewhere in the country. All the New England states, except Connecticut, would support Jefferson in his bid for a second presidential term in the 1804 election. Even so, Federalism in 1803 was not vanquished, bolstered still by resentment that could mount resistance to – if not block – Republican initiatives. Federalist grievances were legion. They included objection to the three-fifths clause. It gave added electoral value to the slave-owning southern states, notably Virginia over Massachusetts, and, in the procedurally tortured 1800 election, Jefferson over John Adams.²³ Bitterness over the three-fifths clause fostered Federalist opposition to slavery with concomitant calls for its containment or abandonment. “Virginia people that preach about liberty and use their poor black devils like so many dogs” were routinely blasted in New England’s refrain.²⁴ Federalism’s preference for things British, borne by commercial connections to Atlantic trade, inclined the party to lump Jeffersonian Republicanism in the same infamy as French revolutionists. Curtailment of the Alien and Sedition Acts in 1801 seemed from this Federalist perspective to encourage Jacobins in the United States as the broad population could not distinguish falsehood from truth. The uncouth would prove gullible enough to believe Republican demagogues as they bludgeoned – first verbally, then perhaps literally – the representatives of prudence and civility. “The ravages of demoralizing democracy,” William Plumer’s words, would obliterate the US system. In the end – feared Plumer, Ames, et al. – Jefferson would install himself as president for life while “the empire of principles” succumbed to “the assaults of popular passions.” He would from his proud perch wage ruthlessness against the urban-merchant-intellectual elite.²⁵

Irredeemable flaws marked Jefferson, his adversaries charged, themselves slow to adopt the techniques needed to win in electoral politics. Critics mocked him as a moonshine philosopher. His membership in, and presidency of, the American Philosophical Society tarnished that august body’s luster. They circulated stories – then not fortified by DNA testing – of his liaison with the slave Sally Hemings. Ditties contained coarseness about Monticello’s “luscious lass,” thought libelous by Jefferson’s champions but gaily recited by the impertinent.²⁶

Federalist congressmen, such as Representative Roger Griswold (Connecticut), actually blamed the unreliability of the mail service on Jefferson – “democracy deranges everything” – while nursing private slight as when he failed to invite them to dine at the executive mansion.²⁷ The depth of partisan enmity was never better conveyed than in this invective from Pickering to Rufus King (March 1804), leader of New

York’s Federalism: “The cowardly wretch at [the Republican] head, while, like a Parisian revolutionary monster, prating about humanity, would feel an infernal pleasure in the utter destruction of his opponents. We have too long witnessed his general turpitude . . . and the substitution of corruption and looseness for integrity and worth.”²⁸

Revulsion for Jefferson and his administration got ample airing in Congress during Louisiana deliberations. New lands available for slavery aroused ire among the high Federalists and set them against acquisition. Their objection was based partly on moral grounds. Hillhouse declared: “I consider slavery as a serious evil, and wish to check it wherever I have authority.”²⁹ He therefore not only voted against Louisiana. He also introduced legislation that would have prohibited slavery’s expansion into the territory, observing by the way: “These slaves are men – they have the passions and feelings of men. And I believe if we were slaves, we should not be more docile, more submissive, or virtuous than the negroes are.”³⁰ Hillhouse also believed that the spreading of slavery would endanger national security. He opined that slaves in times of war would use such occasion to rebel. In tranquil times a standing army would be required to keep the peace in Louisiana. It would eventually teem with a species of desperate people. “If that country cannot be cultivated without slaves, it will instead of being a paradise prove a curse to this country,” Hillhouse warned, in which connection he mentioned the gory example of Saint Domingue.³¹ In advancing this line, he and other dissenters cited testimony by white refugees who had escaped to Louisiana with upsetting tales. Unruliness among radicalized black retainers spirited out of Saint Domingue added to the general unease in New Orleans, and was featured in the Federalist catalogue of objection. Yet these concerns did not delay the land purchase. Counter arguments overawed minority objection to pushing slavery westward: only Africans were capable of cultivating land in the steamy south (whites would suffocate from exertion in the heat); national commerce and prosperity, not just the southern economy, were entwined in the prospering of slavery; southern whites were within their rights to bring their chattels on the pioneer march. Rancorous talk from both sides of the Louisiana question made Plumer predict that slavery would one day split the nation.³²

Dissenters opposed the buying of Louisiana and expansion of slavery not for humanitarian reasons alone. Indeed, fair to say, practical political reasons dominated the minority viewpoint. It read application of the three-fifths formula in the new territory as erecting an obnoxious national majority and repudiating the original regional balance of north-south. For years to come the number of white citizens in the north might remain greater than in the south (plus west). But northerners would labor under

the liability of skewed apportionment as codified in the three-fifths provision. Nothing, then, could inhibit slave owning southern Republicans, abetted by western allies, from perpetuating the Jeffersonian legacy via their domination of Congress and the electoral college. The political influence of New England – other non-slave zones too – would be reduced and necessarily defer to a “Virginia dynasty.” The Jeffersonian regime, combining francophile slavocracy and democratic fever, would finally transform the United States into a polity deadly to Federalism. Its philosophical precepts and economic-social links to the Anglo-Atlantic world would drop to minor status.³³ Few Federalists disagreed with Pickering’s despairing words, uttered after Congress’s Louisiana vote: “The Northern States have nothing to countervail the power and influence arising from the negro representation . . . we suffer all the mischiefs which flow from an unequal representation.”³⁴

Other legalistic questions riled the dissenters apart from the galling three-fifths matter. With the decline of their electoral fortunes came a new appreciation among Federalists for those constitutional provisions that circumscribed the chief executive’s power. The Louisiana affair, in fact, provoked a subtle reversal of roles. While it helped Jefferson to shed qualms about strong central authority – to embrace it as an instrument for territorial expansion – his critics discovered virtue in constraints that they had previously denounced as inimical to competent government. According to their new reading, Jefferson’s Louisiana involved usurpation and misuse of presidential power. The acquisition was manifestly unconstitutional.³⁵ At a minimum the Constitution required an amendment to permit the absorption of non-Americans (Spaniards, Frenchmen, Indians) and distant lands into the US body. That such was not forthcoming scandalized Fisher Ames. He sighed: “It seems the powers that be concern themselves little about the Constitution.”³⁶

The dissenters were also uncertain about France’s professed ownership of Louisiana in 1803. They doubted Bonaparte’s right to sell property that had long belonged to Spain and sought reassurance that the United States was not being hoodwinked out of \$15 million. This sum, contributing to French military coffers, could not possibly secure a transaction that lacked definite legal basis. Support for this skepticism came from Spanish officials (including the minister to the United States, Carlos Martinez de Irujo), who maintained that France had not kept its side of the San Ildefonso agreement: Parma had not received his Italian estate; France had not yet paid Spain for the territory; France could not pass Louisiana to another country without the consent of the Spanish king. To determine whether Bonaparte had acted falsely, thereby voiding French rights of title, Federalists demanded that Congress inspect the

texts of the 1800 Franco-Spanish treaty, deed of sale, and related documentation. Gaylord Griswold (Federalist, New York) was particularly diligent on this matter in the House of Representatives. If the administration failed to be cooperative, he exclaimed, he and his colleagues could not confidently identify the true owner of Louisiana or grant funding for its purchase. In the event, Jefferson could not disprove French fraud, let alone provide copies of confidential Paris–Madrid agreements. His government, though, managed to steer a House vote in which the request for authoritative documentation lost (just barely, 59 to 57).³⁷

Other Federalist grumbling derived from an appreciation of Montesquieu’s *The Spirit of Laws*. Therein the excellence of a compact republic is extolled (Book 8). A republic must not occupy too great a territory, lest it forfeit its soul, lest citizens lose touch with and sympathy for each other. The lesson of this teaching was plain: by extending US rule deep into the continent, the republic would debauch itself. Anarchy and dissolution might rend the ungainly country or, more likely, its sheer size would degrade the US experiment. Imperial habits and institutions required to coordinate life in immense territory would destroy the still tender shoots of representative government. Plumer wrote in his journal with Montesquieu in mind:

Our republican government derives its authority and momentum from the frequent meetings of the mass of the people in town and country assemblies. An extension of the body politic will enfeeble the circulation of its powers and energies in the extreme parts. A piece of our coin, an eagle, may be extended to the size of a coach wheel, but its beauty and use will be destroyed . . . The testimony of history and the very nature of things unite in declaring that a republican government established over a large extensive country cannot long exist.³⁸

From such anti-empire analysis arose more Federalist charges of bad faith against Jefferson. Perhaps, the writer of the Declaration of Independence had not only strayed from original republican principles. Perhaps, he had converted to Bonapartism and so wanted to donate \$15 million to France. Such an exorbitant amount in exchange for worthless property could be given still more sinister interpretation: Jefferson had become a puppet – nay, the accomplice – of French policy. Paris dictated. He blithely executed his new sovereign’s wishes.³⁹