

## The Founders drew a line between peaceful protest and armed insurrection

The history of the Whiskey Rebellion reveals the misguided beliefs of today's covid-19 protesters,

By **Timothy C. Hemmis**

Timothy C. Hemmis is assistant professor of history with a specialization in Early American History at Texas A&M University Central Texas.

April 30, 2020 at 3:00 a.m. PDT



Recently, Americans have taken to the streets in East Lansing, Mich., Austin, Pittsburgh and other cities across the nation to protest local stay-at-home orders restricting nonessential businesses and travel. Some of them have been conspicuously armed, most recently at the Michigan state capitol on Thursday. President Trump has encouraged such protests, even stoking the idea of insurrection with tweets calling for liberation of Minnesota, Michigan and Virginia.

Today, many of the armed protesters believe they are evoking the spirit of the Founders, yet, the history of the Whiskey Rebellion offers a different perspective, showing the Founders made a clear distinction between public assembly and protest — protected by the federal Constitution — and threats of insurrection.

The Founders were also weary of a tyrannical government, after all they had just fought a war against King George III and Parliament over the issue. But, figures like George Washington understood that armed protests and domestic violence threatened the young republic. Shays' Rebellion of 1786-1787 in Western Massachusetts exposed the weakness in the Articles of Confederation and spurred on the creation the federal Constitution. When unrest started to brew in Western Pennsylvania, just years after the formation of the new federal government, Washington made it clear the boundaries of acceptable protest.

The Whiskey Rebellion started outside Pittsburgh after the federal government passed a new excise tax in 1791, which became called the "Whiskey Tax." Many local small farmers were also distillers and they considered the duty an unfair tax on their livelihood. Over the course of several years, their protests became bolder and more violent. Resistance came to a head on July 16, 1794, when an armed mob of about 500 protesters attacked and burned the Pittsburgh home of tax collector John Neville. The incident became known as the Battle of Bower Hill, and although casualty numbers are unclear, one of the leaders of the rebellion, Major James McFarlane, died during the firefight and became a martyr to the rebel cause. Many frontiersmen saw McFarlane's death as murder by the federal government and further radicalized the countryside.

David Bradford, a lawyer from Washington, Pa., used the violence at Bower Hill to gain support for the rebellion, and on Aug. 1, about 7,000 people arrived at Braddock's Field just outside Pittsburgh for a demonstration. The mostly poor and propertyless protesters threatened to loot and ransack the wealthy residents of Pittsburgh. Inspired by the French Revolution, many radical rebels called for violence and destruction just for the sake of punishing the upper class, many

of whom had nothing to do with the excise tax. Fortunately, Pittsburgh escaped destruction because local officials gave into most of the demands of the insurgents, which included expelling three men who were seen as spies.

But it was not just economic divides that surfaced. The whiskey rebels were a frontier people and saw themselves distinctly different from east coast Americans. Some even wanted their own independent republic consisting of the five western counties of Pennsylvania and one county in Virginia. The typical narrative of American history shows a divide between the North and South, but in the 1790s, there was also a distinction between the East and West, as well. Bradford and the rebels capitalized on this western discord by forming a short-lived alliance between moderates and radicals of the six western counties. Their hope for independence quickly evaporated by the end of the summer of 1794.

And so the frontier people, under economic distress and increasingly feeling disconnected with eastern political leaders, created one of the first tests for the new federal Constitution — the Whiskey Rebellion. President George Washington, urged on by federalist Alexander Hamilton, decided to intervene and to put down the armed protest and rebellion.

First, Washington sent a delegation to negotiate with the insurgents. Attorney General William Bradford, Pennsylvania Supreme Court Justice Jasper Yates and Sen. James Ross were the representatives of the government. On behalf of the western rebels, Hugh Henry Brackenridge, a local lawyer, and Albert Gallatin, the future secretary of treasury, met with federal commissioners to resolve the conflict. The mediation worked and a peace deal was struck, but the federal delegation thought it was “absolutely necessary that the Civil authority should be aided by a military force in order to secure a due execution of the Laws.”

With this advice Washington decided to raise a militia. Since the regular Army was preoccupied by fighting Native Americans in present-day Ohio, Washington activated the New Jersey, Pennsylvania, Maryland and Virginia militias to confront the rebels, and warned them to disperse by Sept. 1. Washington himself led the militia of about 13,000 soldiers into Pennsylvania in October. It remains the only time a sitting president has done so — led a militia in the field against an enemy. While in Pennsylvania, Washington wrote to the citizens of Carlisle insisting, “The union of good men is a basis, on which the security of our internal peace and the stability of our Government may safely rest. It will always prove an adequate rampart against the vicious and disorderly.” To Washington it was the actions of good people that maintained peace and political stability.

The arrival of the federalized militia in Western Pennsylvania effectively ended the armed uprising. Some of the leaders of the Whiskey Rebellion such as David Bradford fled to Spanish-held Baton Rouge and the other leaders who remained in the state were arrested and brought to Philadelphia for trial. In the end, two were convicted of treason, but Washington pardoned them before their scheduled execution. Although the violence ended, many of the frontiersmen found a new political identity as Jeffersonian democrats, which would help elect Thomas Jefferson president in 1800.

In 1794, disgruntled, disposed and economically disadvantaged protesters challenged the Constitution in the name of individual liberty and states’ rights, and they did so with guns and threats of violence. Protests are protected by the Constitution, but openly bringing weapons to a protest is not a peaceful assembly, something George Washington

deeply understood. Rather than stoking violence and insurrection, perhaps political leaders today should learn from history to calm fears, to bring peace and to uphold their promises to defend and protect the republic — and the Constitution.

**This piece has been updated.**

---

---