

we might demand admission."⁹⁴ Federalists thus urged the constitutional convention to declare the new state's independence of Congress, and the "degrading," "derogatory," "burthensome," and "oppressive" terms set forth in the enabling act.⁹⁵ In doing so, they made claims for the new state's independence and sovereignty *outside* the union. The Ohio Federalists' argument against immediate statehood in Ohio therefore was an argument against the possibility of union itself as the Jeffersonians defined it.⁹⁶

The vast majority of delegates recognized, however, that Congress would not tolerate new state sovereignty pretensions that endangered federal property rights as well as the integrity of the union. If the Northwest Ordinance guaranteed statehood to the people of the Territory, it also stipulated that the new states "shall never interfere with the primary disposal of the Soil by the United States" and that they "shall forever remain a part of this Confederacy." Most crucially, statehood proponents understood that their political existence was a function of their membership in the union. To remain outside the union meant continuing submission to Congress's territorial government.

The admission of Ohio in 1803 set the pattern for the creation of new states in the national domain. Continuing federal control over the public lands after statehood secured the federal balance on the expanding periphery of the American union. With the completion of the Louisiana Purchase in the same year, the political and diplomatic options of would-be new states were still further circumscribed. Only by submitting to federal authority would the people of a territory complete their "apprenticeship to liberty" and, "by degrees . . . be raised to the enjoyment and practice of independence." Membership in the union made territories into states, perfecting the claims of imperfect, embryonic political communities. The genius of the system was encapsulated in Samuel Mitchill's definition of "territory; a word signifying a peculiar and mingled idea of a country and inhabitants in the inchoate or initial condition of a republic."⁹⁷

The union was capable of expansion because new states were simultaneously "republicanized" and "federalized." Just as the original American states depended on the federal alliance to guarantee their survival as self-governing republics, frontier people linked their political aspirations to membership in the union. They became self-governing polities under approved republican constitutions at precisely the moment they were incorporated into the union and so re-

nounced the conventional prerogatives of independent sovereignties. But the sacrifice of sovereign powers was more apparent than real. As defenders of the new federal Constitution asserted during the ratification controversy, pretensions to sovereignty exaggerated the states' distinctive corporate interests, fostered interstate conflict, and thus jeopardized the future of republican government in America. Union was the best guarantee of the rights legitimately retained by the states and therefore of their true interests.

The Republicans' conception of an expanding union did not command universal assent. Federalists naturally resisted further accessions to the administration party; easterners feared the shifting balance of power within the union. "Instead of these new States being annexed to us," Congressman Laban Wheaton of Massachusetts warned when Louisiana sought admission in 1811, "we shall be annexed to them, lose our independence, and become altogether subject to their control."⁹⁸ Federalists repeatedly questioned the motives of westerners as well as the ability of the federal system to absorb new members. Warnings that "a Southern and Western interest" would exploit its dominant power *in* the union thus alternated with predictions of the union's imminent demise.⁹⁹

More dispassionate and disinterested observers endorsed the Federalist argument against an expanding union. A traveller in the Ohio Valley was convinced (in 1805) "that before many years the people of that great tract of country would separate themselves from the Atlantic States and establish an independent empire."¹⁰⁰ Englishman Gould Francis Lecky agreed. "A great federal republic, in extent equal to all Europe can never hold together," Lecky wrote in 1808. "The local interests of the states and the ambition of powerful individuals, will sow the seeds of division among them."¹⁰¹ "The farther a state government is removed from the national centre," a Kentucky writer explained, "the less it hears, and sees, and feels, of that government, and the less interest it takes in its concerns."¹⁰²

The common premise of all these predictions was that the states were proto-sovereignties, eager to pull away from the union in pursuit of their "local interest." Invoking conventional misgivings about the over-extended republic, Lecky identified America with Europe. Similarly, Federalist antiexpansionists invoked a European conception of the balance of power when they argued that the addition of new states would destroy "the political equipoise" of the union.¹⁰³ This obsession with balance was in turn predicated on an expansive con-

ception of state sovereignty usually associated with the Jeffersonians, and apparently at odds with their centralizing tenets. But Federalists were "consolidationists" precisely because they continued to think in conventional, European terms: they feared the latent power of states and their inevitable tendency to promote their interests at each other's expense.¹⁰⁴ Robert Goodloe Harper set forth the guiding principles of the Federalist "system" in an 1801 letter to his constituents. A powerful central government that could protect the states against external threats was also essential for "maintaining our peace at home, by checking the ambition and repressing the passions of the several states, and balancing their forces so as to prevent the greater from overpowering and subduing the lesser."¹⁰⁵

Jeffersonians insisted that they were the true "federalists," and not simply to gain rhetorical advantage over their partisan opponents. They were celebrating the triumph and progress of their conception of the union, which was now being realized in practice. Republicans welcomed the admission of new states, convinced that the expansion of the union—and the preservation of a balance of power among the states—did *not* depend on the corresponding expansion of federal power. Jeffersonian optimism reflected both a canny instinct for partisan advantage and a characteristically vaulting idealism. Most importantly, however, the Republican administrations that promoted expansion recognized that the tendency of new state political development was centripetal, not centrifugal.

The American states were not fully developed, "terminal" political communities. The state governments did not command the exclusive loyalties of a mobile, enterprising people who expected local governments to serve most of their immediate needs and who were equally prepared to look beyond the states toward the federal government when opportunities arose. This facility with manipulating multiple levels of government was particularly apparent in the public land states. Before admission, these states gained the political competence to govern themselves; they also gained practical experience in exploiting the federal government. Membership in the union enabled new state politicians to build on that experience. For them—and for their constituents—federalism was not simply or primarily a means of guaranteeing peace and stability in an expanding state system. It was above all a complex and rewarding structure of political and economic opportunity within which individual citizens could pursue their own advantage.

Federal politics offered extraordinary rewards and opportunities to ambitious politicians in the new states. New state representatives played a key role in distributing federal patronage in their home states; they could also serve the interests of their constituents by procuring federal charters, subsidies, and land grants. Far from seeking independence from the union, new state leaders were determined to exploit the federal connection for all it was worth. A strong federal military presence would not only secure vulnerable frontier regions but also pump up the local economy. The most important factor working to "federalize" new state politics, however, was the federal government's continuing ownership, administration, and sale of public lands. The route to individual success for most new state citizens was through the federal land office.¹⁰⁶

< V >

The Expanding Union

The land office "federalized" private interest and initiative and helped foster an embryonic national citizenship in frontier regions prior to the attainment of statehood. As proprietor of the public domain, the federal government acted as trustee both for the present members of the union with their interest in land sales revenue and for future private purchasers. According to the terms of their admission, the new states pledged not to interfere in this primary relationship. Recognition of the federal government's continuing jurisdiction over the federal lands thus constituted a fundamental limitation on new state sovereignty, reenforcing the guarantees of limited, republican government in federal and state constitutions.

Expansion would not endanger the union by "multiplying the parts of the Machine" because new states did not have distinctive, potentially conflicting corporate interests.¹⁰⁷ The limited scope of state authority in turn reflected the primacy of constitutionally-guaranteed private rights. The American states were peaceful and harmonious not simply because they were republics, but also because they lacked the usual incentives—or the capacity—to make war on each other. By instituting a complex federal system, the American founders thus created the conditions for the "natural" harmony of interests optimistic Revolutionaries such as Thomas Paine believed would emerge spontaneously with the destruction of the old

order. Wars were inconceivable *not* because the states were republics, but rather because state governments did not represent their citizens exclusively or authoritatively or promote distinct, fully articulated corporate interests. The American states were not "sovereignties" in the conventional, European sense of the word. Sovereignty instead remained with the people who delegated limited powers to various governments: the federal government would exercise exclusive jurisdiction over interstate and foreign relations.

"Among the several states of America," Joel Barlow wrote in 1792, shortly after the new federal regime was inaugurated, "the governments are all equal in their force, and the people are all equal in their rights." It was this equality, the foundation principle of the larger, inclusive federal republic, which guaranteed a harmonious union. "Were it possible for one state to conquer another state, without any expence of money, or of time, or of blood—neither of the states, nor an individual in either of them, would be richer or poorer for the event." Jurisdictional controversies that would have driven European states into belligerent frenzies had already been decided "in a few days, by amicable arbitration." The outcome of such disputes was, after all, "a matter of total indifference" to citizens whose rights were secure "whether the territory in which they live were called New-York or Massachusetts."¹⁰⁸ For this reason, the state governments might eschew violent sanctions in their contests with one another. Just as republican state constitutions secured individual rights, the federal constitution secured the rights of states; these states—self-governing republics guaranteed against internal subversion and external assault—were much more comprehensively, substantially, and enduringly "equal" than the states of Europe could ever hope to be.

Federal ownership of the public domain facilitated Congress's manipulation of the boundaries of embryonic new states before they joined the union. Jurisdictional changes had no impact on private titles derived from the federal government, and the corporate interests of future new states remained largely hypothetical. Once the new states were formed, boundaries were definitively established in order to preclude future controversy. At the same time, however, these boundaries were permeable: citizens could move freely from one state to another without jeopardizing their private rights.

Congressmen recognized that the careful management and distribution of federal property was crucial to the orderly expansion of the

union. The rapid distribution of federal lands or their cession to the new state governments could subvert the bonds of common interest while promoting a retrograde conception of state sovereignty dangerous to the peace of the union. The end of federal land ownership and the resulting diminution of federal influence had to be coordinated with the emergence of a class of orderly and enterprising citizens who identified statehood and self-government with the opportunity to participate in national government. The interests and loyalties of such citizens tended to be cosmopolitan. Originally deriving their private property rights from the federal land office, settlers in the national domain could only lay claim to political rights through the interposition of Congress and "the benign influences of the federal constitution."¹⁰⁹ Implicit in this development was a conception of a transcendent national citizenship: settlers could only exercise their full rights as American citizens *through* state governments recognized by Congress. But it was, as Joel Barlow suggested, "a matter of total indifference" which particular state this might be.¹¹⁰

In the American federal system, the rights of republican citizens were inviolable while the claims of states on their citizens were contingent and derivative. This was the relationship between governors and governed that liberal theorists believed would be secured under republican constitutions and that in turn would guarantee peace among states. American federalists recognized, however, that the protection of private rights and the limitation of republican states to their proper sphere depended on the existence of a "more perfect"—and, when necessary, a coercive—federal union. But it did not follow that states were mere ciphers under the new dispensation, Anti-federalist warnings about the dangers of a despotic, consolidated regime notwithstanding. What is most remarkable about early American federalism is the extent of political decentralization. Emerging from their dependent, colonial condition, new states joined a union in which member states enjoyed extraordinary autonomy and exercised most governmental functions.

< VI >

Union and Disunion

In late 1791 James Madison contributed an essay on "Consolidation" to the *National Gazette* that described the kind of union he and his

fellow founders hoped to perpetuate. "If a consolidation of the states into one government be an event so justly to be avoided," he wrote, "it is not less to be desired . . . that a consolidation should prevail in their interests and affections." The liberties of individuals and the rights of states were inextricably linked. But the states would only remain in their proper sphere if they were not drawn into conflict with each other by "local prejudices and mistaken rivalships." Madison thus concluded that it was the duty of all Americans "to consolidate the affairs of the states into one harmonious interest."¹¹¹

For Madison and his Republican colleagues, the federal union provided the means of extending a liberal, republican regime across the American continent. The federal republic was a model world order that guaranteed that states would serve the interests of citizens, not citizens—or, more accurately, subjects—the interests of states. Antebellum Americans believed that their union protected them from the arbitrary exactions of all governments. Certainly frontier settlers cherished responsible local self-government and resented the continuing interference of territorial governments once law and order and private rights were well established. At the same time, however, they wanted unfettered access to national markets as well as the opportunity to move freely from state to state in pursuit of their private interests. These were the decisive advantages of the federal republic, a system that guaranteed the legitimate claims of its member states while eliminating artificial barriers to private interest and threats to private rights.

The rapid spread of settlement led to the formation of new states and the growing prosperity of the entire union, evidently fulfilling the most expansive visions of the Revolutionary generation. By constructing an alternative to the balance of power and its never-ending cycle of horrors, the framers of the Constitution had saved the American republics from a European fate. By 1815 the new nation had triumphantly surmounted what contemporaries saw as the clearest and most present danger to the union, foreign manipulation of the "clashing jurisdictions and jarring interests" of widely dispersed and doubtfully loyal frontier settlements.¹¹² American independence was secured by the union of old states and new states, East and West.

But Madison's "one harmonious interest," the necessary condition for an enduring union of free republics, could not be sustained. Suspicious of westerners' motives, Federalist antiexpansionists ex-

aggerated the threat of new frontier states to the effectiveness of the federal regime and to the balance of power between East and West.¹¹³ Increasingly, however, debate over western policy also prompted northeastern Federalists to express their growing concern about the distinct and potentially hostile interests of free and slave states. Of course, the original federal compact itself was predicated on a tenuous bundle of intersectional compromises and understandings that the growth of the union threatened to subvert. From the very beginning, therefore, the addition of new states was consciously linked to the preservation of balance between North and South.

The balance theme figured prominently in Federalist opposition to Louisiana statehood. With the admission of the new state, thundered Josiah Quincy, "the bonds of this Union are virtually dissolved." "The proportion of the political weight of each sovereign State," he insisted, "depends upon the number of the States which have a voice under the compact." Arguing from an old world conception of competing sovereignties, Quincy warned that if Congress should "throw the weight of Louisiana into the scale," the balance that the original states sought to sustain would be "destroyed." Quincy's famous speech can be read and dismissed, as it was by Republicans and even some Federalists, as a reactionary tirade. Quincy invoked outmoded European categories, "balance," "sovereignty," and "compact," to a set of problems, the addition of new states and the union of East and West, that the American federal system had already definitively resolved.¹¹⁴

Yet the implications of Quincy's speech would prove prophetic, for union finally depended on sustaining an intersectional balance and accommodating the fundamentally conflicting interests that his use of the language of state sovereignty so obviously assumed. Dismissing Federalist predictions and threats, optimistic Jeffersonians insisted that the threat of disunion had been forever banished: America would never be like Europe. But, of course, when the union did collapse, the "dogs of war" were finally unleashed and the powers of the new world reenacted the bloody struggle for dominance that had devastated the old world in the wake of the French Revolution.

The institution of slavery, some Jeffersonians were willing to concede, was "the darkest stain upon the American character, the eternal reproach of our boasted republicanism." But it would not, as they so fondly hoped, abolish itself in the fullness of time.¹¹⁵ The durabil-

ity and profitability of slavery instead fostered a growing awareness of distinctive corporate interests that was incompatible with the kind of union Republican orators celebrated at the time of the Louisiana Purchase. The conflict over slavery obstructed the free movement of people, property, and ideas; republican state constitutions could not guarantee the comity and compatibility that the Revolutionary generation assumed would preserve the federal republic.¹¹⁶ Increasingly conscious that there was no true "union of interests," Jefferson's heirs would invoke states' rights ideas to protect their "peculiar institution" against "foreign" interference and influence, and ultimately to justify the destruction of the union itself.

In the first great surge of national expansion, Jeffersonian Republicans conceived and constructed an ever-expanding "empire of liberty."¹¹⁷ Yet the same vast spaces that offered such scope to the American experiment also precipitated the final crisis of the union. The union may have been preserved and redeemed in the war between the states, but it was no more Jefferson's union than it was Calhoun's. Americans might still imagine themselves a peculiarly free and fortunate people, destined to lead the way toward progress and civilization. But, as a solution to the perennial problems of international politics, the federal union was a tragic failure. Americans could no longer offer their new world order as a model to the world.

< 3 >

Land and Liberty on the Post-Revolutionary Frontier

ALAN TAYLOR

THE RELATIONSHIP BETWEEN frontier land and freedom in the early republic raises two questions: whose land, whose freedom? For Frederick Jackson Turner, writing at the close of the last century, the answers were easy because the story was simple. It began before the advent of white men with a rich but unpossessed land. Indians were a negligible presence in Turner's conception: a part of the wilderness backdrop, obstacles, like the wolves and bears, for the white settlers to conquer. The struggle to master the frontier remade Europeans into Americans: materialistic, individualistic, libertarian, and resourceful. Because no rulers could command such people, only a democracy, dependent on their support, could govern them. In sum, the occupation of a wilderness made America uniquely democratic. By obtaining the land, America's white settlers became free.¹

Subsequent historians have challenged virtually every tenet of Turner's story. First, the land was not empty, but belonged to diverse Indian peoples with complex cultures and a tenacious determination to defend their homelands. Second, the values of Americans owed at least as much to their European cultural heritage as to their encounter with the wilderness. Determined to Europeanize the landscape to make it more familiar and profitable, the settlers changed the land more than it changed them. Third, countries without a legacy of frontier expansion have become democracies (for example, Western Europe) while some countries with such a legacy have been slow to do so (South Africa).²

This chapter attempts a more complicated story involving the struggle of three parties: natives, white settlers, and their national elite. Each group had a differing concept of freedom, each of which depended on possession of western land. Indians needed to retain

Washington [Lawrence, KS, 1974], 47-65; and Ferguson, *The Power of the Purse*, 292-96. See also Donald F. Swanson, *The Origins of Hamilton's Fiscal Policies* (Gainesville, FL, 1963).

106. Report on Manufactures, *PAH* 10:255-56.

107. Again, the Report on Manufactures, *PAH* 10:230-340, is the major text.

108. Banning, *The Jeffersonian Persuasion*, 153-55 and chap. 6; id., "The Hamiltonian Madison," 20-28.

109. Ferguson, *Power of the Purse*, 329-30; Whitney K. Bates, "Northern Speculators and Southern State Debts, 1790," *WMQ* 19 (1962): 32-34, 39.

110. Madison to Jefferson, 10 July and 8 Aug. 1791, *PJM* 14:43, 69.

111. John R. Nelson, "Alexander Hamilton and American Manufacturing: A Reexamination," *JAH* 65 (1979): 971-95; id., *Liberty and Property: Political Economy and Policymaking in the New Nation, 1789-1812* (Baltimore, 1987), 81-90; Alfred F. Young, *The Democratic Republicans of New York: The Origins, 1763-1797* (Chapel Hill, NC, 1967).

112. Nelson, *Liberty and Property*, 10, 93.

113. *Ibid.*, 90-96; Murrin, "The Great Inversion," 412, 419-21; and sources cited by both.

114. Here, without accepting their interpretive positions, I draw especially on Appleby, *Capitalism and a New Social Order*; Steven Watts, *The Republic Reborn: War and the Making of Liberal America, 1790-1820* (Baltimore, 1987); and Michael Durey, "Thomas Paine's Apostles: Radical Emigres and the Triumph of Jeffersonian Republicanism," *WMQ* 44 (1987): 661-86. Years ago, in *Tom Paine and Revolutionary America* (New York, 1976), Eric Foner suggested that the author of "Common Sense" and many of the artisans to whom he most appealed were sympathetic to both of the great transformations of the age: popular participation in political affairs, and the advent of an advanced market economy. The influence of this thinking, both democratic and profoundly pro-developmental, has only recently become a subject of close inquiry.

115. Jefferson to William H. Crawford, in *Works* 11:537-39.

116. For the debates on the carrying trade, see McCoy, *The Elusive Republic*, 174-78, 212-16.

117. *Ibid.*, chap. 10; Stagg, "James Madison and the Coercion of Great Britain." Madison, who had been willing even in 1790 to protect manufactories which had already emerged, though not to foster new ones, now specifically endorsed protection for some "manufacturing establishments . . . of the more complicated kind" (quoted in McCoy, *Elusive Republic*, 245). Jefferson was more reluctant. See his letter to Benjamin Austin, 9 Jan. 1816, *Works* 11:502-5; and Merrill Peterson, *Thomas Jefferson and the New Nation* (New York, 1970), 940-41.

CHAPTER 2

1. The standard accounts of the retrocession crisis are Arthur P. Whitaker, *The Mississippi Question, 1795-1803* (New York, 1934), 189-236, and

Alexander DeConde, *This Affair of Louisiana* (New York, 1976), 127-92. For a persuasive critical account of Jefferson's diplomacy see Robert W. Tucker and David C. Hendrickson, *Empire of Liberty: The Statecraft of Thomas Jefferson* (New York, 1990), 87-171.

2. Cathy D. Matson and Peter S. Onuf, *A Union of Interests: Political and Economic Thought in Revolutionary America* (Lawrence, KS, 1990), 64-66, 84-85; Thomas P. Slaughter, *The Whiskey Rebellion: Frontier Epilogue to the American Revolution* (New York, 1986), 36-45; Peter S. Onuf, *Origins of the Federal Republic: Jurisdictional Controversies in the United States, 1775-1787* (Philadelphia, 1983), 33-41; Joseph L. Davis, *Sectionalism in American Politics, 1774-1787* (Madison, WI, 1977), 109-26; Frederick W. Marks III, *Independence on Trial: Foreign Affairs and the Making of the Constitution* (Baton Rouge, LA, 1973), 24-36; Arthur P. Whitaker, *The Spanish-American Frontier: 1783-1795: The Westward Movement and the Spanish Retreat in the Mississippi Valley* (Boston, 1927), 63-77.

3. Livingston and Monroe to James Madison, dated Paris, 13 May 1803, *Annals of Congress*, 7th Cong., 2d Sess., app., 1146-47.

4. Orasmus Cook Merrill, *The Happiness of America. An Oration Delivered at Shaftsbury, on the Fourth of July, 1804* (Bennington, VT, 1804), 10, 20.

5. Rep. John Clopton (VA), 24 Feb. 1804, Noble Cunningham, ed., *Circular Letters of Congressmen to their Constituents, 1789-1829*, 3 vols. (Chapel Hill, NC, 1978), 1:367-69, at 367.

6. Sen. Robert Wright (MD), speech of 24 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 165.

7. Report of House Committee on resolution to appropriate two million dollars for possible purchase of New Orleans, 12 Jan. 1803, *ibid.*, 373. The best account of the sources and development of Jeffersonian ideology is Lance Banning, *The Jeffersonian Persuasion: Evolution of a Party Ideology* (Ithaca, NY, 1978); see esp. 246-70.

8. David Ramsay, *Oration on the Cession of Louisiana, to the United States* (Charleston, SC, 1804), 14.

9. Sen. DeWitt Clinton speech of 23 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 132.

10. Pericles [Alexander Hamilton], *Evening Post* (NY), 8 Feb. 1803, in *PAH* 26:82-85, at 83. See the discussion in Whitaker, *Mississippi Question*, 209-14.

11. [Charles Brockden Brown], *An Address to the Government of the United States, on the Cession of Louisiana to the French*, new and rev. ed. (Philadelphia, 1803), 49.

12. Sen. William Wells (DE), speech of 24 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 155.

13. James Ross (PA), speech of 14 Feb. 1803, *ibid.*, 87. The Ross resolutions (16 Feb.) would have authorized Jefferson "to take immediate possession" of New Orleans and to augment "the military and naval forces of the Union" with up to 50,000 militiamen from neighboring states; they were defeated (25 Feb.), by a straight partisan vote, 15-11. *Ibid.*, 95-96, 255.

14. Wells speech of 24 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 156.
15. Rep. Samuel Purviance (NC), speech of 25 Oct. 1803, *Annals of Congress*, 8th Cong., 1st Sess., 444.
16. Marshall Smelser, "The Federalist Period as an Age of Passion," *American Quarterly* 10 (1958): 391-419; John R. Howe, "Republican Political Thought and the Political Violence of the 1790s," *ibid.*, 19 (1967): 147-65.
17. Sen. Gouverneur Morris (NY), speech of 24 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 192.
18. Sen. James Jackson (GA), speech of 25 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 243, my emphasis.
19. Sen. DeWitt Clinton (NY), speech of 23 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 134.
20. "Algernon Sidney" [Gideon Granger], *A Vindication of the Measures of the Present Administration* (Portsmouth, NH, 1803), 21.
21. Rep. Joseph Nicholson (MD), speech of 25 Oct. 1803, *Annals of Congress*, 8th Cong., 1st Sess., 466.
22. Joseph Winston (NC), 20 Mar. 1804, Cunningham, ed., *Circular Letters* 1:369-72, at 369-70.
23. Ramsay, *Oration on the Cession*, 16.
24. "Sylvestris," *Reflections on the Cession of Louisiana to the United States* (Washington City, 1803), 11, 13.
25. "Camillus" [William Duane], *The Mississippi Question Fairly Stated, and the Views and Arguments of those who Clamor for War, Examined* (Philadelphia, 1803), 37.
26. Merrill, *The Happiness of America*, 9.
27. Allan Boure Magruder, *Political, Commercial, and Moral Reflections, on the Late Cession of Louisiana, to the United States* (Lexington, KY, 1803), 35-36. "Sylvestris," *Reflections on the Cession of Louisiana*, 14.
28. Ramsay, *Oration on the Cession of Louisiana*, 24.
29. Merrill, *The Happiness of America*, 9.
30. Magruder, *Reflections on the Late Cession of Louisiana*, 37. For an earlier discussion of the American federal republic as a "peace plan," see Joel Barlow, *To His Fellow Citizens of the United States of America* (Philadelphia, 1801), Letter 2, dated Paris, 20 Dec. 1799, 9-11.
31. Ramsay, *Oration on the Cession of Louisiana*, 21.
32. David Augustus Leonard, *An Oration, Delivered at Raynham, Friday, May 11th, 1804, on the Late Acquisition of Louisiana* (Newport, RI, 1804), 20.
33. Rep. Samuel Mitchill (NY), speech of 25 Oct. 1803, *Annals of Congress*, 8th Cong., 1st Sess., 483.
34. Chapman Johnson, *An Oration on the Late Treaty with France, by which Louisiana was Acquired* (Staunton, VA, 1804), 14.
35. Ezra Stiles, *The United States Elevated to Glory and Honour*, 2d ed. (Worcester, MA, 1785), 84, 49-50. On early American foreign policy see

- Felix Gilbert, *To the Farewell Address: Ideas of Early American Foreign Policy* (Princeton, NJ, 1961) and James H. Hutson, *John Adams and the Diplomacy of the American Revolution* (Lexington, KY, 1980).
36. Albert O. Hirschman, *The Passions and the Interests: Political Arguments for Capitalism before its Triumph* (Princeton, NJ, 1977); Ralph Lerner, "Commerce and Character: The Anglo-American as a New-Model Man," *WMQ* 36 (1979): 3-26. On liberalism see Joyce Appleby, *Capitalism and a New Social Order* (New York, 1984).
37. Stiles, *United States Elevated*, 85, 84-85, 60. The population in 1880 was 50,155,783.
38. T[homas] Pownall, *A Memorial Addressed to the Sovereigns of America* (London, 1783), 138. See also [Anon.], *A Translation of the Memorial to the Sovereigns of Europe upon the Present State of Affairs, Between the Old and the New World, Into Common Sense and Intelligible English* (London, 1781).
39. Richard Price, *Observations on the Importance of the American Revolution, and the Means of Making it a Benefit to the World. To which is Added a letter from M. Turgot* (2d ed., London, 1785), repr. in Bernard Leach, ed., *Richard Price and the Ethical Foundations of the American Revolution* (Durham, NC, 1979), 177-224, at 210.
40. Stiles, *United States Elevated*, 86.
41. Thomas Paine, *Letter Addressed to the Abbe Raynal, on the Affairs of North-America* (Philadelphia, 1782), postscript, 72. For similar thinking see John Brown Cutting to Thomas Jefferson, 16 Sept. 1788, in *PTJ* 13:608-13, at 609-10: "the mildness of our laws and the wisdom of our political institutions . . . might tempt the subjects of any arbitrary potentates in our vicinity to voluntarily commute themselves into free citizens and thus become attached to the first empire that mankind has ever erected on the solid foundation of truth, reason or common sense."
42. Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill, NC, 1980).
43. "Extract of a Letter from Louisville," dated 4 Dec. 1786, in *Cumberland Gazette* (Portland, MA), 19 July 1787.
44. Earl of Sheffield [John B. Holroyd], *Observations on the Commerce of the American States* (London, 1783), 103, 105, 104-5.
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46. Price, *Observations on the Revolution*, 187, my emphasis.
47. Abbe de Mably, *Observations on the Government and Laws of the United States* [Eng. ed., Amsterdam, 1784], 121.
48. Josiah Tucker, *Cui Bono? Or, An Inquiry, what Benefits Can Arise Either to the English or the Americans, the French, Spaniards, or Dutch, From the Present War? Being a Series of Letters, Addressed to Monsieur Necker* (2d ed., Gloucester, MA, 1782), 118-19.
49. Peter S. Onuf, "State Sovereignty and the Making of the Constitution," in Terence Ball and J. G. A. Pocock, eds., *Conceptual Change and the Constitution* (Lawrence, KS, 1988), 79-98.

50. Thomas Dawes speech, Massachusetts Convention, 21 Jan. 1788, in Jonathan Elliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, 5 vols. (Philadelphia, 1876), 2: 58.
51. Edmund Randolph speech, Virginia Convention, 24 June 1788, in *ibid.* 3:603. See also Randolph's speech of 4 June for a full discussion of the implications of disunion. John P. Kaminski, et al., eds., *The Documentary History of the Ratification of the Constitution* (Madison, WI, 1976-), 9: 931-36.
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53. *Federalist* VIII (Hamilton): 49. See the excellent discussion in Gerald Stourzh, *Alexander Hamilton and the Idea of Republican Government* (Stanford, 1970), 149-53.
54. "Cato," "To the Public," *New-Haven Gazette*, 25 Jan. 1787.
55. Emmerich de Vattel, *The Law of Nations, or the Principles of Natural Law Applied to the Conduct and Affairs of Nations and Sovereigns* (trans. of 1758 ed., Washington, 1916), bk. 1, chap. 2. On Vattel's influence in America see Charles G. Fenwick, "The Authority of Vattel," *APSR* 7 (1913): 370-424, and Daniel George Lang, *Foreign Policy in the Early Republic* (Baton Rouge, LA, 1985), 13-33.
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57. William Wiecek, *The Guarantee Clause of the U.S. Constitution* (Ithaca, NY, 1972), 11-77.
58. Barlow, *To His Fellow Citizens*, letter 2, 28.
59. "A Calm Observer," *Letters on the Subject of the Concert of Princes, and the Dismemberment of Poland and France* (London, 1794), letter 11, dated 21 and 23 May 1793, 206.
60. Cession of Louisiana, Art. 3, Charles I. Bevans, comp., *Treaties and other International Agreements of the United States of America, 1776-1949*, 13 vols. (Washington, 1968-76), 7:812-15, at 813.
61. [Granger], *Vindication of the Present Administration*, 22.
62. Sen. James Jackson (GA), speech of 25 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 243.
63. Calm Observer, *Letters on the Concert of Princes*, letter 12, dated 7 June 1793, 229.
64. [Anon.], *Peace and Reform Against War and Corruption. In Answer to a Pamphlet Written by Arthur Young* (London, 1794), 25-26.
65. Nathaniel Chipman, *Sketches of the Principles of Government* (Rutland, VT, 1793), 278. On the acceptance of the Constitution see Lance Banning, "Republican Ideology and the Triumph of the Constitution," *WMQ* 31 (1974): 167-88.
66. Calm Observer, *Letters on the Concert of Princes*, letter 12, dated 7 June 1793, 229.
67. David F. Epstein, *The Political Theory of the Federalist* (Chicago, 1984); Richard B. Bernstein, "The Federalist on Energetic Government," in

- Stephen Schecter, ed., *Roots of the Republic: American Founding Documents Interpreted* (Madison, WI, 1990), 335-54.
68. Barlow, *To His Fellow Citizens*, letter 2, 35, 25, 24.
69. Sen. George Nicholas (VA), speech of 25 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 236.
70. Rep. John Rhea (TN), 8 Apr. 1806, Cunningham, ed., *Circular Letters of Congressmen* 1:425-29, at 429.
71. Rep. Marmaduke Williams (NC), 26 Feb. *ibid.*, 502-4, at 503, explaining to his constituents why the Burr Conspiracy was so easily suppressed.
72. Sen. John Breckinridge (KY), speech of 23 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 118.
73. Ramsay, *Oration on the Cession of Louisiana*, 18. As long as Governor William Claiborne treated them as "vassals," disgruntled Louisianans would offer no guarantee of their loyalty. But "how different it would be, if liberty, if self government was given to them." *Reflections on the Cause of the Louisianans, Carefully Submitted by their Agents* (Washington, 1804), 9, 11. See George Dargo, *Jefferson's Louisiana: Politics and the Clash of Legal Traditions* (Cambridge, 1975), esp. 23-50.
74. Magruder, *Reflections on the Late Cession of Louisiana*, 73.
75. On state equality see John Taylor, *An Inquiry into the Principles of Policy of the Government of the United States* (Fredericksburg, VA, 1814), 504-5, and the discussion in Peter S. Onuf, "New State Equality: The Ambiguous History of a Constitutional Principle," *Publius* 18 (1988): 53-69.
76. Granger, *Vindication of the Present Administration*, 21.
77. Magruder, *Reflections on the Late Cession of Louisiana*, 72, 74.
78. Ramsay, *Oration on the Cession of Louisiana*, 19. For a similar argument see Merrill, *The Happiness of America*, 19.
79. Rep. John Rhea (TN), 12 Feb. 1805, Cunningham, ed., *Circular Letters of Congressmen* 1:377-82, at 380.
80. "Sylvestris," *Reflections on the Cession of Louisiana*, 14.
81. Richard Law speech, Connecticut Convention, 9 Jan. 1788, in Kaminski et al., eds., *Documentary History of the Ratification* 3:559.
82. Magruder, *Reflections on the Late Cession of Louisiana*, 38.
83. Peter S. Onuf, *Statehood and Union: A History of the Northwest Ordinance* (Bloomington, IN, 1987), 1-66.
84. Onuf, *Origins of the Federal Republic*, 126-45; Paul S. Gillies, "Adjusting to Union: An Assessment of Statehood, 1791-1816," in Michael Sherman, ed., *A More Perfect Union: Vermont Becomes a State, 1777-1816* (Montpelier, VT, 1991), 114-49.
85. Charles Cummings to the President of Congress, on behalf of residents of Washington Co., VA, 7 Apr. 1785, Papers of the Continental Congress (National Archives, Washington) 48:297; "Extract of a letter from Virginia," dated Washington Co., 1 June 1785, *Pennsylvania Packet* (Philadelphia), 3 Oct. 1785. On early separatist movements see Onuf, *Origins of the Federal Republic*, 33-41, and, on settlers' motives, chap. 3 below.
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Ordinance and the Principle of Territorial Evolution," in John Porter Bloom, ed., *The American Territorial System* (Athens, OH, 1973), 45-55; Peter S. Onuf, "Territories and Statehood," in Jack P. Greene, ed., *Encyclopedia of American Political History*, 3 vols. (New York, 1984), 3:1283-1304; Onuf, *Statehood and Union*, 44-66.

87. Rep. Albert Gallatin (PA), speech of 6 May 1796, *Annals of Congress*, 4th Cong., 1st Sess., 1327.

88. "An Address of New Market Township to their fellow citizens," *Western Spy* (Cincinnati), 21 Aug. 1802.

89. *Journals of Congress* 32:334-43. The most comprehensive treatment of the state-making process is Jack Ericson Eblen, *The First and Second United States Empires: Governors and Territorial Government, 1784-1912* (Pittsburgh, PA, 1968), 201-36.

90. On the Ohio statehood movement see Onuf, *Statehood and Union*, 67-87, and Andrew R. L. Cayton, *The Frontier Republic: Ideology and Politics in the Ohio Country, 1780-1825* (Kent, OH, 1986), 68-80.

91. Meeting at Marietta, 12 Jan. 1801, *Western Spy*, 11 Feb. 1801.

92. Address dated Cincinnati, 30 Dec. 1797, excerpted in Randolph Chandler Downes, *Frontier Ohio, 1788-1803* (Columbus, OH, 1935), 184.

93. *Annals of Congress*, 7th Cong., 1st Sess., Senate (9-27 Apr. 1803), 258, 259, 268, 275, 294-95, 296-97; House (29 Jan.-30 Apr.), 470-71, 814, 985, 1017, 1097-1118, 1123-26, 1128, 1155-56, 1158-62, 1252, 1349-51 (text of enabling act). For the Ohio Constitution see Francis Newton Thorpe, ed., *The Federal and State Constitutions*, 7 vols. (Washington, 1909), 5:2901-13.

94. "Frank Stubblefield" [William McMillan], No. 4, *Western Spy*, 21 Aug. 1802, my emphasis.

95. "Extract of a Letter from a member of the Senate," *Western Spy*, 12 June 1802.

96. If Congress refused to accept the new state on its own terms, St. Clair told the constitutional convention, it could follow the example of Vermont which had remained outside the union "eight years after" the people "had formed their government." St. Clair's speech [3 Nov. 1802], in William Henry Smith, ed., *The St. Clair Papers: The Life and Public Services of Arthur St. Clair*, 2 vols. (Cincinnati, 1882), 2:592-97, at 594.

97. Rep. Samuel Mitchill (NY), speech of 25 Oct. 1803, *Annals of Congress*, 8th Cong., 1st Sess., 480, 482. As Supreme Court justice Levi Woodbury later wrote (in 1847), "the acknowledgement of a domestic state is like the recognition of the independence or existence of a foreign state." *Scott et al. v. Jones*, 5 Howard 343 (1847), my emphasis.

98. Rep. Laban Wheaton (MA), speech of 4 Jan. 1811, *Annals of Congress*, 11th Cong., 3d Sess., 494.

99. Sen. Uriah Tracy (CT), speech of 3 Nov. 1803, *Annals of Congress*, 8th Cong., 1st Sess., 56. For a typical prediction of the imminent "subversion of our Union," see Rep. Matthew Griswold (CT), speech of 25 Oct. 1803, *ibid.*, 465.

100. "Memorandums of a Tour made by Joseph Espy in the States of Ohio and Kentucky and Indiana Territory in 1805," *Ohio Valley Historical Series*, no. 7 (Cincinnati, 1870), 25.

101. Gould Francis Lecky, *An Historical Survey of the Foreign Affairs of Great Britain, with a View to Explain the Causes of the Disasters of the Late and Present Wars* (London, 1808), 150-51.

102. [Joseph Hamilton Daveiss], *An Essay on Federalism* [Frankfort, KY?, 1810?], 46.

103. Rep. Josiah Quincy (MA), speech of 14 Jan. 1811, *Annals of Congress*, 11th Cong., 3d Sess., 540.

104. For the "consolidationist" charge and an interesting discussion of Federalist efforts "to annihilate the sovereignty of the respective States," see Benjamin Austin, Jr., *Constitutional Republicanism, in Opposition to Fallacious Federalism* (Boston, 1803), 54, and *passim*.

105. Rep. Robert Goodloe Harper (SC), 5 Mar. 1801, Cunningham, ed., *Circular Letters of Congressmen* 1:247-65, at 252.

106. Malcolm Rohrbough, *The Land Office Business: The Settlement and Administration of American Public Lands, 1789-1837* (New York, 1968), 3-136.

107. James Madison to Thomas Jefferson, 20 Aug. 1784, in *PJM* 8:108.

108. Barlow, *Advice to the Privileged Orders, in the Several States of Europe* (London; repr. New York, 1792), 36, 64-65.

109. "Friend to the People" [Tiffin], "To the Inhabitants," *Scioto Gazette*, 24 Sept. 1801.

110. See James H. Kettner, *The Development of American Citizenship, 1608-1870* (Chapel Hill, NC, 1978).

111. [Madison], "Consolidation," dated 3 Dec. 1791, *National Gazette* (Philadelphia), 5 Dec. 1791. Jefferson expressed similar sentiments in a letter to John Dickinson, 6 Mar. 1801: "I hope to see shortly a perfect consolidation, to affect which, nothing shall be spared on my part, short of the abandonment of the principles of our revolution." Paul Leicester Ford, ed., *The Writings of Thomas Jefferson*, 10 vols. (New York, 1892-99), 8:7-8.

112. [Charles Brockden Brown], *An Address to the Government of the United States, on the Cession of Louisiana to the French*, rev. ed. (Philadelphia, 1803), 37. The quotation is from a translation of a French document urging French colonization of Louisiana and emphasizing American vulnerability.

113. Concern was often focussed on prospects for continuing public land sales. For example, see Rep. John Stratton (VA), 3 Mar. 1803, in Cunningham, ed., *Circular Letters of Congressmen* 1:352-61, at 355: with the creation of a new state in the Northwest Territory, "little controul . . . will now be left to the National Government" over the public lands within its boundaries. Sen. James Ross (PA) warned that, without free navigation of the Mississippi, westerners "will rob you of your public lands." Speech of 14 Feb. 1803, *Annals of Congress*, 7th Cong., 2d Sess., 88.

114. Rep. Josiah Quincy (MA), speech of 14 Jan. 1811, *Annals of Congress*,

11th Cong., 3rd Sess., 525, 535, 540. For a comprehensive recapitulation of congressional debates on Louisiana see Everett Somerville Brown, *The Constitutional History of the Louisiana Purchase, 1803-1812* (Berkeley, 1920). On Quincy and Federalist "anti-expansionism," see Robert A. McCaughey, *Josiah Quincy, 1772-1864: The Last Federalist* (Cambridge, MA, 1974), 29-33, 68: the 14 Jan. speech, writes McCaughey, was one of Quincy's "petulant outbursts," and caused considerable embarrassment to his Federalist colleagues. See also the excellent study by James M. Banner, Jr., *To the Hartford Convention: The Federalists and the Origins of Party Politics in Massachusetts, 1789-1815* (New York, 1970), esp. at 110-14.

115. Johnson, *Oration on the Treaty with France*, 10. The Louisiana Purchase inspired colonization proposals, e.g., Magruder, *Reflections on the Late Cession*, 150; "Sylvestris," *Reflections on the Cession*, 25. Sylvestris also suggested that Indian nations might be induced to move across the Mississippi, *ibid.*, 24. On the slavery problem in this period see Donald L. Robinson, *Slavery in the Structure of American Politics, 1765-1820* (New York, 1971), esp. 378-423 on "Slavery and the Territories." For further discussion and citations see chap. 9 below.

116. On the comity issue, see Paul Finkelman, *An Imperfect Union: Slavery, Federalism, and Comity* (Chapel Hill, NC, 1981).

117. For an eloquent defense of the Jeffersonian idea of union see Julian P. Boyd, "Thomas Jefferson's Empire of Liberty," *Virginia Quarterly Review* 24 (1948): 538-54. For a less favorable assessment, underscoring Jefferson's "ambiguity" about the new nation's role as "exemplar" or "crusader," see Tucker and Hendrickson, *Empire of Liberty*, 249-56.

CHAPTER 3

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1. Frederick Jackson Turner, *The Frontier in American History* (New York, 1920), 1-38, 243-66.

2. Richard Hofstadter, *The Progressive Historians: Turner, Beard, Parrington* (Chicago, 1968), 118-64; Cecelia Tichy, *New World, New Earth: Environmental Reform in American Literature from the Puritans through Whitman* (New Haven, CT, 1979), 1-113; William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England* (New York, 1983); William Cronon, "Revisiting the Vanishing Frontier: The Legacy of Frederick Jackson Turner," *Western Historical Quarterly* 18 (Apr. 1987): 157-76; Patricia Nelson Limerick, *The Legacy of Conquest: The Unbroken Past of the American West* (New York, 1987), 17-32.

3. Peter S. Onuf, "Settlers, Settlements, and New States," and James H.

Merrell, "Declarations of Independence: Indian White Relations in the New Nation," in Jack P. Greene, ed., *The American Revolution: Its Character and Limits* (New York, 1987), 171-96 and 197-223; Dorothy V. Jones, *License for Empire: Colonialism by Treaty in Early America* (Chicago, 1982), 162.

4. Jeremiah Crabb, 5 Apr. 1796, *Annals of Congress*, 4th Congress, 1st Session, 861. Gregory Stiverson has shown that penurious farmers who had to rent land composed almost half of Maryland's population—a larger proportion than of any other state—and that thousands of those tenants sought a refuge in the West during the 1790s. Poor migrants sought "independence" by emigrating West. See Gregory Stiverson, *Poverty in a Land of Plenty: Tenancy in Eighteenth-Century Maryland* (Baltimore, 1977), 140-42.

5. Cathy Matson and Peter Onuf, "Toward a Republican Empire: Interest and Ideology in Revolutionary America," *American Quarterly* 37 (1985): 498, 519; Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill, NC, 1969), 64; Daniel Vickers, "Competency and Competition: Economic Culture in Early America," *WMQ* 47 (1990): 3-29.

6. James Holland, 5 Apr. 1796, *Annals of Congress*, 4th Congress, 1st Sess., 858-59.

7. Jeremiah Crabb, 5 Apr. 1796, *Annals of Congress*, 4th Congress, 1st Sess., 860; Richard L. Bushman, *King and People in Provincial Massachusetts* (Chapel Hill, NC, 1985), 62-63; Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill, NC, 1980), 14, 68.

8. Joseph Doddridge, *Notes on the Settlement and Indian Wars of the Western Parts of Virginia and Pennsylvania, From 1763 to 1783, Inclusive* (New York, 1972 repr. of 1876 edition), 190, 194.

9. For the radical implications of "independence," see Ruth Bogin, "New Jersey's True Policy: the Radical Republican Vision of Abraham Clark," *WMQ* 35 (1978): 100-109; Ruth Bogin, "Petitioning and the New Moral Economy of Post-Revolutionary America," *WMQ* 45 (1988): 391-425; Stanley N. Katz, "Thomas Jefferson and the Right to Property in Revolutionary America," *Journal of Law and Economics* 19 (1976): 467-88; James P. Walsh, "'Mechanics and Citizens': The Connecticut Artisan Protest of 1792," *WMQ* 42 (1985): 66-89.

10. Wood, *The Creation of the American Republic*, 70-75; Jack P. Greene, *Pursuits of Happiness: The Social Development of Early Modern British Colonies and the Formation of American Culture* (Chapel Hill, NC, 1988), 187-89; Jackson Turner Main, *The Social Structure of Revolutionary America* (Princeton, NJ, 1965), 30-35, 45-67, 221-39. For the Congressmen see Alfred F. Young, *The Democratic Republicans of New York: The Origins, 1763-1797* (Chapel Hill, NC, 1967), 554-58.

11. Daniel Scott Smith, "A Malthusian-Frontier Interpretation of United States Demographic History Before c. 1815," in Woodrow Borah et al., eds., *Urbanization in the Americas: The Background in Comparative Perspective* (Ottawa, 1980), 15-20; Jim Potter, "Demographic Development and Family Structure," in Jack P. Greene and J. R. Pole, eds., *Colonial British America: Essays in the New History of the Early Modern Era* (Baltimore, 1984), 136, 149.