About Founding and Governing a Nation

The thirteen colonies that formed the United States were part of a British Empire that had originated in the sixteenth century and would persist well into the twentieth. The empire reached its greatest territorial extent around 1920, when its possessions included Australia, India, Canada, much of eastern and southern Africa, and numerous islands. Many former British colonies subsequently gained autonomy within a Commonwealth of Nations with the British monarch as their head of state, while others (such as India) became independent republics.

The North American Colonies

In North America, the British colonial project began under the Tudors—specifically, Queen Elizabeth I, whose subjects claimed Greenland and parts of present-day Nunavut (/noo*nah*voot/), in northern Canada, in her name. The first part of North America to be settled with British subjects was Virginia, where two attempts were made to establish a colony at Roanoke. Both attempts failed, though the fate of the second group of colonists remains a mystery. The first permanent colony was Jamestown, Virginia, founded in 1607. Despite a near-collapse during the Starving Time (the name given to the grueling winter of 1609–10), Jamestown went on to become the capital of a growing colony whose economy, in time, relied heavily on tobacco farming. It was at Jamestown that the first enslaved people are believed to have arrived in British North America in 1619. From there, slavery became an entrenched part of the Southern plantation economy, whose workings are discussed in Unit 1, Topics 2 and 3.

By the end of the seventeenth century, the Atlantic coast from the Carolinas to Maine was claimed by British colonists, and much of this coastal territory was settled. Most of the New England and mid-Atlantic colonies were established in the 1620s and 1630s, often by a combination of religious and commercial interests. Massachusetts, for example, was founded by Puritans in 1628 and accumulated wealth through the fur, lumber, and shipbuilding trades. Maryland was established in 1632 specifically as a refuge for Roman Catholics. New York and New Jersey were founded by Dutch colonists but were taken by force by the British in the 1660s.

Georgia, the last of the thirteen colonies to be founded, was established in 1733 with the founding of Savannah.

Florida was not one of the thirteen colonies and would not become a U.S. territory until 1819. After centuries of colonization by the Spanish, Florida became a British possession in 1763 as part of negotiations at the end of the Seven Years' War. Britain returned Florida to Spain twenty years later, as part of the Peace of Paris.

Colonial Government

Three types of colonies existed in North America under British rule: royal, proprietary, and self-governing or charter colonies. Royal colonies were created by and for the Crown and were governed by political appointees. Proprietary colonies were granted to individuals known as proprietors, who had control over the colony's laws and leadership, subject only to the monarch's approval. Self-governing colonies received a charter from the Crown to form their own government. They were typically formed by companies of individuals who associated either for profit or on the basis of religious affiliation. For example, Massachusetts Bay was a self-governing colony under the Massachusetts Bay Company, a group of Puritans who sought to establish an overseas haven for followers of their religious tradition. Virginia was chartered to the Virginia Company, a joint-stock company that aimed to deliver profit to its investors.

The status of a colony could change over time: Massachusetts Bay lost its charter in 1684 and reemerged as a royal colony in 1691, which helps explain the political position of the governor there at the time of the Boston Tea Party, which students read about at the opening of Topic 1. By the 1770s, there were eight royal colonies, Rhode Island and Connecticut were self-governing, and Delaware, Maryland, and Pennsylvania were proprietary.

Government varied by colony, but in general, self-governing and proprietary colonies had and expected more autonomy than did royal colonies. Connecticut, one of the self-governing colonies, had an early instance of a democratically elected legislature in British North America. It was known as the General Court, but it was formally renamed the General Assembly in 1662. Like many colonial governments, it did not follow the separation of powers among three branches observed today; its members, who were originally known as magistrates, served both judicial and legislative roles. Gradually, this body developed into a bicameral legislature of the sort currently convened in most U.S. state capitols.

Among those founded as charter colonies, Virginia had a particularly influential legislature known as the House of Burgesses. Active from 1643 to 1776, the burgesses (representatives) were elected by their respective towns and villages. (As early as 1619, elected burgesses held unicameral sessions with colonial and British chief executives.) At the time of the Revolutionary War, burgesses of note included Patrick Henry, George Washington, and Thomas Jefferson.

Taxation Without Representation

The phrase "taxation without representation" was originally coined by Massachusetts lawyer James Otis Jr. John Dickinson's *Letters from a Farmer in Pennsylvania* (an excerpt of which is included in the Land of Liberty DBQ Workbook) attests that the principles underlying taxation were important to the colonists as well as to Parliament and the Crown. For Great Britain, establishment of a right to tax—and colonial submission to this taxation—was paramount. From the colonists' perspective, however, taxation without representation indicated that their rights as Englishmen and their prerogatives as colonists would be more and more constrained.

The individual colonial tax laws reflect this dynamic. The British government tried repeatedly to institute tax schemes that would not bring in much revenue but would establish a legal and customary precedent for taxing the colonies. The taxes were structured in various ways, sometimes disguised as import duties rather than direct taxes. They were justified with reference to various services that the British Empire provided to its overseas subjects, such as providing armed defense against Indigenous peoples.

The Sugar Act

The first colonial tax act to follow the Seven Years' War was the Sugar Act of 1764. The part of the act dealing with sugar directly was actually a tax reduction; it lowered the import duty on molasses while keeping the duty on refined sugar high and banning foreign rum altogether. This was an instance of inside dealing on the part of Parliament, as the British West Indies were a major site of molasses production. By making the British product cheap while keeping the foreign product expensive, Parliament promoted wealthy British commercial interests, much as it would try to do with the later Tea Act.

Despite its name, the Sugar Act also encompassed many other commodities. It levied import duties on some goods that colonists consumed, such as wine and coffee, while imposing an export ban on some goods the colonies produced, such as lumber. Strict and cumbersome enforcement procedures, along with the stipulation that violators be tried in Halifax, Nova Scotia, rather than locally, set precedents for increasing British control of colonial law and commerce.

The Quartering Act and the Stamp Act

In 1765, two laws drew sharp criticism from colonists. Following the French and Indian War (part of the wider Seven Years' War, as explained in the Student Volume), the British government deemed it wise to increase its military presence in North America. The Quartering Act of 1765 required colonial governments to provide accommodations and supplies for these troops. This practice was common throughout the British Empire, but North American colonists saw it as one more attempt by Parliament to extend its control over the thirteen

colonies. Later, the Quartering Act of 1774 required colonists to quarter soldiers in private residences; before then, quartering had taken place in public accommodations such as inns and taverns.

The Stamp Act, which directly taxed many printed products such as almanacs, cards, legal documents, and newspapers, provoked an overwhelming surge of protests. Boycotts, the main form of protest, were accompanied by petitions, riots, and acts of intimidation and vigilante violence against tax collectors. Representatives from nine of the colonies met at the Stamp Act Congress in October 1765 in New York. There, they penned a list of grievances that was sent to and ultimately ignored by Parliament. The Stamp Act was repealed in 1766 under pressure from British manufacturers and merchants, whose businesses had suffered from colonial protests. At the same time, Parliament passed the Declaratory Act, asserting its right to pass laws for the colonies "in all cases whatsoever."

The Sons of Liberty

In Boston, a coordinated resistance developed in response to the Stamp Act. The linchpin of this early resistance was the Loyal Nine, a group of Bostonians. Eventually, a larger group of disgruntled colonists organized as the Sons of Liberty, first in Boston and then elsewhere. Prominent members included the Boston brewer Samuel Adams, Paul Revere, Patrick Henry, John Hancock, James Otis, and the eventual turncoat Benedict Arnold. The Daughters of Liberty emerged alongside them and worked in concert to coordinate protests, circulate anti-British pamphlets, and organize colonies-wide protests.

One way the Sons of Liberty organized their activities was through Committees of Correspondence, a means of communicating information among resistance members across many colonies. These committees became increasingly important as conflict with Great Britain grew.

The Townshend Acts

The Townshend Acts, issued between June 15 and July 2, 1767, also infuriated colonists. They were named for Charles Townshend, the chancellor of the exchequer (Britain's equivalent of a treasury secretary), whose plan was to assert Parliament's right to control the colonies' financial policies and legal systems. The Townshend Acts comprised four separate acts:

- The Suspending Act, or the New York Restraining Act, stopped the New York Assembly from functioning until it complied with the Quartering Act.
- The Revenue Act placed taxes on British goods, including glass, lead, paint, and tea.
- The Commissioners of Customs Act created the American Customs Board, headquartered in Boston and responsible for regulating trade.
- The Indemnity Act lowered taxes on tea from the British East India Company. At this time, the colonists were purchasing tea smuggled from the Netherlands. The act was designed to help the British East India Company compete with the illicit trade.

A fifth act was passed a year later, following Townshend's death, that denied colonists a trial by jury should they be arrested for not paying the taxes.

Some members of Parliament, though not the majority, did endorse the idea that if the colonists were to be taxed, they should have representation in the legislature. Most, however, saw the colonies as a resource to be exploited and colonial protests as rebellions to be quashed. They argued that they were already doing enough for the colonies by protecting them, such as from attacks by Native Americans.

Many colonists protested these new laws. They wrote pamphlets, gave speeches, and marched in the streets. The Sons and Daughters of Liberty organized a boycott of British goods, including glass, paper, and tea, which

lasted for nearly three years before Parliament repealed the Townshend Acts almost entirely. Only the duty on tea remained.

The Boston Massacre and the Tea Act

The British sent troops to Boston to patrol the streets and ensure that protests did not escalate into violence. However, the troops' presence only increased the colonists' anger. On the night of March 5, 1770, a crowd of Bostonians was harassing a lone British sentry (a soldier on guard duty) posted outside the Custom House. The British sentry called for help from nearby soldiers. The heckling intensified; snowballs packed around pieces of ice and stones were hurled at the arriving soldiers. The soldiers opened fire on the crowd. Five Bostonians were killed, and six more were wounded. Among those killed was Crispus Attucks, a formerly enslaved sailor who was part African and part Native American. Attucks was a member of the Sons of Liberty and a ringleader of the day's heckling. He is remembered as the first person to die for American liberty. The already angry colonists called this event the Boston Massacre.

Tensions remained high and only increased with the passage of the Tea Act of 1773, which reduced but did not eliminate the earlier tea tax and gave a monopoly on tea imports to the British East India Company. As with the earlier Townshend Acts, colonists complained that this was an attempt to trick or coerce them into submitting to a tax, thus validating Parliament's right to impose taxes in the first place. Colonists continued, and in some cases intensified, their boycott of British tea. In Boston, the Sons of Liberty, led by Samuel Adams, mobilized in protest. On December 16, 1773, a group of colonists disguised themselves as Mohawk people. They boarded three British cargo ships and poured thousands of pounds of the British East India Company's tea into Boston Harbor.

The Boston Tea Party resulted in retaliatory laws, called the Coercive Acts by the British and the Intolerable Acts by the colonists. These acts closed the port of Boston until the East India Company was repaid for its losses, put Massachusetts directly under royal control, sent British troops to the colony to enforce these laws (and required colonists to quarter them), and allowed soldiers or officials accused of a crime to be tried outside Massachusetts if the governor deemed a fair trial impossible within the colony.

The Continental Congresses

Hearing of the Intolerable Acts described above, many throughout the other colonies became determined to show their support of Massachusetts. Connecticut, New York, Pennsylvania, South Carolina, and Virginia sent food and supplies to help beleaguered Bostonians. Virginia's House of Burgesses also designated a day of fasting and prayer in solidarity. Additionally, Virginia was inspired to call a congress of all the colonies to discuss a response to the actions of Parliament and the king. Georgia, a state where Loyalists prevailed, did not send representatives.

In October 1774, this First Continental Congress declared the Intolerable Acts unlawful and called for

- a boycott of British goods,
- the formation of a new government in Massachusetts,
- the right to trial by jury, and
- the establishment of militias by all colonies.

In addition, the First Continental Congress drafted and sent the Declaration of Rights and Grievances to King George III. This document listed the colonists' rights as British citizens and their grievances against the actions of Parliament since 1763.

The events in Boston and the First Continental Congress had a profound unifying effect on the colonists. Whereas colonists had once thought of themselves as Virginians, Georgians, Pennsylvanians, and so on, many now began to think of themselves as Americans.

In May 1775, the colonies convened the Second Continental Congress, which would continue until 1781. The congress authorized the creation of the Continental Army and appointed George Washington as commander in chief. Those colonial troops already gathered around Boston were the beginnings of the Continental Army, and Washington assumed command of those forces on July 3, 1775. The congress also issued the Olive Branch Petition, restating the colonists' loyalty to the king and asking for peace. King George III rejected it and issued the Proclamation of Rebellion instead, declaring the colonies in rebellion.

The Declaration of Independence

On June 7, 1776, Richard Henry Lee of Virginia introduced in the Second Continental Congress a resolution calling for independence. The congress appointed a committee of five—Benjamin Franklin, John Adams, Robert R. Livingston, Roger Sherman, and Thomas Jefferson—to draft a formal declaration. Much of the work of writing the declaration fell to Jefferson, and the document went through numerous drafts between June 11 and 28.

The Declaration of Independence can be understood as divided into sections. The preamble explains why the document was written. The next part explains the political ideas behind the call for independence, many of which were inspired by Enlightenment philosophers. The remainder of the document lists the charges against the king and the rights that the new states were claiming for themselves.

One draft of the Declaration of Independence addressed the matter of slavery as a grievance against King George III. The passage accused the British of forcing slavery upon the colonies and described the slave trade as a "cruel war against human nature." It went on to criticize a 1775 proclamation in which Virginia governor Lord Dunmore promised freedom to enslaved people who served in the British Army—a measure that encouraged them to rise in arms against the colonists. The passage was ultimately struck from the final version, presumably because many delegates to the Second Continental Congress, Jefferson included, were slaveholders or otherwise benefited from the institution of slavery.

The Second Continental Congress considered final revisions on July 2–4 and adopted the Declaration of Independence on July 4, officially declaring the former British colonies a new nation: the United States of America.

The Enlightenment Influence

The Declaration of Independence, like the Articles of Confederation and the Constitution after it, took inspiration from political theories that emerged from the Enlightenment. From the 1600s onward, European philosophers had debated the question of who should govern a nation. Among these were several philosophers who, as the absolute rule of monarchs weakened, mused about what other forms of government might be possible.

For these seventeenth-century Britons, political philosophy was no mere academic exercise. Thomas Hobbes (1588–1679) wrote *Leviathan* (1651) during the English Civil War, while the question of who would rule was being actively contested on the battlefield. In *Leviathan*, Hobbes states that human beings are naturally cruel, greedy, and selfish. He contends that "the condition of Man . . . is a condition of War of every one against every one"; humans only seek to feel pleasure and avoid pain and will achieve those ends through any means necessary. To curb the naturally selfish ways of humankind, Hobbes believed, humans must enter a social contract (a term adopted later), forfeiting some individual freedoms to a powerful government responsible for making choices that will ultimately benefit the group and preserve order. He argues that individuals are incapable of making such decisions for themselves. Hobbes's views made him unpopular with many of his compatriots.

John Locke (1632–1704) published his *Two Treatises of Government* (1689) in the immediate aftermath of the Glorious Revolution, wherein Parliament deposed King James II and replaced him with William and Mary. Locke's work aimed to celebrate the fact that the king had been deposed because he had violated the rights and liberties of the English people. Parliament offered the crown to James's daughter Mary and her Protestant husband, William III of Orange, with the expectation that they would not violate the people's rights as James II had. In *Two Treatises*, Locke espouses the doctrine of natural rights, which he identifies as life, liberty, and property, and his conception of the social contract—that a government's authority is limited and conditional on its defense of natural rights.

The idea of a collective agreement between government and the people would be refined by Swiss philosopher Jean-Jacques Rousseau. In *The Social Contract* (1762), Rousseau coins the term *social contract* in describing how each person "puts his person and all his power in common under the supreme direction of the general will" in exchange for the government's protection. Explicit in Rousseau's conception of the social contract is the consent of the governed: the idea that a government is only legitimate if it has the support of the populace, freely given, and acts to protect the freedom of the people to choose their rulers.

These ideas formed the core of the Declaration of Independence and were critical in the colonists' decision to break away from Great Britain. The U.S. Constitution was also the product of Enlightenment ideas, including popular sovereignty, the separation of powers, federalism, and individual rights as codified in a bill of rights.

It should be noted that the line "all men are created equal" originally applied to only white, landowning men. This notion would become more inclusive over time as the nation evolved.

The American Revolution

By the time the Continental Army came into being, the war had already begun. It started not as a conflict between two national armed forces but as an attempt by the British Army to suppress colonial militias, starting with those in Massachusetts.

The War Begins

By early 1775, as conflict was brewing, the British Army was firmly entrenched in Boston, and colonists had begun storing guns and ammunition in outlying areas in case of trouble. General Thomas Gage, commander of the British Army and governor-general of Massachusetts, was determined to seize the arsenal that his informants told him was stored in nearby Concord. On the night of April 18, 1775, some seven hundred British infantry left Boston. The colonists knew Gage was headed for Concord but did not know whether the soldiers would cross the Charles River by boat or march the whole route overland.

Paul Revere wanted to make sure that when the British left Boston, the Patriots would know which route they were taking. He arranged for a signal in the steeple of the North Church: one lantern lit if the British came by land, two lanterns lit if they came by sea. When the signal indicated that the British soldiers were going to be ferried across the river, Revere, William Dawes, and Dr. William Prescott raced on horseback to spread the word, traveling from Boston to Lexington and Concord to warn of the impending British arrival.

By 1:00 a.m. on April 19, 1775, the minutemen (Patriot militia) of Lexington were waiting for the British redcoats on Lexington Green. The advance party of the British saw the minutemen and raced toward them, forming a battle line. The commander of the minutemen told his troops to disperse. In the confusion, someone fired a shot, which caused the redcoats to open fire. When the British officers finally stopped shooting, eight Americans lay dead and ten were wounded. No one knows to this day whether a minuteman or a British soldier fired first that morning, but that shot—dubbed by Ralph Waldo Emerson "the shot heard round the world"—began the Revolutionary War.

The British re-formed into companies and continued the march to Concord. There, they searched for weapons and gunpowder but found only a small amount. The minutemen exchanged shots with the British on the North Bridge. In five minutes, the battle was over, and the British headed back to their home base. However, more minutemen continued to arrive that day, firing at the redcoats throughout their retreat. By the time the British arrived at their base in Charlestown, on a peninsula across the river from Boston, close to four thousand Patriots had assembled.

Among those who participated in the fighting that day as Patriots were Pomp Blackman, Lemuel Haynes, Peter Salem, Cuff Whittemore, Cato Woods, and Prince Estabrook. Some were free African American men, and some were enslaved. (Massachusetts would not abolish slavery until 1783, when the practice was successfully challenged in court on the grounds that Massachusetts's constitution deemed all men to be "born free and equal.")

The Battle of Bunker Hill

Back in Charlestown, Gage decided to fortify the surrounding hills before the Patriots could occupy them. On the night of June 17, 1775, the Patriots, hearing of his plans, seized both hills of the peninsula: Bunker Hill and Breed's Hill. The next morning, when Gage learned of the Patriots' actions, he decided to attack. The British charged Breed's Hill, and the Americans fired. The British fell back, regrouped, and attacked again. Despite holding the high ground, during the third charge, the 1,400 to 1,800 militia members ran out of ammunition and ultimately retreated from Gage's force of 2,200 soldiers; the British claimed victory.

Both sides suffered significant casualties in the two-hour-long battle. The Americans had upward of three hundred casualties, while the British had about a thousand. The Battle of Bunker Hill confirmed two things: the toughness of the American forces and just how grueling the American Revolution would be.

The British eventually withdrew from Charlestown and Boston in March 1776, after General George Washington's forces brought in sixty cannons and pointed them at British vessels in Boston Harbor.

Trenton and Princeton

By late 1776, the Continental Army was at a low point. A string of losses throughout the summer and fall had thinned troop numbers, hampered morale, and left the remaining soldiers low on supplies. Many lacked shoes and wore threadbare uniforms. The term of enlistment was also coming to an end for many, meaning the small force could soon become much smaller. After Washington was forced to retreat from New York City to New Jersey to Pennsylvania, the British felt secure in their position going into the Christmas holiday.

Despite overwhelming odds, Washington executed a daring attack on December 25, 1776. He initially planned to attack Trenton, New Jersey, with three columns of soldiers. Two columns ultimately turned back to Pennsylvania, unable to cross the icy Delaware River in the midst of a nor'easter. Washington and the main force of the army prevailed and marched the remaining ten miles (16 km) to Trenton, where 1,500 Hessian soldiers were encamped. The Continental Army arrived in the early hours of the morning and caught the Hessians unprepared, leading their British commanding officer to surrender to Washington.

Washington and his troops returned to Pennsylvania to regroup, then recrossed the Delaware River into New Jersey on December 29, hoping to capitalize on their momentum from the victory at Trenton. After a narrow escape from General Lord Charles Cornwallis's force of eight thousand soldiers on January 2, the Continental Army marched eighteen miles (29 km) through the night to confront British forces at Princeton, New Jersey. The combined Patriot victories at Trenton and Princeton played a key role in boosting American morale.

Victory at Saratoga

In the summer of 1777, the British embarked on a new plan of attack in the colonies, conceived by General John Burgoyne. He would invade the United States from the north, trekking south from Canada through the Hudson River valley, and General William Howe would bring troops from the south through New York. This plan was intended to bring all of New York under British control while isolating New England from the other colonies.

Unfortunately for Burgoyne, the two-pronged attack did not go according to plan. Howe, seeing an opportunity in Pennsylvania, peeled off course to mount an attack in Philadelphia. Burgoyne, at the same time, dispatched Hessian mercenaries to seize a supply depot in Vermont. The Hessians were captured, reducing Burgoyne's force. Loyalist reinforcements and Native American allies also failed to materialize.

Burgoyne's force of seven thousand eventually engaged Continental forces at the First Battle of Saratoga (also known as the Battle of Freeman's Farm) on September 19 and at the Second Battle of Saratoga, fought from October 7 to 17. The Continental Army, led by Horatio Gates, lost the first battle but forced a British surrender in the second. The truce agreed to by Gates and Burgoyne, called the Convention of Saratoga, stipulated that the British officers who fought at the battle were free to return to Great Britain on the condition that they did not fight in the American Revolution again. The Battle of Saratoga was a massive victory for the United States and changed the tide of the war, in part by encouraging France to formally enter the conflict as an American ally.

Yorktown

By 1778, the war had moved to the southern colonies. Lord Cornwallis, in command of British troops in North Carolina, marched them north in 1781 to Yorktown, on the York River in Virginia. His plan was to set up operations where the British navy could easily supply or evacuate his forces. The Patriots sought to surround Cornwallis before such a base could be established. In this, they were aided by the French, who by this point had provided both naval and land support in several past engagements. In fact, it was a Frenchman, the Marquis de Lafayette, who commanded one of the American divisions at Yorktown. A volunteer in the Continental Army, Lafayette held the rank of major general and served as both a military and a diplomatic liaison between France and the nascent United States.

Cornwallis underestimated the American and French forces. The French fleet won control of Chesapeake Bay from the British, cutting off Cornwallis's supply and escape route. Meanwhile, Washington and the French general Rochambeau moved their combined forces to pin in Cornwallis from the west, and Lafayette's troops, reinforced by soldiers from the French fleet, pinned him in from the east. The combined Continental forces began an artillery assault on October 9, 1781, at exactly five o'clock in the evening. The barrage lasted for eight days. Surrounded and outnumbered, Cornwallis asked for terms of surrender on October 17, and he formally surrendered on October 19. The Battle of Yorktown marked the end of the fighting; a formal peace, the Peace of Paris, which students read about in Topic 1, would not be agreed upon until the signing of the Treaty of Paris almost two years later.

The Articles of Confederation

During the Revolutionary War, the Second Continental Congress wrote and adopted the Articles of Confederation as the framework for the new nation's government. After the war, the new United States continued to operate under this document. However, the Articles of Confederation had a number of shortcomings. They established no executive body to coordinate the actions of the states or to act for the nation as a whole, leaving scattered powers to the legislative branch. For example, in dealing with foreign nations, Congress held both legislative and executive powers—yet it had no powers of taxation, making it dependent on the states for revenue. The government's shortcomings were made clear by a series of events in the early years

of the new republic, including worsening economic problems, ongoing strife with Great Britain and Spain, and Shays's Rebellion, which the government under the Articles of Confederation was too weak to handle.

The Constitutional Convention

For many of the Founders, the failings of the Articles of Confederation meant that they must be revised, if not completely replaced. To that end, a Constitutional Convention was called in Philadelphia. Proceedings began on May 25, 1787, and ran for nearly four months before the convention adjourned on September 17. Initially, the plan was to revise the Articles of Confederation and try to remedy their defects, but the suggestion to replace them altogether quickly gained momentum.

Constitutional Compromises

A series of major debates and the resulting compromises shaped the U.S. Constitution. One such debate involved representation in the new government. The Virginia delegation proposed a bicameral legislature, to be made up of a House of Representatives and a Senate. Under this Virginia Plan, promoted by James Madison, representation in both houses would be based on population. However, the smaller states, which would have relatively few representatives in this scheme, balked. In response, the New Jersey delegate William Paterson proposed that each state be given one vote in each house. In the end, the convention rejected both plans in favor of a compromise authored by Connecticut delegates Roger Sherman and Oliver Ellsworth. The Connecticut Compromise, or Great Compromise, called for representation in the House of Representatives to be based on population, while in the Senate, each state—small and large alike—would have two legislators. Representation in Congress and in the Electoral College is still based on this plan today.

A second volatile debate was related to slavery: Should slavery, or at least U.S. participation in the Atlantic slave trade, be abolished? If slavery persisted, should enslaved people be included when counting the population of each state, thereby increasing the number of representatives for those states with larger proportions of enslaved people? At the time, even states that had legally abolished slavery still had some enslaved persons within their borders. In Pennsylvania, for instance, legal abolition took the form of the Gradual Abolition Act (1780), which phased out slavery rather than bringing an abrupt end to the practice. Thus, the issue for purposes of representation was the net effect on the population; slavery was still practiced even in so-called free states.

Antislavery sentiment was stronger in Northern states and in some parts of Virginia and Maryland. However, the economies of many Southern states had grown dependent on enslaved labor, and the leaders of these states were not willing to abolish slavery. Southern states wanted enslaved people counted; Northern states did not. Northern states finally agreed to a compromise that allowed Southern states to count every five enslaved persons as three free persons. This is known as the Three-Fifths Compromise. The convention included ten other provisions regarding slavery, though the convention carefully avoided including the words *slave* and *slavery* in the document. These include a stipulation that Congress would not attempt to end the slave trade before 1808. These concessions effectively left the issue of slavery unresolved, as it remained until the Civil War.

Ratification

Before it could take effect, the Constitution had to first be accepted by the states. Unanimous ratification, however, was not required—once nine of the thirteen states ratified it, the Constitution became the law of the land in those states. Each state held its own meetings to discuss and debate the document and decide whether the state's vote should be in favor or against.

The votes for ratification took place over three years following the drafting of the Constitution, with all thirteen states ultimately voting in favor.

State	Date Ratified
Delaware	December 7, 1787
Pennsylvania	December 12, 1787
New Jersey	December 18, 1787
Georgia	January 2, 1788
Connecticut	January 9, 1788
Massachusetts	February 6, 1788
Maryland	April 28, 1788
South Carolina	May 23, 1788
New Hampshire*	June 21, 1788
Virginia	June 25, 1788
New York	July 26, 1788
North Carolina	November 21, 1789
Rhode Island	May 29, 1790

* With this vote, the Constitution took effect.

The newly ratified Constitution established the tripartite system of government used today, and it instituted the various checks and balances that moderate the relationships between the three branches. It set the ground rules for relationships among the states and—most notably through the supremacy clause—for the relationship between the states and the federal government. It said very little about the government's intervention in the economy, consistent with the laissez-faire principle that would initially dominate the Second Industrial Revolution. An exception is the commerce clause of Article I, which gives Congress power to regulate commerce with other countries and among the states. This clause has since formed the basis for regulatory schemes in a variety of industries.

The First Presidents

Though the Constitution provided the broad legal and philosophical framework, the first presidents of the United States still had to establish the actual structure and operating practices of the executive branch. Article II describes the role of "executive Departments," led by officials who are confirmed by the Senate. However, it falls to Congress to decide what those departments are—and to presidents and their appointees to decide how those departments will operate day to day. With few precedents other than the Privy Council of the British monarch, Washington, Adams, and their advisers had many decisions to make on this front.

George Washington and His Cabinet

In 1789, George Washington became the first president. A Virginia planter by birth and a veteran of the French and Indian War, Washington had served in the House of Burgesses before taking on the command of the Continental Army. His status as a war hero made him a highly popular figure within the politics of the new republic.

During his time in office, Washington set certain precedents that remain in effect today. One was the informal tradition, eventually codified in the Twenty-Second Amendment, that a president should not seek a third term in office. Another was the creation of the cabinet, a group of advisers who manage different areas of the executive branch's growing portfolio of responsibilities.

Though Washington's cabinet was small by today's standards, it was not without conflict. Two members in particular had strongly opposing views: Secretary of the Treasury Alexander Hamilton and Secretary of State Thomas Jefferson. Hamilton believed the nation must focus on repaying war debts by imposing an import duty on goods. He and the Federalists saw the future of the nation as being built on a strong, centralized government that increasingly concentrated on industry and commerce and thus also favored urbanization. Hamilton also endorsed the concept that wealthy, well-educated men should run the government. Though he had been born into poverty himself, Hamilton believed that people with financial independence and education were both less likely to be corrupted and more likely to govern wisely.

The view of Jefferson and the Anti-Federalists was that the United States should instead continue as a nation of small farmers, with a weaker central government that favored states' rights. Such an agrarian economy and society would naturally be less city-centric than the future envisioned by Hamilton. Jefferson's philosophy of government was also more egalitarian, in that he did not see wealth or privilege as predisposing a person to choose good leaders.

These two opposing views became the basis for the nation's first political parties. Hamilton's Federalist Party also included such leaders as John Adams and John Jay. Jefferson and James Madison were leaders of the opposition, who were known first as the Anti-Federalists, then as the Republican Party, and next as the Democratic-Republican Party. (Neither the Democratic Party nor the Republican Party of today directly reflects these earlier parties of similar names; the predominant ideologies of each of today's two major U.S. political parties have evolved over the years.)

John Adams and the Alien and Sedition Acts

John Adams (1735–1826), a Massachusetts lawyer with a rural background, was vice president for both of George Washington's terms as president. When Washington declined to run in 1796, he supported Adams as his successor. The election of 1796 was the first to have established political parties. Adams ran as a Federalist and received the most votes, so he became president. Thomas Jefferson, the leader of the Democratic-Republicans, received the next-highest number of votes after Adams and so became vice president. With the election of John Adams to the presidency as Washington's successor, another important precedent was set: the peaceful transfer of power from one president to another.

Conflict with France was the major issue of Adams's presidency. Jay's Treaty (1795), enacted to ease conflict with Great Britain, had angered Britain's longtime enemy, France. French naval ships began seizing American merchant vessels, and a trio of American diplomats went to France to try to intervene. When four French officials demanded a bribe before the Americans could meet with the foreign minister, Charles-Maurice de Talleyrand, the Americans balked. The Frenchmen involved came to be known as W, X, Y, and Z in redacted correspondence, leading the episode to be called the XYZ Affair.

Negotiating through his intermediaries, Talleyrand threatened the Americans with war if French terms were not met. President Adams's representatives would not budge, and Talleyrand himself finally met with them. He abandoned most of his conditions but would not call an end to the attacks on American ships. Eventually, as Americans prepared for war in earnest, Talleyrand—who had never wanted a full-scale war with the United States—sought peace. Adams sent a new diplomat, who reached an agreement (the Treaty of Mortefontaine) in 1800.

While this affair was unfolding, the United States was divided on how to deal with French influence in the face of a possible war. Federalists worried that noncitizens living in the United States might sympathize with the French. Congress, then controlled by Federalists, thus passed the Alien and Sedition Acts. The three Alien Acts—the

Naturalization Act, Alien Friends Act, and Alien Enemies Act—gave the president wide-ranging authority to deport "aliens," or noncitizens, as well as arrest and imprison them during a war. It also mandated that people live in the United States for fourteen years before becoming a citizen, instead of the earlier five-year minimum. The Sedition Act made it illegal for Americans to state or print false information about the government, the president, or Congress.

Both pieces of legislation added fuel to an already tumultuous partisan situation. The acts essentially made it a crime to criticize President Adams, a Federalist, but not Vice President Thomas Jefferson, a Democratic-Republican. Jefferson argued that the acts violated the rights of free speech and free press. The issue never made it to the Supreme Court; when Jefferson won the presidency in 1800, he let the acts expire, with the exception of one part: the Alien Enemies Act. This remains in effect and was used during World War II to arrest and detain Japanese immigrants, Japanese Americans, and others.

About Western Expansion and the Native American Experience

The territory of the United States expanded dramatically in the early nineteenth century, stretching from coast to coast by 1848. This growth took place through a series of treaties between the United States and France, Britain, Spain, and Mexico, the latter made in the wake of the Mexican-American War. This territory had long been home to Indigenous peoples, who suffered greatly under policies of forced relocation. An emerging ideology of *manifest destiny* held that the United States had not only the right but also the mission to expand westward.

The Jefferson Presidency

After winning the presidency in 1800, Thomas Jefferson served for two terms, becoming the first president to be inaugurated in Washington, D.C. Born to Virginia plantation owners, Jefferson studied law as a young man but maintained lifelong interests in science, philosophy, art, and architecture. He designed his own home, Monticello, which is among the earliest examples of neoclassical architecture (characterized by shapes and forms from ancient buildings) in the United States. Jefferson owned more than 6,500 books on a huge range of subjects, including religion and philosophy. His personal library became the start of the collection of the Library of Congress.

Jefferson was a Democratic-Republican who envisioned a narrower role for the federal government than did his Federalist rivals. His writings have often been quoted by later advocates of limited government, and his authorization of the Louisiana Purchase, despite personal misgivings, is now widely seen as prescient. Today, Jefferson's legacy is sometimes debated due to his hypocrisy on the issue of slavery as well as his support for the Embargo Act, discussed later in this document.

Marbury v. Madison

The early days of Jefferson's presidency were marked by a disagreement about the powers of the president and the role of the Supreme Court. While Article III of the U.S. Constitution established "one supreme Court" as the highest court in the land, it did not include many details about it. Congress was given the authority to create lower federal courts, which it did in the Judiciary Act of 1789. A little more than a decade later, when Democratic-Republican Thomas Jefferson won the presidency over Federalist John Adams, the Judiciary Act was suddenly put to the test, as Jefferson directed his secretary of state, James Madison, to refuse last-minute judicial appointments made by the lame duck Adams before he left office.

One of the appointees, William Marbury, brought the issue before the Supreme Court. In his decision in the resulting case, *Marbury v. Madison*, Chief Justice John Marshall stated that Marbury had been properly appointed and did have a right to a position on the court. In an implicit censure of President Jefferson, Marshall stated that because Marbury had a right to the judicial commission, and because it is the courts' responsibility to protect the rights of individuals, the law had to provide Marbury with a resolution.

However, Marshall also addressed the question of whether a writ of mandamus—an order to compel a lower court to do something—from the Supreme Court was the proper legal resolution. The justices said no; the court held that the provision of the Judiciary Act that allowed Marbury to bring his claim to the Supreme Court in the first place was itself unconstitutional. The Constitution specified the Supreme Court's jurisdiction, but the Judiciary Act purported to extend the court's jurisdiction beyond that—in essence, it tried to give the Supreme Court additional powers. The Constitution did not give Congress the power to do that. Thus, the provision in the Judiciary Act under which Marbury sued was unconstitutional and void, and Marbury's lawsuit was rejected.

While *Marbury v. Madison* did not get William Marbury the judicial commission he was promised, it did set a strong precedent for the legitimacy of judicial review by the Supreme Court and has been cited as such by justices throughout the history of the United States. Judicial review—the principle that courts can void or overturn laws that violate the Constitution and are thus unconstitutional—is now so foundational to U.S. jurisprudence that *Marbury* can be said to have affected literally thousands of subsequent decisions.

The Louisiana Purchase

Spain had gained Louisiana from France in 1762, during the Seven Years' War, and retained control of the territory when the United States was founded. France, under Napoleon Bonaparte, subsequently recovered the Louisiana Territory, including New Orleans, via the Third Treaty of San Ildefonso (1800). Before handing over the territory to French control, however, the Spanish banned Americans from using the Port of New Orleans in 1802. This meant closing off the Mississippi River, the major route by which settlers in the Midwest and South shipped their goods to market.

Due to the commercial and strategic importance of the port city, President Jefferson immediately sent representatives to France with an offer to buy New Orleans. (This decision was debated by politicians of the day, as students can read about in the Land of Liberty DBQ Workbook.) France agreed to sell the entire Louisiana Territory for $15 million. The Louisiana Territory stretched from the Mississippi River to the Rocky Mountains and from the present-day Canadian border to the Gulf of Mexico. The United States had acquired land that more than doubled the nation's size. Control of this area also meant that control of the Mississippi River and most of its tributaries was in the hands of the United States.

Although President Jefferson had initiated the offer to buy New Orleans, he was not sure that the U.S. Constitution allowed him to acquire new territory for the nation or to grant citizenship to the fifty thousand or more inhabitants of Louisiana. Jefferson was a strict constructionist, meaning that he preferred a narrow interpretation of the Constitution. This was in contrast to loose constructionists, who saw the Constitution as more of a "living document" that could be interpreted less narrowly, particularly in the area of implied federal powers. As such, Jefferson believed that an amendment to the U.S. Constitution would be needed to give him the power to authorize the purchase of the land. His advisers, however, had warned him that Napoleon could change his mind if Jefferson waited for three-fourths of the states to ratify an amendment. In the end, Jefferson decided to do what he believed most Americans wanted and sent the treaty approving the purchase of the Louisiana Territory to the Senate to ratify.

The Corps of Discovery

Thomas Jefferson was eager to find out what exactly the United States had purchased. He appointed his private secretary, Meriwether Lewis, to lead an expedition into the territory. A naturalist and former army officer, Lewis had extensive experience in the Old Northwest. His co-leader, William Clark, was also a soldier who had seen action in the West and who had experience dealing with Native Americans under terms of both war and diplomacy. Together, they signed up forty-eight men for their Corps of Discovery. In the spring of 1804, they left St. Louis and set off up the Missouri River.

By the fall of that year, the Corps had reached present-day North Dakota. They wintered in a fort they built and named Fort Mandan, after the local Native Americans. Among the Mandan, Lewis and Clark met a French Canadian trader named Toussaint Charbonneau and his Shoshone wife, Sacagawea. Lewis and Clark decided to take them on as guides and interpreters.

Sacagawea had been kidnapped as a child by another tribe, the Hidatsa, and sold to a Mandan, who later traded her to Charbonneau. She proved to be of great help in enlisting the aid of Native Americans when the Corps reached the Upper Missouri River. Her knowledge of landmarks helped the Corps navigate on the return trip. She and her family parted from the Corps when they returned to the Mandan villages on their return journey in 1806.

In April 1805, the expedition continued northwest from Fort Mandan, reaching the Rockies and, eventually, the Great Falls in present-day Montana. Carrying their canoes, boats, and belongings—and Sacagawea's baby, born during the journey—through the mountains was difficult work. In the late summer of 1805, the Corps made it across the Continental Divide and soon crossed paths with Sacagawea's brother Cameahwait and other Shoshone people. Sacagawea persuaded the Shoshone to provide horses for the expedition and to guide the Corps through the mountains of what is now Idaho. In Oregon, they were able to sail down the Columbia River. In November, the expedition reached the Pacific coast, where they built Fort Clatsop and spent the winter of 1805–6. When spring arrived, the Corps began the return trip. By September 06, two years after leaving St. Louis, the Corps of Discovery was back home.

Jefferson had given Lewis and Clark specific instructions about what the expedition should accomplish. They were to seek a water route connecting the Upper Mississippi with the Pacific Ocean, map the region they explored, establish contact with Native Americans in the area, and take notes about and collect specimens of the plants, animals, and minerals they found. These would be sent to Washington, D.C., for further study.

As the Corps discovered, the Rockies stood in the way of an all-water route to the Pacific. The expedition did, however, establish official relations with many Native groups. The most valuable information brought back from the expedition was in the notes, drawings, and specimens that documented the trip. The Lewis and Clark expedition stimulated interest in the West and brought thousands of settlers into the territory.

The War of 1812

The War of 1812 was the culmination of a long period of tension between the United States and Great Britain. Britain and France were at war, and the British navy began seizing U.S. ships in the Caribbean to stop Americans from trading with French colonies there. In seizing the ships, the British also impressed sailors—some who were suspected of being deserters from the British navy, and others simply because a ship's captain needed crew. The French also seized U.S. cargo and ships.

In the years leading up to the War of 1812, as an attempt to keep the United States from being drawn into the war on either side, President Thomas Jefferson and his allies in Congress passed and enacted the Embargo Act of 1807, which banned American maritime trade with foreign countries. In 1809, the ban was narrowed to apply only to trade with France and Britain. This embargo proved disastrous for the American economy, which lost its largest "customers" in the arena of international trade. Furthermore, the law mostly just provoked, and only slightly harmed, the European powers. One silver lining of the policy was that it allowed American manufacturers to expand to meet demand that could no longer be met with foreign trade. This helped accelerate the industrialization of the early United States. But it did not help ease the growing conflict between the United States and Britain. In the end, the U.S. government repealed the law and reopened its ports to ships from all nations except France and Great Britain. The next year, trade with France resumed, but anti-British sentiment grew as impressment continued.

In the meantime, frontier states agitated for war with Britain. They believed the British were fomenting Native American attacks on frontier settlements. In Congress, these advocates for war were known as "war hawks," and their other goals included expanding U.S. territory westward. The Battle of Tippecanoe in Indiana Territory in 1811 was one of the factors that tipped the scale to war. American commanding general (and future U.S. president) William Henry Harrison allegedly found British weapons in a Native American camp. On hearing this, Congress passed a war resolution, and the War of 1812 began.

Native American resistance to U.S. encroachment was led by Tecumseh, a Shawnee chief. With the help of the British, Tecumseh tried to create an alliance of tribes to fight against the United States. The resistance suffered when Tecumseh's brother was defeated in the Battle of Tippecanoe, and then Tecumseh himself died in the Battle of the Thames in 1813.

The Battle of Detroit

The first major victory of the war went to the British. In August 1812, William Hull, governor of Michigan Territory, led a charge into Canada against forces under British general Isaac Brock. However, Brock was prepared and counterattacked along with Tecumseh and his forces, chasing the Americans back to their base in Detroit. A terrified Hull surrendered without firing a single shot, an act deemed disgraceful by both sides.

The Battle of Lake Erie

The Americans suffered several more defeats, as well as constant harassment of their borders by Native American troops. September 10, 1813, the day of the Battle of Lake Erie, marked a turning point. U.S. master commandant Oliver Hazard Perry launched a fleet of nine American ships against six British ones on Lake Erie. Despite the American ships having more cannons, Perry's guns did not have the range of those of the British. To counteract this problem, Perry gained the advantage of the wind, firing with the wind and forcing the British to fire against it. The Americans prevailed, and their control of Lake Erie paved the way for the recapture of Detroit.

The Creek War

In the South, U.S. forces also attempted to exploit a civil war among the Muscogee people, also known as the Creek. The Creek National Council, a group of leaders backed by the United States government, favored a peaceful relationship with the American settlers, but a rival Creek group known as the Red Sticks sought to defend their territory by war. U.S. troops soon became involved in the conflict on the side of the National Council, but this provoked sharp retaliation among the Red Stick faction, who raided American forts and killed soldiers and settlers alike. A year of fighting in present-day Alabama and Georgia ensued in what is now known as the Creek War. In March 1814, General Andrew Jackson led U.S. and allied Native forces to victory at the Battle of Horseshoe Bend, dealing a forcible strike to Red Stick resistance. In August 1814, the United States forced the Creek to sign the Treaty of Fort Jackson, which ceded to the United States all Creek land in Georgia and much of modern-day Alabama.

The Burning of Washington

The British advance on Washington, D.C., was not so much a battle as an act of destruction. Having taken over Chesapeake Bay, the British began sailing up the Patuxent River in Maryland in August 1814. President James Madison sent scouts to determine what was happening, and they reported that British troops were marching toward Washington. The British greatly outnumbered the American troops, so residents and officials in Washington hastily gathered up important government documents and fled. First Lady Dolley Madison, who remained in the city until the British were nearly upon it, ordered the last few people in the White House to save valuables and important documents, including the portrait of George Washington painted by Gilbert Stuart. When the British arrived, they found the city empty. They looted and burned nearly all government buildings.

The Battle of Baltimore

With Washington ablaze, the British turned their sights to Baltimore. The port city was a hub of shipbuilding. Having easily razed Washington, the British expected little resistance in Baltimore. They did not expect the preparations the Americans had made over the previous year. The people of Baltimore had strengthened the city's defenses, including installing between fifty and sixty cannons at Fort McHenry.

The British plan was a combined attack by land and sea. The people of Baltimore met them on both fronts. In September 1814, American troops under the command of Brigadier General John Stricker marched out to meet British troops under the command of Major General Robert Ross. After dealing heavy casualties to the British,

the Americans fell back to the city. The following day, the British naval bombardment began. The British ships had to stay well clear of the shore to avoid their compatriots' artillery fire. Nevertheless, they ruthlessly rained gunfire onto Fort McHenry; however, they failed to destroy it, and several of their ships were damaged when the Americans returned fire. The exchange continued through the night. In the morning, having failed to destroy or even substantially damage the fort, the British ships departed, and Francis Scott Key, an eyewitness, composed his famous poem, which students can read in full in the Land of Liberty DBQ Workbook.

The Battle of Plattsburgh

Also in September 1814, the British sought to take the American base at Plattsburgh and gain control of Lake Champlain. The governor in chief of Canada, George Prevost, planned a dual attack by land and water in which ships would secure the lake and then ground forces would storm the base. Unfortunately for Prevost, the naval battle did not go to plan. Captain George Downie, leading the naval assault, was killed soon after fighting began, and after only a few hours, the British ships surrendered. With the loss of his naval support, Prevost called off the ground attack.

The Treaty of Ghent

Seeing that the war would not be the easy victory they had hoped for, the British agreed to negotiate an end to the fighting. On December 24, 1814, both sides signed the Treaty of Ghent, which ended the war without resolving any of the disagreements that had provoked it in the first place. Territorially, the treaty enforced *status quo ante bellum*, or the state of things as they existed before the war: No land was ceded by either side. In fact, the Treaty of Ghent did not even completely resolve border disputes with Britain. A series of later treaties were necessary for that purpose. Under the Treaty of 1818, the United States recognized the forty-ninth parallel as the boundary with British Canada, gained the northernmost parts of present-day North Dakota and Minnesota, and gave up a strip of land just north of today's Montana.

Nor were reparations demanded, of either the British or the Americans, for what had proved a costly conflict to both; the United States government alone spent $105 million (more than $1 billion in today's dollars) to fight the war, to say nothing of the indirect costs of lost trade. Yet although the war was inconclusive, many Americans had newfound confidence in the power of their young nation, which had withstood what was acknowledged to be the world's most powerful army and navy.

Notably absent from the negotiating table were the Native Americans who had allied with either side. Their loss of a powerful ally in the British, along with the removal of checks on U.S. expansion in the Northwest, left Native American nations more vulnerable than they had been before the war.

The Battle of New Orleans

Word of the treaty did not reach New Orleans in time to prevent the battle brewing there. General Andrew Jackson, aware that a British fleet meant to attack the city, had conscripted a diverse group of people to fortify and defend it. They consisted of regular troops; militia, including free people of color; Native Americans; and pirates under the command of Jean Lafitte.

On January 8, 1815, the British attacked. Jackson's defense forces were spread on opposite banks of the Mississippi River, with Jackson himself on the east bank. British commander General Edward Pakenham split his forces, with one group attacking the east and another the west. He meant to quickly defeat the western defenders and then come at the stronger eastern defenders from two sides. He attacked at dawn, with the advantage of fog hiding his troops, but the fog lifted, and his advantage quite literally disappeared, exposing his forces on the eastern bank. Immediately, they came under heavy fire. Pakenham himself was killed, and his troops took heavy losses. The British attack force on the west bank saw the carnage; rather than risk destruction themselves, they retreated. The Americans were victorious, although the battle did not change the outcome of the war.

The American System

At the war's end, nationalist sentiment was running high. Americans began to consider how to build the United States into a successful and prosperous nation. Senator Henry Clay of Kentucky proposed an "American System" with three main components.

- Implement high tariffs on imports to encourage the growth of domestic industry. Tariffs would benefit the industrializing Northeast but would be expensive for the South and the West.
- Invest in infrastructure to connect the states and allow people and goods to move freely. This would mainly benefit the South and the West, as infrastructure was already highly developed in the Northeast.
- Use a national bank to provide capital necessary for American businesses to grow.

Congress implemented many of Clay's suggestions. Protective tariffs went into effect beginning in 1816. In that same year, Congress chartered the Second National Bank, which also helped finance the substantial debts from the War of 1812. (The First National Bank, strongly supported by Alexander Hamilton, had been chartered by Congress in 1791; the controls it eventually placed on state-chartered banks became such a political sticking point that its charter was allowed to expire in 1811.) Congress also funded several improvements to transportation infrastructure, including the National Road, the first federal highway in the United States. Formerly called the Cumberland Road, it stretched from Cumberland, Maryland, to Wheeling, Virginia (now West Virginia).

A major test for the American System came in 1819. A glut of paper money led to widespread inflation, or a general increase in prices over time. Banks were also lending money widely with comfortable rates and little oversight. This easy-credit environment fueled government land sales in the South and West, where many speculators took out loans to buy land in hopes of selling it at a profit. The Second Bank of the United States tried to rein in inflation by making fewer loans to state banks and thus limiting the supply of money in circulation.

When it came time for the state banks to pay back the Second Bank, they demanded payment from their own debtors: Southern and Western farmers. But these farmers were facing their own issues with overproduction and foreign competition and were unable to pay their loans. Many lost their farms, helping cause a recession that began to lift only in 1821, when Congress passed debt-relief measures for landholders.

James Monroe's Presidency

Like three of the previous four presidents, James Monroe was a Virginian. His two terms in office (1817–25) are known as the Era of Good Feelings. The nation was at peace, times were prosperous, and U.S. borders were expanding westward with the admission of several new states and the addition of new territory.

Setting Borders

Once peace had been established with Great Britain, the United States sought to define the border with British North America. Under the Convention of 1818, both countries agreed to withdraw their navies from the Great Lakes and to accept a national border at the forty-ninth parallel.

The borders between the United States and Spain's New World colonies were also not well-defined when Monroe took office. In 1819, John Quincy Adams, Monroe's secretary of state, negotiated the Adams–Onís Treaty, in which Spain granted all of Florida to the United States in exchange for control of land that included all of what is now Texas. The treaty also established definitively the entire border between the United States and New Spain.

The Monroe Doctrine

The British approached the United States about issuing a joint declaration against European interference in the affairs of the Americas. Monroe decided against the joint statement. He was concerned that it would diminish the stature of the United States. Instead, in 1823, Monroe issued what is known as the Monroe Doctrine, in which the United States warned European nations against interfering in the Americas. The United States did not have the force to back up its threat, but even without the force of arms, the Monroe Doctrine was important because it established a role for the United States in world affairs. It also included a pledge not to interfere in the status quo, or the administration of preexisting European colonies in the Americas:

> With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintain it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new Governments and Spain we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgement of the competent authorities of this Government, shall make a corresponding change on the part of the United States indispensable to their security.

Slavery and Sectionalism

The Missouri Compromise, enacted in 1820 and signed into law by President Monroe, was one of a series of compromises made on the issue of slavery between the Declaration of Independence and the Civil War. The agreement between the free states and the slave states enabled Missouri to enter the Union as a slave state if Maine entered as a free state. In addition, it declared that any new states created from the Louisiana Purchase above the parallel 36°30′ north, Missouri's southern border, would be free. The Missouri Compromise preserved, for the time being, the balance between free and slave states. However, it set the stage for future conflicts over the entry of new states into the Union.

The Jacksonian Era

Andrew Jackson (1767–1845) was born in the Waxhaws, a region of the Appalachian foothills that straddles the Carolinas. In contrast to the Virginian and New England presidents that preceded him, Jackson was from not merely a rural but a frontier background. He had little formal schooling, and indeed there was little to be had in that part of the country at the time. Instead, the formative event of Jackson's youth was the British invasion of the Carolinas during the American Revolution—a part of British general Lord Charles Cornwallis's southern campaign, discussed in the previous topic. Jackson fought against the British as a volunteer. His mother and two brothers died before the revolution was complete.

At about age twenty, the largely self-taught Jackson became an attorney in North Carolina. He moved to Nashville and practiced as a prosecutor there. He helped organize Tennessee's bid for statehood and became Tennessee's first U.S. representative, then one of its earliest U.S. senators. After this brief congressional career, he returned home and served as a judge in the Tennessee state court system. In the War of 1812, Jackson rallied a militia that suppressed the Creek (or Muscogee) rebellion in the South (1813–14), then distinguished himself as the commander of the defense of New Orleans in 1815.

Armed with his national reputation as a war hero, Jackson sought the presidency in 1824 but lost that controversial election. Despite winning the largest share of both the electoral and the popular vote, he failed to win a majority of either. This meant that it fell to the House of Representatives to decide, and they chose runner-up John Quincy Adams in what Jackson and his supporters decried as a "corrupt bargain." Jackson ran again in 1828, this time winning by a substantial majority.

Jackson's contentious relationship with the other branches of government is illustrated in the two major controversies of his presidency. In the Bank War, Jackson went head-to-head with congressional leaders who felt that he was overstepping his bounds by attempting to block renewal of the Second Bank's charter. In his prosecution of the Indian Removal Act, Jackson refused to enforce the Supreme Court ruling in *Worcester v. Georgia*, paving the way for the increasingly violent displacement of Native Americans in the South. This conflict and its consequences are discussed further below.

Jackson is also often associated with the widespread patronage that had become a hallmark of the federal bureaucracy by the early 1830s. Beyond his public arguments about rotation in office and breaking the elite hold on government, Jackson also wished to fill key positions with people he personally trusted. He was deeply suspicious of political opponents and long-standing bureaucrats, believing they might undermine him or his policies. The resulting spoils system—so named for Senator William Marcy's 1832 statement "To the victor belongs the spoils of the enemy"—involved rewarding party supporters with federal jobs, often regardless of their actual qualifications for a government position. It was understood that such an appointment was in exchange for continued party or presidential support and that the appointment might very well come to an end if there was a change in the dominant political party in the White House or Congress. The 1883 Pendleton Act (officially the Pendleton Civil Service Reform Act) would make great strides in stamping out the spoils system.

Removal of the Five Tribes

The Native American nations of the Southeastern United States—the Cherokee, Creek, Choctaw, Chickasaw, and Seminoles—were called the "Five Civilized Tribes" due to their adoption of constitutions, laws, and other aspects of culture that Americans of the time considered requirements for a civilization. Today, the term "Five Tribes" is preferred. Members of these tribes had adopted European-American practices to accommodate themselves to colonists and the American government. They hoped that this would protect them from domination, removal, and attack. For example, the Cherokee adopted European-American ways by becoming farmers, some of whom acquired enslaved African Americans, and by converting to Christianity. That did not stop settlers from coveting tribal lands in the Southeast, especially as cotton cultivation grew and rich deposits of gold were discovered in North Georgia.

In 1830, President Andrew Jackson supported passage of the Indian Removal Act, which gave the president the leeway to eventually coerce Native Americans of the Southeast to move to what was called Indian Territory, now part of the state of Oklahoma. The Choctaw left first, followed by the Creek and the Chickasaw. The last to leave were the Seminoles.

Osceola and the Seminoles

When the Seminoles were told they had to leave Florida and resettle in Oklahoma, Osceola and his supporters refused. By 1835, the Second Seminole War was underway. For two years, Osceola and his warriors foiled successive American campaigns, even though they were outnumbered. In 1837, Osceola arranged to meet the commander of the U.S. troops under a flag of truce. Despite the truce, Osceola was taken prisoner. The Seminoles continued to fight until 1842, by which time many of them had been killed. More than four thousand Seminole people were deported to Oklahoma. A few hundred remained in Florida, making their lives in the Everglades.

The Cherokee and the Trail of Tears

The Cherokee fought removal in the courts. In *Worcester v. Georgia* (1832), the Supreme Court upheld the Cherokee's rights to their lands, but President Jackson and the state of Georgia ignored the court's decision. Seeing the inevitable, some two thousand Cherokee agreed to move. By 1838, some fourteen thousand still remained in the Southeast. Jackson was no longer president, but his successor, Martin Van Buren, decided to

enforce the move. The Cherokee's forced march to the Indian Territory became known as the Trail of Tears. The four-month trek took place in winter, and it is estimated that about four thousand adults and children died along the way. The cost of the removal was subtracted from the money to be paid to the Cherokee for their lands.

The Cherokee and the other nations exiled to Indian Territory were promised that this land would remain theirs forever. "Forever" lasted one generation. First, they lost part of their land to other Native American peoples whom the federal government resettled in the territory in 1866. Then they lost more land to white settlers. By 1907, Native Americans were outnumbered in "Indian Territory," and the region was made part of the new state of Oklahoma.

Conflicts with Mexico

With the encouragement of the Mexican government, during the 1820s, small numbers of Americans began moving into the Mexican province of Texas to raise cotton and sugar on plantations. By 1835, less than a decade later, there were around twenty-five thousand Americans, including many enslaved workers, in Texas. These settlers outnumbered the Mexicans living there, who were called Tejanos. Concerned about the growing imbalance, the Mexican government banned all further settlement by Americans and all further importation of enslaved labor. Slavery was already illegal in the rest of Mexico, and Mexican authorities had grown worried that the American settlers were laying the groundwork for Texas to become part of the United States.

These settlers, who called themselves Texians, and some Tejanos asked the Mexican government several times for autonomy for Texas, declaring that they needed enslaved labor to work their plantations. They were refused. When Texian Stephen Austin was jailed by Mexican ruler General Antonio López de Santa Anna for delivering one of these requests, the Texians rebelled. The Texas Revolution lasted from late 1835 to April 1836.

"Remember the Alamo!"

The most memorable battle of the Texas Revolution was the Battle of the Alamo in San Antonio, which took place from February 23 to March 6, 1836. The Alamo, which still stands today in San Antonio, began its life as a Spanish mission before being fortified for military use. Originally named the San Antonio de Valero mission, it was popularly called "Alamo" after the Spanish name for the cottonwood trees that grew nearby. It was there that, receiving word of a Mexican expedition to retake Texas, some two hundred Texian rebels resisted the advance of roughly two thousand Mexican soldiers for thirteen days. Eventually, they were unable to repel the onslaught, and even those who surrendered were killed. The leader of the Mexican force was General Antonio López de Santa Anna (1794–1876), a former and future president of the Mexican Republic. Santa Anna proceeded to win several other battles during this campaign and order the execution of his prisoners, executing more than four hundred Texians at Goliad on March 27.

Stories of the Texians' heroism at the Alamo galvanized American support for their cause. Those who led the resistance, including James "Jim" Bowie and David "Davy" Crockett, were already revered as folk heroes of the American frontier, and their role at the Alamo only burnished their legend. Tennessee frontiersman and legislator Davy Crockett had already become a national folk hero through literary and theatrical adaptations of his military exploits. Crockett's death at the Alamo was described at the time as a valiant last stand, holding off more than a dozen Mexican soldiers in hand-to-hand combat. Today, it is debated whether that story was made up to rally American support; some say Crockett was captured and executed. The Mexican army's treatment of Texian captives, both at the Alamo and at Goliad, increased American sympathy for the Texian cause. A few weeks after the Battle of the Alamo, in the short Battle of San Jacinto, the Texians gained the offensive and drove back the Mexican army under the battle cry "Remember the Alamo!" The Texian leader at the battle, Sam Houston, became the first president of the new Republic of Texas.

The Mexican-American War

The Republic of Texas sought annexation by the United States as early as 1836 but was initially refused for two main reasons: Annexation would mean war with Mexico, and Texas would become a slave state at a time when the United States was repeatedly struggling to reach compromises over the issue of slavery.

In 1844, the fate of Texas became a major campaign issue in the presidential election. James K. Polk won on a platform of annexation, defeating Whig candidate Henry Clay. Early in 1845, the United States annexed Texas. Mexico, however, refused to recognize Texas's independence; in Mexico's eyes, Texas was still part of Mexico. There were also disputes about the location of the Texas border; in particular, both the United States and Mexico claimed the territory between the Rio Grande and the Nueces River farther north.

Once in office, Polk attempted to purchase present-day California and New Mexico from Mexico but was rebuffed. Confident that the United States would prevail in a war with Mexico and be able to gain territory, President Polk provoked a Mexican attack by ordering U.S. troops to cross the Nueces into territory claimed by Mexico. The war lasted from May 1846 to February 1848. Under the Treaty of Guadalupe Hidalgo, which ended the war, Mexico ceded to the United States all or part of what became the states of California, Nevada, Utah, Colorado, Wyoming, New Mexico, and Arizona. Mexico made no more attempts to claim Texas.

Resistance to War

The Mexican-American War did not have widespread support, particularly in the North, where many saw the war as merely an attempt to extend the practice of slavery into the Southwest. Then-congressman Abraham Lincoln denounced the war as immoral, demanding to know exactly where Mexicans had "shed American blood on American soil," as claimed by President Polk. To demand an answer to this and other pointed questions, he urged Congress—unsuccessfully—to pass what are now called the Spot Resolutions. Thomas Corwin of Ohio deemed the war yet another example of American injustice to Mexico, stating, "If I were a Mexican I would tell you, 'Have you not room enough in your own country to bury your dead?'" Henry Clay declared, "This is no war of defense, but one of unnecessary and offensive aggression." Abolitionists such as Frederick Douglass and William Lloyd Garrison, about whom students will read in Unit 1, Topic 3, also spoke out forcefully against the war.

The best-known protest against the war came from essayist and poet Henry David Thoreau, who was arrested in July 1846 for refusing to pay taxes in protest of America's involvement in the war. This act of civil disobedience inspired Thoreau to write a long essay on the topic, "Civil Disobedience," in which he argues that it is the duty of all citizens to refuse to obey unjust laws.

About A Nation Divided and Reconstructed

The years between the Mexican-American War and the Civil War witnessed ever-worsening sectional strife. Measures such as the Kansas–Nebraska Act and the *Dred Scott* decision, nominally intended to ease sectional tensions, backfired dramatically, satisfying neither North nor South. Meanwhile, slavery continued to grow—in terms of the number of people involved and its economic significance—right up until the outbreak of the war.

Slavery and Abolition

Slavery in the United States was an evolution of European colonial practices. Yet in the eighty-odd years between the Battle of Yorktown and the first battles of the Civil War, the practice of slavery expanded dramatically as regions of the country made it a central feature of their economies upon which continued growth depended. In the British Empire, chattel slavery—the treatment of enslaved people as personal property—began as a way of meeting the demand for labor in the increasingly productive American plantations. The first enslaved Africans are believed to have arrived at Jamestown in 1619, marking a beginning to the practice in the future United States. Slavery on the British-held Caribbean islands of St. Kitts (1623) and Barbados (1627) soon followed. Enslaved Africans first arrived in Louisiana in 1719, where French colonists forced them into land-clearing activities, agricultural work, and domestic service. The practice of slavery continued once Louisiana shifted to Spanish control; under Spanish rule, the colony's enslaved population grew by thousands.

What the Caribbean and the American South had in common, geographically, were terrain and climate suitable for growing cash crops. Of these, sugarcane was preeminent in the Caribbean; tobacco and eventually cotton predominated in the mainland South. The missing ingredient was vast amounts of hard labor. Attempts were first made to exploit the labor of Indigenous populations, as the Spanish had done during their New World conquests. The depopulation of Indigenous communities from violence, disease, and displacement, however, limited the extent to which such labor could be obtained locally. Colonial proprietors and plantation owners also used indentured servants—immigrants under contract to labor for a specified period in exchange for an advance that paid for their passage across the Atlantic.

Over the course of the seventeenth century, enslavement of Africans displaced both indentured servitude and enslavement of Native Americans as the main source of unfree labor. Enslavers imported captives from West and Central Africa, where they had been taken prisoner by local warlords who often depopulated entire villages. The warlords sold their captives in exchange for European manufactured goods, and the ability to do so incentivized more violence and warfare in western Africa, stunting economic development in the region. The slave ships then went west to the Americas, where the captive people were sold in exchange for plantation products, which in turn were brought back east and traded for European goods. These goods then came down to Africa, continuing the cycle. This triangular trade persisted well into the nineteenth century.

From its unofficial beginnings in 1619, chattel slavery in British North America quickly gained the sanction of law. From the second half of the 1600s onward, Virginia statutes established and protected a system that distinguished servants by race, eventually treating Black servants as property. Northern colonies such as Massachusetts adopted similar laws around the same time; they or their successor states abolished slavery only in the 1780s or later. Some did so outright, as Massachusetts did in 1783, while others did so gradually, as in the cases of Rhode Island, New Hampshire, and Connecticut. Slavery was virtually eliminated in the North by about 1820, and by 1860, New Jersey alone among the Northern states had enslaved people, legally regarded as such, within its borders. Still, Northern economies continued to benefit from the products of enslaved labor. The cotton trade illustrates both this dynamic and the effects of the profit motive on the slave trade generally.

Worldwide, the abolition movement began in the seventeenth century and proceeded at different speeds in the different countries that allowed the practice of slavery. In the United Kingdom, slavery was outlawed earlier than in the United States: Parliament abolished the slave trade in 1807. Then, as the London Anti-Slavery Society

continued to press for total abolition, Parliament outlawed slavery altogether in 1833. In the American colonies (and later, the United States), abolitionists started as a small coalition of formerly enslaved persons, free African Americans, and members of antislavery religious groups. Among European Americans, the Quakers were the first major religious denomination to call for abolition. The colony of Pennsylvania was founded by a Quaker, William Penn, to be a place where Quakers and other religious minorities could be free to live according to their beliefs. In 1780, Quakers helped bring about a Pennsylvania law to gradually abolish slavery in that state. Some Quakers also organized boycotts of goods produced using enslaved labor, in what was known as the free-produce movement. However, it would take until the 1830s for a more organized effort to form.

The Cotton Gin and the Enslaved Population

Eli Whitney invented the cotton gin in 1793, making cotton much less labor-intensive to process and thus more profitable relative to the inputs required. The international slave trade was banned by Congress effective 1808, but the incentives of the cotton industry led to an enormous increase in the enslaved population nonetheless. Some of this was achieved via smuggling in defiance of the 1808 prohibition, but most of the population growth was domestic.

In 1800, the enslaved population in the United States was about 900,000, and cotton accounted for about 7 percent of U.S. exports. By 1820, the enslaved population had reached 1.5 million, a 67 percent increase, while cotton now made up nearly a third of exports. On the eve of the Civil War, 4 million enslaved individuals lived in the United States, and cotton now accounted for three-fifths of U.S. exports.

In Louisiana, a similar development occurred within the sugar industry. The chemist Antoine Morin, a free Black man, developed a system for producing granulated sugar from sugarcane on a large scale. (Granulated sugar is created by cooking down the juice of sugarcane or sugar beets until it crystallizes, then spinning it in a centrifuge to remove the syrup from the crystals. Prior to the rise of granulation, sugar was sold in conical "sugarloaves" that had to be broken into pieces using various small implements such as hammers and pincers.) With the backing of New Orleans planter Étienne de Boré, Morin's system generated a boom in the Louisiana sugar market. Greater demand for refined sugar made sugarcane plantations more profitable. As with cotton, this encouraged planters to expand their use of enslaved labor. Sugarcane production was particularly backbreaking work, and the average life expectancy for an enslaved person who arrived on a sugarcane plantation was only seven to ten years.

Rising Sectionalism

Congressional compromises and a Supreme Court ruling in the 1850s contributed to the final fracture of North and South. The Compromise of 1850 admitted California to the Union as a free state. This undermined the Missouri Compromise because California straddled the dividing line between free and slave states that it prescribed. Consequently, a new answer to the slavery question was needed for the Utah and New Mexico Territories; Congress settled on popular sovereignty. Further provisions of the Compromise of 1850 included abolishing the slave trade in Washington, D.C., and passing a new Fugitive Slave Act, which required the return of escapees from slavery to their enslavers, a development especially abhorrent to Northerners.

The Kansas–Nebraska Act of 1854 further eroded the Missouri Compromise. This law extended popular sovereignty over slavery to the voters in these two territories. Nebraskans voted to become a free state, but intense fighting—in effect, a minor civil war—broke out in Kansas as both pro- and antislavery factions fought for the power to shift the vote. The situation in Kansas soon became known as "Bleeding Kansas." The antislavery faction eventually prevailed in Kansas, which gained admission as a free state on January 29, 1861.

The Supreme Court's decision in *Dred Scott v. Sandford* exacerbated sectional conflict over slavery. Dred Scott was an enslaved man who sued for his freedom on the grounds that he had lived in jurisdictions where slavery

was expressly forbidden. In 1857, seven of the nine justices—voting along sectional lines—ruled in favor of Scott's enslaver, finding that Scott had no right to sue in federal court because he was not a citizen of the United States. Chief Justice Roger B. Taney argued that the Constitution did not recognize African Americans, enslaved or free, as citizens. Further, he held that the Missouri Compromise was unconstitutional because slaveholding was a constitutionally protected property right. As a result, slavery was allowed in all new territories and, therefore, all new states. Those enslaved persons who had sought refuge in free states were told that they had no legal defense against those who sought to return them to slavery.

Some, including one of the dissenting justices disagreed with Taney's interpretation of the Constitution. They claimed that if even just one state considered an African American a citizen, then all states and, by inference, the Constitution had to likewise recognize this individual's rights as a citizen. Nonetheless, the majority decision stood. The South was jubilant; the North was outraged.

Abraham Lincoln's Rise to Prominence

Abraham Lincoln was born in poverty on the Kentucky frontier. Largely self-educated, he taught himself law and became a much-respected attorney in Springfield, Illinois. He was first elected to public office in 1834, as a member of the Illinois House of Representatives.

During his time as a state representative, Lincoln gave an early but notable speech in which he lamented the murder of abolitionist printer Elijah Lovejoy by a proslavery mob. Though Lincoln was personally opposed to slavery, this 1838 speech focused on the evils of vigilante justice and the need to work out political differences lawfully and nonviolently. "There is no grievance," he argued, "that is a fit object of redress by mob law." This emphasis on law and order—in contrast to abolitionism by any means necessary—would characterize much of Lincoln's political career.

The Lincoln–Douglas Debates

Lincoln won election to the U.S. House of Representatives in 1846; he served one term and then returned to his legal practice. He reappeared on the political stage with an 1854 speech denouncing the Kansas–Nebraska Act and soon became a leader of the new Republican Party. Lincoln remained adamant that, despite his personal hatred of slavery, his professional objective was only to stop its expansion into new territories.

During the campaign for a U.S. Senate seat for Illinois, Lincoln and Democratic incumbent Stephen A. Douglas met in seven debates. One of the central issues they debated was whether Douglas supported the *Dred Scott* decision or the doctrine of popular sovereignty, which had been the basis of the Compromise of 1850 and the Kansas–Nebraska Act. Douglas had proposed this solution himself for Kansas and Nebraska.

By asking Douglas this question, Lincoln put him on the spot. Douglas still supported the idea of letting a state's residents decide the question of slavery by voting, but *Dred Scott* had declared that slaveholders' property rights over enslaved persons were inviolable and not tied to the will of the people (unless by constitutional amendment). Douglas's Democratic Party, many of whose supporters were Southerners, had endorsed the *Dred Scott* decision. In response to Lincoln's question, Douglas formulated what is now known as the Freeport Doctrine: He hedged and said that if the people so wished, a territorial legislature could discourage slavery by declining to pass laws that recognized the right of slave ownership. If that happened, by acting on the will of the people, a territorial legislature would undermine the decision in *Dred Scott*.

Douglas won reelection to the Senate, but Southerners called the Freeport Doctrine "the Freeport Heresy." The long-term future of a Democratic Party that could satisfy both Northerners and Southerners was in question. The debates also catapulted Lincoln to national fame and set the stage for his presidential run in 1860. During the debates, Lincoln argued that there was no reason that African Americans should not be entitled to the rights listed in the Declaration of Independence. However, he once again affirmed that he did not intend to end slavery where it currently existed.

The Election of 1860

Sectional tensions and the debate over slavery were central to the presidential election of 1860. Abraham Lincoln, representing the antislavery Republican Party, faced three opponents: Stephen A. Douglas, John C. Breckinridge, and John Bell.

The Democratic Party was divided over the issue of slavery. Douglas represented the Northern Democrats' preference for popular sovereignty in the territories; Southern Democrats favored the expansion of slavery. Delegates to the Democratic Party convention failed to nominate a candidate with the requisite two-thirds majority of votes. They also failed to agree on a party platform. Southern Democrats refused to back Stephen A. Douglas. Instead, they chose to nominate their own candidate, Kentuckian and sitting vice president John C. Breckinridge, who ran on a proslavery platform that included extending slavery into Western territories.

The Constitutional Union Party attempted to bridge the North–South divide. Its platform did not focus on slavery and addressed few issues, save for preservation of the Union and commitment to the Constitution. John Bell, a former senator from Tennessee, received the party's presidential nomination, with former Massachusetts senator Edward Everett as his running mate. A few years later, Everett would speak at the site of the Battle of Gettysburg, shortly before Lincoln delivered the Gettysburg Address.

Sectional divisions proved to be the Democratic Party's undoing and paved the way for Abraham Lincoln's victory. Lincoln carried the North and won in California and Oregon, receiving shy of 40 percent of the popular vote but 180 of 303 electoral votes. John C. Breckinridge carried most of the South with about 18 percent of the popular vote and 72 electoral votes. Stephen A. Douglas was the only one of the four candidates who campaigned actively across the country. He won the second-greatest percentage of the popular vote but only secured 12 electoral votes. He won all of Missouri's electoral votes and split New Jersey's with Lincoln. John Bell did well with border states, winning the electoral votes of Tennessee, Kentucky, and Virginia.

Secession and the Border States

South Carolina had threatened to secede if Lincoln were elected; a few weeks after the election, it kept its word. By the spring of 1861, eleven Southern states had left the Union and joined together to form the Confederate States of America. The northwestern part of Virginia refused to follow the rest of the state out of the Union; in 1863, it joined the Union as the state of West Virginia. The secessionist states chose Richmond, Virginia, as their capital after a few months in which Montgomery, Alabama, served that role provisionally, and they named Jefferson Davis as their president. Prior to Lincoln's inauguration, secessionists demanded that the U.S. government turn over federal property in the seceded states. When the federal government refused, Southern militias seized federal forts, arsenals, and post offices.

Louisiana Secedes

Throughout the early 1800s, Louisiana remained committed to the Union. In fact, during the Nullification Crisis of 1832, Louisiana even lent military support to President Andrew Jackson's Force Bill, which authorized the use of military force to collect federal tariffs. This made its secession a surprising decision to many.

Louisianans had long shared the concerns of other Southerners about federal efforts to stop the spread of slavery. The push for secession was largely driven by two events: John Brown's raid at Harpers Ferry and the election of Abraham Lincoln in 1860. Leaders such as Governor Thomas Overton Moore, Senator John Slidell, and the Reverend Benjamin Morgan Palmer all publicly called for secession. Louisiana became the sixth state to secede, voting for secession on January 26, 1861, by a vote of 113 to 17. The state remained independent for the next two months before joining the newly formed Confederacy soon after its creation.

Louisiana's leadership, fearing war with federal forces in Texas, sent representatives to persuade Texas to secede. Governor Moore authorized the seizure of a federal arsenal in Baton Rouge and the U.S. Mint facility in New Orleans. Meanwhile, Louisianans volunteered for military service as the state prepared for war.

Border States

The five border states—Delaware, Maryland, Kentucky, Missouri, and, from 1863 onward, West Virginia—permitted slavery but did not leave the Union. Collectively, these states (dubbed *border states* for the unofficial line they formed between Union and Confederate states) had strong economic ties to the North, partly because they were more industrialized than those in the Deep South. Their populations often had smaller proportions of enslaved individuals and/or larger proportions of free African Americans than did the Confederate states. The governments of these states broadly disapproved of enforced abolition. Lincoln recognized the border states' strategic importance and carefully shaped his messaging on slavery to avoid alienating them. "I hope to have God on my side," he reportedly said, "but I must have Kentucky."

The Civil War

When the Confederate states seceded, President Lincoln declared their act unconstitutional. He threatened to use force if necessary to protect U.S. property, enforce U.S. laws, and return the Confederate states to the Union. Preservation of the Union continued to be his primary goal throughout the war.

Lincoln's resolve was soon tested. When South Carolina had seceded in December 1860, state authorities had ordered the commander of Fort Sumter in Charleston Harbor to surrender the fort. He refused, so the state militia cut off the fort by firing on a supply ship. After Lincoln took office in March 1861, he ordered other ships to resupply the fort. The newly formed Confederacy saw this as a provocation and opened fire on the fort before the supply fleet arrived. Lincoln declared the attack on Fort Sumter an act of rebellion against the U.S. government. The Civil War had begun.

First Years of the War

The first battle was fought in July along Bull Run Creek near Manassas Junction, Virginia, just twenty miles (32 km) from Washington. The Confederates fought tenaciously and overwhelmed Union forces.

The Union's first victories came in 1862. General Ulysses S. Grant captured Fort Donelson in Tennessee. Shortly after, in April, Grant's forces were confronted by the Confederate Army in a surprise attack led by General Albert S. Johnston near Corinth, Mississippi. Known as the Battle of Shiloh, the two-day clash resulted in a Union victory but steep casualties on both sides. Around the same time, Union admiral David Farragut captured New Orleans, securing the lower Mississippi River for the Union and disrupting the Confederate economy; Southern exports and imports, including war equipment and supplies, came through the Port of New Orleans. The navally superior Union proceeded to blockade other Confederate ports, but in March 1862, the Confederacy struck back. The ironclad ship CSS *Virginia* attacked and sank several Union ships until it was met by the Union ironclad USS *Monitor*. The two ships battled to a draw.

In September 1862, Confederate general Robert E. Lee advanced toward Washington. If the incursion went well up to that point, Lee could win Maryland—and, he hoped, the support of its people—for the Confederacy and be poised to march on to a major East Coast city. Many in the North viewed Lee's approach as a serious threat. In a fierce battle, Union forces led by General George B. McClellan drove Lee's forces back at Antietam Creek, Maryland. Antietam was the bloodiest single-day battle of the war; almost twenty-three thousand people were killed or wounded. Although the Union forces suffered higher casualties, Antietam was considered a Union victory because McClellan halted Lee's invasion of the North.

As the war dragged on, both sides struggled to fill the ranks of their armies. Enthusiasm for the conflict had waned, casualties had mounted, and the number of volunteers had dropped. In the Confederacy, soldiers had volunteered for a set term, and many chose not to reenlist. In 1862, the Confederacy passed a law that lengthened the enlistment terms for soldiers already in the army. It also established a draft for able-bodied white males between the ages of eighteen and thirty-five. Initially, the Confederacy allowed citizens to pay for substitutes to fight in their place, but this was later repealed. The Union passed its own conscription act the following year. It required male citizens and immigrants who had applied for citizenship between the ages of twenty and forty-five to register for the draft. The act allowed citizens to pay a fee to be exempted from service.

Turning Points

In the summer of 1863, Lee's army invaded the North again. They reached Pennsylvania by July 1 and met Union forces under General George G. Meade near the town of Gettysburg. The battle raged for three days, ending with a Union victory. The Battle of Gettysburg was the turning point of the war in the east; Lee never again invaded Union territory. Still, despite being badly outnumbered and suffering from critical shortages, Lee was able to continue the war for two more years and inflict terrible casualties on Union forces.

Another turning point occurred in 1863 when Grant defeated the Confederate troops in Vicksburg, Mississippi. Grant's victories there and in Tennessee gave the Union control of the entire Mississippi River, cutting the Confederacy in two and strangling its flow of supplies and reinforcements.

In 1864, Union general William Tecumseh Sherman and his force of sixty thousand soldiers swept through Tennessee and Georgia, capturing Atlanta and Savannah, and then wheeled north. They engaged the Confederate army of General Joseph E. Johnston in a running fight until Johnston surrendered near Durham, North Carolina, in April 1865. During Sherman's advance through Georgia to Savannah, his soldiers tore up railroads, burned houses, and destroyed crops, targeting not only infrastructure but also civilian morale.

The End of the War

Sherman's successful invasion of the South greatly improved Lincoln's chances for reelection in 1864. The Democrats had nominated as their candidate General George B. McClellan, whom Lincoln had fired after his failure to pursue Lee following the Battle of Antietam, on a platform of ending the war through peace negotiations. Many Northerners were weary of a war that the Union seemed unable to win, and McClellan was willing to allow slavery to continue if the war could be ended.

However, once Sherman split the eastern Confederacy and other Union generals, including Grant, began destroying Confederate forces, it seemed only a matter of time until the Confederacy capitulated. Although Lincoln believed he would lose, he was reelected with 55 percent of the popular vote. With the ultimate victory of the Union in mind, Lincoln spoke of what should happen to make the country whole again in his second inaugural address.

In May 1864, Grant moved aggressively to take Richmond, the capital of the Confederacy. He pushed Lee and his army ahead of him, and by August, Lee had been forced back to Petersburg, Virginia, not far from Richmond. For nine months, Grant's forces besieged Lee's army at Petersburg. Finally, on April 2, 1865, when Grant launched an attack, Lee abandoned Petersburg. Early the next day, the Union Army marched into Richmond.

Once the capital had fallen, it was a matter of days until the Confederacy collapsed. Lee and his army had retreated across Virginia to the village of Appomattox Court House, where they were trapped by Union forces. On April 9, Lee said to his fellow officers, "There is nothing left for me to do but to go and see General Grant, and I would rather die a thousand deaths." Lee raised the white flag, Grant and Lee agreed to surrender terms, and the Civil War was effectively over.

The Emancipation Proclamation

During the first years of the Civil War, Lincoln was eager to issue a proclamation freeing enslaved persons; he hesitated because such an action might lose him the support of Northern workers who feared competition for jobs. Lincoln was also concerned that the border states would leave the Union if slaveholders there were deprived of enslaved workers. However, he also believed that an emancipation proclamation would win over Europeans who had already abolished slavery, especially the British. It was important to Lincoln that the British *not* trade with the Confederacy. If the Confederates could sell their cotton to the British, they could continue to finance the war effort.

Abolitionists had lobbied for the end of slavery since the early 1800s, and as the war continued, more Northerners began to see the need for abolition. In addition to humanitarian concerns, they were moved by a desire to punish the Confederates for secession. Northerners increasingly came to see emancipation as essential to defeating the Confederacy.

Finally, in September 1862, after Lee was stopped at Antietam, Lincoln issued the Emancipation Proclamation. He believed that timing the proclamation after a Union victory would make it more credible, as success in warfare would demonstrate the Union's ability to enforce it. Issued as a war measure, the proclamation was to go into effect on January 1, 1863. There is often confusion about what the Emancipation Proclamation actually did. The document promised to free all enslaved persons in those states or parts of states designated as (1) in rebellion and (2) still under the control of the Confederacy on January 1. However, because the Union did not have any influence in areas still under the control of the Confederacy, there was no practical effect on the lives of enslaved people there. The document also did not affect enslaved persons in border states; the border states were not in rebellion, so emancipation did not apply there. Additionally, it did not apply to any areas already under the control of the Union Army.

Therefore, the Emancipation Proclamation set free very few enslaved persons until Union forces advanced much farther into the Confederacy, later in the war. The importance of the Emancipation Proclamation was symbolic. It changed and broadened the goals of the Civil War. What had begun as merely a struggle to preserve the Union was now also a quest to free enslaved persons from the abhorrent institution. June 19, 1865, traditionally commemorated as Juneteenth and eventually recognized as a federal holiday, marks an important milestone in the actual abolition of slavery. On that date, enforcement of the Emancipation Proclamation began in Texas, marking the end of slavery in all but two border states and certain Native American settlements.

In 1865, all remaining enslaved people under U.S. jurisdiction were guaranteed their freedom through the passage and ratification of the Thirteenth Amendment. With the Southern states not participating in the federal government at that time, the amendment was passed and ratified within less than a year.

Reconstruction

For all its terrible cost in lives and money, the Civil War settled two things: The practice of slavery in the United States had come to an end, and no state could secede from the Union. However, several other important questions remained: What should be done with the states that had tried to secede? What should they have to do to regain their full rights as states? Should it be easy for them to return to normal statehood, or should they be punished? Who had the right to decide these questions: the president or Congress?

Competing Plans for Reconstruction

For Lincoln, the answers to these questions were simple. The reason for fighting the war in the first place was to preserve the Union. He argued that the seceded states were in a state of rebellion and had not truly left the Union. To that end, in 1863, Lincoln drafted a lenient Reconstruction policy called the Proclamation of Amnesty

and Reconstruction. Each seceded state could be readmitted after 10 percent of its male citizens took an oath of loyalty to the United States. New state constitutions had to accept that the practice of slavery no longer existed in the United States and that formerly enslaved people were now free. The plan also encouraged the creation of schools for African Americans. Once a state met Lincoln's requirements, it could elect a state government and send representatives to Congress. Lincoln's plan became known as the Ten Percent Plan.

So-called Radical Republicans in Congress believed stronger measures were necessary to reconstruct the South and to protect the rights of the formerly enslaved. They also wanted to ensure that former Confederates, whom they deemed traitors, could not hold public office. Radical Republicans demanded that a *majority* of male citizens in each state—far more than the 10 percent proposed by Lincoln—swear a loyalty oath to the Union. In July 1864, Congress drafted the Wade–Davis Bill outlining these conditions. Lincoln pocket vetoed the bill, and it did not become law. By the time the war ended and Lincoln was assassinated, no further progress had been made on the issue.

Presidential Reconstruction

It fell to Lincoln's successor, former vice president Andrew Johnson, to oversee the actual beginning of Reconstruction once the war had ended. For the most part, Johnson agreed with Lincoln's plan. To get around Congress's opposition, he put the plan into effect through a sweeping series of executive actions while Congress was in recess. He used presidential clemency powers to pardon many high-ranking former Confederates, and he made several political appointments to ensure that state and federal officials would be loyal to his plan. By the time Congress reconvened near the end of 1865, as was then the norm, only Texas had not complied with the plan now known as Presidential Reconstruction.

The Republican majority in Congress, however, believed the terms of Reconstruction should be set by the legislature, not by the president. Furthermore, many in Congress still wanted Reconstruction to be much harder on the South than Johnson did. They pointed out that the South had seceded from the North, not vice versa, and they blamed Southern leaders for the widespread death and destruction caused by the war.

Some members of Congress pointed out that the Southern states had shown no sign of regret about the war. Indeed, thanks to Johnson's out-of-session workaround, Southern representatives in the postwar Congress now included four former Confederate generals, eight former Confederate colonels, and six members of Jefferson Davis's Confederate cabinet. Georgia even sent Alexander Stephens, the former vice president of the Confederacy, to the U.S. Senate. Republicans balked at the idea that prominent rebels should be welcomed into Congress and be allowed to share in making laws for the country, and Congress refused to seat the new members.

The Fourteenth Amendment and the Civil Rights Act of 1866

A congressional commission found that Presidential Reconstruction was ineffective, and Congress demanded a different plan for Reconstruction that would change the laws of the seceded states and the nation. In December 1865, Congress blocked Presidential Reconstruction, and for the next year, President Johnson and Radical Republicans argued over what to do about the South.

In April 1866, Congress passed the nation's first civil rights law, the Civil Rights Act of 1866. It declared that "all persons born in the United States," excluding Native Americans, were U.S. citizens and that all such citizens, "of every race and color, without regard to any previous condition of slavery or involuntary servitude," had the same rights and liberties. The act was intended to protect the rights of African Americans against the discriminatory Black Codes that many Southern states and localities had passed. It also enumerated the following specific rights to which all citizens were entitled:

- "to make and enforce contracts"
- "to sue, be parties, and give evidence" in court

- "to inherit, purchase, lease, sell, hold, and convey real and personal property"
- "to [enjoy] full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and . . . be subject to like punishment, pains, and penalties, and to none other"

Johnson vetoed the act, but Congress overrode the veto.

To further protect the rights of newly freed people, Radical Republicans in the Senate proposed the Fourteenth Amendment in June 1866. In doing so, they made the Civil Rights Act's provisions more difficult to repeal. The Fourteenth Amendment's main effects were as follows:

- It made all African Americans citizens of the United States. This overturned the Supreme Court's ruling in *Dred Scott* that African Americans could not be citizens.
- It prevented states from making any law that limits the rights of African Americans.
- It prohibited states from taking away a person's life, liberty, or property unfairly.
- It required states to treat all people equally under the law.

As with the Civil Rights Act of 1866, President Johnson opposed the Fourteenth Amendment. In fact, he strongly opposed equal rights for African Americans, stating that "white men alone must manage the South." Radical Republicans said that the Fourteenth Amendment would finally protect formerly enslaved people and deemed its ratification the price each Southern state must pay to reenter the Union. When Tennessee ratified the amendment in July 1866, it was promptly readmitted to the Union. It would take another two years for the necessary three-quarters of U.S. states to ratify the amendment. Among the holdouts were Virginia, Texas, and Mississippi, along with the border states of Maryland, Delaware, and Kentucky.

In the 1866 midterm elections, many more Radical Republican candidates were voted into office. From then on, the Radical Republicans made it clear that they would be in charge of Reconstruction. They proceeded to pass the Reconstruction Act of 1867, which voided all Southern state governments except Tennessee's and placed the South under martial law. Further, they enacted a series of reforms that aimed to help formerly enslaved people reach educational and political equality with their white neighbors.

Political Involvement of Southern African Americans

The Fourteenth Amendment, and then the Fifteenth Amendment—passed by Congress in 1869 and ratified in 1870, barring race as a qualification for voting—allowed newly freed African Americans to play important roles as voters and as elected officials. In some states, they contributed heavily to Republican victories. African Americans were elected to serve in the government of every Southern state and even briefly held a majority in the lower house of the South Carolina legislature. At the national level, sixteen African Americans served in the U.S. Congress during the Reconstruction era, including two senators. During Reconstruction, between 1,500 and 2,000 African Americans held public office at local, state, and federal levels. Often, those who opposed Black political participation attempted to undermine these officials with widespread but poorly substantiated accusations of corruption and incompetence.

Louisiana's New Constitution

With the onset of Congressional Reconstruction, Louisiana's 1864 constitution, which outlawed slavery but did not give African Americans the right to vote, had to be rewritten. Louisiana's constitutional convention of 1867–68 had ninety-eight delegates, half of whom were African Americans. The constitution that emerged from the convention granted civil rights to African Americans, established an integrated public school system, and included a bill of rights. The Black Codes of 1865 were removed, and voting rights were denied to former Confederates.

The Constitution of 1868 included an "ironclad oath" like that proposed in the Wade–Davis Bill. As a result, most white Louisianans became disenfranchised, which some delegates feared would lead to the failure of the constitution. Black Republican leader P. B. S. Pinchback argued in favor of universal suffrage, while others supported a middle path: the disenfranchisement of Confederate leaders and an offer of leniency to former rank-and-file Confederates. However, the argument of delegate Robert I. Cromwell won the day. He suggested that white Louisianans who opposed the new constitution's provisions "could leave the country and go to Venezuela or elsewhere."

Louisiana's 1868 constitution was one of the most progressive documents created in the Reconstruction-era South. However, white backlash against the constitution was swift and severe. As Reconstruction ended, one of the first acts of the newly conservative Louisiana state government was to call for a new constitution. The resulting Constitution of 1879 returned the state to its prewar status as closely as possible without (formally) violating the Fourteenth and Fifteenth Amendments.

The End of Reconstruction

The surge of progress toward equality did not last. Those administering the Freedmen's Bureau, the main organization for assisting newly freed persons, faced constant intimidation from groups such as the Ku Klux Klan, the Knights of the White Camelia, and the White League. Moreover, because the Freedmen's Bureau's activities were so controversial among white Americans, its funding was never truly adequate for the programs it tried to support. Lacking financial support and confronted with violent opposition, the Freedmen's Bureau became defunct in 1872.

Meanwhile, white Southerners opposed to Reconstruction undertook a variety of tactics to evade, impair, or simply ignore federal laws. Over the following decades, they would set restrictions on voting that, while not strictly racial in character, had the net effect of making it more difficult for African Americans to vote. These included poll taxes that priced out poor people of any race from the ballot box, literacy tests administered in a racially biased manner, and grandfather clauses that exempted people from such voting requirements if those people's ancestors had voted. Naturally, and by design, this excluded people whose ancestors had been enslaved. Furthermore, violence and intimidation by various secret societies and paramilitary groups made it dangerous in practice for African American men to exercise what political rights they possessed in theory.

As the racist practices succeeded in ousting Black men from the voting rolls, two elections of the mid-1870s spelled the end of Reconstruction. In the 1874 congressional election, Democrats regained control of the U.S. House of Representatives and made gains in the U.S. Senate, costing Radical Republicans much of their power. At the state level, too, Democrats undid many of the gains of the Republicans; by 1876, only three states—Louisiana, Florida, and South Carolina—still had their Reconstruction governments. Once Rutherford B. Hayes won the presidency in the 1876 election after making promises to Democrats that included withdrawing federal troops from the South, Reconstruction was over.