Launching the New Nation, 1790-1800: Challenges of the New Republic

A Nation for and by the People?

Was the United States government founded to represent the will of the American people, or to protect the interests of the elite?

Historical Context:
- A nation divided (post-Articles of Confederation)
- Capital in NYC creates jealousies
- Fear of factionalism — no political parties
- Fears of tyranny and a “kingly” government
- Severe war debt in the North, southern states have paid their own
- Boom and bust economy — threatened by international war between Britain and France
- Domestic disturbances among farmers who resent new taxation

Checks against Tyranny?

What kinds of checks were in place in the American Constitution and Bill of Rights to prevent the new Democratic-Republic from becoming a tyrannical dictatorship?

What was the most important Amendment in the Bill of Rights to protect American citizens from tyranny?
Checks against Tyranny?

Amendment I
Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II
A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms shall not be infringed.

Amendment III
No soldier shall, in time of peace, be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV
The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V
No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI
In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

Amendment VII
In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

Amendment VIII
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX
The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X
The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The New Presidency

You are George Washington, and you have just been elected (reluctantly) as the new President of the United States.

You know how to run an army, but you do not yet know how to effectively run a country and balance the needs of the state and the people. Every precedent that you set will become a new hallmark of the office of the President — so you must be careful.

There is nothing in the Constitution to say that the President can appoint advisors, but you decide it will be best. Who will you choose as your Secretary of the Treasury (economic advice), Secretary of State (diplomacy), Secretary of War (military organization), and Attorney General (legal advice)?

What kind of image do you want to project to the American people?

The Washington Presidency


Presidential Cabinet

Sec of Treasury  Sec of State  Sec of War  Attorney General
Who best represents the American people?

- **Hamilton's philosophy:**
  - Manufacturing and commerce will provide the backbone of America.
  - "manufacturing the glue" in the economy.
  - Anti-British trade policies.
  - Protect American businesses.

- **Jefferson's philosophy:**
  - Agriculture will provide the backbone of America.
  - "support the soil" approach.
  - Neutral trade policies.

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**Debt Crisis**

- Northern states cannot pay back their war debts, which is crippling the economy. Southern states have already paid back their war debt, and they would never tolerate a bailout of the North unless they get something in return.
- How do you propose to deal with the financial problems and jealousies between the states?
- In the ideological showdown between Hamilton and Jefferson, which side do you take on the issues and why?
International War

Britain and France are at war, which is causing our nation problems for our diplomacy, trade, and economy. Britain purchases 75% of our nation's exports and the British supply the United States with 90% of its imports. Losing Britain as a trading partner could destroy our economy, but France saved our revolution and is requesting our assistance in their own Revolution, which we helped inspire.

- How should we deal with this problem of foreign nations impressing our sailors?
- How do you propose we deal with the diplomatic and economic problems that we face in this French Revolution and international war?

Domestic Turmoil

- tax on the manufacture, sale or distribution of a product
- The wars we are waging against Indian tribes in the Northwest Territory are costing millions. We must find a way to raise revenue, but farmers in Pennsylvania have resisted the excise tax on whiskey. They refuse to pay the tax, have armed themselves and plan to resist the government violently, if necessary.
- What do you propose that we do to solve this domestic crisis?
Decision Points: Elections and Warfare

It's almost election season, and you are the President. You are facing problems that could determine the outcome of this election:

1. Muslim extremists in Africa and the Middle East are angered by our lack of support for their revolutions, so they have begun attacking our embassies.
2. Trade has decreased due to China's claims that our credit is no good.
3. Immigration from Syria and Mexico is flooding our American system with people that might become a drain on our system or could promote terrorism.
4. If you appear weak on these issues, you may lose the vote to the person running against you in the upcoming election.

Decision Points:

- Will you get tough diplomatically and threaten war if the extremists, Chinese, and immigrants don’t play by our rules? Or find ways to negotiate and avoid threats and conflicts?
- Ask Congress to enact laws that will remove the vote from those who oppose your plans?
- Restrict the freedom of the press so that they will only present a favorable message about your plans and limit criticism?

Simmering Tensions

= President (Federalist); = VP
- French demand bribes for impressed sailors
- Adams’ popularity ↓
- Jeffersonians’ popularity ↑ (Francophiles)
- “Quasi-War” with France
- Federalists target “enemies” (French supporters)
- limit freedoms of speech/press
- threat liberty of foreigners

Targeting “Enemies”

- Alien & Sedition Acts of 1798:
  - immigrant citizens = 14 years (can’t vote for Jefferson)
  - Pres. can imprison suspected illegal aliens
  - “alien enemies” can be deported by Pres.
- writing, publishing, speaking anything against govt.
- Disagreement = TREASON
- Prosecute Jeffersonian newspaper editors

Essential Question: Does the Federal Government have a right to silence opposition to policies during times of war by limiting Freedoms of Speech?
- Does the Federal Government have a right to spy on its own people if it is meant to promote safety and protection?
The Constitutional Response

- Virginia & Kentucky Resolutions -- Jefferson & Madison
  - Proposed the
  - Since authority not explicit in Constitution...
    - Virginia Res. — __________ of states could nullify a federal law
    - Kentucky Res. — __________ state could nullify a federal law