


LESSON 3

Presidents Adams and Jefferson



GET READY TO READ

START UP


Examine this picture of the new capital of Washington, D.C. Make a prediction about events in the new capital in your  Active Journal.

GUIDING QUESTIONS


- How did John Adams's foreign policy compare with Washington's foreign policy?
- What was the controversy over the Alien and Sedition Acts?
- What is the significance of the Supreme Court case *Marbury v. Madison*?

TAKE NOTES

Literacy Skills: Identify Main Ideas

Use the graphic organizer in your  Active Journal to take notes as you read this lesson.

PRACTICE VOCABULARY

Use the vocabulary activity in your  Active Journal to practice the vocabulary words.

Vocabulary

tribute
sedition
nullify
states' rights

Academic Vocabulary

expel
constitute

laissez faire
judicial
review


No sooner had John Adams taken office than he faced a crisis with France. The French objected to Jay's Treaty because they felt that it put the United States on the side of Britain. In 1797, French ships began to seize American ships in the West Indies, as the British had done.

Conflict With France

As the conflict between the two nations escalated, Americans once again called for war, this time against France. To avoid war, Adams sent diplomats to Paris to discuss the rights of neutral nations.

The XYZ Affair The French foreign minister, Charles Maurice de Talleyrand, did not deal directly with the Americans. Instead, he sent three agents to offer the Americans a deal. Before Talleyrand would even begin talks, the agents said, he wanted \$250,000 for himself and a \$10 million loan to France. "Not a sixpence!" replied one of the Americans, angrily. (A sixpence was a British coin worth six pennies.)

Quest CONNECTIONS

Think about the XYZ Affair and Adams's response to French attacks on ships. What do these events suggest about dealing with conflicts? Record your ideas in your  Active Journal.

Analyze Political

Cartoons In this cartoon depicting the XYZ Affair, a five-headed monster demands a bribe from three Americans. **Use Evidence** What details in the cartoon reflect the cartoonist's attitude toward the French?

The diplomats informed Adams about the offer. He then told Congress. Adams referred to the agents only as X, Y, and Z.

Many Americans were outraged when news reached them about the XYZ Affair in 1798. (The affair had taken place in 1797, but it took time for news to cross the ocean by ship.) They took up the slogan, "Millions for defense, but not one cent for **tribute!**" They were willing to spend money to defend their country, but they would not pay a bribe to another nation.

The XYZ Affair ignited war fever in the United States. Despite strong pressure, Adams refused to ask Congress to declare war on France. Like Washington, he wanted to keep the country out of European affairs. However, he could not ignore French attacks on American ships, so he strengthened the navy by building frigates, fast-sailing ships with many guns. That move convinced France to stop attacking American ships.

Adams's Foreign Policy Divides the Federalists Led by Hamilton, many Federalists criticized Adams. They hoped a war would weaken the Democratic Republicans, who supported France. War would also force the nation to build its military forces.

A strong military would increase federal power, a key Federalist goal. Many Federalists also favored Britain in its war against France.

Although Adams was a Federalist, he resisted Hamilton's pressure for war. Their disagreement created a split in the Federalist party.



Over Hamilton's opposition, Adams again sent diplomats to France. When they arrived, they found an ambitious young army officer, Napoleon Bonaparte, in charge. Napoleon was planning for war against several European powers. Thus, he had no time for a war with the United States. He signed an agreement to stop seizing American ships.

Like Washington, Adams kept the nation out of war. His actions showed his qualities of leadership and courage. His success, however, cost him the support of many Federalists and weakened the party for the election of 1800.

 **READING CHECK** Summarize Why did many Federalists support a war with France?

What Were the Alien and Sedition Acts?

In 1798, during the crisis with France, Federalists pushed several laws through Congress. These laws were known as the Alien and Sedition Acts.

Under the Alien Act, the President could **expel** any alien, or foreigner, thought to be dangerous to the country. Another law made it harder for immigrants to become citizens. Before 1798, white immigrants could become citizens after living in the United States for five years. The new law made immigrants wait 14 years. The Federalists passed this act because many recent immigrants supported Jefferson and the Democratic Republicans. The act would keep these immigrants from voting for years.

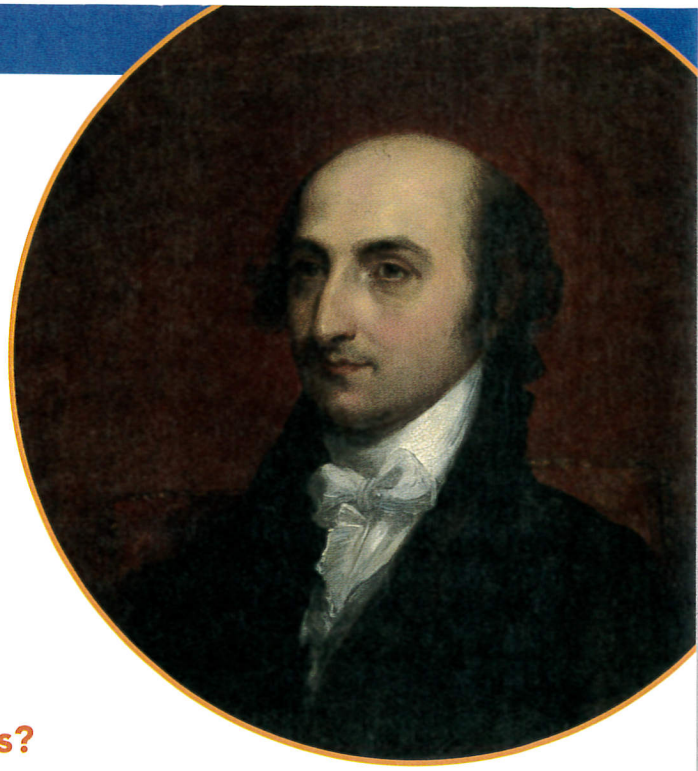
The Democratic Republicans grew even angrier when Congress passed the Sedition Act. **Sedition** means stirring up rebellion against a government. Under this law, citizens could be fined or jailed if they criticized the government or its officials. In fact, several Democratic Republican newspaper editors, and even members of Congress, were fined and jailed for expressing their opinions.

Democratic Republicans protested that the Sedition Act violated the Constitution. The First Amendment, they argued, protected freedom of speech and of the press. Jefferson warned that the new laws threatened American liberties:

Primary Source

"They have brought into the lower house a sedition bill, which . . . undertakes to make printing certain matters criminal . . . Indeed this bill & the alien bill both are so [against] the Constitution as to show they mean to pay no respect to it."

—Thomas Jefferson, *The Writings of Thomas Jefferson*, 1798



▲ Representative Albert Gallatin opposed Federalists in their attempts to fund the fighting with France. Some believed that the Alien and Sedition Acts were written to remove Gallatin from power.

INTERACTIVE

Relations With France

Academic Vocabulary

expel • v., to push or force out

KENTUCKY LEGISLATURE.

In the House of Representatives,
NOVEMBER 10th, 1798.

THE HOUSE according to the standing Order of the Day, resolved itself into a Committee of the Whole on the State of the Commonwealth,

Mr. CALDWELL in the Chair,

And after sometime spent therein the Speaker returned the Chair, and Mr. Caldwell reported, that the Committee had according to order had under consideration the Governor's Address, and had come to the following Resolutions thereupon, which he delivered in at the Clerk's table, where they were twice read and agreed to by the House.

I. RESOLVED, that the several states composing the United States of America, are not united on the principle of unlimited submission to their General Government; but that by compact under the style and title of a Constitution for the United States and of amendments thereto, they constituted a General Government for special purposes, delegated to that Government certain definite powers, reserving each state to itself, the residuary mass of right to their own self Government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force: That to this compact each state acceded as a state, and is an integral party, its co-states forming as to itself, the other party: That the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the constitution, the measure of its powers; but that as in all other cases of compact among parties having no common Judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

II. Resolved, that the Constitution of the United States having delegated to Congress a power to punish treason, coun-

terfeiting the securities and current coin of the United States, piracies and felonies committed on the High Seas, and offences against the laws of nations, and no other crimes whatever, and it being true as a general principle, and one of the amendments to the Constitution having also declared, "that 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," therefore also the same act of Congress passed on the 14th day of July, 1798, and entitled "An act in addition to the act entitled an act for the punishment of certain crimes against the United States;" as also the act passed by them on the 27th day of June, 1798, entitled "An act to punish frauds committed on the Bank of the United States" (and all other their acts which assume to create, define, or punish crimes other than those enumerated in the constitution) are altogether void and of no force, and that the power to create, define, and punish such other crimes is reserved, and of right appertains solely and exclusively to the respective states, each within its own Territory.

III. Resolved, that it is true as a general principle, and is also expressly declared by one of the amendments to the Constitution that "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;" and that no power, over the freedom of religion, freedom of speech, or freedom of the press being delegated to the United States by the Constitution, nor prohibited by it to the states, all lawful powers respecting the same did of right remain, and were reserved to the states, or to the people: That thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far those abuses which cannot be separated from

States Challenge the Federal Government

Vice President Jefferson bitterly opposed the Alien and Sedition Acts. He could not ask the courts for help because the Federalists controlled them. So, he urged the states to take strong action against the acts. He argued that the states had the right to **nullify**, or cancel, a law passed by the federal government. In this way, states could resist the power of the federal government.

With help from Jefferson and Madison, Kentucky and Virginia passed resolutions in 1798 and 1799. The Kentucky and Virginia resolutions claimed that each state "has an equal right to judge for itself" whether a law is constitutional. If a state decides a law is unconstitutional, said the resolutions, it has the power to nullify that law within its borders. Jefferson wrote:

Primary Source

"Resolved, that the several states composing the United States of America, are not united on the principle of unlimited submission to

their General Government; but that by compact under the style and title of a Constitution for the United States and of amendments thereto, they **constituted** a General Government for special purposes, delegated to that Government certain definite powers, reserving each state to itself, the residuary [remaining] mass of right to their own self Government; and that whensoever the General Government assumes undelegated powers, its acts are unauthoritative, void, and of no force. . . ."

—Thomas Jefferson, November 10, 1798

The Kentucky and Virginia resolutions raised the issue of **states' rights**. Did the federal government have only those powers that were listed in the Constitution? If so, did the states possess all other powers?

Analyze Images

The Kentucky Resolution declared that a state could nullify federal laws it deemed unconstitutional.

Identify Cause and Effect

Why did Jefferson and Madison urge states to pass such resolutions?

Academic Vocabulary

constitute • v., to set up; to establish

For example, could a state declare a federal law unconstitutional? Soon the Alien and Sedition Acts were changed or dropped.

READING CHECK **Identify Main Ideas** What did some states argue after the Alien and Sedition Acts became law?

Why Was the Presidential Election of 1800 Important?

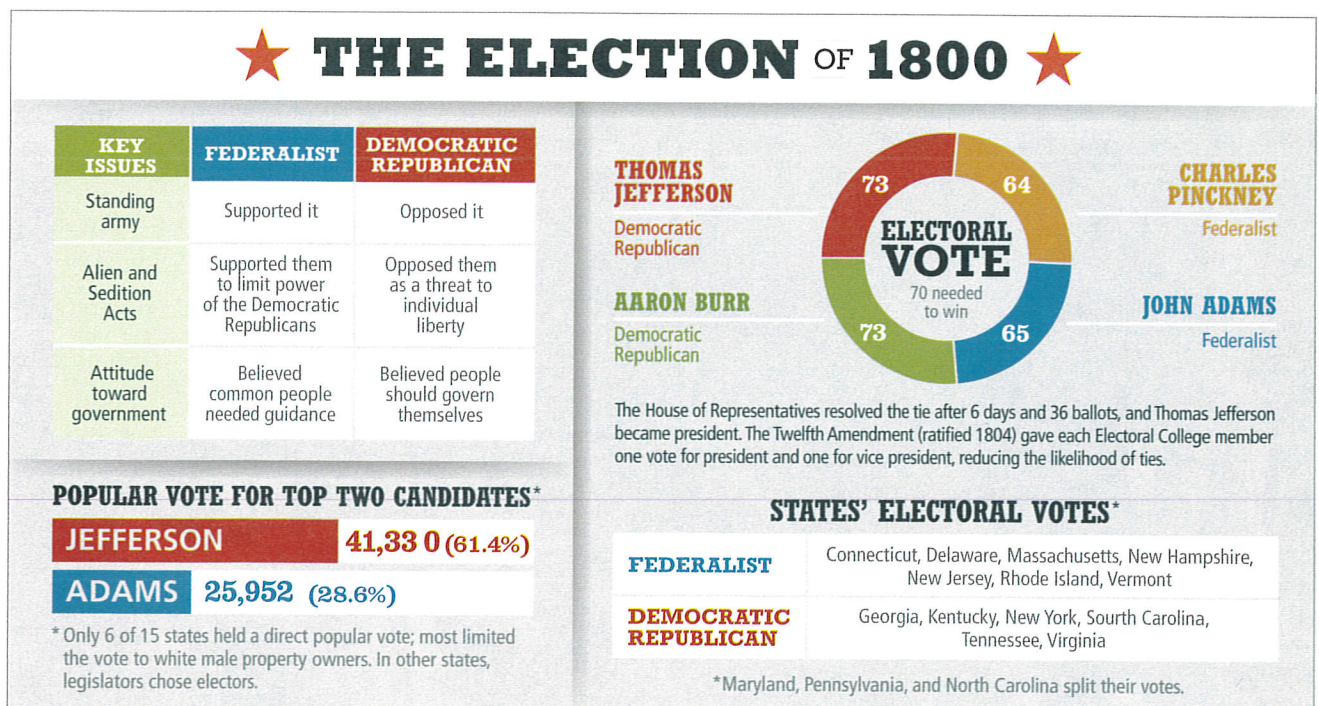
By 1800, the war cry against France was fading. As the election neared, Democratic Republicans focused on two issues. First, they attacked the Federalists for raising taxes to prepare for war. Second, they opposed the unpopular Alien and Sedition Acts.

Democratic Republicans backed Thomas Jefferson for President and Aaron Burr for Vice President. Despite the bitter split in the Federalist party, John Adams was again named its candidate.

Political Power Goes to a Different Party In the race for the presidency, Democratic Republicans won the popular vote. The electoral college was also dominated by Democratic Republicans. When the electoral college voted, Jefferson and Burr each received 73 votes. At the time, the electoral college did not vote separately for President and Vice President. Instead, the college voted for two candidates. The candidate winning the most votes became President, and the runner-up became Vice President. Because each Democratic Republican elector cast one vote for Jefferson and one vote for Burr, there was no clear winner.

Under the Constitution, if no candidate wins the electoral vote, the House of Representatives decides the election. After four days and 36 votes, the tie was broken. The House chose Jefferson as President.

Analyze Graphs Study the data shown. **Draw Conclusions** What explains the controversy over the electoral system that erupted after the 1800 presidential election?



Did you know?

Alexander Hamilton was against dueling. Three years earlier his own son had been killed in a duel on the same spot as the Hamilton-Burr duel.

Analyze Images This painting shows Alexander Hamilton, at the right, about to lose his life in a duel with Aaron Burr in 1804. **Infer** What can you infer about the custom of dueling at this time, and why do you think it is an illegal act today?

Burr became Vice President. The election of 1800 set an important precedent. From then until today, power has passed peacefully from one party to another.

Soon after, Congress passed the Twelfth Amendment. It required electors to hold separate votes for President and Vice President. The states ratified the amendment in 1804.

The Federalist Era Comes to a Close After 1800, the Federalist party slowly declined. Federalists won fewer seats in Congress. In 1804, the party was greatly weakened after its leader, Alexander Hamilton, was killed in a duel with Aaron Burr. Despite its early decline, the Federalist party did help shape the new nation. Even Democratic Republican Presidents kept most of Hamilton's economic programs.

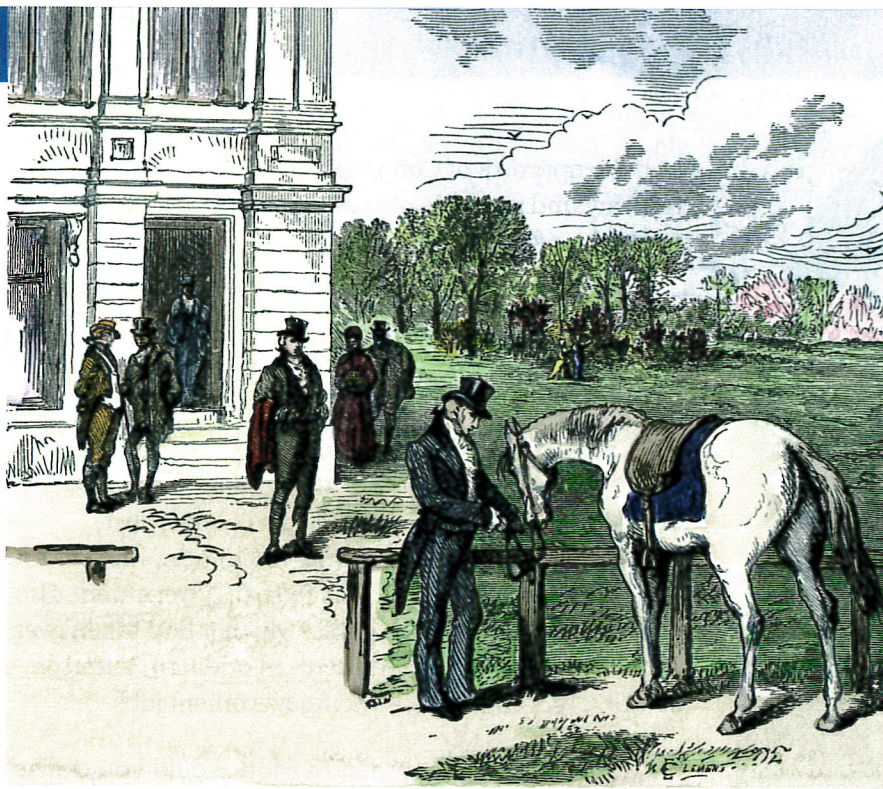
READING CHECK Identify Supporting Details Why did the House of Representatives have to decide the 1800 election?

How Did President Jefferson Redefine Government?

When Thomas Jefferson took office as the third President, some Federalists were worried about his political beliefs. They knew that he supported the French Revolution, and they feared that he might bring revolutionary change to the United States. They were also afraid that he might punish Federalists who had used the Alien and Sedition Acts to jail Democratic Republicans.

In his inaugural address, Jefferson tried to calm Federalists' fears. He promised that, although the Democratic Republicans were in the majority, he would not treat the Federalists harshly. "The minority possess their equal rights, which equal laws must protect," he said.





Analyze Images Thomas Jefferson rode a white horse into Washington, D.C., for his inauguration. Unlike Presidents before him, he walked from his hotel to his inauguration ceremony on March 4, 1801. **Draw Conclusions** Why do you think riding a horse instead of taking a horse-drawn carriage was in keeping with Jefferson's ideas about government?

He called for an end to the political disputes of the past few years. "We are all Republicans, we are all Federalists," the President stated conclusively.

Jefferson had no plan to punish Federalists. He did, however, want to change their policies. In his view, the Federalists had made the national government too large and too powerful.

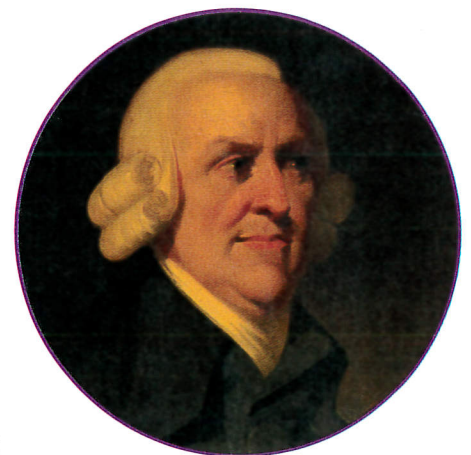
Promoting a Free Market Economy One way Jefferson wanted to lessen government power was by reducing the federal budget. Such budget cuts would also keep the federal debt low. His Secretary of the Treasury, Albert Gallatin (GAL uh tin), helped him achieve this goal. A financial wizard, Gallatin reduced government spending through careful management.

Jefferson believed in an economic idea known as **laissez faire** (les ay FAYR), a French term for "let do," meaning letting people do as they please. The idea of laissez faire was promoted by the Scottish economist Adam Smith.

In his book *The Wealth of Nations*, Smith argued in favor of a system of free markets, where goods and services are exchanged between buyers and sellers with as little government interference as possible. Free competition, Smith said, would benefit everyone, not just the wealthy.

Laissez-faire economists believed that government should play as small a role as possible in economic affairs. Laissez faire was very different from the Federalist idea of government. Alexander Hamilton, you recall, wanted government to promote trade and manufacturing.

Jefferson Scales Back Government Jefferson believed that the government should protect citizens' rights. Beyond that, he wanted the federal government to take a less active role. He cut the federal budget and decreased the size of government departments.



▲ Adam Smith, in his 1776 book, *The Wealth of Nations*, described details of a free enterprise economy.



▲ Chief Justice John Marshall, a Federalist, helped to strengthen the U.S. Supreme Court by establishing its power to declare laws unconstitutional.

With the approval of Congress, he reduced the size of the army and navy. He also asked Congress to repeal the unpopular whiskey tax.

The Sedition Act expired the day before Jefferson took office. Jefferson hated the law, and he pardoned those who were in jail because of it. He also asked Congress to restore the law allowing foreign-born white people to become citizens after only a five-year waiting period.

Some Federalist Economic Policies

Remain Jefferson did not discard all Federalist programs. On the advice of Albert Gallatin, he kept the Bank of the United States. The federal government also continued to pay off state debts, which it had taken over while Washington was President. In addition, Jefferson let many Federalists keep their government jobs.

✓ **READING CHECK** **Summarize** How would you define Jefferson's idea of government?

Landmark Supreme Court Cases

The election of 1800 gave Democratic Republicans control of Congress. Federalists, however, remained powerful in the courts.

Several months passed between Jefferson's election and his inauguration. In that time, Federalists in the old Congress passed the Judiciary Act of 1801, increasing the number of federal judges. President Adams then appointed Federalists to fill these new judicial positions. When Jefferson took office, Jeffersonians repealed this part of the act, firing 16 Federalist judges.

One of the judges that Adams appointed was John Marshall, the Chief Justice of the United States. Like Jefferson, Marshall was a rich Virginia planter with a brilliant mind. Unlike Jefferson, however, Marshall was a staunch Federalist. He wanted to make the federal government stronger.

The framers of the Constitution expected the courts to balance the powers of the President and Congress. However, John Marshall found the courts to be much weaker than the other branches of government. In his view, it was not clear what powers the federal courts had.

The Issues Behind *Marbury v. Madison*

In 1803, John Marshall showed courage and leadership by deciding a case that increased the power of the Supreme Court. The case involved William Marbury, one of the judges appointed by Adams. Adams made the appointment on his last night as President. The Republicans refused to accept this "midnight judge." They accused Federalists of using unfair tactics to keep control of the courts. Jefferson ordered Secretary of State James Madison not to deliver the official papers confirming Marbury's appointment.

INTERACTIVE

Jefferson's Goals and Policies

Marbury sued Madison. According to the Judiciary Act of 1789, only the Supreme Court could decide a case that was brought against a federal official. Therefore, the case of *Marbury v. Madison* was tried before the Supreme Court.

The Significance of the *Marbury v. Madison* Decision The Supreme Court ruled against Marbury. Chief Justice Marshall wrote the decision, stating that the Judiciary Act was unconstitutional. The Constitution, Marshall argued, did not give the Supreme Court the right to decide cases brought against federal officials. Therefore, Congress could not give the Court that power simply by passing the Judiciary Act.

As a result of *Marbury v. Madison*, Congress had to amend, or change, the Judiciary Act to respond to the Supreme Court's objections. The part of the Judiciary Act of 1789 that the Supreme Court rejected could no longer be law.

The Supreme Court's decision in *Marbury v. Madison* set an important precedent. It gave the Supreme Court the power to decide whether laws passed by Congress were constitutional and to reject laws that it considered to be unconstitutional. This power of the Court is called **judicial review**.

The Reactions of Jefferson and Congress Jefferson was displeased with the decision. True, Marshall had ruled against Marbury, the Federalist judge.

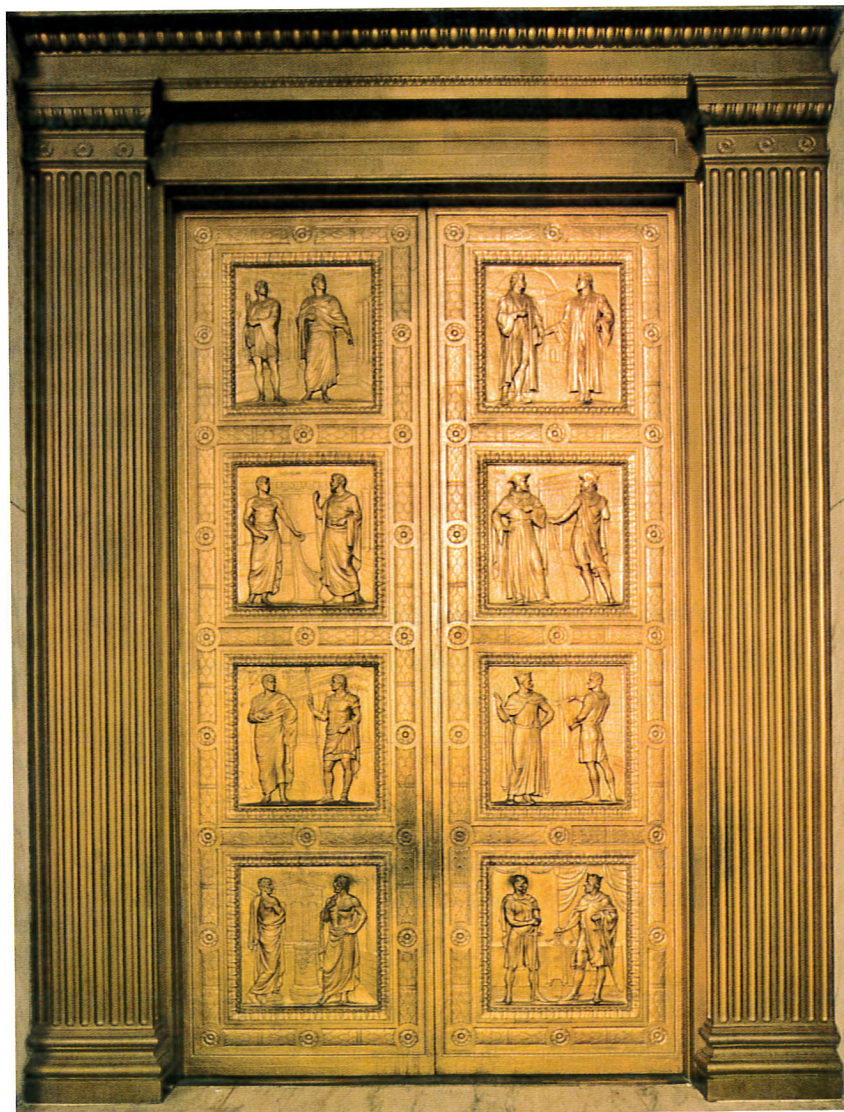
But Marshall's decision gave more power to the Supreme Court, where Federalists were still strong. Jefferson also argued that the decision upset the balance of power among the three branches of government.

Primary Source

"The opinion which gives to the judges the right to decide what laws are constitutional and what not, not only for themselves . . . but for the Legislature and Executive also . . . would make the Judiciary a [tyrannical] branch."

—Thomas Jefferson, letter to Abigail Adams, 1804

Analyze Images These bronze doors lead into the Supreme Court chambers. The carved panels show important moments in legal history—including John Marshall discussing *Marbury v. Madison*. **Draw Conclusions** In what way do you think these bronze doors could be a symbol of rule of law in the United States?





▲ This is the original Supreme Court chambers where Supreme Court cases were heard between 1810 and 1860.

Jefferson did not want the judiciary to gain power over the executive branch. He refused the Court's order to testify at an important trial, saying it would upset the equality of the branches. He also used executive privilege to decide which government papers to show the Court and which to withhold.

In 1810, a year after Jefferson left office, Marshall's Supreme Court decided another landmark case involving judicial review. In *Fletcher v. Peck*, the Court ruled that the state of Georgia could not revoke a corrupt land sale. It was the first time the Court ruled a state law unconstitutional. By doing so, the Court also reinforced the idea that contracts cannot be broken.

In the end, the President and Congress accepted the right of the Court to overturn laws. Today, judicial review remains one of the most important powers of the Supreme Court.

 **READING CHECK** **Identify Main Ideas** Why is the Supreme Court case *Marbury v. Madison* significant?

Lesson Check

Practice Vocabulary

1. What is a **laissez-faire** economy?
2. How did **judicial review** increase the power of the Supreme Court?

Critical Thinking and Writing

3. **Understand Effects** How did the Federalists contribute to shaping the United States as we know it today?
4. **Identify Cause and Effect** What was the important change in the Constitution that was prompted by the results of the election of 1800?
5. **Summarize** What were President Jefferson's economic policies?
6. **Writing Workshop: Pick an Organizing Strategy** Decide on an effective method of organizing the information you have gathered. Note this strategy in your  Active Journal.