



The French Revolution and the Breakdown of the Franco- American Alliance, 1783-1796

*AMERICAN POLITICS, DIPLOMACY AND EXCEPTIONALISM IN
THE AGE OF REVOLUTION*

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American Politics, Diplomacy and Exceptionalism in the Age of Revolution

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Introduction

During the American Revolution of 1765-1783 an extraordinary alliance was created between the newly founded American Republic and the absolute monarchic state of France with Louis XVI. The alliance was formalized in 1778 and gave the American forces the advantage they so desperately needed to cope with British naval superiority. Especially in battles like that of Yorktown (1781) the help of the French navy proved invaluable and decisive. However, in the decade following the American Revolution and into that of the French Revolution, starting in 1789, relations between the American Republic and France started to decline. Although American politicians welcomed with open arms the developments of the French Revolution into the creation of a new republic, its course however would take a grim turn and would eventually have a catastrophic impact on the relationship with the United States, who formally ended their alliance with France in 1800.

This essay will explain why this breakdown of French-American relations occurred by focussing on American politics and diplomacy during the French Revolution. It will especially involve individual actions of American politicians, on the background of the French Revolution, like Thomas Jefferson, Alexander Hamilton, George Washington, and John Jay. The main question of this essay is therefore how American politics responded to the developments of the French Revolution and how the French Revolution influenced the breakdown of the Franco-American Alliance. The hypothesis of this thesis is that the French Revolution did in fact create the end of the Franco-American Alliance as it created a situation which would see about the American entanglement into European affairs; something that had been feared by most American politicians and collided with the political demand at the 18th century of a non-alignment policy in world politics. To achieve a comprehensive conclusion to this question, this essay is divided into three time periods. The time periods consist of the American political and diplomatic response to the changing situation of the French Revolution and especially the relationship with France.

The first period will describe the Paris Peace Treaty of 1783 in which the American War of Independence officially came to its end. This essay will not contain an extensive work on the French support during the war as this has already been highlighted in many writings concerning the course of the American Revolution. The peace treaty will be the start of this essay because it is here where we see the first anti-French sentiments in times of peace; marking the start of the decaying relationship between the two countries. This chapter also contains the beginning of the French Revolution and the divide of American Congress between pro-British and pro-French supporters with respectively Alexander Hamilton and Thomas Jefferson as its leaders. Although it might be interesting for further research to see if the French Revolution was used to create or consolidate this two party system, the focus of this essay however is to look at the American political response to the French Revolution.

In the second period of 1789-1793, we will be looking at the American response to the developments of the French Revolution with the outbreak of the European wars. In this period George Washington would try to find a balance between pro-British and pro-French supporters in Congress. To consolidate the recently gained independence, the American Republic would distance itself from the European wars with the Proclamation of Neutrality in 1793, and by that, highly offending the France government, still expecting the Franco-American Alliance of 1778 to be valid and active. The reasons for the Proclamation of Neutrality and Washington's search for balance shall be the main contents of this chapter. However, it will also take a first approach to the academic discussion revolving American *exceptionalism* and will argue that the European wars offered the American President not only a way to consolidate non-entanglement, but

that it also offered promises for the *exceptional* character of the United States to prosper in an independent environment.

The last period (1793-1796) will describe the seemingly inevitable breakdown of the Franco-American Alliance by highlighting events like the Citizen Genêt Affair, the Jay Treaty and George Washington's Farewell Address. Washington's Farewell Address will serve as the end of this essay as it closes a period of the first American President, but also serves as the start of a period of American non-alignment. It is in this Farewell Address that Washington warns Congress and the American people not to side with any of the European nations, to remain patriotic and to stay strong and independent in the face of European wars in the present and in the future. Washington's call for neutrality would become reality; it took the United States more than a century to enter into a new formal alliance. Although the Franco-American Alliance would officially come to its end in 1800 after the so called Quasi-War of 1798-1800, it had already proven to be worthless in the previous decade. Hence this last chapter will cover the end of the Franco-American Alliance.

Much of this essay's words can be owed to 20th century historians Lawrence S. Kaplan and Darren Staloff whose esthetical writings and extensive works on 18th century diplomatic history are invaluable to this essay. Their works do not only contain an essential understanding of the relationship between Thomas Jefferson and Alexander Hamilton, but also include indispensable content on foreign relations and the position of the United States in the 18th century. In many ways they still represent the ongoing battle between historians on the role of Jefferson and Hamilton in the history of the United States.

In the past, historians like Godfrey Hodgson, have emphasized the exceptional character of the United States in world history. However, the origin and development of this *exceptionalism* has usually been situated inside the American nation by highlighting the revolutionary aspects of the American War of Independence, John Winthrop's '*city upon a hill*', American characteristics of patriotism and self-determination. The role of foreign affairs and its influence in the prospering of American *exceptionalism* have mostly been absent or highly undervalued in this academic debate. The role of foreign influence, and that of France specifically, during 1789-1796 have consequently been seen as inferior to the already existing and developing American characteristic of *exceptionalism*. This paper will therefore put emphasize on the role of foreign influence (during 1789-1796) and the French Revolution in the development of this concept of *exceptionalism*.

Therefore, the relevancy of this essay can be found in a new interpretation concerning the academic debate over the concept of American *exceptionalism* by highlighting the French Revolution as a means to gain neutrality, therefore creating a possibility for it to prosper. It also sheds a new light on Franco-American relations as it does not separate the American policies from the events of the French Revolution, giving a cohesive overview of the deteriorating alliance and the events that led to its breakdown.

Peace Relations and a Divided Congress (1783-1789)

The Paris Peace Treaty and Anti-French Sentiments

On September 3rd, 1783, the Final Paris Peace Treaty was signed at Hôtel d'York between England and the newly recognized United States of America, ending, what some historians refer to as a world war, a conflict that involved Great Britain, France, the United States, Spain and the United Provinces.¹ For the Americans, the peace commission included Benjamin Franklin (Minister to France), John Jay (Minister to Spain), Henry Laurens (Minister to the United Provinces) and John Adams. Thomas Jefferson, who would eventually become Minister of France, missed his boat and could not make it on time. The French government was represented by Comte de Maurepas and Foreign Minister Comte de Vergennes. The English made several changes in their commissioners since King George III refused multiple peace treaties as being too generous; Prime Minister Shelburne headed the preliminary peace talks, but the final peace in September was signed by David Hartley.²

The treaty was not an easy one to accomplish and according to John Adams should even be considered as 'one of the most important political events that ever happened on the globe.'³ Although in a formal alliance with France since 1778, peace negotiations seemed less unanimous than decisions made on the battlefield. The alliance had been one of opportunities for both sides - for France it was to correct the balance of power in Europe and bringing England to its knees, especially after the French loss in the Seven Years War (1756-1763) - for America it was a matter of balancing the odds with the help of the French navy and gaining their independence. As explained in Richard B. Morris' *The Great Peace of 1783*, victory goals however started to change on both sides as the war dragged on, effecting the principles on which the alliance was based.

Although Morris does not try to undervalue France's help in gaining American independence, he amplifies the 'sedulously cultivated myth' as to France's fidelity to the alliance. The alliance was made up out of two parts: a treaty of alliance and a treaty of amity and commerce. Not only wanting to gain territorial independence, but also economic and trade independency, the Americans relied heavily on the latter. However, one year into the alliance France secretly started one with Spain, creating a power couple that could achieve France's war goals short of completing independence for the United States. Congress started to doubt its ally's intentions.⁴

Although Jefferson believed that the rift that the revolution created was 'equally as valuable for what France had to give in return during the war,'⁵ the 19th century American diplomat William Henry Trescot argues in *The Diplomacy of the Revolution* that 'the French had only joined the American cause primarily to reduce England's strength and to restore the balance of power rather than from sympathy for republican institutions,'⁶ something the Founding Fathers were well aware of.⁷ It was this mistrust of France's intentions that threatened American peace negotiations and its

¹ Richard B. Morris, 'The Great Peace of 1783', *Proceedings of the Massachusetts Historical Society* 3 (1983) 95, 29.

² Richard B. Morris, 'The Great Peace of 1783', 29-30.

³ Lawrence S. Kaplan, 'The Treaty of Paris, 1783: A Historiographical Challenge', *The International History Review*, 5 (1983) 3, 431.

⁴ Richard B. Morris, 'The Great Peace of 1783', 33.

⁵ Lawrence S. Kaplan, *Jefferson and France. An Essay on Politics and Political Ideas* (Yale 1967) 7.

⁶ Jerald A. Combs, *American Diplomatic History. Two Centuries of Changing Interpretations* (Berkeley, 1983) 13.

⁷ William H. Trescot, *The Diplomacy of the Revolution* (New York 1852) 8.

independence and would ultimately be used by pro-British federalist politicians to attack the pro-French “Jeffersonian” Republican Party after the war.

What Jefferson did not know by the time was that the participation of France in the war would mean the complete destruction of its already weak financial wellbeing. In Versailles, director general of the treasury and of finances, Jacques Necker, estimated that prolonging the war would destroy France’s economy and that ‘coming to terms with the enemy’⁸ was the only solution; something he actively pursued by initiating his own peace missions. If it wasn’t for King George III’s reluctance to sign any peace deal with the “rebels”, Necker would ‘have effected a peace without satisfying even the minimum goals of France’s two allies without regard to Louis XVI’s won honoured commitments.’⁹ Although Comte de Vergennes did not agree at first, Necker’s resignation on May 19th, 1781, changed his mind. Vergennes was ready to start his own peace mission in 1782, leaving Adams and Jay in the suspicion that France was on the brink of selling them out. As aforementioned, it would not be the first time France would initiate peace treaties short of American independence. As we will see in the next chapter, these ‘treacherous’ activities by the French gave Congress the impression that both countries, England and France, were not to be trusted and neutrality was the only answer.

In light of the mistrust towards France, how did the Paris Peace Treaty eventually come to being? Multiple reasons should be acknowledged to answer this question. First, the British loss at Yorktown on October 19th, 1781, changed the military tide and Vergennes’ opinion on the armistice and the abandonment of the American claims. Second, John Adams, seeing the opportunity the Yorktown victory offered, turned up the pressure for preliminary talks, demanding only the full recognition of the United States. Third, Benjamin Franklin joined the commission for peace negotiations. Franklin enjoyed the respect of the French Court, but also used his influence to sit down with the English representative Richard Oswald. Presenting four necessary articles, including the full recognition of the thirteen states, settlement of boundaries and fishing rights, John Jay was able to ‘propose a commission which in effect recognized the United States’.¹⁰ And last, although Vergennes opinion had changed, he unintentionally revealed a split between the allies. Hoping to exploit this weakness, British Prime Minister Shelburne pounced on the commission, consequently stripping away the one thing that kept the Americans in the war: their independence.¹¹

This resulted in the final Preliminary Treaty which was signed on November 30th, 1782. Not much would change in the contents of this treaty in comparison to the Final Peace Act of 1783. Hoping to regain a treaty of amity and commerce, the American commission failed in achieving such, explaining the hardship Thomas Jefferson would have in the coming years as Minister to France to achieve commercial privileges from France. It consequently left the Americans only to buy from the British whilst not being able to trade within the empire.¹² Hamilton, a stance supported of trade with Britain encouraged these agreements, hoping in the future to expand trade opportunities; something which would succeed with the Jay Treaty of 1793.

Although the Peace Treaty of 1783 is seen by historians like Samuel Flagg Bemis as ‘the greatest victory in the annals of American diplomacy’,¹³ it uncovered major flaws in the Franco-American alliance long before the start of the French Revolution in 1789. The war had taught the new born United States, that its ally was not always to be trusted

⁸ Richard B. Morris, ‘The Great Peace of 1783’, 34.

⁹ Ibidem 37.

¹⁰ Ibidem 50.

¹¹ Ibidem 44-50.

¹² Ibidem 50.

¹³ Samuel F. Bemis, *The Diplomacy of the American Revolution* (Bloomington 1957) 256.

and that France would renounce a joint peace treaty short of achieving American goals. Especially John Adams and John Jay had experienced France's secret agenda and would both eventually choose a pro-British side in Congress. Still the 'Treaty of Paris was to be seen as a triumph of the New World over the Old',¹⁴ and if France only served its own goals, maybe neutrality wasn't so bad after all.

Thomas Jefferson vs. Alexander Hamilton

It was exactly this notion of neutrality that divided congress on foreign policy in the decade to come. The dividing interpretation of foreign relations 'were laid down by the two rival parties, the Federalist and Republican Party.'¹⁵ Although both parties claimed 'neutrality', they would blame each other for being biased during the 1780s and 1790s, in hope of discrediting one another. Respectively biased towards England and France, they were as much divided on foreign policies as on domestic levels. Foreign relations, including the impact of the French Revolution and the European wars in the 1790s can therefore not solely explain the divide in Congress at the end of the 18th century.

Even so, Jefferson and Hamilton were the 18th century adversaries *par excellence*. On every aspect of life, they seemed to have different experiences for the same events resulting in contradicting policies during their political careers. However, they also had completely different backgrounds. Jefferson had grown up in a prosperous family estate in the colony of Virginia, Hamilton had been an out of wedlock child from the small island town of Charlestown, becoming an orphan around the age of 13. Especially for Jefferson, his 'country' of origin Virginia, would cause for his emotional hatred towards England during the revolution and influence his foreign policy position. Hamilton in contrary, learned from his past experiences that not emotional responses and revolutionary republicanism were the answers, but an enlightened worldly realism.¹⁶

Even although they had both fought for the same independence of America, their experience during the war couldn't be more different and brought the two Founding Fathers to have opposite ideas of how the United States should be shaped domestically in the decades to come. During his time as Minister of France, between 1784 and 1789, Jefferson would get in contact with the idea of *physiocracy* in which society rests on the 'morals and economic values of land and agriculture';¹⁷ a domestic policy he would actively pursue in contrary to the Hamiltonian commercial-financial class.¹⁸ Hamilton had learned from his wartime experience that such a structured government, borrowed from France, would not strengthen the goal of an independent nation. Matured by his disillusionment during the war, Hamilton considered republican virtues to be childish and futile and prompted for a strong central government.¹⁹ For him the states posed real danger to the union of America and therefore 'sober realism in political discourse' and 'responsible political leaders'²⁰ were the only ways to protect the United States from falling apart and being vulnerable for outside powers.

Their domestic policies, which had been set out long before the French Revolution even started, consequently influenced their foreign policies of the 1780s. Although Jefferson had not been able to attend the peace negotiations in Europe at the time, neither was he completely aligned with the French during the days of the American

¹⁴ Lawrence S. Kaplan, 'The Treaty of Paris, 1783', 434.

¹⁵ Jerald A. Combs, *American Diplomatic History*, 3.

¹⁶ Darren Staloff, *Hamilton, Adams, Jefferson. The Politics of Enlightenment and the American Founding*, (New York, 2005) 62-63.

¹⁷ Lawrence S. Kaplan, *Jefferson and France*, 21.

¹⁸ Darren Staloff, *Hamilton, Adams, Jefferson*, 79.

¹⁹ Ibidem 62-63.

²⁰ Ibidem 73.

Revolution. His sympathies for France had come as far as to them protecting his true goal of the revolution; the independence of his home state of Virginia. His love for the 'philosophy and political thought came after the Paris Peace Treaty of 1783,'²¹ and it was only after his departure to France in July 1784, to become Minister of France, that Jefferson saw the bigger picture and the role France had to play in the future of the United States. In the extensive work on Jefferson, Lawrence S. Kaplan's *Jefferson and France* reveals that 'the ending of the war did not greatly alter the fears and hopes Jefferson contracted during hostilities. He still distrusted Britain; he still admired and needed France.'²² Jefferson saw France as the perfect counterweight to Britain, which he emotionally despised and deeply distrusted.

As Minister of France, he made it his goal to shift commerce from Britain to France. 'Although France opened up its markets to America, trade was immediately consumed in the purchase of accustomed British manufactures, rather than used to expand American markets for French industry.'²³ Hamilton's support for the English during the 1780s, in contrary, was not one of emotional attachment to England, as Jefferson had with France. For Hamilton, neutrality was essential, which would however mean to make peace with former enemy Great-Britain to tip the balance of America's favourite in the Old World.²⁴ On foreign policy Hamilton therefore accused Jefferson of being bias towards France and feared that if it was too much aligned with the European power, the destructive course which France was taking at the end of the 1780s, would drag the United States into a war with Great-Britain once again.²⁵

Surprisingly, the start of the French Revolution in 1789 posed challenges for both the Founding Fathers. From the beginning, both Jefferson and Hamilton greeted the revolution simultaneously with sympathy and doubt. Although Jefferson was emotionally attached to France, he was not solely positive of France in the 1780s. As Minister to France, Jefferson was well aware of the crippling politico-economic situation and as a strong revolutionary republican condemned the 'mercantilist monarchy with imperialistic ambitions.'²⁶ For this reason he greeted the French Revolution with great enthusiasm. However, during the final years of the 1780s, seeing the worsening situation at hand, Jefferson surprisingly promoted a moderate view towards the future of France and the French Revolution. He claimed that France would be better off with a constitutional monarchy like the British, but without its flaws.²⁷ Jefferson's 'foreboding was that indulgence in excess would destroy the fabric of the new government and render the nation helpless before a restoration of tyranny, in either old or new form.'²⁸ Although his opinion would change during the course of the revolution (supporting the Girondins in 1792 in hopes of contracting a new trade agreement) Jefferson predicted a worsening situation in France if it would try to run a similar course to that of the United States. The American Revolution had been a war for the requisition of self-governmental rights in the New World against the Old and such a similar fight, he argued, could not be won by Frenchmen. The Declaration of Independence, which he wrote, was therefore to justify these American actions, not to spark a worldwide revolution.²⁹ In short,

²¹ Lawrence S. Kaplan, *Jefferson and France*, 2-3.

²² Ibidem 11.

²³ Ibidem 30.

²⁴ Darren Staloff, *Hamilton, Adams, Jefferson*, 102.

²⁵ Ibidem 103.

²⁶ Lawrence S. Kaplan, *Jefferson and France*, 30.

²⁷ Ibidem 34-36.

²⁸ Ibidem 35.

²⁹ Carl L. Becker, *The Declaration of Independence. A Study in the History of Political Ideas* (New York 1958) 20-23.

Jefferson did not believe in a French revolutionary republic. However, he 'never wavered in his belief that America's prosperity, if not survival, depended upon the strength of France.'³⁰

Although they found common grounds in their fear and doubt on the outcome and final results of the French Revolution, Hamilton viewed the events in France with much more dreadful eyes than Jefferson. Although congratulating Lafayette on 'his nation's efforts to secure republican liberty and the rights of mankind',³¹ Hamilton knew that American popular opinion would be unanimously in favour of the revolution which they saw as the fulfilment of their own revolutionary principles in the old world.³² This he saw as a problem, since if war was to come in Europe between France and anti-revolutionary nations, the United States would not only be dragged in a war because of its formal alliance, but also out of popular consent. If this was to happen, nothing would stop the Republicans from taking power and dragging the United States into a European war in the future. When taken from a Hamiltonian perspective, the battle between him and Jefferson on the conceptualization of the French Revolution represented a battle between a "realistic position" and "moralistic illusion".³³ For the Federalist Party the French Revolution was 'the omen of anarchy an atheism' for the Republicans it was 'praised as both a reflection and support' of their own revolution.³⁴

That the start of the French Revolution posed challenges to the young republic and the two opposite Founding Fathers is evident. However it is too easy to conclude that the start of the revolution legitimized the American political party system and heavily influenced domestic policies; therefore, one would give it too much credit. Also, the domestic differences put forward by Jefferson and Hamilton existed long before the start of the revolution in France, and so the *exceptional* character of the two party system and the political thoughts they represented, can definitely not be owed to the French Revolution. Although Jefferson might have borrowed the system of *physiocracy* while in France, this should only be seen as a philosophic backing of his already existing Republican virtues. That the French Revolution was a topic that divided congress on foreign policy making in the decade to come is distinct, however the same could be said of the Federalist leniency towards England. Therefore, foreign policy was more the result of the already existing divide in congress than opposite.

³⁰ Lawrence S. Kaplan, *Jefferson and France*, 36.

³¹ Darren Staloff, *Hamilton, Adams, Jefferson*, 110.

³² *Ibidem* 105.

³³ Hans J. Morgenthau, *In Defense of the National Interest* (New York 1951) 14-19.

³⁴ Lawrence S. Kaplan, *Jefferson and France*, 41.

French Revolution and Neutrality (1789-1793)

The Balance of George Washington

In a divided political world, it was up to American President George Washington to find a balance in the conflict on foreign policies. The French Revolution, had once again put pressure on the non-entanglement policy which Washington had tried to pursue in the first two decades of American existence. Especially in the work of Jerald A. Combs' *American Diplomatic History*, becomes apparent that 'Americans were supremely confident that any intervention they undertook inherently would promote the self-determination of common peoples against tyranny',³⁵ as they so successfully had done themselves. Washington was well aware of this conception at the start of the French Revolution and feared that popular devotion to the cause would eventually push Congress over the edge to promise full support of its revolution and the consequent wars. As 21st century historian Christopher J. Young rightly clarifies, 'the ensuing struggle foreshadowed the contentious, complicated, and uncharted interaction between foreign affairs and domestic politics.'³⁶ However, in contrary to the Federalist and Republican battle, Washington's problems were not just political of nature; his main concerns were with a pro-French population and his judicial rights to issue a proclamation.

The popular sentimental attachment to the French cause created great challenges to Washington's foreign policy aforementioned. Although Washington likewise portrayed his empathy for the French Revolution, the deteriorating course it was taking in 1792 and 1793 gave the president nightmares for the future prospect of war with England. This fear became reality when France declared war on Great-Britain and the United Provinces on February 1, 1793. In the esthetical words of Charles S. Hyneman, now that three dominant maritime states were at war 'the United States might well expect at least the backwash if not the very crest of the struggle to wash her shores'³⁷; something Washington was determined to prevent.

Surprisingly, both congressional party leaders shared similar conceptions on the latest developments and the American role in it. As discussed in the previous chapter, both parties in Congress were well aware of the need of foreign relations with the Old World, but previous experiences with France and Britain 'had made non-entanglement so sacred a principle to Americans'³⁸ that politicians boosted their political capabilities with non-alignment; it is in this fear for European involvement, that American politicians first argue for non-entanglement to preserve American *exceptionalism* (see Ch. *Proclamation of Neutrality and the Creation of the Exceptional Character*). As Hamilton tried to counter the popular opinion that the Treaty of 1778 had to be honoured, he argued that the alliance had been a defensive alliance of nature and had been signed with Louis XVI, who had been so brutally murdered a month earlier, for which in theory the alliance was no longer valid.³⁹ Although Jefferson recognized France's requisition of wartime responsibilities, he similarly feared France's request for American aid in war and 'deemed neutrality to be in the national interest as much as did

³⁵ Jerald A. Combs, *American Diplomatic History*, 1-3.

³⁶ Christopher J. Young, 'Connecting the President and the People. Washington's Neutrality, Genet's Challenge, and Hamilton's Fight for Public Support', *Journal of the Early Republic* 31 (2011) 3, 435-436.

³⁷ Charles S. Hyneman, 'Neutrality during the European Wars of 1792-1815. America's Understanding of Her Obligations', *The American Journal of International Law* 24 (1930) 2, 279.

³⁸ Jerald A. Combs, *American Diplomatic History*, 3-5.

³⁹ Darren Staloff, *Hamilton, Adams, Jefferson*, 104-106.

any of his Federalist opponents;⁴⁰ the fear and chaos for bankruptcy and foreign invasion transcending the 'evasion of the alliance's obligations.'⁴¹

Little is known about the French response to these evasive actions except for the doubtless expectation that the United States would follow a neutral course if any. However both sides (with the exception of the Federalist Party) were not willing to give up the alliance so easily even in the face of American neutrality. It was up to Washington to find a right balance between non-entanglement and the preservation of the alliance; the latter he would revoke in his Farewell Address of 1796. When the Cabinet came together on April 19th, 1793, two weeks after news of English participation in the war had reached the republic, the Washington had not yet determined if the United States was to refrain from participation. Similarly, heading Hamilton's arguments on the defensive nature of the alliance, he was not at all sure if the United States was obligated to take up arms for France. Therefore, in the April meeting they decided that a statement on the American obligation in the war was postponed, but that a proclamation was created 'forbidding all acts of hostility by American citizens.'⁴² Therefore, issued on April 22 in Philadelphia, was to pursue 'a conduct of friendly and impartial toward the belligerent Powers,'⁴³ later known as the Proclamation of Neutrality.

In the face of France's aggression and the destabilizing course of the French Revolution in 1792 and 1793, the American President had tried to find a balanced solution not only to satisfy a fractured Congress, but also the two adversary powers of Europe who had a considerable influence in domestic, and a decisive influence in foreign policies of the United States. Although Washington and his Cabinet had prevented their country for being dragged into a European war, little did he know that the act of April 22 would not come easily and would encounter heavy resistance at home and abroad.

The Proclamation of Neutrality and the Creation of the Exceptional Character

Whereas it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands, on the one part, and France on the other; and the duty and interest of the United States require, that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial towards the belligerent powers. (See Appendix I)

Most of the resistance came forth from the content of the so called 'conduct friendly and impartial towards the belligerent powers' of which the first paragraph is mentioned above. Although later known as the Proclamation of Neutrality, Washington had, as requested by Jefferson, omitted the word 'neutrality' completely. Multiple reasons underlie this decision of the absence of a simple but very important word. One, Jefferson believed that the absence of the word could be used to bargain for trade advantages; why give the British neutrality whilst not having to bargain for it? Similarly, he hoped that this non-neutrality status would help France with the supplies they needed to win the war against England.⁴⁴ The second point, extensively amplified in Hyneman's essay *Neutrality during the European Wars of 1792-1815*, was that Jefferson, as a republican, questioned 'the power of the executive to pledge the nation to so important a course of

⁴⁰ James F. Rippey and Angie Debo, *The Historical Background of the American Policy of Isolation* (Northampton 1924) 157.

⁴¹ Lawrence S. Kaplan, *Jefferson and France*, 52-53.

⁴² Charles S. Hyneman, 'Neutrality during the European Wars of 1792-1815', 279-281.

⁴³ Ibidem 280.

⁴⁴ Lawrence S. Kaplan, *Jefferson and France*, 53-54.

action.⁴⁵ The latter caused most of the commotion at home, as the proclamation was not so much meant to give reason to the position of the United States, but to warn its citizens of its duties as Americans and its impartial state of being.

As argued before, little is known on the French response to these evasive actions of its ally. According to 19th and 20th century historian Frederick Jackson Turner the Girondist Party was too busy waging war and governing an unstable French Republic to even bother with the attitude of its ally, presuming it would gladly accept a role in their destiny of world liberation.⁴⁶ Although this underestimates France's willingness of American aid, France did ask for a down payment on the money it had provided the American Republic during its revolution. As complete payment of the American debt could lead to the break of its impartial position and an agitated Great Britain, it decided to make some advances in the payment of the American debt to France.

The French government also believed that the Alliance of 1778 would have more priority than the Proclamation of Neutrality; although the United States excepted this proposition, in practice it never lived up to it. In his 'Pacificus' essays of June 1793, Hamilton would later argue that the defensive nature of the alliance did not obligate the United States to take part in an aggressive war and that the 'gratitude' of France's aid in the American Revolution was purely out of self-interest, therefore it was in the best 'interest' of the united states to remain neutral.⁴⁷ The impartiality position created similar conflict situations in the years to come, especially as partisanship and Republican support for the French cause increased, creating conflicts like with France's foreign minister Edmond-Charles Genêt (see ch. *The Citizen Genêt Affair*).⁴⁸ Therefore, it was not the creation of the proclamation itself that caused conflicts with France, but its consequent effects and the indecipherable and vague boundaries it contained.

Even with its shortcomings, 19th century historians like Theodore Lyman, Jared Sparks, Richard Hildreth, William Henry Trescot and George Tucker all endorsed the neutrality and its proclamation 'as the supreme law of American foreign policy.'⁴⁹ Although they disagreed on the subsequent actions, like the Jay Treaty of 1794 (see ch. *The Jay Treaty*) and the Jeffersonian Embargo Act of 1807, they (with the exception of Trescot) believed that the neutrality act had best served American interests. In the words of George Tucker, this had made Washington 'the ultimate hero'.⁵⁰ It is in this 'Proclamation of Neutrality' that we best see the *exceptional* character of the United States come to the fore as it tried to unchain itself from the misfortunes of the European world.

If the French Revolution and the consequent European wars led to the Proclamation of Neutrality in 1793, as argued above, how can we best position its influence in the acquisition of the American *exceptional* character? Too little has been written on how the proclamation contributed to the strengthening of the *exceptional* character of freedom, democracy and self-determination that had been so actively propagated by the early republic. The American historian Godfrey Hodgson in his *Myth of American Exceptionalism*, argues that even after the American Revolution the 'United States did not cease to be a vital part of the European world, either politically or economically or intellectually.'⁵¹ Hodgson's work is irreplaceable when it comes to his foreign influence

⁴⁵ Charles S. Hyneman, 'Neutrality during the European Wars of 1792-1815', 281.

⁴⁶ Frederick J. Turner, 'The Origin of Genêt's Projected Attack on Louisiana and the Floridas', *American Historical Review* 3 (1898) 660.

⁴⁷ Darren Staloff, *Hamilton, Adams, Jefferson*, 107-108.

⁴⁸ Charles S. Hyneman, 'Neutrality during the European Wars of 1792-1815', 290-294.

⁴⁹ Jerald A. Combs, *American Diplomatic History*, 16.

⁵⁰ George Tucker, *The History of the United States* (Philadelphia 1856) 503-506.

⁵¹ Godfrey Hodgson, *The Myth of American Exceptionalism* (New Haven 2009) 18-20.

argument in the acquisition of American *exceptionalism*. Although Hodgson traces the European influence on *exceptionalism* all the way back to pre-colonial times, he fails to see that only by gaining neutrality due to the European wars of the 1790s, the United States could claim its *exceptional* character to be truly singular and independent in the world.

Some historians like Mlada Bukovansky, go even as far as to proclaim that the American conception of neutrality had always been ingrained in its principles of republicanism.⁵² In contrary to Hodgson, Mlada argues that the neutral rights policy was 'ultimately dictated by norms [...] and was wholly distinct from European practises, given its uniquely American character.'⁵³ However, it was not norms or ingrained republicanism that gave reason for the Proclamation of Neutrality, or for that case the wish for complete non-entanglement in European affairs, but simple national interests. As becomes clear in the proclamation's first paragraph it was the 'duty and interest of the United States' that required it to be neutral. Even Jefferson who was a stance supporter of the French cause (even in its phase of Terror) had to give in to the fear of foreign invasion and the chaos it would provide. In many instances concerning the neutral policies of the 1790s, have historians simply underestimated the limits of American power in the 18th century. As Combs rightly argues, the neutral policies were strictly based on these limits.⁵⁴

Just as with the construction of a two-party Congress and its internal differences, however, we would give the French Revolution too much credit if argued that it had a direct impact on the acquisition of the American *exceptional* character. It did, however, contribute to the eventual Proclamation of Neutrality since the revolution had split Europe in two and had contributed to the outbreak of the European wars of the 1790s. The impact of the French Revolution can therefore best be appreciated as a catalyst to the acquisition of neutrality; and with that an indirect influence on American *exceptionalism*. It is however the neutrality itself that could see to the justification of an *exceptional* character, since (as we would see with Washington's Farewell Address) the principles of patriotism, democracy, self-determination and freedom could only prosper if it was to remove itself from the burden of the Old World and its heritage.

⁵² Mlada Bukovansky, 'American Identity and Neutral Rights from Independence to the War of 1812', *International Organization* 51 (1997) 210.

⁵³ James Sofka, 'American Neutral Rights Reappraised. Identity or Interest in the Foreign Policy of the Early Republic?' *Review of International Studies* 26 (2000) 4, 599-600.

⁵⁴ Jerald A. Combs, *American Diplomatic History*, 1-3.

Decline and the Farewell Address (1793-1796)

The Citizen Genêt Affair

Maybe the biggest challenge to the Franco-American Alliance and the neutral position of the United States came with the arrival of France's new foreign minister Edmund-Charles Genêt. Genêt arrived two weeks short of the proclamation in Charleston on April 8, 1793. As the new foreign minister of France under the Girondin Party, it was Genêt's mission to propose a new treaty to the United States concerning commercial privileges; a goal Jefferson had always been so eager to obtain.⁵⁵ However, Genêt carried a secret agenda trying to commission privateering vessels by those (especially Republicans) who were willing to fight for the French cause. He also tried to stir unrest in British and Spanish held territories like Spanish Louisiana where he hoped to increase American and French commerce by obtaining free navigation of the Mississippi river.⁵⁶ His dismissive attitude towards the proclamation that had warned American citizens not to get involved in the conflict, and the consequent ignorance Genêt showed towards the American President constituted in the eventual *Citizen Genêt Affair* of 1793.

As former minister to Russia and fanatic supporter of the French Revolution, Genêt arrived at Charleston with great applaud. Especially in the South where Republican support for the French cause ran high, the enthusiastic appraisal for his arrival 'might well have turned the head of an older and wiser man than the romantic revolutionist, Genêt.'⁵⁷ He was in close contact with Jefferson, who supported his endeavours all the way until his downfall. Aware of the unofficial agenda, Jefferson even assured the foreign minister that the policy of neutrality by the president did not 'reflect the sentiment of Congress or the nation at large.'⁵⁸ Made confident by this news, Genêt set out for Philadelphia ten days later not only to see the president, but to enlist the privateering vessels willing to fight for the French cause. The news of Genêt's intentions soon reached Washington who warned him on July 7 to cease the operations of enlistment and privateering. These orders were ignored by Genêt who by then already booked some successes as privateers had captured multiple British vessels, of which one was called *Little Sarah*. The latter was transformed into the *Little Democrat* and refitted in the national capital, only adding to the irritation of Washington who saw the actions of Genêt as an infringement to the Proclamation of Neutrality.

Not only had he ignored the president's order, he even threatened Washington to go directly to Congress and the people if he was not to continue his mission which had been emboldened by Jefferson's assurance and his friendly reception in Charleston by the people.⁵⁹ In short, Genêt found George Washington to have no precedent to demand such a retreat and ignoring the Treaty of 1778. As a sign towards the American people and his thoughts in the common believes of France and the United States, Genêt even supported the privateer Gideon Henfield (in service of France) in his trial for aiding a belligerent country in May, 1793, as a member of the ship *Citizen Genêt*. The trial, of which the defence was payed for by Genêt himself, proved to be complicated and the federal court found no jurisprudence to accuse Henfield as they possessed no jurisdiction to give a verdict over such offenses.⁶⁰

After all this, and his planned invasion of the Spanish territory of Louisiana, Genêt had overplayed his hand. Since the majority of the American people still

⁵⁵ Lawrence S. Kaplan, *Jefferson and France*, 54-55.

⁵⁶ Louis Martin Sears, *A History of American Foreign Relations* (London 1936) 63-64.

⁵⁷ Lawrence S. Kaplan, *Jefferson and France*, 55.

⁵⁸ Darren Staloff, *Hamilton, Adams, Jefferson*, 106.

⁵⁹ Ibidem 106-108.

⁶⁰ Charles S. Hyneman, 'Neutrality during the European Wars of 1792-1815', 298-304.

supported Genêt, it was up to Hamilton as a stance supporter of neutrality, to take the pen. Hamilton's essays of 'Pacificus' and 'No Jacobins' eventually turned the tide for Genêt's support in America. Also, after ignoring the president's orders and disregarding the American neutrality, Washington requested the new Jacobin government of France to recall its minister. The French government was happy to comply, and had assuredly faced Genêt with the guillotine if he hadn't been granted political asylum.⁶¹

Genêt had seriously damaged the diplomatic relations between the United States and France. Not just his actions, but the eventual asylum granted by Washington both had serious consequences to the Franco-American Alliance and the mutual trust between the countries. Because of Hamilton's work in changing the public opinion it 'now vilified Genêt, and neutrality now seemed an act of independent and prudential statecraft rather than a betrayal of republican principles.'⁶² Jefferson first disregarded Genêt's indiscretion with his 'romantic lens of shared convictions' by stating that it came forth from an 'authentic devotion to the sacred cause of revolution and human emancipation.'⁶³ However, even Jefferson realized that the vilification of Genêt by the people and the acceptance of the neutrality policy would seriously damage the Republican Party if it was to continue its displeasure for the proclamation and the support for Genêt. Although the proclamation itself had given doubt to the purpose of the alliance, Genêt had unknowingly tested the boundaries of it.

The Jay Treaty

It did not take long before the next challenge presented itself to the American nation. Although it was not France but England who created the problem this time, it would have major consequences for the Franco-American Alliance once again. As the Orders in Council of Great-Britain in November, 1793, issued the seizure of American ships heading out to the West-Indies, hundreds of American ships were captured. The news of the English atrocities created a public outcry outreaching the one Genêt had created, and war with England seemed closer than ever.⁶⁴ Would this be the moment that the United States would take up the French presumed obligations of alliance and join its sister Republic in the fight against the monarchical British, their long time adversaries?

Instead of an unwanted war, Washington, however, decided that it was time that the longstanding issues between the two nations had to come to an end. Once again heading Hamilton's arguments of the continuation of neutrality and the request for diplomatic engagements, he had hoped to send his Secretary of the Treasury to keep the United States out of the war. Although Hamilton was Washington's first choose, James Monroe advised the president that for political reasons (which was the discontent of Hamilton by the Republican Party) it was wise to send Supreme Court justice John Jay. Jay was an experienced diplomat as he had proven time and time again, especially during the Paris peace talks of 1782-1783, and so it was decided that this desperate last attempt of peaceful co-existence would fall on to Jay.⁶⁵

Jay's mission could not have been more important as he had to retain peaceful relations with England, but in no circumstances deviate from the treaties with France.⁶⁶ It was exactly this that would eventually harm the relationship between the United States and France as a treaty with England would eventual pass Congress. Only adding

⁶¹ Darren Staloff, *Hamilton, Adams, Jefferson*, 106-107.

⁶² *Ibidem* 321.

⁶³ *Ibidem* 319-320.

⁶⁴ *Ibidem* 110-111

⁶⁵ Louis Martin Sears, *A History of American Foreign Relations*, 67.

⁶⁶ Samuel F. Bemis, *Jay's Treaty. A Study in Commerce and Diplomacy* (Yale 1962) 354.

to the French discontent of the treaty, Jay's mission was not just to seek peaceful resolutions to the events in British West Indies, but also to obtain commercial privileges for American merchants; a right that had been taken from them with the Paris Treaty of 1783. More than this, Jay had also to seek a repeal to the Orders in Council restricting the trade with France. Three demands, written mostly by Hamilton, were essential to Jay's mission. One, there was to be a compensation for the capturing of American vessels. Two, the United States demanded the surrender of the posts in the Northwest still held by Great-Britain (which was seen as a violation of the Peace Treaty of 1783). Three, a general commercial pact had to ensure American trade in the West Indies. A fourth, but less important goal to Hamilton, was the compensation for the slaves which had been taken by the British at the end of the revolution. The fourth goal was not achieved as Jay had never been a supporter of slavery. This only added to frustration of the Republican opposition with the Jay Treaty.

It took another year before the final treaty reached American soil. In March 1795, Jay returned with a 'Treaty of Amity Commerce and Navigation' containing 28 articles. The content was simultaneously satisfactory and disappointing. Jay had succeeded in gaining commercial privileges for American merchants in the West-Indies but only for a fixed weight of cargo. The treaty agreed upon compensation for the English capturing of American ships, but also stated that it would see to the compensation for the payment of pre-revolutionary debts of British merchants, and the compensation of all spoils by French privateers fitted out in American harbours in Article VI (see Appendix II – Article VI).⁶⁷ However, most importantly, as agreed in Article I of the treaty 'there shall be a firm inviolable and universal Peace, and a true and sincere Friendship between His Britannick Majesty, His Heirs and Successors, and the United States of America' (see Appendix II – Article I); with these small and simple words, Jay had kept the United States out of the European war.⁶⁸

Although partially successful, the treaty was received without enthusiasm, not by Washington, but certainly not by the majority of the population. Washington who had been a stance supporter of peace, apparently doubted the sincerity of the treaty but most of all the public opinion and the response from France as he kept it a secret until the meeting of the Senate on June 8th, 1795.⁶⁹ Although the Federalist-controlled Senate had ratified the treaty, the public outcry that followed gave Washington serious doubts about signing it. The discontent by the public came mostly from Republican supporters and was far from peaceful as portrayed in the burning of a John Jay dummy and threats from Kentucky settlers to secede from the Union. The Republican press portrayed the treaty as 'a pusillanimous betrayal of France on behalf of the forces of monarchy and reaction.'⁷⁰

Not surprisingly, the political adversaries, Jefferson and Hamilton, once again found themselves on opposite sides. In a letter to James Monroe, Jefferson utterly rejected the articles and stated that 'those who understand the particular articles of it, condemn these articles. Those who do not understand them minutely, condemn it generally as wearing a hostile face to France.'⁷¹ For Hamilton it was the treaty that ultimately saved the United States again from the prospect of being dragged into a war.

⁶⁷ Ibidem 353.

⁶⁸ Daren Staloff, *Hamilton, Adams, Jefferson*, 111.

⁶⁹ Robert F. Jones, 'George Washington and the Politics of the Presidency', *Presidential Studies Quarterly* 10 (1980) 1, 31.

⁷⁰ Daren Staloff, *Hamilton, Adams, Jefferson*, 113-114.

⁷¹ Thomas Jefferson to James Monroe, September 6, 1795, *The Works of Thomas Jefferson in Twelve Volumes*. Federal Edition. Collected and Edited by Paul Leicester Ford, http://www.loc.gov/resource/mtj1.020_0514_0517.

Hamilton who had already stepped down from the political live, took it upon himself to once again take the pen as the pseudonym 'Camillus' to defend the treaty and the neutrality it stood for. Just as with the Genêt affair, Hamilton succeeded in changing the public opinion as he urged the population to remain realistic and truthful in the fact that 'America was relatively weak, while Britain remained the preeminent superpower of the day.'⁷²

Although the treaty had settled most of the issues between Great-Britain and the United States, it simultaneously harmed the relationship with France once again. After the Proclamation of Neutrality and the Citizen Genêt Affair, the Jay Treaty was a battering-ram at an already feeble gate. Not only had the previous years shown that France's ally was not living up to the obligations in times of war and were diplomatic relations seriously damaged by Genêt, now the United States also approached its enemy for commercial advantages. Maybe the 20th century historian Louis Martin Sears can best explain the importance of the treaty with Great-Britain and its position in time:

To the world of 1794 Jay's Treaty must have seemed a minor issue before the mighty developments of the French Revolution. The treaty is, in fact, inseparable from the larger movements of the time. Great Britain's willingness to settle American disputes of such long standing was not a sudden change of heart. It was the perception that America was less dangerous as a neutral than as an ally of France. The Jay Treaty was in effect a British victory over France, and well understood as such in Paris.⁷³

Washington's Farewell Address and the End of the Franco- American Alliance⁷⁴

If Hamilton did not have a hand in the writing of George Washington's Farewell Address of September 19, 1796, one could with confidence argue it to be one of his greatest works. The long but aesthetically written paper could well turn the greatest opponent of federal control into a patriotic soul and supporter of its country's unity. The speech was meant for all citizens of the United States to hear his call for unity and non-entanglement, since he feared that foreign relations and the effect they had on the growing partisanship, would in the future come to dominate domestic policies. On domestic levels Washington therefore urged the population to consider union as the 'main prop of liberty'.

Concerning the foreign relations part of the address, the essay is like walking back on memory lane. Although certain names are never mentioned and certain countries not specifically blamed, the Farewell Address contains multiple clear examples in which Washington denounces the actions of France and Great Britain against the United States. France particularly was guilty as it had, multiple times, tried to 'betray the former into a participation in the quarrels and wars of the latter without adequate inducement or justification.' Betrayal of the country's own interest was also something Washington condemned fully, and it is maybe in these words that we see Hamilton's hand in the writings and his personal condemnation of Genêt and the privateer Henfield. Hamilton's influence is also seen in the paragraph on the treaty with England and Spain as the Address mentions that it secured 'everything they could desire'; intended to emphasize the commercial advantages it had gained from the Jay Treaty with Great-Britain. However, the most important rule was to extend commercial relations with 'little political connection as possible.'

⁷² Daren Staloff, *Hamilton, Adams, Jefferson*, 113-114.

⁷³ Louis Martin Sears, *A History of American Foreign Relations*, 71-72.

⁷⁴ For reference to the Farewell Address used in this chapter, see Appendix III.

Maybe most important to the argument this essays has tried to make when it comes to foreign influence and the acquisition of the *exceptional* character, is illustrated by Washington's address as he writes: 'our detached and distant situation invites and enables us to pursue a different course [away from Europe]. If we remain one people, under an efficient government, the period is not far off when we may deft material injury from external annoyance.' Washington's biggest warning was therefore not to favourite one nation above the other. For him, the *exceptional* character of his country meant that it could never find a common interest with other nations that would justify the United States not to be neutral, since foreign influence in all ways was 'alarming to the truly enlightened and independent patriot' and was 'one of the most baneful foes of republican government.' The entangling alliance with France challenged America's 'ability to see its own common interests clearly and to act in unity and concert when its national interests were at stake.'⁷⁵ Only the idea of neutrality, independent patriotism and republican virtues alone could argue for the existence of American *exceptionalism*. However, it was not just these virtues, but also the 'duty and interest' that should see to the remaining of a neutral position and the 'true policy to steer clear of permanent alliances'; and according to Washington, a course it had the right to take.

The effect of Washington's Farewell Address on the Franco-American Alliance is hard to measure. What becomes apparent however, is that more than before the principle of non-entanglement went unchallenged. After Washington's retirement, American politicians and diplomats, more than ever, would try to measure themselves to the 'ultimate test of virtue'⁷⁶ set out by the Farewell Address. For the Franco-American Alliance, this simply meant that its already worthless value during the French Revolution, only needed another conflict between the two nations to let it come to its end, as simple denunciation of the Treaty of 1778 would mean serious diplomatic repercussions for the United States. As the French Revolution had toppled the king, the United States found that it therefore was not obligated to pay its outstanding debt to France. This resulted in the unofficial Quasi-War of 1798-1800, fought at sea, which ended with the Convention of 1800. During this convention, the alliance that had proven to be worthless in France's hour of need, had caused major diplomatic damage, and which had split Congress in two on foreign issues, officially came to its end.

⁷⁵ Douglas Harris and Lonce Bailey, *The Democratic Party. Documents Decoded* (Santa Barbara 2014) 6.

⁷⁶ Jerald A. Combs, *American Diplomatic History*, 1-6.

Conclusion

This essay set out to question the influence of the French Revolution and the consequent American political and diplomatic response, in the eventual breakdown of the Franco-American Alliance of 1778. Although French support in the American Revolution was decisive in obtaining American independence, individual diplomatic activities by France already uncovered the self-interested nature of the treaty. There was an entrenched sense of mistrust towards France, the idea it was either going to sell them out, or drag them into an unwanted war in the future. Therefore, long before the start of the French Revolution there were serious doubts about the intentions of France and the conservation of the treaty. The fears and hopes for the alliance were laid down by the two adversary parties whose foreign policy reflected their domestic politics long before the start of the revolution of 1789. Therefore, foreign policy was more the result of the already existing divide in congress than opposite. The outbreak of the revolution did not drastically change the foreign program and was at first greeted with republican sympathy and hope. The war that broke out in Europe in 1792, however, changed everything.

If we look at the influence of the French Revolution in the breakdown of the alliance, we can conclude that it was especially the European wars of the 1790s that caused a serious split to occur. The Proclamation of Neutrality, supported by the political wish for non-entanglement, subsequently downgraded the essence of the alliance. Events like the *Citizen Genêt Affair* and the Jay Treaty only increased the opinion that neutrality was the best solution. Although the proclamation had given doubt to the purpose of the alliance, the diplomatic events of 1793-1795 had proven its eventual worthlessness. However, the French Revolution had created an opportunity for the United States to become non-aligned, one that especially the Federalist Party was eager to use. It was not ingrained republicanism or a heritage with Europe that made the United States choose for a neutral position, but national interest.

These neutrality rights and national interest came from the idea that the United States was *exceptional* from Europe. As argued in his Farewell Address, because of its distance and detachment from Europe, the United States could run a different course. However, for that to happen it had to separate itself from European affairs and hold on to the principles of patriotism, democracy, self-determination and freedom that were so uniquely American. Although the outbreak of the French Revolution itself did not influence the prospering of *exceptionalism*, once again, the neutrality position gave the United States the legitimization that it needed for these principles to be solely American and detached from European values. Although ignored by historians in the past, the influence of foreign relations on the acquisition, prospering and legitimization of American *exceptionalism* is therefore invaluable.

The French Revolution, and the consequent European wars of the 1790s, can only partially explain the breakdown of the Franco-American Alliance. The French Revolution had an impact on the acquisition of neutrality, but the wishes for such a policy already existed long before the revolution of 1789. The French Revolution had not been the queen, but one of the pawns in an American internal political game of chess. American national interest was simply not in favour of such an alliance and the French Revolution gave a platform to express it.

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Appendix I – The Proclamation of Neutrality

Neutrality Proclamation, 22 April 1793

Neutrality Proclamation

[Philadelphia, 22 April 1793]

WHEREAS it appears that a state of war exists between Austria, Prussia, Sardinia, Great-Britain, and the United Netherlands, of the one part, and France on the other, and the duty and interest of the United States require, that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerent powers:

I have therefore thought fit by these presents to declare the disposition of the United States to observe the conduct aforesaid towards those powers respectively; and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever, which may in any manner tend to contravene such disposition.

And I do hereby also make known that whosoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations, by committing, aiding or abetting hostilities against any of the said powers, or by carrying to any of them those articles, which are deemed contraband by the *modern* usage of nations, will not receive the protection of the United States, against such punishment or forfeiture: and further, that I have given instructions to those officers, to whom it belongs, to cause prosecutions to be instituted against all persons, who shall, within the cognizance of the courts of the United States, violate the Law of Nations, with respect to the powers at war, or any of them.

IN TESTIMONY WHEREOF I have caused the Seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the twenty-second day of April, one thousand seven hundred and ninety-three, and of the Independence of the United States of America the seventeenth.

Go. WASHINGTON.

By the President.

TH: JEFFERSON.

Source: “Neutrality Proclamation, 22 April 1793,” Founders Online, National Archives (<http://founders.archives.gov/documents/Washington/05-12-02-0371> [last update: 2015-12-30]). Source: *The Papers of George Washington*, Presidential Series, vol. 12, *16 January 1793–31 May 1793*, ed. Christine Sternberg Patrick and John C. Pinheiro. Charlottesville: University of Virginia Press, 2005, pp. 472–474

Appendix II – The Jay Treaty

Treaty of Amity Commerce and Navigation, between His Britannick Majesty; and The United States of America, by Their President, with the advice and consent of Their Senate.

His Britannick Majesty and the United States of America, being desirous by a Treaty of Amity, Commerce and Navigation to terminate their Differences in such a manner, as without reference to the Merits of Their respective Complaints and Pretensions, may be the best calculated to produce mutual satisfaction and good understanding; And also to regulate the Commerce and Navigation between Their respective Countries, Territories and People, in such a manner as to render the same reciprocally beneficial and satisfactory; They have respectively named their Plenipotentiaries, and given them Full powers to treat of, and conclude, the said Treaty, that is to say; His Brittanick Majesty has named for His Plenipotentiary, The Right Honourable William Wyndham Baron Grenville of Wotton, One of His Majesty's Privy Council, and His Majesty's Principal Secretary of State for Foreign Affairs; and The President of the said United States, by and with the advice and Consent of the Senate thereof, hath appointed for Their Plenipotentiary The Honourable John Jay, Chief Justice of the said United States and Their Envoy Extraordinary to His Majesty, who have agreed on, and concluded the following Articles

ARTICLE 1.

There shall be a firm inviolable and universal Peace, and a true and sincere Friendship between His Britannick Majesty, His Heirs and Successors, and the United States of America; and between their respective Countries, Territories, Cities, Towns and People of every Degree, without Exception of Persons or Places.

ARTICLE 2.

His Majesty will withdraw all His Troops and Garrisons from all Posts and Places within the Boundary Lines assigned by the Treaty of Peace to the United States. This Evacuation shall take place on or before the first Day of June One thousand seven hundred and ninety six, and all the proper Measures shall in the interval be taken by concert between the Government of the United States, and His Majesty's Governor General in America, for settling the previous arrangements which may be necessary respecting the delivery of the said Posts: The United States in the mean Time at Their discretion extending their settlements to any part within the said boundary line, except within the precincts or Jurisdiction of any of the said Posts. All Settlers and Traders, within the Precincts or Jurisdiction of the said Posts, shall continue to enjoy, unmolested, all their property of every kind, and shall be protected therein. They shall be at full liberty to remain there, or to remove with all or any part of their Effects; and it shall also be free to them to sell their Lands, Houses, or Effects, or to retain the property thereof, at their discretion; such of them as shall continue to reside within the said Boundary Lines shall not be compelled to become Citizens of the United States, or to take any Oath of allegiance to the Government thereof, but they shall be at full liberty so to do, if they think proper, and they shall make and declare their Election within one year after the Evacuation aforesaid. And all persons who shall continue there after the expiration of the said year, without having declared their

intention of remaining Subjects of His Britannick Majesty, shall be considered as having elected to become Citizens of the United States.

ARTICLE 3.

It is agreed that it shall at all Times be free to His Majesty's Subjects, and to the Citizens of the United States, and also to the Indians dwelling on either side of the said Boundary Line freely to pass and repass by Land, or Inland Navigation, into the respective Territories and Countries of the Two Parties on the Continent of America (the Country within the Limits of the Hudson's Bay Company only excepted) and to navigate all the Lakes, Rivers, and waters thereof, and freely to carry on trade and commerce with each other. But it is understood, that this Article does not extend to the admission of Vessels of the United States into the Sea Ports, Harbours, Bays, or Creeks of His Majesty's said Territories; nor into such parts of the Rivers in His Majesty's said Territories as are between the mouth thereof, and the highest Port of Entry from the Sea, except in small vessels trading bona fide between Montreal and Quebec, under such regulations as shall be established to prevent the possibility of any Frauds in this respect. Nor to the admission of British vessels from the Sea into the Rivers of the United States, beyond the highest Ports of Entry for Foreign Vessels from the Sea. The River Mississippi, shall however, according to the Treaty of Peace be entirely open to both Parties; And it is further agreed, That all the ports and places on its Eastern side, to whichsoever of the parties belonging, may freely be resorted to, and used by both parties, in as ample a manner as any of the Atlantic Ports or Places of the United States, or any of the Ports or Places of His Majesty in Great Britain.

All Goods and Merchandize whose Importation into His Majesty's said Territories in America, shall not be entirely prohibited, may freely, for the purposes of Commerce, be carried into the same in the manner aforesaid, by the Citizens of the United States, and such Goods and Merchandize shall be subject to no higher or other Duties than would be payable by His Majesty's Subjects on the Importation of the same from Europe into the said Territories. And in like manner, all Goods and Merchandize whose Importation into the United States shall not be wholly prohibited, may freely, for the purposes of Commerce, be carried into the same, in the manner aforesaid, by His Majesty's Subjects, and such Goods and Merchandize shall be subject to no higher or other Duties than would be payable by the Citizens of the United States on the Importation of the same in American Vessels into the Atlantic Ports of the said States. And all Goods not prohibited to be exported from the said Territories respectively, may in like manner be carried out of the same by the Two Parties respectively, paying Duty as aforesaid

No Duty of Entry shall ever be levied by either Party on Peltries brought by Land, or Inland Navigation into the said Territories respectively, nor shall the Indians passing or repassing with their own proper Goods and Effects of whatever nature, pay for the same any Impost or Duty whatever. But Goods in Bales, or other large Packages unusual among Indians shall not be considered as Goods belonging bona fide to Indians. No higher or other Tolls or Rates of Ferriage than what are, or shall be payable by Natives, shall be demanded on either side; And no Duties shall be payable on any Goods which shall merely be carried over any of the Portages, or carrying Places on either side, for the purpose of being immediately rebarked, and carried to some other Place or Places. But as by this Stipulation it is only meant to secure to each Party a free passage across the Portages on both sides, it is agreed, that this Exemption from

Duty shall extend only to such Goods as are carried in the usual and direct Road across the Portage, and are not attempted to be in any manner sold or exchanged during their passage across the same, and proper Regulations may be established to prevent the possibility of any Frauds in this respect.

As this Article is intended to render in a great Degree the local advantages of each Party common to both, and thereby to promote a disposition favourable to Friendship and good neighbourhood, It is agreed, that the respective Governments will mutually promote this amicable Intercourse, by causing speedy and impartial Justice to be done, and necessary protection to be extended, to all who may be concerned therein.

ARTICLE 4.

Whereas it is uncertain whether the River Mississippi extends so far to the Northward as to be intersected by a Line to be drawn due West from the Lake of the woods in the manner mentioned in the Treaty of Peace between His Majesty and the United States, it is agreed, that measures shall be taken in Concert between His Majesty's Government in America, and the Government of the United States, for making a joint Survey of the said River, from one Degree of Latitude below the falls of St Anthony to the principal Source or Sources of the said River, and also of the parts adjacent thereto, And that if on the result of such Survey it should appear that the said River would not be intersected by such a Line as is above mentioned; The two Parties will thereupon proceed by amicable negotiation to regulate the Boundary Line in that quarter as well as all other Points to be adjusted between the said Parties, according to Justice and mutual Convenience, and in Conformity, to the Intent of the said Treaty.

ARTICLE 5.

Whereas doubts have arisen what River was truly intended under the name of the River St. Croix mentioned in the said Treaty of Peace and forming a part of the boundary therein described, that question shall be referred to the final Decision of Commissioners to be appointed in the following Manner-Viz-

One Commissioner shall be named by His Majesty, and one by the President of the United States, by and with the advice and Consent of the Senate thereof, and the said two Commissioners shall agree on the choice of a third, or, if they cannot so agree, They shall each propose one Person, and of the two names so proposed one shall be drawn by Lot, in the presence of the two original Commissioners. And the three Commissioners so appointed shall be Sworn impartially to examine and decide the said question according to such Evidence as shall respectively be laid before Them on the part of the British Government and of the United States. The said Commissioners shall meet at Halifax and shall have power to adjourn to such other place or places as they shall think fit. They shall have power to appoint a Secretary, and to employ such Surveyors or other Persons as they shall judge necessary. The said Commissioners shall by a Declaration under their Hands and Seals, decide what River is the River St Croix intended by the Treaty.

The said Declaration shall contain a description of the said River, and shall particularize the Latitude and Longitude of its mouth and of its Source. Duplicates of this Declaration and of the State meets of their Accounts, and of the Journal of their proceedings, shall be delivered by them to the Agent of His Majesty, and to the Agent

of the United States, who may be respectively appointed and authorized to manage the business on behalf of the respective Governments. And both parties agree to consider such decision as final and conclusive, so as that the same shall never thereafter be called into question, or made the subject of dispute or difference between them.

ARTICLE 6.

Whereas it is alleged by divers British Merchants and others His Majesty's Subjects, that Debts to a considerable amount which were bona fide contracted before the Peace, still remain owing to them by Citizens or Inhabitants of the United States, and that by the operation of various lawful Impediments since the Peace, not only the full recovery of the said Debts has been delayed, but also the Value and Security thereof, have been in several instances impaired and lessened, so that by the ordinary course of Judicial proceedings the British Creditors, cannot now obtain and actually have and receive full and adequate Compensation for the losses and damages which they have thereby sustained: It is agreed that in all such Cases where full Compensation for such losses and damages cannot, for whatever reason, be actually obtained had and received by the said Creditors in the ordinary course of Justice, The United States will make full and complete Compensation for the same to the said Creditors; But it is distinctly understood, that this provision is to extend to such losses only, as have been occasioned by the lawful impediments aforesaid, and is not to extend to losses occasioned by such Insolvency of the Debtors or other Causes as would equally have operated to produce such loss, if the said impediments had not existed, nor to such losses or damages as have been occasioned by the manifest delay or negligence, or wilful omission of the Claimant.

For the purpose of ascertaining the amount of any such losses and damages, Five Commissioners shall be appointed and authorized to meet and act in manner following-viz- Two of them shall be appointed by His Majesty, Two of them by the President of the United States by and with the advice and consent of the Senate thereof, and the fifth, by the unanimous voice of the other Four; and if they should not agree in such Choice, then the Commissioners named by the two parties shall respectively propose one person, and of the two names so proposed, one shall be drawn by Lot in the presence of the Four Original Commissioners. When the Five Commissioners thus appointed shall first meet, they shall before they proceed to act respectively, take the following Oath or Affirmation in the presence of each other, which Oath or Affirmation, being so taken, and duly attested, shall be entered on the Record of their Proceedings, -viz.- I. A: B: One of the Commissioners appointed in pursuance of the 6th Article of the Treaty of Amity, Commerce and Navigation between His Britannick Majesty and The United States of America, do solemnly swear (or affirm) that I will honestly, diligently, impartially, and carefully examine, and to the best of my Judgement, according to Justice and Equity decide all such Complaints, as under the said Article shall be preferred to the said Commissioners: and that I will forbear to act as a Commissioner in any Case in which I may be personally interested.

Three of the said Commissioners shall constitute a Board, and shall have power to do any act appertaining to the said Commission, provided that one of the Commissioners named on each side, and the Fifth Commissioner shall be present, and all decisions shall be made by the Majority of the Voices of the Commissioners then present. Eighteen Months from the Day on which the said Commissioners shall form a Board,

and be ready to proceed to Business are assigned for receiving Complaints and applications, but they are nevertheless authorized in any particular Cases in which it shall appear to them to be reasonable and just to extend the said Term of Eighteen Months, for any term not exceeding Six Months after the expiration thereof. The said Commissioners shall first meet at Philadelphia, but they shall have power to adjourn from Place to Place as they shall see Cause.

The said Commissioners in examining the Complaints and applications so preferred to them, are empowered and required in pursuance of the true intent and meaning of this article to take into their Consideration all claims whether of principal or interest, or balances of principal and interest, and to determine the same respectively according to the merits of the several Cases, due regard being had to all the Circumstances thereof, and as Equity and Justice shall appear to them to require. And the said Commissioners shall have power to examine all such Persons as shall come before them on Oath or Affirmation touching the premises; and also to receive in Evidence according as they may think most consistent with Equity and Justice all written positions, or Books or Papers, or Copies or Extracts thereof. Every such Deposition, Book or Paper or Copy or Extract being duly authenticated either according to the legal Forms now respectively existing in the two Countries, or in such other manner as the said Commissioners shall see cause to require or allow.

The award of the said Commissioners or of any three of them as aforesaid shall in all Cases be final and conclusive both as to the Justice of the Claim, and to the amount of the Sum to be paid to the Creditor or Claimant. And the United States undertake to cause the Sum so awarded to be paid in Specie to such Creditor or Claimant without deduction; and at such Time or Times, and at such Place or Places, as shall be awarded by the said Commissioners, and on Condition of such Releases or assignments to be given by the Creditor or Claimant as by the said Commissioners may be directed; Provided always that no such payment shall be fixed by the said Commissioners to take place sooner then twelve months from the Day of the Exchange of the Ratifications of this Treaty.

ARTICLE 7.

Whereas Complaints have been made by divers Merchants and others, Citizens of the United States, that during the course of the War in which His Majesty is now engaged they have sustained considerable losses and damage by reason of irregular or illegal Captures or Condemnations of their vessels and other property under Colour of authority or Commissions from His Majesty, and that from various Circumstances belonging to the said Cases adequate Compensation for the losses and damages so sustained cannot now be actually obtained, had and received by the ordinary Course of Judicial proceedings; It is agreed that in all such Cases where adequate Compensation cannot for whatever reason be now actually obtained, had and received by the said Merchants and others in the ordinary course of Justice, full and Complete Compensation for the same will be made by the British Government to the said Complainants. But it is distinctly understood, that this provision is not to extend to such losses or damages as have been occasioned by the manifest delay or negligence, or wilful omission of the Claimant. That for the purpose of ascertaining the amount of any such losses and damages Five Commissioners shall be appointed and authorized to act in London exactly in the manner directed with respect to those mentioned in the preceding Article, and after having taken the same Oath or

Affirmation (*mutatis mutandis*). The same term of Eighteen Months is also assigned for the reception of Claims, and they are in like manner authorised to extend the same in particular Cases. They shall receive Testimony, Books, Papers and Evidence in the same latitude, and exercise the like discretion, and powers respecting that subject, and shall decide the Claims in question, according to the merits of the several Cases, and to Justice Equity and the Laws of Nations. The award of the said Commissioners or any such three of them as aforesaid, shall in all Cases be final and conclusive both as to the Justice of the Claim and the amount of the Sum to be paid to the Claimant; and His Britannick Majesty undertakes to cause the same to be paid to such Claimant in Specie, without any Deduction, at such place or places, and at such Time or Times as shall be awarded by the said Commissioners and on Condition of such releases or assignments to be given by the Claimant, as by the said Commissioners may be directed. And whereas certain merchants and others, His Majesty's Subjects, complain that in the course of the war they have sustained Loss and Damage by reason of the Capture of their Vessels and Merchandize taken within the Limits and Jurisdiction of the States, and brought into the Ports of the same, or taken by Vessels originally armed in Ports of the said States:

It is agreed that in all such cases where Restitution shall not have been made agreeably to the tenor of the letter from Mr. Jefferson to Mr. Hammond dated at Philadelphia September 5th 1793. A Copy of which is annexed to this Treaty, the Complaints of the parties shall be, and hereby are referred to the Commissioners to be appointed by virtue of this article, who are hereby authorized and required to proceed in the like manner relative to these as to the other Cases committed to them, and the United States undertake to pay to the Complainants or Claimants in specie without deduction the amount of such Sums as shall be awarded to them respectively by the said Commissioners and at the times and places which in such awards shall be specified, and on Condition of such Releases or assignments to be given by the Claimants as in the said awards may be directed: And it is further agreed that not only to be now existing Cases of both descriptions, but also all such as shall exist at the Time, of exchanging the Ratifications of this Treaty shall be considered as being within the provisions intent and meaning of this article.

ARTICLE 8.

It is further agreed that the Commissioners mentioned in this and in the two preceding articles shall be respectively paid in such manner, as shall be agreed between the two parties, such agreement being to be settled at the Time of the exchange of the Ratifications of this Treaty. And all other Expenses attending the said Commissions shall be defrayed jointly by the Two Parties, the same being previously ascertained and allowed by the Majority of the Commissioners. And in the case of Death, Sickness or necessary absence, the place of every such Commissioner respectively, shall be supplied in the same manner as such Commissioner was first appointed, and the new Commissioners shall take the same Oath, or Affirmation, and do the same Duties.

ARTICLE 9.

It is agreed, that British Subjects who now hold Lands in the Territories of the United States, and American Citizens who now hold Lands in the Dominions of His Majesty, shall continue to hold them according to the nature and Tenure of their respective

Estates and Titles therein, and may grant Sell or Devise the same to whom they please, in like manner as if they were Natives; and that neither they nor their Heirs or assigns shall, so far as may respect the said Lands, be and the legal remedies incident thereto, be regarded as Aliens.

ARTICLE 10.

Neither the Debts due from Individuals of the one Nation, to Individuals of the other, nor shares nor monies, which they may have in the public Funds, or in the public or private Banks shall ever, in any Event of war, or national differences, be sequestered, or confiscated, it being unjust and impolitic that Debts and Engagements contracted and made by Individuals having confidence in each other, and in their respective Governments, should ever be destroyed or impaired by national authority, on account of national Differences and Discontents.

ARTICLE 11.

It is agreed between His Majesty and the United States of America, that there shall be a reciprocal and entirely perfect Liberty of Navigation and Commerce, between their respective People, in the manner, under the Limitations, and on the Conditions specified in the following Articles.

ARTICLE 12.

His Majesty Consents that it shall and may be lawful, during the time hereinafter Limited, for the Citizens of the United States, to carry to any of His Majesty's Islands and Ports in the West Indies from the United States in their own Vessels, not being above the burthen of Seventy Tons, any Goods or Merchandizes, being of the Growth, Manufacture, or Produce of the said States, which it is, or may be lawful to carry to the said Islands or Ports from the said States in British Vessels, and that the said American Vessels shall be subject there to no other or higher Tonnage Duties or Charges, than shall be payable by British Vessels, in the Ports of the United States; and that the Cargoes of the said American Vessels, shall be subject there to no other or higher Duties or Charges, than shall be payable on the like Articles, if imported there from the said States in British vessels. And His Majesty also consents that it shall be lawful for the said American Citizens to purchase, load and carry away, in their said vessels to the United States from the said Islands and Ports, all such articles being of the Growth, Manufacture or Produce of the said Islands, as may now by Law be carried from thence to the said States in British Vessels, and subject only to the same Duties and Charges on Exportation to which British Vessels and their Cargoes are or shall be subject in similar circumstances.

Provided always that the said American vessels do carry and land their Cargoes in the United States only, it being expressly agreed and declared that during the Continuance of this article, the United States will prohibit and restrain the carrying any Melasses, Sugar, Coffee, Cocoa or Cotton in American vessels, either from His Majesty's Islands or from the United States, to any part of the World, except the United States, reasonable Sea Stores excepted. Provided also, that it shall and may be lawful during the same period for British vessels to import from the said Islands into the United States, and to export from the United States to the said Islands, all Articles whatever being of the Growth, Produce or Manufacture of the said Islands, or of the

United States respectively, which now may, by the Laws of the said States, be so imported and exported. And that the Cargoes of the said British vessels, shall be subject to no other or higher Duties or Charges, than shall be payable on the same articles if so imported or exported in American Vessels.

It is agreed that this Article, and every Matter and Thing therein contained, shall continue to be in Force, during the Continuance of the war in which His Majesty is now engaged; and also for Two years from and after the Day of the signature of the Preliminary or other Articles of Peace by which the same may be terminated

And it is further agreed that at the expiration of the said Term, the Two Contracting Parties will endeavour further to regulate their Commerce in this respect, according to the situation in which His Majesty may then find Himself with respect to the West Indies, and with a view to such Arrangements, as may best conduce to the mutual advantage and extension of Commerce. And the said Parties will then also renew their discussions, and endeavour to agree, whether in any and what cases Neutral Vessels shall protect Enemy's property; and in what cases provisions and other articles not generally Contraband may become such. But in the meantime their Conduct towards each other in these respects, shall be regulated by the articles hereinafter inserted on those subjects.

ARTICLE 13.

His Majesty consents that the Vessels belonging to the Citizens of the United States of America, shall be admitted and Hospitably received in all the Sea Ports and Harbours of the British Territories in the East Indies: and that the Citizens of the said United States, may freely carry on a Trade between the said Territories and the said United States, in all articles of which the Importation or Exportation respectively to or from the said Territories, shall not be entirely prohibited; Provided only, that it shall not be lawful for them in any time of War between the British Government, and any other Power or State whatever, to export from the said Territories without the special Permission of the British Government there, any Military Stores, or Naval Stores, or Rice. The Citizens of the United States shall pay for their Vessels when admitted into the said Ports, no other or higher Tonnage Duty than shall be payable on British Vessels when admitted into the Ports of the United States. And they shall pay no other or higher Duties or Charges on the importation or exportation of the Cargoes of the said Vessels, than shall be payable on the same articles when imported or exported in British Vessels. But it is expressly agreed, that the Vessels of the United States shall not carry any of the articles exported by them from the said British Territories to any Port or Place, except to some Port or Place in America, where the same shall be unladen, and such Regulations shall be adopted by both Parties, as shall from time to time be found necessary to enforce the due and faithful observance of this Stipulation: It is also understood that the permission granted by this article is not to extend to allow the Vessels of the United States to carry on any part of the Coasting Trade of the said British Territories, but Vessels going with their original Cargoes, or part thereof, from one port of discharge to another, are not to be considered as carrying on the Coasting Trade. Neither is this Article to be construed to allow the Citizens of the said States to settle or reside within the said Territories, or to go into the interior parts thereof, without the permission of the British Government established there; and if any transgression should be attempted against the Regulations of the British Government in this respect, the observance of the same

shall and may be enforced against the Citizens of America in the same manner as against British Subjects, or others transgressing the same rule. And the Citizens of the United States, whenever they arrive in any Port or Harbour in the said Territories, or if they should be permitted in manner aforesaid, to go to any other place therein, shall always be subject to the Laws, Government and Jurisdiction, of what nature, established in such Harbour, Port or Place according as the same may be: The Citizens of the United States, may also touch for refreshment, at the Island of st Helena, but subject in all respects to such regulations, as the British Government may from time to time establish there.

ARTICLE 14.

There shall be between all the Dominions of His Majesty in Europe, and the Territories of the United States, a reciprocal and perfect liberty of Commerce and Navigation. The people and Inhabitants of the Two Countries respectively, shall have liberty, freely and securely, and without hindrance and molestation, to come with their Ships and Cargoes to the Lands, Countries, Cities, Ports Places and Rivers within the Dominions and Territories aforesaid, to enter into the same, to resort there, and to remain and reside there, without any limitation of Time: also to hire and possess, Houses and ware houses for the purposes of their Commerce; and generally the Merchants and Traders on each side, shall enjoy the most complete protection and Security for their Commerce; but subject always, as to what respects this article, to the Laws and Statutes of the Two Countries respectively.

ARTICLE 15.

It is agreed, that no other or higher Duties shall be paid by the Ships or Merchandize of the one Party in the Ports of the other, than such as are paid by the like vessels or Merchandize of all other Nations. Nor shall any other or higher Duty be imposed in one Country on the importation of any articles, the growth, produce, or manufacture of the other, than are or shall be payable on the importation of the like articles being of the growth, produce or manufacture of any other Foreign Country. Nor shall any prohibition be imposed, on the exportation or importation of any articles to or from the Territories of the Two Parties respectively which shall not equally extend to all other Nations.

But the British Government reserves to itself the right of imposing on American Vessels entering into the British Ports in Europe a Tonnage Duty, equal to that which shall be payable by British Vessels in the Ports of America: And also such Duty as may be adequate to countervail the difference of Duty now payable on the importation of European and Asiatic Goods when imported into the United States in British or in American Vessels.

The Two Parties agree to treat for the more exact equalization of the Duties on the respective Navigation of their Subjects and People in such manner as may be most beneficial to the two Countries. The arrangements for this purpose shall be made at the same time with those mentioned at the Conclusion of the 12th Article of this Treaty, and are to be considered as a part thereof. In the interval it is agreed, that the United States will not impose any new or additional Tonnage Duties on British

Vessels, nor increase the now subsisting difference between the Duties payable on the importation of any articles in British or in American Vessels.

ARTICLE 16.

It shall be free for the Two Contracting Parties respectively, to appoint Consuls for the protection of Trade, to reside in the Dominions and Territories aforesaid; and the said Consuls shall enjoy those Liberties and Rights which belong to them by reason of their Function. But before any Consul shall act as such, he shall be in the usual forms approved and admitted by the party to whom he is sent, and it is hereby declared to be lawful and proper, that in case of illegal or improper Conduct towards the Laws or Government, a Consul may either be punished according to Law, if the Laws will reach the Case, or be dismissed or even sent back, the offended Government assigning to the other, Their reasons for the same.

Either of the Parties may except from the residence of Consuls such particular Places, as such party shall judge proper to be so excepted.

ARTICLE 17.

It is agreed that, in all Cases where Vessels shall be captured or detained on just suspicion of having on board Enemy's property or of carrying to the Enemy, any of the articles which are Contraband of war; The said Vessel shall be brought to the nearest or most convenient Port, and if any property of an Enemy, should be found on board such Vessel, that part only which belongs to the Enemy shall be made prize, and the Vessel shall be at liberty to proceed with the remainder without any Impediment. And it is agreed that all proper measures shall be taken to prevent delay, in deciding the Cases of Ships or Cargoes so brought in for adjudication, and in the payment or recovery of any Indemnification adjudged or agreed to be paid to the masters or owners of such Ships.

ARTICLE 18.

In order to regulate what is in future to be esteemed Contraband of war, it is agreed that under the said Denomination shall be comprized all Arms and Implements serving for the purposes of war by Land or Sea; such as Cannon, Muskets, Mortars, Petards, Bombs, Grenades Carcasses, Saucisses, Carriages for Cannon, Musket rests, Bandoliers, Gunpowder, Match, Saltpetre, Ball, Pikes, Swords, Headpieces Cuirasses Halberts Lances Javelins, Horsefurniture, Holsters, Belts and, generally all other Implements of war, as also Timber for Ship building, Tar or Rosin, Copper in Sheets, Sails, Hemp, and Cordage, and generally whatever may serve directly to the equipment of Vessels, unwrought Iron and Fir planks only excepted, and all the above articles are hereby declared to be just objects of Confiscation, whenever they are attempted to be carried to an Enemy.

And Whereas the difficulty of agreeing on the precise Cases in which alone Provisions and other articles not generally contraband may be regarded as such, renders it expedient to provide against the inconveniences and misunderstandings which might thence arise: It is further agreed that whenever any such articles so becoming Contraband according to the existing Laws of Nations, shall for that reason be seized, the same shall not be confiscated, but the owners thereof shall be speedily and

completely indemnified; and the Captors, or in their default the Government under whose authority they act, shall pay to the Masters or Owners of such Vessels the full value of all such Articles, with a reasonable mercantile Profit thereon, together with the Freight, and also the Demurrage incident to such Detension.

And Whereas it frequently happens that vessels sail for a Port or Place belonging to an Enemy, without knowing that the same is either besieged, blockaded or invested; It is agreed, that every Vessel so circumstanced may be turned away from such Port or Place, but she shall not be detained, nor her Cargo, if not Contraband, be confiscated; unless after notice she shall again attempt to enter; but She shall be permitted to go to any other Port or Place She may think proper: Nor shall any vessel or Goods of either party, that may have entered into such Port or Place before the same was besieged, blockaded or invested by the other, and be found therein after the reduction or surrender of such place, be liable to confiscation, but shall be restored to the Owners or proprietors thereof.

ARTICLE 19.

And that more abundant Care may be taken for the security of the respective Subjects and Citizens of the Contracting Parties, and to prevent their suffering Injuries by the Men of war, or Privateers of either Party, all Commanders of Ships of war and Privateers and all others the said Subjects and Citizens shall forbear doing any Damage to those of the other party, or committing any Outrage against them, and if they act to the contrary, they shall be punished, and shall also be bound in their Persons and Estates to make satisfaction and reparation for all Damages, and the interest thereof, of whatever nature the said Damages may be.

For this cause all Commanders of Privateers before they receive their Commissions shall hereafter be obliged to give before a Competent Judge, sufficient security by at least Two responsible Sureties, who have no interest in the said Privateer, each of whom, together with the said Commander, shall be jointly and severally bound in the Sum of Fifteen hundred pounds Sterling, or if such Ships be provided with above One hundred and fifty Seamen or Soldiers, in the Sum of Three thousand pounds sterling, to satisfy all Damages and Injuries, which the said Privateer or her Officers or Men, or any of them may do or commit during their Cruise contrary to the tenor of this Treaty, or to the Laws and Instructions for regulating their Conduct; and further that in all Cases of Aggressions the said Commissions shall be revoked and annulled.

It is also agreed that whenever a Judge of a Court of Admiralty of either of the Parties, shall pronounce sentence against any Vessel or Goods or Property belonging to the Subjects or Citizens of the other Party a formal and duly authenticated Copy of all the proceedings in the Cause, and of the said Sentence, shall if required be delivered to the Commander of the said Vessel, without the smallest delay, he paying all legal Fees and Demands for the same.

ARTICLE 20.

It is further agreed that both the said Contracting Parties, shall not only refuse to receive any Pirates into any of their Ports, Havens, or Towns, or permit any of their Inhabitants to receive, protect, harbour conceal or assist them in any manner, but will

bring to condign punishment all such Inhabitants as shall be guilty of such Acts or offences.

And all their Ships with the Goods or Merchandizes taken by them and brought into the port of either of the said Parties, shall be seized, as far as they can be discovered and shall be restored to the owners or their Factors or Agents duly deputed and authorized in writing by them (proper Evidence being first given in the Court of Admiralty for proving the property,) even in case such effects should have passed into other hands by Sale, if it be proved that the Buyers knew or had good reason to believe, or suspect that they had been piratically taken.

ARTICLE 21.

It is likewise agreed that the Subjects and Citizens of the Two Nations, shall not do any acts of Hostility or Violence against each other, nor accept Commissions or Instructions so to act from any Foreign Prince or State, Enemies to the other party, nor shall the Enemies of one of the parties be permitted to invite or endeavour to enlist in their military service any of the Subjects or Citizens of the other party; and the Laws against all such Offences and Aggressions shall be punctually executed. And if any Subject or Citizen of the said Parties respectively shall accept any Foreign Commission or Letters of Marque for Arming any Vessel to act as a Privateer against the other party, and be taken by the other party, it is hereby declared to be lawful for the said party to treat and punish the said Subject or Citizen, having such Commission or Letters of Marque as a Pirate.

ARTICLE 22.

It is expressly stipulated that neither of the said Contracting Parties will order or Authorize any Acts of Reprisal against the other on Complaints of Injuries or Damages until the said party shall first have presented to the other a Statement thereof, verified by competent proof and Evidence, and demanded Justice and Satisfaction, and the same shall either have been refused or unreasonably delayed.

ARTICLE 23.

The Ships of war of each of the Contracting Parties, shall at all times be hospitably received in the Ports of the other, their Officers and Crews paying due respect to the Laws and Government of the Country. The officers shall be treated with that respect, which is due to the Commissions which they bear. And if any Insult should be offered to them by any of the Inhabitants, all offenders in this respect shall be punished as Disturbers of the Peace and Amity between the Two Countries.

And His Majesty consents, that in case an American Vessel should by stress of weather, Danger from Enemies, or other misfortune be reduced to the necessity of seeking Shelter in any of His Majesty's Ports, into which such Vessel could not in ordinary cases claim to be admitted; She shall on manifesting that necessity to the satisfaction of the Government of the place, be hospitably received, and be permitted to refit, and to purchase at the market price, such necessaries as she may stand in need of, conformably to such Orders and regulations as the Government of the place, having respect to the circumstances of each case shall prescribe. She shall not be allowed to break bulk or unload her Cargo, unless the same shall be bona fide

necessary to her being refitted. Nor shall be permitted to sell any part of her Cargo, unless so much only as may be necessary to defray her expences, and then not without the express permission of the Government of the place. Nor shall she be obliged to pay any Duties whatever, except only on such Articles, as she may be permitted to sell for the purpose aforesaid.

ARTICLE 24.

It shall not be lawful for any Foreign Privateers (not being Subjects or Citizens of either of the said Parties) who have Commissions from any other Prince or State in Enmity with either Nation, to arm their Ships in the Ports of either of the said Parties, nor to sell what they have taken, nor in any other manner to exchange the same, nor shall they be allowed to purchase more provisions than shall be necessary for their going to the nearest Port of that Prince or State from whom they obtained their Commissions.

ARTICLE 25.

It shall be lawful for the Ships of war and Privateers belonging to the said Parties respectively to carry whithersoever they please the Ships and Goods taken from their Enemies without being obliged to pay any Fee to the Officers of the Admiralty, or to any Judges what ever; nor shall the said Prizes when they arrive at, and enter the Ports of the said Parties be detained or seized, neither shall the Searchers or other Officers of those Places visit such Prizes (except for the purpose of preventing the Carrying of any part of the Cargo thereof on Shore in any manner contrary to the established Laws of Revenue, Navigation or Commerce) nor shall such Officers take Cognizance of the Validity of such Prizes; but they shall be at liberty to hoist Sail, and depart as speedily as may be, and carry their said Prizes to the place mentioned in their Commissions or Patents, which the Commanders of the said Ships of war or Privateers shall be obliged to shew. No Shelter or Refuge shall be given in their Ports to such as have made a Prize upon the Subjects or Citizens of either of the said Parties; but if forced by stress of weather or the Dangers of the Sea, to enter therein, particular care shall be taken to hasten their departure, and to cause them to retire as soon as possible. Nothing in this Treaty contained shall however be construed or operate contrary to former and existing Public Treaties with other Sovereigns or States. But the Two parties agree, that while they continue in amity neither of them will in future make any Treaty that shall be inconsistent with this or the preceding article.

Neither of the said parties shall permit the Ships or Goods belonging to the Subjects or Citizens of the other to be taken within Cannon Shot of the Coast, nor in any of the Bays, Ports or Rivers of their Territories by Ships of war, or others having Commission from any Prince, Republic or State whatever. But in case it should so happen, the party whose Territorial Rights shall thus have been violated, shall use his utmost endeavours to obtain from the offending Party, full and ample satisfaction for the Vessel or Vessels so taken, whether the same be Vessels of war or Merchant Vessels.

ARTICLE 26.

If at any Time a Rupture should take place (which God forbid) between His Majesty and the United States, the Merchants and others of each of the Two Nations, residing in the Dominions of the other, shall have the privilege of remaining and continuing

their Trade so long as they behave peaceably and commit no offence against the Laws, and in case their Conduct should render them suspected, and the respective Governments should think proper to order them to remove, the term of Twelve Months from the publication of the order shall be allowed them for that purpose to remove with their Families, Effects and Property, but this Favor shall not be extended to those who shall act contrary to the established Laws, and for greater certainty it is declared that such Rupture shall not be deemed to exist while negotiations for accommodating Differences shall be depending nor until the respective Ambassadors or Ministers, if such there shall be, shall be recalled, or sent home on account of such differences, and not on account of personal misconduct according to the nature and degrees of which both parties retain their Rights, either to request the recall or immediately to send home the Ambassador or Minister of the other; and that without prejudice to their mutual Friendship and good understanding.

ARTICLE 27.

It is further agreed that His Majesty and the United States on mutual Requisitions by them respectively or by their respective Ministers or Officers authorized to make the same will deliver up to Justice, all Persons who being charged with Murder or Forgery committed within the Jurisdiction of either, shall seek an Asylum within any of the Countries of the other, Provided that this shall only be done on such Evidence of Criminality as according to the Laws of the Place, where the Fugitive or Person so charged shall be found, would justify his apprehension and commitment for Tryal, if the offence had there been committed. The Expence of such apprehension and Delivery shall be borne and defrayed by those who make the Requisition and receive the Fugitive.

ARTICLE 28.

It is agreed that the first Ten Articles of this Treaty shall be permanent and that the subsequent Articles except the Twelfth shall be limited in their duration to Twelve years to be computed from the Day on which the Ratifications of this Treaty shall be exchanged, but subject to this Condition that whereas the said Twelfth Article will expire by the Limitation therein contained at the End of two years from the signing of the Preliminary or other Articles of Peace, which shall terminate the present War, in which His Majesty is engaged; It is agreed that proper Measures shall by Concert be taken for bringing the subject of that article into amicable Treaty and Discussion so early before the Expiration of the said Term, as that new Arrangements on that head may by that Time be perfected and ready to take place. But if it should unfortunately happen that His Majesty and the United States should not be able to agree on such new Arrangements, in that case, all the Articles of this Treaty except the first Ten shall then cease and expire together.

Lastly. This Treaty when the same shall have been ratified by His Majesty, and by The President of the United States, by and with the advice and Consent of Their Senate, and the respective Ratifications mutually exchanged, shall be binding and obligatory on His Majesty and on the said States, and shall be by Them respectively executed and observed with punctuality, and the most sincere regard to good Faith. And Whereas it will be expedient in order the better to facilitate Intercourse and obviate Difficulties that other Articles be proposed and added to this Treaty, which Articles from want of time and other circumstances cannot now be perfected; It is agreed that the said

Parties will from Time to Time readily treat of and concerning such Articles, and will sincerely endeavour so to form them, as that they may conduce to mutual convenience, and tend to promote mutual Satisfaction and Friendship; and that the said Articles after having been duly ratified, shall be added to, and make a part of this Treaty.

In Faith whereof We the Undersigned, Ministers Plenipotentiary of His Majesty The King of Great Britain; and the United States of America, have signed this present Treaty, and have caused to be affixed thereto, the Seal of Our Arms.

Done at London, this Nineteenth Day of November, One thousand seven hundred and ninety Four.

GRENVILLE [Seal] JOHN JAY [Seal]

The Jay Treaty. Treaty of Amity, Commerce, and Navigation, signed at London November 19, 1794, with additional article Original in English. Submitted to the Senate June 8, Resolution of advice and consent, on condition, June 24, 1795. Ratified by the United States August 14, 1795. Ratified by Great Britain October 28, 1795. Ratifications exchanged at London October 28, 1795. Proclaimed February 29, 1796.

Source: 'The Jay Treaty. Treaty of Amity, Commerce, and Navigation', *Treaties and Other International Acts of the United States of America*, Edited by Hunter Miller, Volume 2, 1-40, 1776-118, http://avalon.law.yale.edu/18th_century/jay.asp#art1

Appendix III – Washington's Farewell Address

Transcript of President George Washington's Farewell Address (1796)

Friends and Fellow Citizens:

The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the

first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work of joint counsels, and joint efforts of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and, while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and, what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same governments, which their own rival ships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main

prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations, Northern and Southern, Atlantic and Western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our Western country have lately had a useful lesson on this head; they have seen, in the negotiation by the Executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests in regard to the Mississippi; they have been witnesses to the formation of two treaties, that with Great Britain, and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, till changed by an explicit and authentic act of

the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put, in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the State, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all

governments, more or less stifled, controlled, or repressed; but, in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms, kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary

weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit, which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked: Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it, avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertion in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment, inseparable from the selection of the proper objects (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be, that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence

has not connected the permanent felicity of a nation with its virtue ? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another a habitual hatred or a habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation), facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding, with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils? Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots who may resist the intrigues of the

favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us in regard to foreign nations is in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop. Europe has a set of primary interests which to us have none; or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government. the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing (with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them) conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that, by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or

calculate upon real favors from nation to nation. It is an illusion, which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations. But, if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the twenty-second of April, 1793, is the index of my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty five years of my life dedicated to its service with an upright zeal, the

faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government, the ever-favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

United States

19th September, 1796

Geo. Washington

Source: *Washington's Farewell Address*, September 19, 1796, The Papers of George Washington Digital Edition, ed. Theodore J. Crackel, et al. (Charlottesville: University of Virginia Press, Rotunda, 2007-).