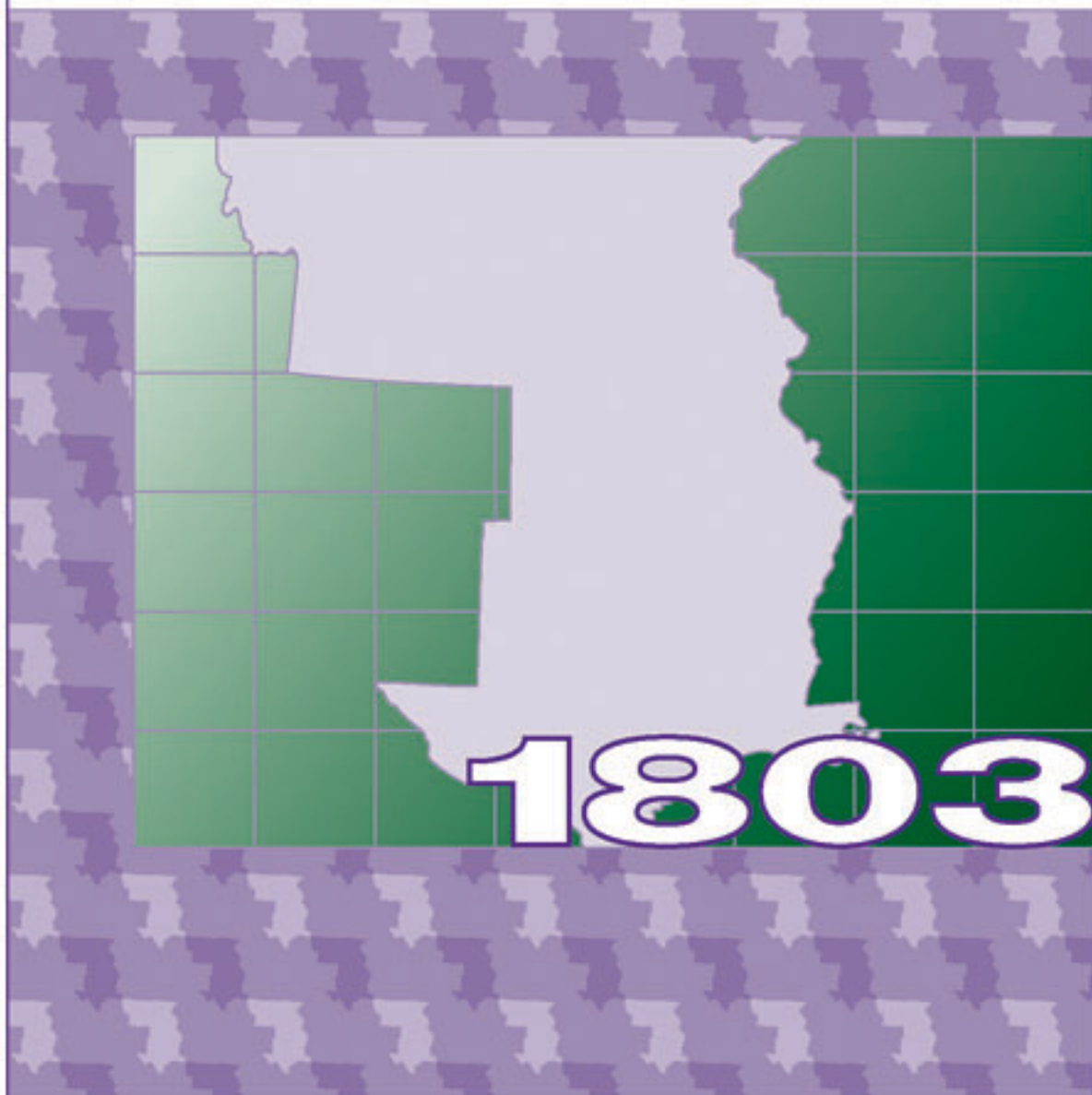


# JEFFERSON AND THE LOUISIANA PURCHASE



Presidential Supporters and Critics Provide Interpretations  
of an Important Constitutional Question



# JEFFERSON AND THE LOUISIANA PURCHASE

A re-creation of President Jefferson's critical decision making  
about purchasing the Louisiana territory in 1803

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**Interact**

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## PURPOSE

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The Louisiana Purchase was a critical decision in the early history of our national government, for it dealt not only with the physical and social growth of the new nation but also with serious questions about the limits of constitutional authority and presidential power. This activity re-creates the conditions, pressures, viewpoints, and feelings that President Thomas Jefferson and his contemporaries contended with while determining the constitutionality of the Louisiana Purchase. Through participating in this re-creation, students should be able to accomplish the following:

### **Knowledge**

1. Identifying the Louisiana territory on an early map of the United States
2. Explaining the social, political, and economic importance of the Louisiana Purchase for the early United States
3. Understanding the sequence of events which led to the purchase
4. Recognizing the constitutional issues Jefferson faced in acquiring the Louisiana territory
5. Comparing the pro and con arguments Jefferson had to consider while deciding whether to acquire the territory

### **Attitudes**

1. Realizing the necessity of weighing all points of view in decision-making
2. Understanding the complexity of decision-making
3. Expressing appreciation for the difficulties in having to make presidential decisions

### **Skills**

1. Writing paragraphs comparing points of view
2. Defending opinions and question conflicting ideas orally
3. Listening to, analyzing, and then writing the components of a decision

***Students will analyze the arguments Jefferson weighed while choosing whether or not to purchase the Louisiana territory.***



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## OVERVIEW

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*Interact's re-creations  
take only a few hours  
of class time.*

In approximately three days of classroom instruction, students are introduced to the 1803 situation, they experience the re-creation of a meeting in the presidential office, and they conduct a debriefing on Jefferson's decision.

### **Day 1**

You, as teacher, motivate the re-creation, have students read the Purpose and Background Essay in the Student Guide, and assign roles/responsibilities for the actual re-creation.

### **Day 2**

Students playing moderator, president, plus three advisers and one critic meet in Jefferson's office and discuss whether he should submit the Louisiana Treaty to the Senate. The day ends with students asking questions of the president and receiving an overnight assignment preparing them for Day 3's testing and debriefing.

### **Day 3**

Within activity groups students use their notes while examining a 24-item objective test. The groups then dissolve into individuals who take the test. A debriefing case study on a possible United States Moon Acquisition Treaty reunifies the activity groups, which discuss and reach a conclusion about the treaty.

# SETUP DIRECTIONS - 1



**Note:** You will not need to duplicate the bulleted items the first time you use this re-creation, for *Interact* has given you different colored handouts for those students playing roles. If you choose to give the *UNIT TEST*—an optional activity—you will have to duplicate it. All other necessary items are in the *Student Guide*.

1. **Handouts** See note at left the first time you use this re-creation. For subsequent classes, duplicate the number in parentheses, using the masters in this Teacher Guide.
  - MODERATOR HANDOUT (one: two pages, back to back)
  - PRESIDENT THOMAS JEFFERSON HANDOUT (one: three pages, back to back)
  - JAMES MADISON HANDOUT (one: three pages, back to back)
  - ROBERT LIVINGSTON HANDOUT (one: two pages, back to back)
  - ALBERT GALLATIN HANDOUT (one: two pages, back to back)
  - SENATOR TIMOTHY PICKERING HANDOUT (one: two pages, back to back)

**Optional:**

- \* UNIT TEST (class set: three pages, back to back)

2. **Assigning roles** Only six real roles exist in this re-creation—five if you decide to assume the moderator role yourself. *Remember:* Our hope and expectation at *Interact* is that you and your students will use other re-creations. Consequently, each of your students, regardless of ability, should have had the opportunity to have played at least one speaking role during the school year.

Of course, randomly assigning roles is not recommended. Key roles must have capable students. Roles with lesser demands, however, can certainly be filled by less capable students whom either you or their classmates help along the way. One of the real satisfactions in using *Interact*'s participatory materials, we believe, is that students grow as persons as well as historians!

*Helping students grow...*

*as persons  
as well as  
historians ...*

## ANNOTATED BIBLIOGRAPHY

Adams, Henry, *History of the United States, Jefferson and Madison*, Prentice Hall, New Jersey, 1963. A thorough description of the negotiations process and the Republicans' constitutional dilemma. Adams delights in pointing out inconsistencies between Republican preaching about limited construction of the Constitution and Republican practice of same.

Brown, E.E.S., *Constitutional History of the Louisiana Purchase*, Augustus M. Kelly, New Jersey, 1920. An authoritative analysis of the entire constitutional problem related both to the acquisition of the territory and to the citizenship of the area's inhabitants. Quotes several fine primary sources and covers all facets of the question.

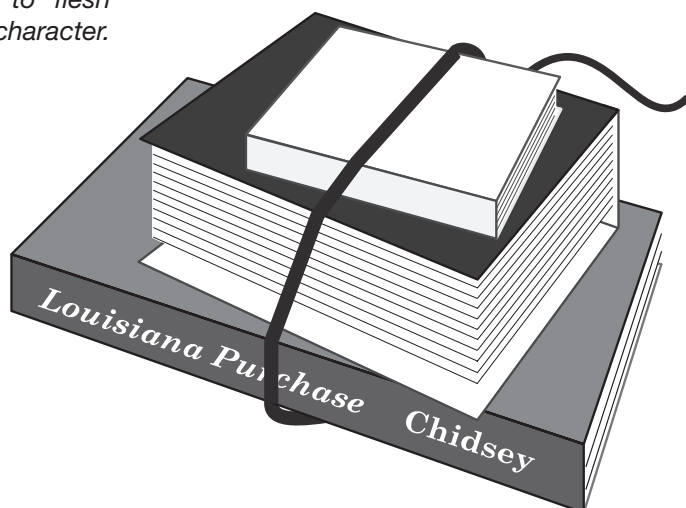
Chidsey, Donald Barr, *Louisiana Purchase*, Crown, New York, 1972. A detailed history of the Louisiana territory plus a complete description of the negotiations to obtain the area. A very readable book, it has several interesting anecdotes of personalities connected with the area.

De Conde, Alexander, *This Affair of Louisiana*, Charles Scribner's Sons, New York, 1976. A scholarly study of the entire Louisiana issue advancing the theory that the strong expansionist interests of early Americans were more influential than most historians have previously described.

Malone, Dumas, *Jefferson the President: First Term, 1801–1805*, Little, Brown and Company, Boston, 1970. Malone, a noted Jefferson biographer, clearly describes Jefferson's role in the negotiations and the advice offered him about the constitutionality question.

Consider seeing your friendly school librarian so that she/he will set up a JEFFERSON AND LOUISIANA RESERVE SHELF just for your class.

Certain students—the one playing Jefferson for example—just might go to scholarly works such as Donald Barr Chidsey's anecdotal work in order to “flesh out” his/her character.



# DAILY TEACHING DIRECTIONS - 1



*Be certain you have carefully planned how to integrate this re-creation with the Jeffersonian history chapters you have had your students read in their textbooks.*

## Before Day 1

Be sure you have thoroughly examined this Teacher Guide, the Student Guide, and the various handouts.

## Day 1

1. Introduce the topic with an interest catcher. This will sensitize students to the overall theme and to the tasks at hand. Use a filmstrip, a movie, a lecture, or the following brief role-play, which has worked well for the author.
  - a. Assign two students to play western farmers.
  - b. Give them bulky “produce” (tables, chairs, wastebaskets?) to ship to eastern markets.
  - c. Arrange a stacking of desks to represent the Appalachian Mountains.
  - d. Instruct the farmers to transport their “crops” across the mountains to an eastern city.
  - e. Discuss the difficulties western farmers had in shipping bulky goods across mountains in the early 1800s.
  - f. Ask, “By the time our farmers manage to get these crops across the mountains to market, what will have happened to their produce? Why?”
  - g. Using a map of the United States in 1800, ask students to find a quicker way to transport agricultural goods to the east.
  - h. Have farmers “ship” crops down the “Mississippi” (a pre-arranged line) to New Orleans. Then ship to an eastern city.
  - i. Ask, “In 1800 who owned New Orleans? Who controlled the Mississippi? Was this advantageous to the United States? How would westerners feel if New Orleans were ever closed to them?”
2. Link your interest catcher with the re-creation by handing out the Student Guide. Have students read the Purpose and Background Essay.
3. Assign the five or six roles. (If you are planning to use other Interact re-creations, point out that all students will eventually get to play major speaking roles.)
4. Make certain all students understand their tasks.
  - a. Give the role players their special handouts and send the advisers and critic, president, and moderator to one side of the classroom, to an enclosed portion of the classroom, or to a separate classroom to prepare.
  - b. Have the audience prepare both sides of their note-taking sheet (see pages 6-7 in the Student Guide).



## DAILY TEACHING DIRECTIONS - 2



*Encourage your students to speak passionately. Work to get them truly involved in their characterizations.*

*If you have a quality class and you are considering using this re-creation next year, videotape the presidential decision so that you can show portions next year to stimulate students' performance. (Such a video is also useful for open house when you want parents to see the participatory nature of your instruction.)*



- c. Stop and help the role players. Make certain they understand their roles and the tasks required of them.
5. For homework instruct students to finish reading the Student Guide and to read their history textbook on the Louisiana Purchase.
6. Remind advisers and critic that they are to write paragraphs explaining their viewpoints and that these should be ready by the beginning of Day 2.

### Day 2

1. Day 2 begins with the moderator setting the scene physically. Assist him/her by insuring that the desk arrangement will promote discussion among the president and his group and will enable the audience to easily view their interaction.
2. If you have time, review the moderator's introductory paragraph to see that he/she has included all necessary points and that these are clearly presented.
3. The moderator seats the five key roles and begins the re-creation by reading his/her introductory paragraph.
4. The re-creation follows the sequence found in the President Jefferson's handout.
  - a. The president opens the meeting by reviewing the events leading to the Louisiana Purchase with James Madison and Robert Livingston.
  - b. The group discusses America's feelings about American westward expansion. (4a and 4b are included so the class has a background against which they can analyze the ratification problem. If the role-players bog down here, signal the president to press on so that sufficient time is available to discuss the constitutional alternatives.)
  - c. The president describes the constitutional issue he faces, and then discusses the issue with Albert Gallatin and Timothy Pickering. Each advances his own point of view.
  - d. Using the five alternatives in the Student Guide, the group identifies the strong and weak points of each.
  - e. After the discussion, the president makes and announces his decision to the class, explaining his reasons for making his choice.
  - f. The audience, with the moderator as chairperson, asks questions of the president, probing for explanations or challenging his position.



*Having students speak about the activity they have experienced will intensify their learning. Such speaking experiences also help students' personal growth.*

**Note:** Only their notes and the test sheets may be on their desks. Allow no pencils or pens.

- g. In the final few minutes, the moderator conducts a reaction to the president's decision. One optional choice, if time permits, is described in the moderator's handout: an on-the-spot interview of one adviser, the critic, and one audience member, calling for their individual reactions to the president's choice. The other option involves polling class members for their approval/disapproval of the decision by having students group themselves along a "classroom floor continuum" (i.e., those who *strongly agree* with the president next to the left wall, *agree* next to them, *not sure* in the middle, *disagree* near the right wall, *strongly disagree* next to the right wall). This stand-up poll provides an initial point from which students can work during the following day.
- h. The moderator explains the homework assignments for all and collects the paragraphs from the advisers and the critic.
- Your teacher role throughout Day 2 should be as laissez-faire as possible. Check any desire to leap Lone-Ranger style into the discussion if it is going poorly. If the students understand their tasks and have prepared thoroughly, the re-creation will run itself. However, if this is your students' first role-playing or re-creation experience, don't expect perfection. The goal is growth.
  - Your key active role is watching the clock to be certain that all stages of the discussion get adequate time. (You may want to have prearranged some signals with the president to slow down, speed up, ask for more explanation, etc.)
  - Before Day 2 ends, tell the students what you expect them to do for Day 3. Possible options:
    - Option 1:** Review notes for tomorrow's objective exam.
    - Option 2:** Have students review their notes plus write down every argument they can think of for and against the president submitting a Moon Acquisition Treaty to the Senate.
    - Option 3:** Give your students no overnight assignment.

### Day 3

- Divide your class into activity groups of about five to six members each. Insure that the students who played the key roles are split equally among the groups.

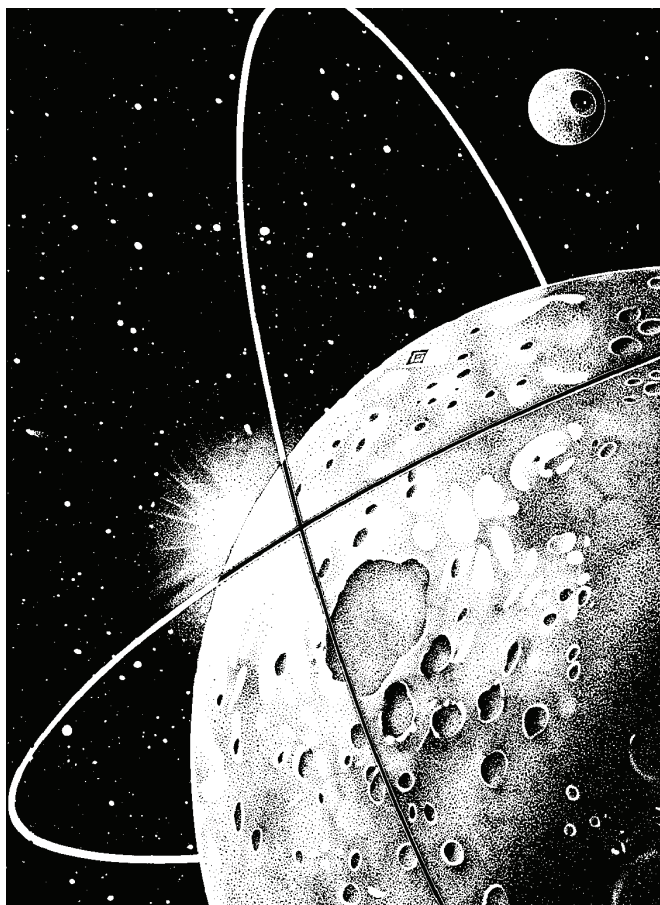
## DAILY TEACHING DIRECTIONS - 4

2. Have the groups form circles. Then give each student an objective test which group members may discuss among themselves.
3. Have students return to their regular seats and individually take the test without any aid from their notes.
4. Exchange papers, score them, and have the groups reform and calculate their average scores. Give a bonus to the group members with the highest average score. Here is a key to the 24-item test: 1. b, 2. c, 3. d, 4. c, 5. d, 6. b, 7. b 8. d, 9. c, 10. d, 11. a, 12. c, 13. a, 14. d, 15. d, 16. d, 17. a, 18. b, 19. b, 20. d, 21. b, 22. a, 23. b, 24. b.
5. Now move into debriefing by using the case study on the moon acquisition. See that each group has a chairperson and a recorder.
6. Insure that each group's recorder writes down arguments *for* and arguments *against* the president submitting the Moon Acquisition Treaty to the Senate. Also stress that the recorder is to write down in parentheses what type person

either *within* or *outside* the United States would advance each argument.

7. To culminate your debriefing, choose one of the following options, depending upon the amount of time you wish to spend upon this activity.

- **Option 1:** Have each activity group's members a) vote whether the president should send the treaty to the Senate, and b) select their two strongest arguments. Each activity group then makes a brief report to the whole class.
- **Option 2:** Members vote and choose their strongest arguments. Then one representative joins the other groups' representatives in front of the class for a "hot seat" give-and-take discussion.
- **Option 3:** Require each activity group to list at least two or three alternatives other than a unilateral, American acquisition of the moon (e.g., a joint acquisition by the USA, European nations, and Japan). A general discussion or debate could follow.



*You will find that your students will get truly involved in this case study ...*

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# MODERATOR HANDOUT - 1

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You are responsible for a smoothly run decision-making session. Think of yourself as the “glue” holding together all the parts.

## Before the re-creation

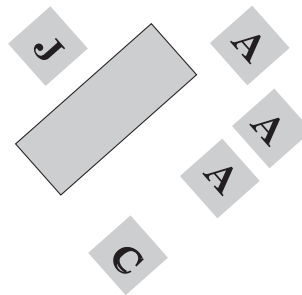
### Role players:

Thomas Jefferson  
James Madison  
Robert Livingston  
Albert Gallatin  
Timothy Pickering

1. Meet with the role-players and insure that they all feel comfortable in their tasks and that they are prepared.
2. Make suggestions to the role-players so that they understand how to act their roles. Emphasize that they should strive to talk and act like the persons they are portraying. For example, Madison respects Jefferson while Pickering hates him; consequently, Madison should be warm and enthusiastic while speaking to him while Pickering should be cool, even mildly hostile or contemptuous. Encourage the role-players to look up other background information on their characters so as to make their acting more convincing (e.g., Jefferson was quite informal and did not like being called “Mr. President”).
3. If you have time, either by yourself or with the help of your teacher or fellow classmates, obtain appropriate props to enhance the re-creation: a copy of the Constitution, a presidential seal, folded historical name slips to set on desks in front of each role-player, a map of the Louisiana Territory.



4. Decide exactly how you are going to arrange the room so that every member of the audience can clearly see and hear what is going on. A possible room arrangement:



**J** = Jefferson  
**A** = Adviser  
**C** = Critic

**Note:** You will move into and out of the scene as you moderate the re-creation.



Members of the audience taking notes

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# MODERATOR HANDOUT - 2

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*You will be more effective if you watch some individuals on TV who are moderating panel discussions.*

*Note that the most effective ones are carefully prepared, speak forcefully and clearly, and communicate how interesting they think the subject of the program is. Therefore, strive to be prepared, forceful, clear, and enthusiastic!*

5. Write your introductory paragraphs that will set the scene dramatically and yet be historically accurate. Cover the following:
  - **Time** September 1803—after the treaty has been delivered to the United States, and before the ratification effort in the Senate during October 1803
  - **Place** The president’s house (not called the White House until after it was burned during the War of 1812 and had to be painted white to cover the black stain)
  - **Participants** Jefferson, Madison, Livingston, Gallatin, and Pickering (see page 5 in the Student Guide)
  - **Situation** Jefferson’s desire to acquire Louisiana but his fear of the constitutional issue
6. Practice *speaking* your introduction so that you will not read it and put everyone to sleep.

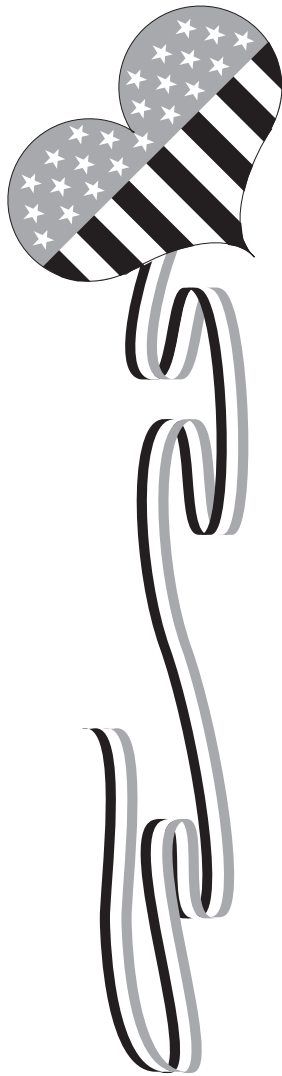
## The re-creation hour

1. Arrange the room (see page 9).
2. Have the meeting in the president’s office. After your introductory paragraphs, the re-creation will follow the sequence in President Jefferson's handout.
3. Once President Jefferson has announced his decision, conduct a question/answer session. Allow students to question the president so that they thoroughly understand his reasoning. Students may also challenge the wisdom of his decision by asking critical questions. Allow students who were the advisers and the critic to slip out of their role-players’ “hats” so that they, too, can ask or answer questions.
4. Conduct an informal poll of students’ opinions by asking all students to raise their hands once to signify which of the following statements represents their current conviction about Jefferson’s Louisiana decision:
  - a. Jefferson violated the Constitution, but his decision was in the best interests of the United States.
  - b. Jefferson violated the Constitution, and his decision was not in the best interests of the United States.
  - c. Jefferson did not violate the Constitution, and his decision was in the best interests of the United States.
  - d. Jefferson did not violate the Constitution, but his decision was not in the best interests of the United States.
5. Turn over the class to your teacher who will, at this time, discuss whichever testing and debriefing activities he/she plans to follow.

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# PRESIDENT THOMAS JEFFERSON HANDOUT - 1

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As the decision-maker, you are the focus for this re-creation. You have three general responsibilities:

- portraying Thomas Jefferson
- conducting the decision-making session
- making, announcing, and justifying your decision

## **Background information**

In order to portray Jefferson effectively, familiarize yourself thoroughly with your political career, governmental beliefs, views of westward expansion, and your role in the Louisiana Purchase. (The Background Essay in your Student Guide will help you.) Here is a brief reiteration of essential points:

1. You wrote the Declaration of Independence. Among other things, it proclaimed the right of citizens to overthrow a tyrannical government.
2. As George Washington's secretary of state, you objected to Alexander Hamilton's financial program and philosophy of government which strengthened national government at the state government's expense by stretching the literal interpretation of the Constitution. You claimed that a more strict interpretation of the Constitution would limit the national government's power and uphold individual liberties.
3. As do many Americans, you favor eventual westward expansion. You influenced Virginia to relinquish to the national government its western claims across the Appalachians. During the 1780s you proposed legislation establishing the territorial stages we use today. And, of course, you coveted the Louisiana territory while Spain controlled it.
4. Disturbed by the rumored transfer of the Louisiana territory from Spain to France, you and James Madison directed Robert Livingston to buy New Orleans and the Floridas from France. While negotiations were dragging on, Spain closed New Orleans to Americans.
5. To soothe western uproar you then sent James Monroe, a popular figure among Westerners, to help speed negotiations. However, losses in Santo Domingo and imminent war with Great Britain prompted Napoleon to offer the entire Louisiana territory to the United States before Monroe arrived in France.
6. Suddenly you saw a golden opportunity, one you sensed most Americans would applaud. Here was a chance to acquire the greatest real estate deal in history, one that would insure that the United States would become an agrarian empire. The Louisiana Purchase would double the size of the United States, guarantee control of the Mississippi and New Orleans, and remove the foreign threat to our security.

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# PRESIDENT THOMAS JEFFERSON HANDOUT - 2

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*As a student you will find researching Jefferson very interesting. Try to spend some extra time in a solid Jefferson biography reading about how he pondered his course of action.*

*If you do such research, you will definitely help yourself in finding out how to portray Jefferson'.*

7. But you are also troubled by the problem of Senate ratification. Can you reconcile your political philosophy with this acquisition? Does a president have the constitutional authority to acquire territory? This, then, is the decision you, as Thomas Jefferson, must reenact in this re-creation.

## Re-creation participants

You will assemble three advisers and one critic to assist you in determining the best course to take. James Madison, secretary of state, and Robert Livingston, minister to France, will help you review negotiations, Louisiana's importance, and your beliefs about westward expansion. Joining them to deal more specifically with the constitutional question will be Albert Gallatin, your secretary of the treasury. An opposing viewpoint will be presented by one critic, Senator Timothy Pickering from Massachusetts.

## The re-creation begins

After the moderator begins the re-creation with an introduction, you must lead the decision-making session. Using the question guide provided in this handout, conduct the discussion in an orderly, "presidential" manner. Allow time for thoughtful responses, especially while analyzing your choices. Sometimes the advisers and critic will give overly general answers or ones that are too brief. When that happens, ask "why" or "how" questions. Remember also to draw comparisons between your advisers' and your critic's positions so that everyone understands all aspects of the issue being discussed.

After the initial viewpoints have been discussed, analyze the five alternatives available to you in determining whether you have the constitutional authority to buy Louisiana. During this analysis segment, use the alternatives provided in the Student Guide and systematically identify the strong and weak points of each. Probe your advisers and critic to elicit at least one or two pros and cons for each alternative. After hearing all your advisers' and your critic's initial viewpoints, you will likely understand the persons who favor or oppose the differing alternatives. Solicit their viewpoints first, but allow each participant to offer his/her opinion and to interact with the others so that opinions are thoroughly exchanged.



*When asking questions, try some "wait time." Teachers use this technique to elicit more thoughtful answers. See if it will work for you.*

## Presidential questions

Here are suggested questions and a possible sequence to follow. At home practice saying these questions aloud so that you are familiar with the pacing and wording you will use. You must not memorize and then recite them. If you read them like a robot, you will sound stilted and insincere. Consequently, practice at home will help you develop a middle ground that makes you feel comfortable.

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# PRESIDENT THOMAS JEFFERSON HANDOUT - 3

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*Feel free to put the questions into your own words, but be careful not to lose the basic intent of each question. You may, of course, also want to add questions of your own. After all, you are the president of the United States!*



*Approach your role seriously.*

**Above all:** *Never leave any doubt that you are the president.*

*After reading books on Jefferson, figure out how you believe he would have acted under the circumstances. Try your best to “get into the role” and then “to stay in character.”*

**Final suggestion:** *If you have time, rent a video in which some talented actor plays Jefferson. You could pick up several acting pointers!*

1. Gentlemen, let’s review the complete background of this decision. So much of the Louisiana treaty story revolves around New Orleans. How does this city figure in the negotiations’ beginning?
2. Can any one speculate on the French plans for Louisiana?
3. Mr. Madison and Mr. Livingston, describe how negotiations progressed on both sides of the Atlantic.
4. If this treaty is adopted, exactly what will we have purchased for \$15,000,000?
5. Gentlemen, you know how deeply concerned I am about whether this treaty is constitutional. I’d like your opinions.
6. Let’s summarize our situation by examining the pros and cons of each alternative. What about our first alternative? (State Alternative 1 found in the Student Guide.)
7. Repeat above, except concentrate on alternatives 2-3-4-5.
8. Now, I’d like each of you to tell me which alternative you support. As you explain, consider speculating about what each of the alternatives might potentially mean for future presidents.

## **Making and announcing your decision**

Once the dust has settled, you must make and announce your decision. Decide to accept Gallatin’s and Madison’s advice that you do have the authority to make the Louisiana Purchase under the Constitution’s provision to make treaties. Since this acquisition obviously requires a treaty, you conclude you are not exceeding your presidential power. Moreover, such an acquisition satisfies your own expansionist viewpoints. You are not altogether sure of this course, but you decide to heed the advice that if you publicly wonder about the treaty’s constitutionality you might scare the Senate away from accepting it.

While announcing your decision, stand, face the class, and state it simply. Point out that you are submitting the treaty to the U.S. Senate. Enumerate your reasons, drawing from any of the several sources.

1. Cite the strong points of the decision as identified by the group.
2. Identify the weaker points of the other choices.
3. Discuss the concept that nations have the right to acquire territory.
4. Remind them that the American public wants the territory.
5. Reiterate your belief in westward expansion.
6. Point out that the time factor precludes waiting for an amendment ratification.

Finally, be prepared to field questions from the audience so that you can clarify misunderstandings and exchange opinions with them.



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# JAMES MADISON HANDOUT - 1

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You have a crucial role in this re-creation. You must assist President Thomas Jefferson in reviewing the events which led to the Louisiana treaty, and you must offer your opinions so that the president can reconcile his constitutional reservations over the Louisiana Purchase with the reality of the opportunity to gain a vast territory for the United States.

As an adviser you have several tasks to fulfill in order to successfully portray James Madison's role:

1. Know your background and political career.
2. Familiarize yourself with your role in the purchase's negotiations.
3. Write a paragraph summarizing your viewpoint about ratifying the treaty.
4. Present this viewpoint to Jefferson and the group.
5. Be prepared to answer questions about the negotiations and/or the constitutionality issue and to defend any points raised against it.
6. Offer opinions about other differing proposals.

## Background information

You, like many other Virginians, have had a vital role in the politics of your country's early years. You served in the Continental Congress during the revolution and were a vocal contributor to the American political scene during the Confederation Period, 1783-1788. As early as 1780 you forcefully spoke out for free use of the Mississippi River. You showed other evidence of your deep commitment to westward expansion when you helped the Kentucky territory gain statehood at a time when that territory was the westernmost extent of the United States.

Your presence was essential to the Constitutional Convention in 1787. You were called the "master builder of the Constitution" because many of your ideas were incorporated into the final document and you kept copious notes of the proceedings. In 1788 you were instrumental in leading the ratification fight and collaborated in writing *The Federalist Papers*. Probably no man alive better understands the founding fathers' intentions as expressed in the new federal Constitution.

Elected to Congress in the 1790s, you supported the Bill of Rights adoption. However, you soon began criticizing the new Federalist administration as typified by Alexander Hamilton's financial program. In the late 1790s you led the opposition to the Federalists' hated Alien and Sedition acts by writing the Virginia Resolutions. This document clearly represented the Republican party's philosophy about the excesses of a national government.

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## JAMES MADISON HANDOUT - 2

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*As a student you will find researching Madison's relationship to Jefferson very interesting. Try to spend some extra time in a solid Jefferson or Madison biography reading about how they related to one another.*

*If you do such research, you will definitely help yourself in finding out how you should act in Jefferson's presence.*

When your personal friend Jefferson became president, he appointed you secretary of state. He relies heavily upon you for political and diplomatic advice. While Robert Livingston and James Monroe did much of the footwork to effect the Louisiana treaty, you played an important role in Washington, D.C.

Use of the Mississippi River and right of deposit in New Orleans had become vital to Western farmers. When this territory's possession changed from Spain to France, Jefferson was deeply alarmed. Threatened were both the economic well-being of the Westerners and the security of the United States itself. Therefore, you sent instructions to Robert Livingston, American minister to France, to purchase New Orleans and the Floridas for \$2,000,000.

While Livingston contended with the wily French foreign minister Charles Maurice Perigord de Talleyrand, you and Jefferson acted as a team in Washington. Your goal: to get the best possible deal from the French. Jefferson used his influence to write informal letters to a French friend, Pierre Du Pont de Nemours, while you pursued more conventional channels with a French embassy official, Louis Andre Pichon. Both of you implied that the United States either might enter an alliance with England against France or might even conquer Louisiana itself. (The United States had about 2,000 militia available to attack New Orleans.) In short, you and your president recognized that the United States should make the most of the instability existing in Europe.

Overcoming Jefferson's concerns by May 2, 1803, Livingston and Monroe, his co-negotiator in France, had finally written the treaty so that the United States would acquire the entire Louisiana territory. Another task now remains: gaining Senate approval. This job would likely be less difficult for a president with differing political principles. As a strict constructionist, however, Jefferson is very concerned about whether he has the constitutional authority to make the treaty without an amendment enabling him to acquire territory—a time-consuming process.

Your responsibility, therefore, is obvious to you. As a constitutional expert, you must convince Jefferson that he does have the presidential authority to make the treaty. Watch out for Senator Timothy Pickering. He is promoting the idea that an amendment to the Constitution is called for. You must insure that Jefferson sees that the Constitution has no stipulation against empire building. You are convinced that a nation has the right to acquire territory by treaty.



*If you familiarize yourself with the Constitution you will be more convincing as you encourage Jefferson to accept Alternative 3.*

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## JAMES MADISON HANDOUT - 3

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*Approach your role seriously.*

*You will be much better prepared if you go to a library and get some books on Madison to read. Figure out how you believe he would have acted under the circumstances. Try your best to “get into the role” and then “to stay in character.”*

**Final suggestion:** *If you have time, rent a video in which some talented actor plays Madison. You could pick up several acting pointers!*

Your advice to Jefferson about the Louisiana question is both philosophical and political. You refer to Article IV, Section 3, of the Constitution: “New states may be admitted by the Congress into this Union; but no state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states; without the consent of the legislatures of the states concerned as well as of the Congress ....” As you study this, you find nothing which prevents the United States from acquiring territory. Thus, you conclude that Jefferson can justify his purchase under the president’s power to make treaties.

Furthermore, you must add an essential political note to the discussion. You must caution Jefferson to avoid any public comments about the treaty’s constitutionality. If he states that he believes a constitutional amendment is necessary to accept the treaty before he submits it to the Senate, you fear that the Senate, afraid to be accused of participating in a constitutional impropriety, will reject the treaty.

Although as a Republican you believe in limited central government, you believe as Jefferson does—you want an agricultural nation run by the common man. You must stress, therefore, that the larger America’s territory is and the more citizens your nation has, the more democratic a nation America is likely to become. Justify this argument by claiming it is less likely that a majority of voters will become a tyrant if the whole nation consists mainly of happy farmers. (Note: The Federalists, who were the Republicans’ political opponents at this time, distrusted democracy because they felt the majority would impose its will unfairly; namely, against the rich industrialists and large property owners.)

In summary, your responsibility is to review the circumstances which led to the treaty and to persuade Jefferson of the political and constitutional grounds you feel justify the president to complete the Louisiana Purchase.

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# ROBERT LIVINGSTON HANDOUT - 1

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You have an important role in this re-creation. You must help President Thomas Jefferson in reviewing the events which led to the Louisiana treaty itself, and you must offer your input to the president as he wrestles with the constitutionality of the Louisiana Purchase.

As an adviser you have several tasks to fulfill in order to successfully portray Livingston's role:

1. Know your background and political career.
2. Familiarize yourself with your role in the negotiations proceedings.
3. Write a paragraph summarizing your viewpoint about ratifying the treaty.
4. Present this viewpoint to Jefferson and the group.
5. Be prepared to answer any questions about the negotiations.
- 6 Offer opinions about other differing proposals.



## **Background information**

As a member of the influential Livingston family from New York, and as a Republican, you were proud when Jefferson appointed you minister to France. At this crucial moment circumstances in both hemispheres were to ultimately lead Napoleon to offer to sell the United States the entire Louisiana territory.

The United States had been very happy to share its westernmost boundary with Spain, for Spain was a relatively weak European power. However, our attitude changed when nasty rumors leaked that Spain had secretly ceded its Louisiana territory to France. The situation had changed drastically. Napoleon was emperor of France, the same man who had designs on all of Europe! For what good reason could Napoleon have wanted Louisiana except to build yet another empire? What did this mean to America's dream to eventually move westward? What did this mean to our western farmers who, for their livelihood, needed freedom of the Mississippi and the right of deposit in New Orleans?

Here is where you had an important role. As minister to France, you were suddenly an important representative. Secretary of State James Madison instructed you to determine if the rumor was true that Napoleon now controlled France. If so, you were to seek to buy New Orleans and the Floridas.

Madison's instructions charged you with the unenviable task of negotiating with France's foreign minister, Charles Maurice Perigord de Talleyrand, an aloof, skillful diplomat who felt disdain for the United States. As you negotiated with him, you experienced great frustrations at first because you were unable to extract any sort of agreement.

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## ROBERT LIVINGSTON HANDOUT - 2

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*As a student you will find researching Livingston's relationship to Jefferson very interesting. Try to spend some extra time in a solid Jefferson or Livingston biography reading about how they related to one another.*

*If you do such research, you will definitely help yourself in finding out how you should act in Jefferson's presence.*

Suddenly other events began shaping the negotiations. Napoleon had planned to build a New World Empire using the Caribbean island of Santo Domingo as the base for his adventures. Louisiana would supply raw materials. A revolution in Santo Domingo, however, led by Toussaint L'Overture thwarted Napoleon's grand design. The bloody revolt was horrifyingly costly both in francs and in lives. Napoleon realized that regaining his lost colony would involve more than he was willing to spend. Thus, Louisiana, this newly gained territory, lost its strategic value to the emperor. Furthermore, war with Great Britain seemed inevitable to Napoleon. Therefore, Napoleon decided to sell the entire Louisiana territory to America since France needed money.

At every opportunity you hammered at the French with one theme. As Jefferson had himself stated, America might have to "marry itself to the British fleet ...." It might be very likely, you pointed out, that France's reluctance to deal with the United States would force the United States into an alliance with France's chief enemy!

So on the eve of James Monroe's arrival in Paris to assist you in your negotiations, Talleyrand casually asked you if the United States might want the entire Louisiana Territory! Amazed, you pressed harder for details, but Talleyrand did not even repeat the offer. Yet by May 2, you and Monroe had completed the treaty's details. For \$15,000,000 your nation could double its size (although no one is quite sure what the exact size and potential of the territory is). The territory includes the Mississippi River and the coveted New Orleans—plus untold natural resources. *And all for about three cents an acre!*

The treaty has now reached the United States. It is Jefferson's responsibility to get treaty ratification by the deadline of October 31, 1803. To this end Jefferson is talking of convening the Senate three weeks earlier than planned, in early October. Appropriately, you must carefully caution your president. You suspect that Napoleon might be having second thoughts about the treaty. He may now welcome a Senate failure to ratify the treaty by October 31 so that he could cancel the agreement. Therefore, you must warn Jefferson to expedite the ratification lest we miss the opportunity.

It is your task, therefore, in late September 1803 to help Jefferson review the circumstances of the Louisiana Purchase and to urge the president not to delay the treaty's ratification beyond the deadline.

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# ALBERT GALLATIN HANDOUT - 1

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You have a critical role to fill in this re-creation. You must help President Thomas Jefferson determine if the prospective acquisition of the Louisiana territory conflicts with his belief in a strict interpretation of the Constitution.

As an adviser you have several tasks to fulfill in order to successfully portray Albert Gallatin's role:

1. Know your background.
2. Familiarize yourself with your role in Jefferson's administration.
3. Write a paragraph explaining your opinions about the constitutionality of the treaty.
4. Present this viewpoint to Jefferson and the group.
5. Be prepared to answer any questions and to defend any points raised against your proposal.
6. Offer opinions about other differing proposals.



## Background information

Swiss-born in 1761 and orphaned at nine, you renounced your aristocratic background at 19 and left for the American Colonies. After the revolution you entered politics in the Pennsylvania legislature and become well known there as a public finance expert.

Since the United States was then far smaller than it is today, living in western Pennsylvania then meant being a "Westerner." Consequently, you became a champion of western causes after entering Congress in 1796. A year later you became the House Republican leader.

In the contested presidential election of 1800, you supported Jefferson's candidacy. Then Jefferson appointed you secretary of treasury. As secretary, you worked hard, reduced the public debt by almost half, and became a close adviser to the president.

As the president struggles to decide if his purchase of the Louisiana Territory is legal, you must offer your opinions. You must mention Attorney General Levi Lincoln's proposal, with which you strongly disagree. He has suggested that the Louisiana treaty be written in such a way that the French agree to extend our existing boundary to include the vast Louisiana area. Thus the United States would be adding territory only onto the state of Georgia and the territory of Mississippi. Lincoln claims that President Jefferson would therefore avoid any constitutional question.

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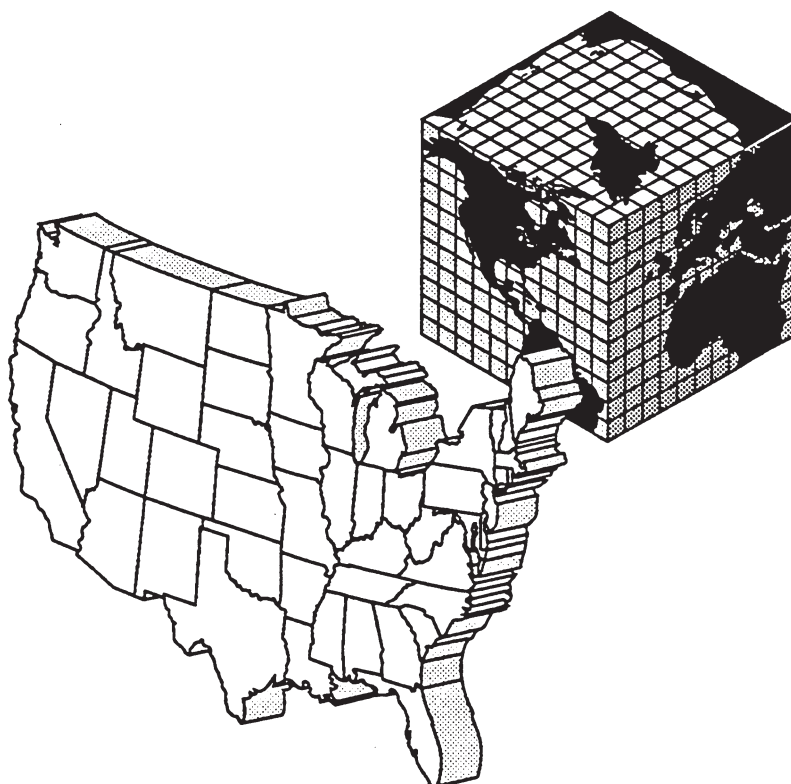
## ALBERT GALLATIN HANDOUT - 2

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You must strenuously object to Lincoln's reasoning. Why, you must ask, is it legal to add territory to existing territory but not to the nation as a whole? Stress instead that the United States, as a nation, has the right to gain territory. If a treaty is required to make the acquisition, then whoever has the constitutional right to make treaties has the constitutional right to acquire territory for the nation. Therefore, since Jefferson as president has the authority to make treaties with the Senate's consent, Jefferson can certainly justify the Louisiana Purchase.

*As an ally of President Jefferson, who obviously has dreams of expanding the nation to the west, become rhapsodic as you explain the potential of a United States which moves "from sea to shining sea..." Of course, be careful. No one thought of 50 states at that time. Nor did anyone even begin to imagine the tremendous power our nation would eventually become. Nevertheless, keep stressing the potential of America if she expands....*



**Note:** As logical reasoning, your viewpoint will likely sound more Federalist than Republican. (It is the Federalists, not Republicans, who read into and stretch meaning from the clauses of the Constitution.) Consequently, after you've advanced your argument, be prepared for objections from other presidential advisers. Feel free in such a case to admit that your argument can be attacked. Recommend further discussion.

In summary, your responsibility is twofold: 1) to persuade the president that Attorney General Lincoln's proposal is faulty; and 2) to offer the argument that the president already has the constitutional authority to consummate the Louisiana Purchase under his treaty-making powers found in Article II of the Constitution.

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# SENATOR TIMOTHY PICKERING HANDOUT - 1

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You have a crucial role to play in the re-creation. You must offer an opposing viewpoint to President Thomas Jefferson as he determines the constitutionality of the Louisiana Purchase.

As a critic of the possible purchase, you have several tasks to fulfill:

1. Know your background and political beliefs.
2. Familiarize yourself with your personal antagonisms to President Jefferson.
3. Write a paragraph explaining your opposition to the Louisiana Purchase for both political and constitutional reasons.
4. Present this viewpoint to Jefferson and the group.
5. Be prepared to answer any questions about your viewpoint.
6. Offer and exchange opinions about differing proposals.

## Background information

A native of Massachusetts, you moved to Pennsylvania after the revolution. There you supported that state's ratification of the new Constitution of 1787. After George Washington became president, you emerged as an important figure in that Federalist administration as first postmaster general, then as secretary of war, and finally as secretary of state. In 1800 you returned to Massachusetts and were elected to the Senate, where you continued your loud opposition to Jefferson and James Madison. As an ardent Federalist and admirer of Alexander Hamilton, your views of Jefferson are not charitable. You have referred to Jefferson as "...the moonshine philosopher of Monticello..." and as "...the coward wretch at the head (of the nation)...."

You see nothing wrong with your country acquiring territory through conquest or by purchase; however, you claim that the Louisiana territory's vastness would radically change the existing Union's character. Consequently, you believe *that each and every state in the Union must accept the treaty before it can be considered ratified.*

You argue that the purchase itself would entirely change the nature of the Union from what the Founding Fathers had intended. Consequently, the treaty can only be ratified if an amendment authorizing the federal government to acquire territory is approved by the states. Both you and John Quincy Adams, the other senator from Massachusetts, have already had a conversation with Madison in which you both offered to propose such an amendment. Madison, however, explained that he didn't believe it was necessary. Thus, you must accuse Jefferson's Republicans of hypocrisy since you are certain they would have clamored for an amendment to acquire Louisiana if the Federalists had been in power. Jefferson's party looks hypocritical to you. Members are not living up to their belief in a strict interpretation of the Constitution. Instead, Jefferson and his followers are drunk with power.



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## SENATOR TIMOTHY PICKERING HANDOUT - 2

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You also oppose the treaty on another level—politics. Such a large geographic addition to the United States would politically strengthen the southern and western states and similarly dilute the northeast’s political influence. This might spell the end of the Federalist party. You have been considering recommending that the northeastern states secede from the Union if this treaty is ratified without all states accepting it.

Tell Jefferson that you find it curious that Republicans are now reading implied powers into the Constitution, while Federalists such as yourself can find no authorization to acquire territory!

In summary, therefore, oppose Jefferson’s Louisiana Purchase at every turn. Present your argument that in order to acquire Louisiana the president must seek unanimous consent of each state in the Union. Stress that this consent can be given only through amending the Constitution.



*At least once during this re-creation, get emotional as you speak. Stress that Jefferson must not violate his constitutional trust. Speak vehemently ... passionately ...*

# UNIT TEST - 1

Your name: \_\_\_\_\_

**Directions:** Choose the best answer. Write its letter in the space left of the number—or on your own paper.

- \_\_\_\_\_ 1. The Louisiana territory stretched west roughly from the Mississippi River to the
- Appalachians
  - Rockies
  - Missouri River
  - Pacific Ocean
- \_\_\_\_\_ 2. Foreign control of the Mississippi might hamper American farmers from
- transporting their crops across the Appalachians
  - irrigating their crops
  - transporting their crops by water to the east coast
  - using the Missouri River to obtain furs
- \_\_\_\_\_ 3. Jefferson became alarmed when Spain transferred Louisiana to France because he feared that
- France's Napoleon might have plans to start a New World empire at our doorstep
  - American farmers would be economically ruined
  - America's eventual plans for westward expansion would be stopped
  - all of these
- \_\_\_\_\_ 4. In the early 1800s many Americans
- were content to maintain their present boundaries
  - believed that the Founding Fathers had never intended that the United States expand west of the Mississippi
  - had strong expansionist interests
  - were more interested in conquering Great Britain than in obtaining western territory
- \_\_\_\_\_ 5. Madison's original instructions to Livingston in Paris were to purchase
- Mobile
  - the Mississippi River
  - Nashville
  - New Orleans
- \_\_\_\_\_ 6. While Livingston negotiated in Paris, Jefferson and Madison
- did little except wait for news from Livingston
  - made it clear to the French that the United States might seek an alliance with Great Britain if France would not negotiate with us
  - arranged secret meetings between Madison and Napoleon
  - agreed to enter a military alliance with Spain to invade Louisiana and to jointly reclaim it from France
- \_\_\_\_\_ 7. Loss of Santo Domingo, war with Great Britain, and
- the likelihood of an American invasion of Louisiana
  - Napoleon's need for money
  - Napoleon's fear that he was losing popular support
  - Napoleon's respect for Jefferson prompted Napoleon to decide to sell the entire Louisiana territory to the United States
- \_\_\_\_\_ 8. James Monroe arrived in Paris to enter the negotiations for Louisiana
- before Talleyrand's first offer to sell Louisiana
  - after Great Britain declared war on France
  - after Livingston had failed to make any progress in negotiating with Talleyrand
  - after Spain closed New Orleans to the Americans
- \_\_\_\_\_ 9. The treaty's terms
- clearly defined the geographic area of the territory
  - called for the United States to pay France \$8,000,000 for the entire area
  - only roughly described the territory's boundaries
  - included the American right to get their money back if they weren't satisfied with Louisiana

# UNIT TEST - 2

Your name: \_\_\_\_\_

- \_\_\_\_10. Among other points, Jefferson expressed his concern about potential governmental tyranny when he wrote
- the Constitution
  - the Bill of Rights
  - the Federalist Papers
  - the Declaration of Independence
- \_\_\_\_11. Alexander Hamilton favored developing a group of upper-class Americans who would rule the government. Jefferson, in turn,
- favored emphasis on the common man, who would strengthen democratic principles of government
  - supported Hamilton's belief and even called for an aristocracy
  - had no real opinion on the issue, but since he didn't like Hamilton, generally opposed the idea of aristocracy
  - claimed an amendment was necessary in order to carry out Hamilton's view
- \_\_\_\_12. Hamilton's Federalist views were opposed by Jefferson's Republican views, which
- supported the belief that the Constitution's meaning should be stretched as circumstances dictated
  - called for establishing a government which encouraged industrial growth and large cities
  - supported the belief that the Constitution's meaning should be read literally and interpreted strictly
  - wished to disband the cities and move everyone to the countryside where all persons would live a happy, agrarian life
- \_\_\_\_13. Jefferson wanted to accept the treaty to obtain Louisiana
- but he wasn't certain he had the constitutional authority to do so
  - and therefore he quickly made arrangements to complete it
  - and he had no constitutional doubts that he had the right to ratify the treaty
  - but, since he was uncertain of his constitutional powers, turned the matter over to the Supreme Court for a final decision
- \_\_\_\_14. Madison, a constitutional expert,
- thought that an amendment was needed empowering the president to acquire territory before the Louisiana treaty could be ratified
  - felt that each state in the Union must accept the treaty in order to ratify it
  - feared that the acquisition of Louisiana would hurt the Republican party and strengthen the Federalist party
  - believed the United States, as a nation, had the constitutional right to acquire territory
- \_\_\_\_15. In discussing the constitutionality of the Louisiana Purchase, Livingston
- favored an amendment authorizing the purchase before completing the treaty
  - supported Madison's beliefs about the matter
  - complained that he wasn't consulted about his opinions
  - warned that the treaty must be ratified by October 31 or risk the expiration of the treaty's deadline
- \_\_\_\_16. Levi Lincoln
- believed the acquisition of Louisiana was unconstitutional and should be dropped
  - supported passing an amendment to purchase territory before ratifying the treaty
  - stressed to Jefferson that a president has full power to do whatever he chooses
  - argued that Jefferson could avoid the constitutional issue by claiming that the United States was merely extending its borders to include Louisiana
- \_\_\_\_17. Albert Gallatin
- claimed that Lincoln's position was unconstitutional
  - proposed that the whole issue be given to the public to decide in a referendum
  - was secretary of treasury, and he complained that the United States could not afford Louisiana's price
  - feared that Spain might declare war on the United States if we took over Louisiana

# UNIT TEST - 3

Your name: \_\_\_\_\_

- \_\_\_\_18. A political factor Jefferson considered was
- the fact that most Americans opposed the purchase because it was too costly
  - that if he were to call for an amendment to justify the purchase, the Senate might refuse to ratify the treaty
  - the Federalists were powerful enough to defeat the ratification of the treaty
  - the fact that as an unpopular president he must carefully present his case to the people to gain as much support as possible
- \_\_\_\_19. John Quincy Adams
- opposed territorial acquisition on any grounds
  - was firmly convinced that a constitutional amendment authorizing the acquisition was necessary
  - encouraged Jefferson to complete the treaty at once and worry about an amendment later
  - proposed raising income taxes to pay for Louisiana
- \_\_\_\_20. Timothy Pickering
- shocked his Federalist colleagues by wholeheartedly supporting Jefferson's Louisiana Purchase
  - felt that if Jefferson claimed he was merely adding territory on to the United States he could avoid the entire constitutional issue
  - agreed with the premise that the president, constitutionally empowered to make treaties with the Senate's consent, had the right to acquire Louisiana
  - argued that since such a vast acquisition would drastically change the existing Union of states, all the states therefore must unanimously accept the treaty
- \_\_\_\_21. A Federalist objection to the Louisiana Purchase was
- general American opposition to westward expansion
  - that such an acquisition would politically strengthen the Republicans at the Federalist's expense
  - their claim that Jefferson must not stretch the Constitution's meaning
  - their belief that Great Britain had a rightful claim to Louisiana
- \_\_\_\_22. Ultimately, Jefferson decided to
- justify the purchase under his constitutional power to make treaties
  - seek an amendment to acquire territory
  - purchase Louisiana and deal with objections later
  - try to renegotiate the deadline with Napoleon so he could get more time for a constitutional amendment
- \_\_\_\_23. Which reason did Jefferson most likely advance in announcing his decision?
- the price of Louisiana was too high
  - his own desire to see the United States expand
  - general Federalist opposition to the purchase
  - fear that France was about to invade the United States
- \_\_\_\_24. In the final analysis the information and advice the president's advisers and critic gave Jefferson
- were of little importance to him
  - were valuable, as advice only, since the decision was Jefferson's alone to make
  - were valuable since Jefferson needed a majority opinion from which to reach a decision
  - were important as information only, since Jefferson could make his decision only with the consent of both Houses of Congress



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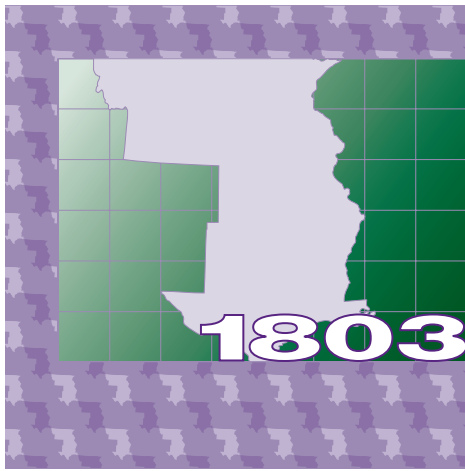
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# JEFFERSON AND LOUISIANA

A re-creation of President Jefferson's critical decision-making about purchasing the Louisiana territory in 1803

## PURPOSE

This re-creation investigates President Thomas Jefferson's decision to make the Louisiana Purchase in 1803. You will have the opportunity to identify and feel motivations, pressures, and considerations of actual historical participants. As a result, you will understand Jefferson's problem in making a difficult constitutional decision which has had tremendous impact on the United States. A group of you will become Jefferson, his advisers, and his critics as they examine and debate various alternatives Jefferson considered while making this crucial decision during his first presidential term.

## BACKGROUND ESSAY

**Opportunity and problem** In 1803 Thomas Jefferson, the third president of the infant United States, had a unique opportunity. He could double the size of his country, gain control of the Mississippi River, and provide fertile land for the spread of an agricultural empire across endless acres of still unmapped territory. Napoleon, the emperor of France, was offering to sell to the United States the vast Louisiana territory for an amazingly reasonable price.

Yet the choice to purchase Louisiana wasn't an easy decision for Jefferson since he questioned whether he had the legal authority to make the deal. For when Jefferson studied the new federal Constitution of 1787, he wasn't certain it said the president could acquire territory, no matter how beneficial that acquisition might be. How then did President Jefferson make his decision? Before we re-create a possible meeting he likely had with various advisers as he pondered his decision, we must understand Jefferson's background and the events which led to the Louisiana Purchase.

**Jefferson's contributions** President, lawmaker, diplomat, statesman, inventor, scientist, architect, educator, and author—Jefferson's many contributions to the successful establishment of the young United States take second place to none.

**Early years** Born in Virginia in 1743, tutored mostly in his early years, Jefferson went to William and Mary College from which he graduated in 1762. While there in Williamsburg, Virginia, Jefferson was influenced greatly by the legal mind of George Wythe, who nurtured Jefferson's strong beliefs in individual rights.

**Revolution** As the revolution drew nearer, Jefferson participated by joining the Virginia Committee of Correspondence. In the Second Continental Congress his most prominent role and outstanding contribution came when he, John Adams, Ben Franklin, Robert R. Livingston, and Roger Sherman were appointed to write a Declaration of Independence. The resulting document, with minor changes, almost totally reflected Jefferson's beliefs that a government's power is drawn from the consent of its citizens and that a government's responsibility is to protect its citizens' "inalienable rights ... Life, Liberty, and the Pursuit of Happiness." Further, if a government doesn't uphold these rights, its people have the right to seek its removal. Such principles were to typify Jefferson's political career and beliefs.

During the revolution, Jefferson also served in the Virginia legislature and later became that state's governor. After American independence Jefferson served in the new national government structured under the Articles of Confederation. His five years as minister to France (1784-1789) helped him develop strong admiration for the French people and culture. His years in France were to significantly influence his work as a statesman and architect.



**We honor Jefferson on one of our coins because he was a shining embodiment of the Enlightenment, which glorified the late eighteenth century.**



**New government** While Jefferson was in France, the United States developed and ratified its new federal Constitution, which provided for a stronger and more effective national government.

Under George Washington's new administration, Jefferson became the nation's first secretary of state. However, within Washington's Cabinet evolved basic philosophical differences between Jefferson and Alexander Hamilton, Washington's secretary of the treasury. Hamilton believed in a loose interpretation of the Constitution. He stressed that the Constitution's words were not to be taken literally but, rather, could be stretched and reinterpreted as circumstances dictated. Therefore, governmental powers could be implied from the Constitution's text so that the federal government would strengthen itself while promoting the general welfare of the entire country. In vivid contrast, Jefferson championed the limited, strict interpretation of the Constitution's powers. He argued that the federal government had only those powers expressly granted in the Constitution itself. To exceed those powers or to infer that the national government had more power than was clearly stated in the Constitution would transform a limited, beneficial, central government into a tyrannical one, which might infringe on an individual's rights. Such a government had not been our revolution's or this Constitution's goal at all. In summary, therefore, this split between Hamilton and his followers, known as Federalists, and Jefferson and his followers, known as Republicans, boiled down to this question: *How does the federal Constitution limit the powers of the national government?*

**1800 election** Due at least in part to a reaction against Federalist excesses such as the Alien and Sedition Acts under President Adams, Jefferson became president in 1800. Except for some Federalist strongholds in the northeast, he was a popular president, one who faced many pivotal decisions.



**Sitting in the White House (called the President's Home during his presidency), why did Jefferson spend hours dreaming about the giant spaces far west of his nation's eastern coast?**

**Westward expansion** How did Jefferson feel about his country expanding west? Possibly a symbolic indication of his views of westward growth is that while constructing his home, Monticello, Jefferson faced it west, into the wilderness. For like many Americans, Jefferson coveted the west as a source of land power, commerce, and social opportunity. Jefferson's political philosophy stressed an agricultural society because he distrusted industry and large cities. He felt both often ruined persons' lives.

His political record shows his fascination with the west. In the Virginia legislature Jefferson fought against *primogeniture*, the law which required that only the eldest son could inherit his father's land. He influenced Virginia to renounce its claims to vast territorial areas west of the Appalachian Mountains and to cede this land to the national government. It was Jefferson who had proposed the Northwest Ordinance, which established the territorial system we use today so that territories go through several steps on their way to becoming full states within the union.

**Louisiana Territory** Lying immediately to the west of the early United States lay the vast Louisiana territory. It was a giant area virtually unknown to most white men. Nevertheless its importance was apparent to many. For one thing the Mississippi River's mouth was in this territory. This fact alone made Louisiana valuable, but there was also the potential in fur trapping, minerals, farmlands, and possibly even the elusive water route to the Pacific.

**New Orleans** At this time, however, for Jefferson and America's western citizens Louisiana's prime importance was that it contained the Mississippi River and New Orleans—the port at the river's mouth. For in 1800, before canals and railroads, such ports were major arteries through which United States' goods flowed to world markets.

The real problem was that New Orleans was not United States' soil. Louisiana had belonged to the French until they were forced to turn it over to Spain in 1763 after France had lost the Seven Years War to Britain. Spain, a relatively weak nation, had permitted Americans to use the port of New Orleans. But ominous rumors began reaching Jefferson that Spain in 1800 had secretly turned Louisiana back to France's Napoleon. Jefferson became disturbed at the significance of this possible event. He feared Napoleon's

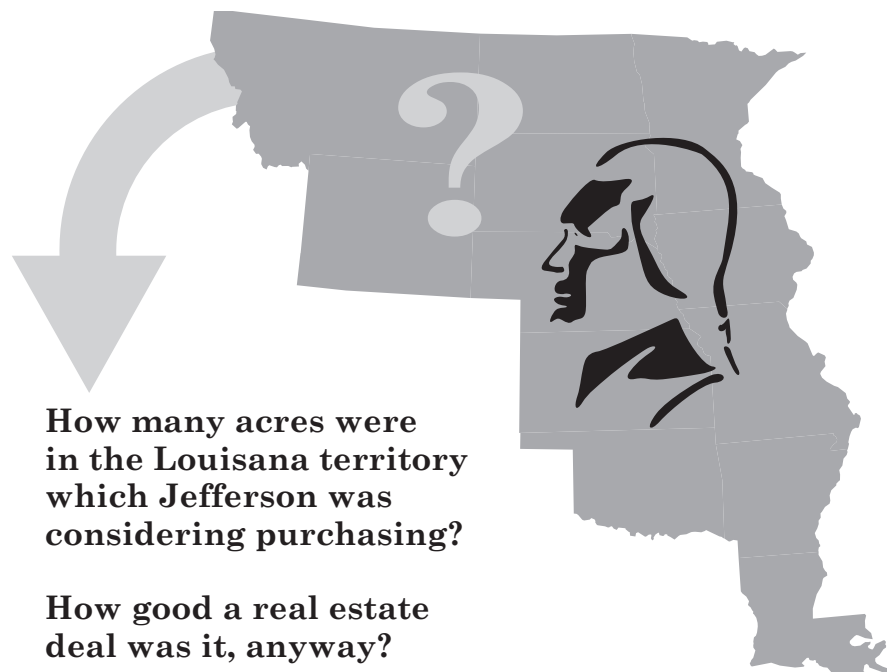
designs on the United States. Would our western farmers face economic ruin if the port of New Orleans were closed to our agricultural products? Jefferson stated that "... the possessor of New Orleans is our natural enemy ...." Furthermore, he feared the possibility of being drawn into a British-French rivalry. Finally, and perhaps most significantly, he sensed that American westward growth into Louisiana would be slowed down if a powerful France owned New Orleans.

Jefferson and James Madison, his secretary of state, believed Napoleon would be too dangerous a neighbor. At the very least the economic health of our western farmers must be protected by attempting to purchase New Orleans. Therefore, Jefferson commissioned Robert Livingston to procure New Orleans and the Floridas for the United States.

**New Orleans closed** While negotiations were going poorly in Paris, Spain, still in control of New Orleans, closed the port to our farmers. During this furor Jefferson appointed James Monroe to go to Paris to assist Livingston. However, before Monroe had even arrived, other circumstances had changed Napoleon's mind. He had lost Santo Domingo, the Caribbean island which was to serve as his prospective seat of a New World empire. War loomed with his arch rival, Great Britain, and his finances were strained. With these factors in mind, Napoleon decided to unload the entire Louisiana territory to the United States for \$15,000,000!

The American negotiators sensed a priceless opportunity, one which might never come our way again. At the very least this proposal was the opportunity to expand westward, to provide homes for our excess population, to give us nearly limitless resources, to insure security for our western farmers. But Jefferson had a decision to face. *Did he have the constitutional authority to make the purchase and acquire this territory?*

So we come to this re-creation in which one of you, portraying Thomas Jefferson, will meet with advisers and a critic to discuss the potential purchase and to analyze the alternatives. The president will then make and announce his decision.



**How many acres were in the Louisiana territory which Jefferson was considering purchasing?**

**How good a real estate deal was it, anyway?**

# ROLES AND RESPONSIBILITIES

## Moderator

First of all, we will need a person to control the re-creation and help it run smoothly. The moderator has several responsibilities:

- helping individuals prepare for their roles by suggesting ideas for props and costumes;
- arranging the room's furniture and insuring that appropriate maps, chalkboards, or charts are available;
- beginning the re-creation hour by reading an introductory paragraph before the actual decision-making starts; and finally, once the president has announced a decision,
- conducting the class reaction to the decision by holding a question/answer session and by gauging the audience's evaluation of the president's choice.

## President Jefferson

The student playing Jefferson will be the ultimate focus of this re-creation, for the president's decision is what we will analyze. The president has three key responsibilities:

- conducting a meeting of advisers and one critic who offer information and exchange views about the various Constitutional alternatives; and then, after weighing this information,
- announcing his decision to the class; and finally,
- answering questions during a news conference.

(As you know, few presidential decisions are accepted with little or no response. There will be no exception here since after the re-creation, class members will examine the president's decision and ask questions which will clarify his reasoning. Moreover, even though polls did not officially exist in 1803, the moderator will poll the class in order to evaluate the president's decision.)

## Advisers/critic

There are three advisers and one critic. The advisers are James Madison, secretary of state; Robert Livingston, United States minister to France; and Albert Gallatin, secretary of treasury. The critic is Timothy Pickering, senator from Massachusetts.

These four individuals will receive separate handouts detailing information about their lives, backgrounds, and political beliefs. Using this information, all advisers and the single critic will do the following:

- develop a personal viewpoint about the events leading to the Louisiana Purchase and about the constitutionality of the acquisition;
- explain their positions to the president and exchange opinions about the wisdom of one another's proposals; and finally, after discussion,
- have an opportunity to summarize the strong and weak points of each alternative.

The president will then rely heavily on this summary while making his decision.

### **Note:**

*If you are not assigned one of these roles, you still have an important responsibility: preparing yourself and the whole class for the **debriefing** following the re-creation.*

*See pages 6 and 7...*

## AUDIENCE MEMBERS' RESPONSIBILITIES



In this re-creation many of you will not have major roles. Regardless, you will not simply sit back and be entertained. Rather you will have several responsibilities:

- listening carefully to the discussion
- identifying the key factors Jefferson must consider
- differentiating between points of view
- analyzing the strengths and weaknesses of the options available to the president
- developing questions to ask the president about his decision
- evaluating his decision

In order to demonstrate that you are fulfilling the above responsibilities, you should do a thorough job of note-taking as described immediately below.

**Note-taking** On the day before the re-creation begins, take out a clean sheet of 8-1/2" x 11" paper and prepare it for the next day's note-taking.

**Side 1** Divide it into horizontal columns, one for each of the three advisers and one critic. Then place their names inside the four horizontal columns. The next day, while you are listening to the discussion between Jefferson and his advisers and critic, you will briefly write sentence fragments that pinpoint the advice each person is giving the president.

President Jefferson and Louisiana Purchase	
Suggestions from advisers/critic	
Albert Gallatin Secretary of Treasury	
Robert Livingston Minister to France	
James Madison Secretary of State	
Timothy Pickering Senator (Mass.)	

*Please take considerable notes, writing down what is said during this mini-unit. You will then be prepared for a meaningful debriefing experience.*

*Research shows us that when persons write as they are learning, they retain considerable knowledge—and for a long time period.*

**Side 2** Turn over the same sheet of paper and divide it into five horizontal columns, one for each of the five alternatives below. Put key words from each alternative in the left margin of each of the horizontal columns. Next divide the five horizontal columns into two vertical columns, one of which you head Good Points, one of which you head Bad Points. Then, during the time the president and his advisers and his critic specifically consider these five alternatives, you will fill in what is good and what is bad about each alternative. Once again use sentence fragments rather than complete sentences.

**Alternative 1:** Drop the opportunity to buy Louisiana. The Constitution simply does not give the president power to acquire territory.

**Alternative 2:** Propose and lead the nation to ratify *an amendment to the Constitution* granting the federal government the authority to acquire territory. This procedure is the only way to avoid constitutional objections.

**Alternative 3:** Acquire Louisiana from France by treaty. The Constitution does grant power to the president to make treaties with the Senate's consent.

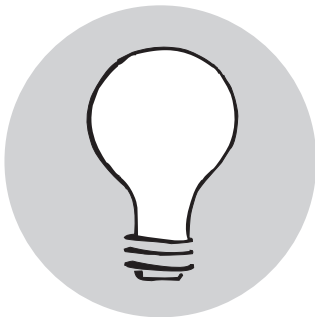
**Alternative 4:** Write the treaty with France in such a manner that *France is merely allowing us to extend our boundaries* to include the Louisiana territory. This method would not exceed constitutional authority.

**Alternative 5:** Specify in the treaty with France that the *treaty will become valid only if accepted by the national Senate and by the legislatures of each state*. Such unanimity is needed because an acquisition as enormous as Louisiana will totally change the character of the United States.

**Suggestion:**

Be certain you take your notes in **sentence fragments** on both the front and back sides of your note sheet.

Do not attempt to write down verbatim—i.e., word for word—what is said. Simply try to get the main point of each idea being presented.



**Another idea:**

Before the **Debriefing** and **Testing** which end the unit, you may wish to come back to your notes and carefully write in your own opinions of what was said. (If your note sheets are full, use a different sheet of paper.)

Research about writing has also found that if a person writes down personal reactions or relationships to what is being studied, the information becomes increasingly real to the person.

President Jefferson and Louisiana Purchase		
Alternatives	Good Points	Bad Points
1 Drop the opportunity		
2 Amend the Constitution		
3 Acquire by treaty		
4 France allows extension of boundaries		
5 Treaty needs unanimous acceptance		



## DEBRIEFING



*This culminating activity will be enjoyable and a real learning activity if you have studied and listened carefully enough to get truly involved in Jefferson's decision.*

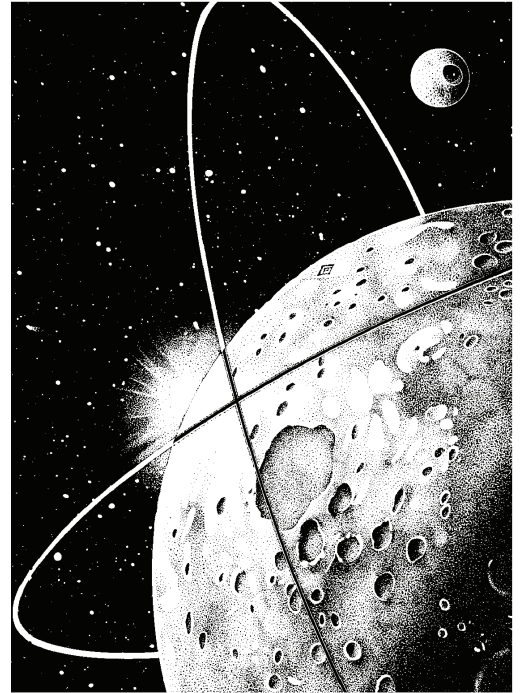
*Good luck!*

Back inside your activity group your members will discuss the case study below. But before you begin, you must choose a chairperson, who then chooses a recorder. The chairperson leads the discussion; the recorder writes down arguments *for* and arguments *against* the president submitting a Moon Acquisition Treaty to the Senate. (In parentheses the recorder writes down what type person either *within* or *outside* the United States would advance each argument.)

### **Case Study: Moon Acquisition Treaty**

In the midst of our current energy crisis, the president's scientific advisers suddenly inform him as follows:

*Geological analysis of materials brought back from our most recent lunar probe reveals that lunore, a new lightweight ore, when utilized with other technology developed by German scientists during World War II, has potential to greatly increase our synthetic oil production. Conservative estimates received by the president stress that lunore plus the German technology can cut our needs for foreign oil imports by 15 percent within three years, 40 percent within five years, 100 percent within seven years.*



**The president's dilemma:** Although we were first on the moon, do we have the right to acquire it and guarantee that lunore will be mined only by the United States? What arguments will be advanced for and against a United States Moon Acquisition?

## TESTING

Within an activity group of classmates you will all be allowed to use the notes you took during the re-creation. These notes will help you figure out the answers to the 24 test items. *Note well: No pens, no pencils, and no Student Guides will be allowed out during the time your activity group discusses the test items.* After about 10-15 minutes of discussion, your group will separate so that each member takes the test in isolation—without any notes. All members of the group with the highest average score will receive bonus points on the test.