

Chapter 6

Neutrality And The Jay Treaty

To live up to your agreements by helping an old friend in times of trouble, or to look out for your own country? This was the problem facing President Washington in 1793, while he was waiting for a visitor from France. The visitor, Edmund Genet, had recently been appointed French ambassador to the United States.

Washington knew that France and Britain had just gone to war and that Genet was going to ask for America's help. After the United States had signed a treaty with France in 1778, the French had given the United States invaluable aid during the American Revolution. In this treaty, the United States promised to come to France's aid in case of a defensive war with Great Britain.

Now the French wanted to use American ports as bases from which to launch attacks on British commerce and to hire U.S. sailors to wage war on British merchant ships. Such acts undoubtedly would lead to counterattacks by Great Britain and could even involve America in another war with her former mother country. Washington's problem was to decide what to tell Genet: that the U.S. would provide aid as promised in its treaty with France or that the U.S. would declare neutrality to avoid a destructive war with England.

The French Alliance and the French Revolution

No one knew better than George Washington just how much the United States owed France. Without French money, French soldiers, and help from the French navy, the United States would probably have lost the American Revolution. Washington also knew the United States had committed itself to fighting on France's side in case of a defensive war with England.

The original treaty had been signed with King Louis XVI. The help his government had provided cost France dearly. It was partially responsible for an enormous financial crisis which led the bankrupt French government to call its Parliament (the Estates General) into session for the first time in 175 years. Once the Estates General convened, it was not satisfied with merely raising taxes for a spendthrift king and his government. The French people had lived under dictatorship for centuries and yearned to have a greater voice in how they were ruled. The Estates General began to make long-overdue reforms to improve the lives of the French people.

Many of the French nobles realized that changes were necessary and allowed the Estates General to proceed. It freed political prisoners and allowed people to speak out against the government of King Louis XVI. The new Parliament took away the rights of nobles to control the lives of peasants living on their land. Emboldened by the spirit of reform, French peasants revolted and seized the lands they had worked for centuries. without pay. Meanwhile, the Estates General continued the attack on the old order by stripping the Catholic Church of its lands and special privileges.

News of these changes caused great rejoicing among Americans who thought France was becoming a democracy. Indeed, the French had issued a proclamation of the rights of man that echoed the Declaration of Independence. As time went on, however, the French Revolution became more radical. Deprived of their special privileges, French nobles fled to Austria and Prussia (now Germany). Here they plotted to invade their own country in order to restore the old government and their place in it. King Louis XVI secretly slipped out of Paris to join them, but the royal coach was recognized and the King was

brought back to the capital. As rumors of plots against the Revolution spread through Paris, the King and his wife Marie Antoinette were put on trial for their lives. On January 21, 1793, the long blade of the guillotine crashed down on Louis XVI's neck; moments later, his severed head was held up to a cheering crowd. Others accused of opposing the Revolution were later killed in the "reign of terror," in which some 2,600 Frenchmen met the same fate as their hapless king.

News of the King's death did not arrive in America until April 1793. At the same time, word arrived that France had gone to war with Britain and that Ambassador Genet was on his way to ask for American aid.

Advice from Hamilton and Jefferson

As in other times of national crisis, President Washington consulted with his cabinet. Once again, he received contradictory advice from Alexander Hamilton and Thomas Jefferson.

Hamilton wanted to avoid war with Great Britain. A full 75 percent of America's tax revenues came from tariffs collected when British goods were brought to the United States. A war with Britain would immediately stop this trade and the revenues that came from it. This would all but obliterate the financial system that Hamilton had taken such great pains to put together. Hamilton told the President that the United States should not feel itself bound to its 1778 treaty with France. The French treaty, the Secretary of Treasury told Washington, was signed with King Louis XVI and his government. When the French executed their King they released the United States from its obligations to help France. Hamilton regarded the revolutionaries as a "monster with teeth."

Thomas Jefferson, on the other hand, was a great friend of France. He was thrilled that the French had adopted America's democratic ideals. The execution of the King and many of his nobles did not trouble Jefferson who believed that the "tree of liberty must occasionally be watered with the blood of tyrants." America's loyalties must be greater to this democratic republic than to the government of Louis XVI and his ancient tyranny. Jefferson thought it was better to risk war with Britain, a former enemy, than to insult a true friend. Failure to live up to the 1778 treaty, he warned, would give France just cause for war with the United States.

Even Jefferson was not completely opposed to turning France down and proclaiming neutrality. Rather than make that announcement as a free gift to Britain, however, he urged that the U.S. should get Britain to give something in exchange. Hamilton, however, thought that the United States' selling its neutrality to the highest bidder was as immoral as a woman selling her body.

The Proclamation of Neutrality

When Edmund Genet finally arrived in Philadelphia (he came overland after landing in Charleston, South Carolina), President Washington received him in a room decorated with a huge portrait of Louis XVI, the King Genet's government had executed. If this were not enough to tell Genet that the United States would not aid France, the proclamation issued a few days later made that point. The proclamation warned American citizens not to aid France and committed the government to pursuing "a conduct friendly and impartial towards the..." countries at war. Once again, Hamilton had triumphed in his continuous feud with Jefferson.

Mounting Tensions with England and Jay's Mission

If President Washington thought his proclamation would avoid difficulties with Britain, he was wrong. While fighting France, Britain would not allow the French to trade with neutral nations. Thus,

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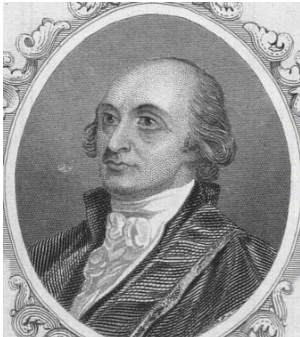
U.S. ships carrying food to France were forced into British ports and treated as prizes of war. Britain captured more than 350 American ships in the West Indies. Furthermore, claiming the men were British citizens serving on U.S. ships, British sea captains often forcibly removed American sailors and compelled them to serve in the British navy.

Britain's insults did not stop with attacks on the high seas. In 1794, Great Britain still occupied forts it had promised to leave in the treaty ending the American Revolution eleven years earlier. The British not only began building new forts on U.S. national soil, but also were believed to be arming native Americans and promising them this land in the event of a war with the United States.

Though Jefferson had left Washington's cabinet at the end of 1793, his followers in Congress wanted to retaliate against Britain. Despite the many provocations, the Federalists still hoped to avoid war. In a final attempt to negotiate a settlement, Washington sent Supreme Court Chief Justice John Jay, a staunch Federalist and friend of England, to Great Britain. Hamilton had recommended this appointment, but only after learning that he himself could not go. Predictably, the appointment of the pro-British John Jay was bitterly opposed by Jefferson's followers.

The Jay Treaty

John Jay found the British unyielding on all the points he wished to negotiate. They would not allow American trade with France or with the French West Indies. Nor would the British promise to stop kidnapping U.S. sailors. The United States, however, had to promise not to let France use her ports to launch attacks on British ships. John Jay was unable to make any progress on those issues.



Negotiator of the unpopular treaty that bares his name

Britain gave in on a few points, however. The British agreed to leave the forts in the Northwest, though not for another two years. They promised to pay for goods taken from Americans in the West Indies, but only if America agreed not to trade molasses, sugar, cotton, or tea to any other country.

Although the Jay Treaty was very unpopular in the United States,

President Washington advised that it be ratified by the Senate. Better a bad treaty, the President said, than none at all. Hamilton, who by this time had also resigned from his cabinet post, agreed. Rejecting the treaty, Washington warned, would risk war with Great Britain.

James Madison disagreed. He told Congress that Great Britain would not make war on a country that was the best market in the world for its manufactured goods. He claimed, moreover, that the British had made no significant concessions to the U.S., and the few they made were so dependent on disparaging U.S. concessions they were practically worthless.

According to the U.S. Constitution, a treaty can only be ratified when two-thirds of the Senate votes in favor of ratification. Twenty of the thirty senators were Federalists; ten were Republicans. The Federalists, therefore, had to hold all their votes in the Senate in order to win ratification.

Student Exercises:

1. Summarize the key points of this chapter.
2. What do you think the main purpose of a nation's foreign policy should be:
 - a. protect its interests, b. further its ideals, c. support its friends.
3. Based on your answer to the above question, do you think that:
 - a. the U.S. should have proclaimed neutrality instead of adhering to the terms of its alliance with France?
 - b. the U.S. should have ratified the Jay Treaty?