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Congress and Early Federalist Military Policy: An Examination of Defense Related Roll Calls in the Second United States Congress, 1792-1793

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CONGRESS AND EARLY FEDERALIST MILITARY POLICY:
AN EXAMINATION OF DEFENSE RELATED ROLL CALLS IN THE SECOND
UNITED STATES CONGRESS, 1792-1793

by

Elbert S. Barker, III
Bachelor of Arts, Virginia Tech, 1978

A Thesis

Submitted to the Graduate Faculty

of the

University of North Dakota

in partial fulfillment of the requirements

for the degree of

Master of Arts

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This thesis, submitted by Elbert S. Barker, III, in partial fulfillment of the requirements for the Degree of Master of Arts from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done and is hereby approved.

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This thesis meets the standards for appearance, conforms to the style and format requirements of the Graduate School of the University of North Dakota and is hereby approved.

Harvey Kuntz

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ABSTRACT

The legislators of the Second United States House of Representatives faced a set of challenging military and political problems when they met in November 1791. The issue of what would be the primary means of the young nation's defense had not yet been determined. The old British and colonial precedents of a militia as the first line of defense were firmly rooted in the minds of the most congressmen meeting in Philadelphia. Many of the legislators had been indelibly imprinted with a fear of a large standing army in peacetime from their own personal experiences in the pre-Revolutionary days. Many of those who would become stalwarts of the Republican Party in later years felt that a militia, while often militarily ineffective, preserved the republican virtues on which the nation depended for its moral underpinnings. Others, who were usually in the ranks of the future Federalist party, felt that a well-trained regular federal force was the only practical military solution for the nation's long-term needs, barring vast improvements in the training and discipline of the state militia forces.

Underlying both considerations by the members of the Second Congress was the pressing need for a military solution of some sort in the Northwest Territory. With a series of military embarrassments suffered at the hands of the frontier Indian tribes, the issue of how best to achieve military respectability

took its place alongside other important matters in the Second Congress. Occurring also at this time was the emergence of factions that would later evolve into two distinct and antagonistic political parties.

Aside from the standard methods of research, such as examining the debates of Congress and studying newspapers and documents of the time, I used the Rice-Beyle cluster bloc analysis technique to discover the existence of congressional voting patterns. This method examines the voting behavior of paired congressmen to determine similar voting behavior. I separated the roll calls dealing with the issues of a stronger, reorganized militia from those pertaining to a more potent regular army for use on the frontier and analyzed both sets of data for voting patterns. I also examined the voting patterns for all 102 roll calls of this Congress. In the end, I discovered that smaller groups of legislators than I expected voted together consistently on military issues, while voting in opposing factions on the overall business of the House.

INTRODUCTION

Whenever the militia comes to an end, or is despised or neglected, I shall consider this union dissolved, and the liberties of North America lost forever.

John Adams, 1823.¹

Among the numerous proposals faced by the First Session of the Second Congress was the Uniform Militia Act. In its final form, this act required "that each and every free able-bodied white male citizen of the respective States, resident therein, who is or shall be of the age of eighteen years, and under the age of forty-five years, (except as hereinafter excepted) shall severally, and respectively, be enrolled in the Militia by the Captain or commanding officer of the company, within whose bounds such citizen shall reside, and that within twelve months after the passing of this act."² Finally approved on May 8, 1792, the bill provided what little federal guidance the state militia were to receive for over a century.³

The passage of the Uniform Militia Act came over two years after Secretary of War Henry Knox proposed his original plan for a universal militia for American male citizenry. In Knox's plan of January 1790 the militia of the country were to be classed into three categories, according to their ages. The three classes were: an advanced corps of men aged 18 to 20; a main corps of men 21 to 45; and a reserved corps of men 46 to 60. In this overly ambitious plan, each young male would have to participate in periodic militia training in order to be eligible

to vote, hold office, or exercise legal rights. Also, the federal government would provide the men with all arms, equipment, and clothing. The act did not specify what groups or persons would be exempted from the provisions of this compulsory military service. It was prohibitively expensive for a nation as young as the United States.⁴ According to Richard H. Kohn, one of the leading historians of the military during the Federalist period, "the administration purposely phrased its recommendations in exaggerated forms in hope that after the inevitable debates and compromises in Congress, the final legislation would retain those provisions necessary to transform the militia into a viable institution."⁵ This rather devious political scheming seems unlikely, but whether or not this was the underlying motive of Washington and Knox, the much-modified plan that Congress ultimately approved in 1792 bore little resemblance to Knox's original outline for the militia.

One basis for much of the debate concerning the role of the militia during this period was a traditional fear of a standing army. The preference for local defense goes back not only to American colonial times, but as far back as the time of Alfred the Great in England itself. Although the British model for militia service proved more popular in its idealized form than when put into actual application, the concept of a defensive force composed of the average yeomanry retained its appeal when transplanted to the American colonies.⁶ Early settlers migrating to this land from England also brought with them bitter memories of the later Stuart years and the abuses of a standing army.⁷

The experiences of Americans in the years prior to the Revolution did nothing to persuade them of the need for a heavily armed garrison in major population centers. Samuel Adams, the patriot and rabble-rouser, stated in 1768:

It is a very improbable supposition that any people can long remain free, with a strong military power in the very heart of their country. . . .

Even where there is a necessity of the military power, within the land, which by the way but rarely happens, a wise and prudent people will always have a watchful & a jealous eye over it; for the maxims and rules of the army, are essentially different from the genius of a free people, and the laws of a free government.⁸

Thus, to those who feared the trampling of civil liberties by a dangerous standing army, a system of state militia seemed the safest path. As religious, legal, and economic institutions were adapted from British practice, so too were military institutions. Having the same history and culture as the mother country, it was natural for the ex-British colonies to continue the British militia custom.

From the early days of the republic, concern for military security was an important consideration. After ridding themselves of British rule, the new nation's builders set out to enumerate the citizens with a census, an undertaking with military implications. Not only were over three million citizens to be counted for purposes of representation and taxation, but also they were being counted for their potential role in defending the country. According to Carroll D. Wright, the act approved March 1, 1790, required the census marshals gathering data "to distinguish the sex and color of free persons and free males of 16 years and upward from those under that age; in the

latter case, undoubtedly, for the purpose of ascertaining the military and industrial strength of the country."⁹

A complicating factor at work in the establishment of a military plan for the new country was that of state versus federal authority. To the Federalists, who favored a strong central government, the weakness of the state militia tended to make the country itself weak. Leading Federalists like Alexander Hamilton cited the unpreparedness of the state militia during Shays's Rebellion as evidence of the danger of lack of central control of the military. However, Antifederalists were confident that the militia could handle most military situations capably enough, citing the performance of militia at the battles of Lexington, Bunker's Hill, and Saratoga as proof of militia prowess. In fact, "Antifederalists interpreted the militia provision [of the Constitution] as an attack on state power, an attempt to undercut the states by lodging the basis of sovereignty, the purse and the sword, in the national government."¹⁰

While the First and Second Congresses wrangled over such issues as establishing a United States bank, a mint, and a post office, the matter of a nationally regulated militia languished on the floor of Congress. The committee of the First Congress in charge of making Knox's militia proposal workable took five months to create a bill, and when it did appear in July 1790 it resembled Knox's original plan only in that it still contained provisions for a select corps of militia. From July 1790 until November 1791 the militia bill rarely emerged from committee, as Congress was absorbed by matters that seemed more pressing at the

time, such as Hamilton's financial programs. However, action on the Uniform Militia Act accelerated with news in December 1791 of the St. Clair defeat. The utter rout of Arthur St. Clair's poorly trained troops, composed in large part of militia, shocked Congress and spurred interest in the Uniform Militia Act, which had been gathering dust in committee.¹¹ With only 500 of the 1,400 men in General St. Clair's army escaping unharmed from an Indian ambush, public pressure to improve the military posture of the country suddenly and not surprisingly increased.¹²

In a flurry of activity Congress began to investigate St. Clair's defeat, and began to consider more seriously earlier legislative proposals that now seemed suddenly relevant. Congressional attention was directed toward two major measures. In addition to the Uniform Militia Act, the Congress also had before it an "Act for making further and more effectual provision for the protection of the Frontiers" (the Five-Regiment Bill), an act which would significantly increase the strength of the regular forces arrayed against the Indians.¹³

The Uniform Militia Act cannot be considered apart from the Five-Regiment Bill. This is true not only because of their proximity on the legislative agenda, but also because of the differing philosophies the bills represent on military matters. For some congressmen, the notion of a sturdy militia was the foundation of the nation's military strength. For others, more pragmatic in their outlook, the key to the nation's strength lay in having a well-trained regular military force that could endure extended campaigning. The debates over each bill served to bring out the merits of both points of view, and provided a forum for

the concerns of many legislators over the country's military future.

During the debates over the bills to increase the regular army and to solidify the militia into a national force, the incipient partisanship that had been brewing in the early Congress began to solidify. To the southerners and westerners who were against Federalist taxation and financial programs, the military disasters in the West were a good opportunity to embarrass the Federalist administration and accuse it of plotting the introduction of a standing army. For example, early dissenters took the chance to expose Federalist military bumbling by launching a Congressional inquiry into the St. Clair fiasco. However, the opposition was also embarrassed, because it could not present a solid front against the Five-Regiment Bill. Frontier districts in the South and West were quick to demand that their representatives in Congress provide actual protection against the very real Indian threat on their frontier. Even James Madison, already a leading opponent of Federalist policies, could not oppose the Five Regiment Bill because of his home state's exposed frontier.¹⁴ Sectional and partisan concerns thus played against each other throughout the debates concerning the funding of the nation's growing military. During an April 1792 vote on a "bill to raise a further sum of money for the protection of the frontiers" by increasing the duty on imported hemp and cordage and placing a duty on imported cotton, representatives split along sectional lines. Southern congressmen would vote for a bill that protected southern cotton,

while Northern congressmen would not vote to raise revenue for the increasing military if the bill seemed to favor the South.¹⁵

When the Uniform Militia Act finally came to a vote in the House in March 1792, the bill had been emasculated considerably. It had no administrative structure to assure training and compliance with national standards, nor did it provide for fines for noncompliance with the act. Gone also was any sign of Knox's system of classing men into age groups. Pressure from several interest groups had resulted in the bill being reduced in scope and strength. Many tradesmen resented the classing aspect of the bill, which could take young apprentices far from their trades for long periods of time. Quakers resented the lack of exemptions on religious grounds. Individual states felt that any federally imposed system of fines for failure to muster would be an infringement on their rights as self-governing units. The act as finally passed was so inoffensive and vague in its language that it provided a mere skeleton for the operation of state militia.¹⁶

And yet, for all its weakness, the bill established the principle that all able-bodied men owed their government military service, that they must be trained to provide that service efficiently, and that in event of war the United States intended to fight with a mass citizen army. As a policy the act was a failure; but it was a policy that had far-reaching ideological implications for the nation. It reflected, surely, an influence of the French Revolution, as well as British history and colonial experience.

According to Richard H. Kohn, the weakness of the Uniform Militia Act played into the hands of those Federalists who desired a strong national military establishment. Although Russell Weigley views the passage of the Uniform Militia Act as a major foundation of American military policy until the twentieth century, Kohn sees it differently.¹⁷ In Kohn's words:

When the first session of the Second Congress adjourned in early summer 1792, the United States had crossed a watershed in the development of its military institutions. Congress had created the first effective peacetime army and, in the Uniform Militia Act, had dealt a crushing blow to an already dying militia system.¹⁸

During the remainder of this study, I will examine the motives of the men who hammered out the significant military legislation of the Second Congress, both those who favored it in its final form and those opposed it. I will determine their attitudes from a study of the Annals of Congress, in which their debates appear, in contemporary newspapers, in other primary materials, and in their biographies. Most importantly, I will examine the Journals of the House of Representatives, which indicate how each Representative voted on every issue that came to a roll call. Occasionally it will be found that one who said yea in debate, said nay when he cast his vote. My hypothesis is that the men of the Second Congress cast their votes on military issues in roughly the same pattern they displayed on other issues, with the exception that the members were more likely to display parochial or personal attitudes on military issues than they may have on such issues as funding the debt or establishing the post office.

INTRODUCTION NOTES

¹Reply of John Adams in William H. Sumner, An Inquiry into the Importance of the Militia to a Free Commonwealth in a Letter to John Adams (Boston: Cummings and Hilliard, No. 1, Cornhill, 1823), 70.

²Annals of the Congress of the United States, ed. Joseph Gales, Sr. (Washington: Gales and Seaton, 1834), 2:1392. Also, see An Act More Effectually to Provide for the National defense by Establishing an Uniform Militia throughout the United States. Statutes at Large, 1, Chap. 33, 271 (1792).

³Russell F. Weigley, History of the United States Army (New York, 1967), 94.

⁴Annals of Congress, 2:2087-88.

⁵Richard H. Kohn, Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783-1802 (New York: The Free Press, 1975), 131.

⁶Arthur A. Ekirch, Jr., The Civilian and the Military (New York: Oxford University Press, 1956), 3-5.

⁷John K. Mahon, The American Militia: Decade of Decision, 1789-1800 (Jacksonville: University of Florida Press, 1960), 2.

⁸Ekirch, 9.

⁹Carroll D. Wright, History and Growth of the United States Census (Washington, D. C.: Government Printing Office, 1900), 13.

¹⁰Kohn, 82-83.

¹¹Mahon, 15-17.

¹²William H. Guthman, March to Massacre: A History of the First Seven Years of the United States Army, 1784-1791 (New York: McGraw-Hill Book Company, 1975), 243.

¹³Annals of Congress, 2:356.

¹⁴Kohn, 120-121.

¹⁵Annals of Congress, 2:562.

¹⁶Kohn, 133-135.

¹⁷Weigley, History of the United States Army, 94.

¹⁸Kohn, 136-137.

CHAPTER ONE: BIBLIOGRAPHIC BACKGROUND

The subject of the early American nation's political development has received extensive treatment by historians. The political nature of the infant nation's militia development, however, has not received the sort of attention it merits by historians of the period. Possibly this is due to the unglamorous nature of the militia issue when compared to more exciting matters at hand in the early Congresses, such as uneasy relationships with European powers and establishment of precedent-setting governmental policies such as funding the national debt or establishing the national bank. Occasional open warfare that flared on the frontier between settlers and Indians as the frontier advanced made the militia issue seem rather unspectacular. While these and other easily identifiable issues are dealt with at length by general histories of the Federalist period, the argument over what was to be the role of the state militia in the defense of the country has generally received short shrift in the studies of the era. With a couple of notable exceptions, historians have usually slighted the admittedly unevenly performing militia forces of the period in favor of detailing the more concrete and easily explained feats of the regular army troops of the day.

Two historians who have effectively covered the issue of the militia's status in the developing nation are John K. Mahon and

Richard H. Kohn. Kohn, in his thorough Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783-1802, details the issues of state versus federal control of the military, military and frontier difficulties, and political considerations entering into congressional military decisions. Kohn covers the combination of factors leading up to the passage of the Uniform Militia Act more completely than any other historian. He suggests that the strong Federalist support of the act was a roundabout effort to subvert the existing state militia systems by diluting the effectiveness of the militias; this seems a bit excessive. However, Kohn makes a plausible case elsewhere in his work for the strong conspiratorial atmosphere of the Federalist period, with emphasis on the Newburgh conspiracy and Hamilton's suspiciously enlarged and politically discriminatory 1798 army.¹

John K. Mahon's The American Militia: Decade of Decision, 1789-1800, while not as extensive or as speculative as Kohn's opus, covers the atrophy of the American militia system in an adequate, if brief, manner.² Mahon details the roundabout journey of the Uniform Militia Act from committee to committee until its ultimate emasculation. He notes especially the damage done by the omission of a select corps of ready militia in the bill's final form.³ Mahon is also one of the very few historians who attempt to document the aftermath of the Uniform Militia Act by delving into its operation in individual states. He concludes that the bill received uneven enforcement in different states, varying in vigor according to the needs and inclination of those states' administrations.⁴

Another historian who covers the issue of militia in the Federalist period is Lawrence Delbert Cress. His Citizens in Arms: The Army and the Militia in American Society to the War of 1812, although emphasizing political philosophies at the time regarding military matters, gives an interesting account of how British radical Whig philosophers influenced the leading American thinkers of the day, imbuing them with the notion of the militia's purity of spirit as opposed to the evils of a standing army. Cress shows that such British thinkers as James Harrington, John Trenchard, and David Hume had a direct effect on Jefferson, Madison, and others who later adopted the Republican Party as their instrument to contest the threatened infringements on citizens' liberties posed by Hamilton's Federalists.⁵

For source material on the period under consideration, the Annals of the Congress of the United States and the Journal of the House of Representatives were invaluable.⁶ The Annals of Congress were especially useful since they provided coverage of the debates on military affairs that took place on the floor of the House. Although the procedural verbiage of the legislators often took time to decipher, the florid and often passionate diatribes by congressmen in defense of their respective points of view on military issues were illuminating and even entertaining. Since at this time the Senate debated in secret, the proceedings of that body provided very little insight into what Senators thought on issues. The Journals, while short on the give-and-take of debates, furnished a useful double-check on roll calls and dates.

Useful in providing background into the general period of the 1790's were some of the newspapers of the day. The Boston Gazette carried especially good coverage of the Indian problems on the frontier, much of which was reprinted from the frontier newspapers of the time. Helpful in illustrating the nascent political polarization of the country were the Federalist United States Gazette (Philadelphia) and the Republican General Advertiser (also of Philadelphia). While these politically oriented newspapers dealt heatedly at times with the alleged despotism of the opposing party and covered a variety of foreign and domestic topics, occasionally a reference could be found to militia or army issues.

Another valuable primary source was the American State Papers, a collection of various government documents and correspondence between public officials.⁷ Especially interesting were the Indian Affairs and Military Affairs series of these papers. Secretary of War Knox's correspondence with President Washington and others was particularly engrossing as Knox tried to puzzle out the militia issue and the Indian situation on the frontier. Slightly disappointing was the Miscellaneous portion of the American State Papers; this section was full of random, if not trivial, government documents that dealt little with military matters.

Of the secondary works not mentioned already that deal with military matters during the Federalist period, what is striking is the number of major works that either touch only briefly on the militia issue, or which dismiss the militia as a military embarrassment. Most military historians discuss the failures of

Josiah Harmar and St. Clair when speaking of military matters during the Federalist era, as well as the militarily minor Whiskey Rebellion, and, inevitably, Anthony Wayne's triumph at Fallen Timbers when speaking of military matters during the Federalist era. Most do not, however, deal with the issue of the citizen soldier as a perceived counter to the prospective threat of an overly aggressive central government, as do Kohn and Cress. The military historian, perhaps naturally, seems to deal with that which is concrete and observable, while the political historian may delve more into what lies in men's hearts and minds.

Of the major military historians of the period, only Russell F. Weigley, in his Towards an American Army: Military Thought from Washington to Marshall, tries to address the issue of the militia as a political football.⁸ Weigley discusses the currents of military thought that led to the passage of the Uniform Militia Act, finally concluding, as does Kohn, that the bill ultimately strengthened the arguments of those favoring a regular army. Interestingly, in his History of the United States Army, an extensive survey of the country's entire military history, Weigley discusses the militia issue more tersely, concentrating on the Frontier Bill, which added to the power of the regular army.⁹

Warren W. Hassler, in With Shield and Sword: American Military Affairs, Colonial Times to the Present, deals with the militia only sketchily, as does Francis P. Prucha in his otherwise excellent The Sword of the Republic: The United States Army on the Frontier, 1783-1846.¹⁰ William H. Guthman, in his

March to Massacre: A History of the First Seven Years of the United States Army, 1784-1791, dwells on the inadequacies of the militia in early campaigns rather than on any potential contributions they may have made.¹¹ James Ripley Jacobs, in his galloping The Beginnings of the U. S. Army: 1783-1812, lays the fault for the failure of the militia in the St. Clair campaign on the senior and intermediate officers who led them, rather than the men themselves.¹² Jacobs eventually concludes, as do most military historians, that only regular army troops had the discipline to sustain a lengthy campaign against the Indians.¹³

Works that do not contribute greatly to an original perspective on the militia issue, but which provide valuable background on the problem, include Don Higginbotham's George Washington and the American Military Tradition, which reemphasizes Washington's oft-noted suspicion of the militia's staying power, and James Kirby Martin and Mark Edward Lender, A Respectable Army: The Military Origins of the Republic, 1763-1789.¹⁴ Two works that provide useful background in the pre-Revolutionary militia are John Shy's Toward Lexington: The Role of the British Army in the Coming of the American Revolution and Fred Anderson's A People's Army: Massachusetts Soldiers and Society in the Seven Years' War. Anderson's work especially points out the personal commitment of the individual militiaman and the privations endured by him.¹⁵

Unusual among those writing about the Uniform Militia Act is Jim Dan Hill. In The Minuteman in Peace and War, he sees the 1792 act as providing a manpower reserve for use in crises.¹⁶

Unlike most historians, who see the Uniform Militia Act as a waste of effort and the militia as generally inefficient, Hill takes a kinder view of the subject. Hill views the act not so much as a piece of legislation intended for vigorous enforcement as "a military manpower bookkeeping arrangement with functions more comparable to those of the modern Selective service than to functional combat Companies, Regiments, Brigades, and Divisions in being."¹⁷ Hill's charitable view of both the Uniform Militia Act and the militia in general may have been due to his extensive personal involvement in the National Guard and his experience as a major general called for duty in World War II.

Three works which explore the relationship of the American civilian to the concept of armed service are The Civilian and the Military, by Arthur A. Ekirch, Jr.; Soldiers and Civilians: The Martial Spirit in America, 1775-1865, by Marcus Cunliffe; and American Democracy and Military Power: A Study of Civil Control of the Military Power in the United States, by Louis Smith.¹⁸ Of the three, Smith most directly addresses the question of the role of the citizen in military service, and notes that the Second Amendment was obsolescent almost as soon as it was ratified. Smith also observes how the original plans of Madison and others for the states to act as a military check to the excesses of the federal government have become obsolete. Cunliffe advances the idea that the Uniform Militia Act worked in tandem with the Second Amendment to maintain a measure of state control over the militia, although both measures were strangely inefficient militarily.

For general works of the period John C. Miller's The

Federalist Era: 1789-1801 is very good in explaining the financial and political dilemmas facing the new nation, but does not mention the militia as a political issue. Miller only briefly mentions the St. Clair disaster and deals mostly with the regular army when discussing the tensions with France later in the period.¹⁹ Forrest McDonald's The Presidency of George Washington slights the militia issue as well, but gives a lively perspective on the political workings of the Washington administration. Especially interesting is McDonald's apparent suggestion that, while Washington was not a dupe of Hamilton, he was an occasionally bemused bystander while the government was being established.²⁰

For those who think that history is biography, several individual biographies of the leading figures of the Federalist period are available. While most of these biographies shed only a partial light on why these figures voted as they did on particular issues, they serve to provide background on the makeup and motivations of these men. The best of these are Elbridge Gerry: Founding Father and Republican Statesman, by George A. Billias; Fisher Ames: Federalist and Statesman, 1758-1808, by Winfred E. A. Bernhard; and Evolution of a Federalist: William Loughton Smith of Charleston, 1758-1812, by George C. Rogers, Jr.²¹ Anthony Wayne: Soldier of the Early Republic, by Paul David Nelson, gives a good account of Wayne's military exploits during the Revolution and his command of the Legion of the United States, but does not adequately explore Wayne's political career as a congressman, particularly his role in the passage of key military legislation.²² The personal writings of Jefferson,

Madison, and especially Hamilton were helpful in obtaining insight into the attitudes and concerns of these principal figures of the period.²³

Irving Brant's James Madison: Father of the Constitution, 1787-1800 gives a good account of Madison's role in the eventual ratification of the Constitution and his willingness to compromise on the militia issue for national harmony, but little is said about Madison's later support of the militia as a bulwark against federal encroachment of civil liberties.²⁴ In his The Bill of Rights: Its Origin and Meaning, Brant does not provide extensive coverage of the Second Amendment, with its protection of state militia from federal prohibitions, concentrating instead on Madison's more pressing concern with the freedoms of religion, press, and speech than on the right to bear arms.²⁵ Possibly Brant's writing these works when the issue of gun control was not at fever pitch has something to do with the lack of coverage of this issue.

Good discussions of early American political party development can be found in Noble E. Cunningham, Jr., The Jeffersonian Republicans: The Formation of Party Organization, 1789-1801, and Richard Hofstadter, The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780-1840.²⁶ Cunningham charts the voting record of members of the House of Representatives on key issues during the First Session of the Second Congress and also compares members' voting patterns with James Madison's voting record. Although done manually, Cunningham's work is valuable in attempting to chart the incipient shift toward partisan politics.²⁷ Another work

that provides insight into the rise of political parties is Joseph Charles's The Origins of the American Party System: Three Essays. Charles attempts to analyze the personal characteristics which motivated Hamilton's quest for power.²⁸

Of the articles dealing with military issues during the Federalist period, the best is Frederick Bernays Wiener's "The Militia Clause of the Constitution," which summarizes the history of the militia from post-Revolutionary days to its incarnation as the National Guard at the turn of the twentieth century.²⁹ Wiener examines the legal problems involved in the federal use of state troops, noting that the "Calling Forth Act" was implemented only once, during the Whiskey Rebellion, before being superseded in 1795 by legislation that did not oblige the President to rely upon notification from a particular official before using state troops to quell rebellion.³⁰

Another article, more general in scope but interesting as philosophical background of the period, is Marshall Smelser's "The Federalist Period as an Age of Passion."³¹ Smelser debunks the notion that the principal figures of the times were the wholly rational marble gods they are often pictured as today. Smelser makes a case that "the political activity of the Federalist period was strongly influenced by the passions of hate, anger, and fear."³²

In addition to using the standard source material mentioned above, I have also used quantitative analysis in examining the defense-related business of the Second Congress. This quantitative analysis takes the form of computerized roll-call research, using Rice-Beyle cluster-bloc analysis to explore

groupings of congressmen who voted together. The advantage of the Rice-Beyle method of analysis is that, by looking at the voting record of congressmen in a particular Congress, it ensures a place of importance for those obscure members who did not appear in the Annals of Congress with the regularity of a man like Madison. Unlike the standard methods of research, which often emphasize those public figures who made the most noise, cluster-bloc analysis permits the weight of numbers to be accounted for in examining the history of a particular congress.

For my examination of the defense-related roll calls of the Second Congress, Rice-Beyle cluster-bloc analysis served its purpose well. This method compares the voting record of each member with that of every other member. The amount of similarity in voting behavior appears in sets of pair-wise combinations that are plotted on a matrix as well as in column percentages of agreement.³³ For this Congress, I have chosen the standard seventy percent as the level of agreement between members necessary to belong to a certain bloc. To be a member of that bloc's fringe, a congressman must have voted with at least fifty percent of that bloc's members, at a minimum of seventy percent of the time.

The Second Congress, 1791-1793, set many precedents in the fields of government finance, foreign affairs, and in the conduct of the nation's military policy. With the clamor for and against military action on the frontier, and the problem of how to integrate the country's militia forces into the national defense establishment, some legislation on these problems was inevitable. The Frontier Bill, which enlarged the regular army by three

regiments for action against Indian tribes, was the consequence of the first problem mentioned. The Uniform Militia Act of 1792, which provided for a nominally codified system of state militia throughout the country, was the eventual product of the latter concern. Therefore, for my roll call analysis, I chose the eleven defense-related votes which were most important to these issues. I split these eleven roll calls into two groups for analysis. Six roll calls dealt with votes on the militia issue, while the other five concerned a stronger, more expensive frontier army. These roll calls are discussed in Appendix A.

The results of Rice-Beyale cluster-bloc analysis of the votes mentioned produced somewhat smaller blocs of members than I had originally hoped. For one thing, the Second Congress consisted of a maximum of seventy-two members, seven of whom were excluded from analysis in the Frontier and Militia groupings due to an insufficient voting record on these issues. This brings the members under consideration down to sixty-five, not a huge number of congressmen. Also, and perhaps most importantly, the era of high party development had not yet come to fruition in the country during this time. Congressmen were not yet in the lockstep of voting like automatons according to the dictates of their party leaders, as they would be by the end of the 1790s.

Congressmen were more likely at this time to vote according to their personal beliefs or sectional interests than toe a party line. Rudolf M. Bell, who has analyzed voting patterns of the early Congresses, also makes this observation.³⁴ Despite the relatively small number of members in the Second Congress, it still produced a voting bloc of sixteen members who voted

consistently in support of the administration's militia policies. These were regularly opposed by a bloc of ten members who hailed largely from Virginia and North Carolina. The existence of such groupings, even in a period of such low party development, illustrates the utility of Rice-Beyle cluster-bloc analysis.

NOTES

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²John K. Mahon, The American Militia: Decade of Decision, 1789-1800 (Gainesville: University of Florida Press, 1960).

³Ibid., 14-24.

⁴Ibid., 32-46.

⁵Lawrence Delbert Cress, Citizens in Arms: The Army and the Militia in American Society to the War of 1812 (Chapel Hill: The University of North Carolina Press, 1982). See, for example, 98, 100-101.

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¹⁶Jim Dan Hill, The Minuteman in Peace and War (Harrisburg, Pennsylvania: The Stackpole Press, 1964).

¹⁷Hill, 10.

¹⁸Arthur A. Ekirch, Jr. The Civilian and the Military (New York: Oxford University Press, 1956); Marcus Cunliffe, Soldiers and Civilians: The Martial Spirit in America, 1775-1865 (Boston: Little, Brown, and Company, 1968); Louis Smith, American Democracy and Military Power: A Study of Civil Control of the Military Power in the United States (Chicago: The University of Chicago Press, 1951).

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³³Richard E. Beringer, Historical Analysis: Contemporary Approaches to Clio's Craft (New York: John Wiley & Sons, 1978), 287-306.

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CHAPTER TWO: THE MILITARY SETTING FOR CONGRESS

To understand why the Second Congress passed the Uniform Militia Act of 1792 we must first examine the background in which the legislators operated. To pacify the tribes on the nation's northwest frontier, President Washington sent former Revolutionary War general and then Governor of the Northwest Territory Arthur St. Clair into what is now Indiana to demonstrate the nation's military power. St. Clair, however, had a poorly trained and equipped force that numbered only about 1400 men, many of whom had no practical experience in soldiering. The army sent against the Indians was too hastily gathered to receive proper discipline and training, and departed far too late in the season to mount an effective campaign. Also, the militia who participated in the campaign were by and large not accustomed to an extended campaign, and the federal troops hastily recruited were not paid much more than a survival wage. As a result, morale and discipline on the march were constant problems. On November 4, 1791, General St. Clair's forces on the western frontier were completely routed by a coalition of Indian tribes.¹ The stunning defeat of the bulk of United States land forces in existence at that time aroused indignation and astonishment among congressmen and ordinary citizens alike. How had such a thing happened? What could be done to prevent a reoccurrence?²

With the conclusion of the American Revolution in 1783 the fledgling United States of America was faced with the administration of thousands of square miles of the newly acquired Northwest Territory. This land had been acquired by the British from the French at the end of the French and Indian War in 1763 and had in turn passed into the control of the Americans in 1783 as part of the peace settlement in the Treaty of Paris between Great Britain and America. French and British administration of these lands had differed significantly from what was to be the effective policy of the United States. Rather than the desultory white intrusion into Indian lands by trappers and traders that characterized the British and French approach, the Americans began to advance with the intent of permanently settling in what were Indian hunting areas. The Indians of these areas were not slow to realize the consequences of such encroachments, and sought to halt the loss of their way of life. From the friction arising from the relentless enlargement of American possessions was to come a situation requiring military and political decisions. The new nation could not advance unimpeded through Indian territory.

The British and French had always sought to avoid unnecessary intrusion into Indian affairs, a largess due mainly to their desire to preserve the existing fur trade with the tribes. While the fur trade was also important to the newly land-rich United States, just as important were the settlement and sale of these new lands. Proceeds from the sale of the public domain would be useful in establishing the new republic on a sound financial basis. However, as William H. Guthman remarks,

"Unfortunately, this same land was the hunting ground of the powerful Western Confederacy of Indian tribes, including the Wyandots, Miamis, Shawnees, Delawares, Ottawas, Chippewas, and Potawatomi."³

With the advance of hordes of settlers both west and south, inevitable conflicts with the native peoples began to develop. Newspapers of the day gave lurid accounts of frontier settlers massacred by the "insatiable rovers of the wilderness."⁴ The overextended regular army on the frontier could not possibly cover the broad range of territory it was now responsible for protecting. Despite Secretary of War Knox's policy of conciliation with the Indian tribes, and the army's attempts to curtail the avalanche of squatters into the territories, tension continued to increase on the frontier. Particularly in the Northwest and in Kentucky, the sheer volume of white settlers served to make frontier violence a certainty; this was especially likely because the Indian tribes native to those regions were more aggressive in protecting their lands than those elsewhere.⁵

With a flood of reports of frontier atrocities before Congress, Knox felt compelled to take offensive action against the Northwest tribes.⁶ Accordingly, in September 1790 General Josiah Harmar mounted an expedition against the Miami villages in Ohio with a mixed force of 1,133 militia and 320 regulars. The goal of the expedition was to destroy the Indian towns on the Maumee as well as to deal a crushing blow to the Indian will to wage war on the frontier. Unfortunately, the poor performance of the Kentucky and Pennsylvania militia during the campaign, coupled with an inopportune division of the troops by Harmar

himself, doomed the expedition to failure. With losses of 75 regulars killed and 3 wounded, and 108 dead militia and 28 wounded, Harmar's defeat was so stunning that Knox ordered a board of inquiry.⁷ Harmar was eventually exonerated by the board. His defense, which the board clearly accepted, was based on the alleged cowardly performance of the militia under his command.⁸ However, Michael S. Warner makes the point that although the militia accompanying Harmar on his campaign were generally decrepit in appearance and equipment, the heavy casualties suffered by them during some of the campaign's most severe fighting belies their usual designation as cowards.

All in all, the ultimate result of Harmar's campaign was the reverse of what had been intended. Rather than overawing the Indian tribes of the Northwest, this demonstration of the apparent weakness and ineptitude of the United States military served to embolden the Indians and made the frontier an even more frightening place to reside for those bold enough to venture there. Indeed, when the tribes of the Western Confederacy saw what had been intended by the United States military, they were even less inclined to make peace with the whites than before.⁹

The resort to military expeditions to force the Indians into submission was by no means unopposed in the public forums of the day. Wrote one impassioned reader to the Boston Gazette in September 1791:

I contend the Indians are right in defending their lands, and committing depredations on inhabitants that use them with savage barbarity. It is owing to the ill-treatment they have received from the settlers, that the present hostilities have commenced. Indians have been murdered with impunity in the very face of treaties, by the most abandoned of villains, and no jury could be found virtuous enough to convict the monsters.¹⁰

Later that same year a correspondent noted in the same newspaper that "Indians must have some provocation to those acts of barbarity, and were those complaints published and circulated among us, perhaps their conduct might appear more like retaliation, than a mere wanton disposition to murder and plunder."¹¹ A writer in the Philadelphia General Advertiser expressed the opinion in early 1792 that a war with the Indians was not only immoral, but expensive and impractical as well. Besides warning of the sacrifice of public credit, this writer went on to warn that "above all we have like the British attempted with hired troops to subdue a people who are determined to be free, are animated with revenge, and convinced of the justice of their cause; and no doubt from these considerations are determined to defend themselves to the last extremity."¹²

An interesting contributor to early American newspapers at this time was the Indian peace chief Cornplanter, or Cornplant, as some called him. In published letters to the governor of Pennsylvania, Cornplanter countered talk "of the robberies and murders committed by the Indians" by relating how his own people were robbed by white men on several occasions.¹³ One of his more notable correspondences came with President Washington himself, who replied that the murders of Indians by whites would be punished, Indian land would be protected, and treaties would be honored. This would prove difficult without adequate military force to control not only Indians, but the frontiersmen as well--as the story of Indian relations over the next hundred years was to prove. Moreover, Washington went on to say that the Miami tribes would be forced by U. S. troops to ensure peace,

which, considering the failure of the St. Clair and Harmar expeditions, must have seemed doubtful to Cornplanter. To Cornplanter's insistence that the Indian chiefs who signed the Treaty of Ft. Stanwix (a treaty concluded with the Five Nations at the end of the Revolution) were signing away such a huge tract of land, Washington firmly asserted that all parties involved in the treaty knew exactly what they were doing at the time. With Washington's assurances of fair dealing in the future, Cornplanter and his fellow Seneca chiefs returned in peace to their homes.¹⁴

However, one official who had expressed grave reservations about the country's direction in Indian matters was Henry Knox himself. In a report to President Washington dated June 15, 1789, long before the military disasters, Knox warned that:

It is highly probable, that by a conciliatory system, the expense of managing the said Indians, and attaching them to the United States for the next ensuing period of fifty years, may, on an average, cost 15,000 dollars annually.

A system of coercion and oppression, pursued from time to time, for the same period, as the convenience of the United States might dictate, would probably amount to a much greater sum of money; but the blood and injustice which would stain the character of the nation, would be beyond all pecuniary calculation.¹⁵

While troubled by the notion of the United States becoming a nation of aggressive land-grabbers, Knox did not rule out the acquisition of Indian lands altogether:

The Indians, being the prior occupants, possess the right of the soil. It cannot be taken from them unless by their free consent, or by the right of conquest in case of a just war. To dispossess them on any other principle, would be a gross violation of the fundamental laws of nature, and of that distributive justice which is the glory of a nation.¹⁶

The irony of the new republic waging an apparent war of conquest against the native Americans was not lost on everyone.

To some it seemed that the troubles in the Indian country provided an excuse for national expansion, even a cover for imperialistic schemes on the British plan. In February 1792 "An Observer" sent the Philadelphia General Advertiser these dire comments:

Could the late Congress when they commenced this war, like the patriotic Congress of 1775, with confidence appeal to the Ruler of the Universe for the purity of their intention, and the avarice and ambition of their enemies, No: they have reversed the picture, and by becoming oppressors, have obliged their adversaries to be the assertors of liberty; they have sent troops into the Indian country, to commit depredations, worse perhaps than the British committed in this country; and in so doing they have given occasion to the friends of freedom, in every quarter of the globe, to lament that the very people, who were the first to defend their own rights, and establish equal liberty, have been among the first to invade the rights of others.¹⁷

During President Washington's address to the opening session of the Second Congress on October 25, 1791, he enumerated several issues faced by the previous session of Congress. In Washington's words: "Among the most important of these is the defense and security of the western frontiers."¹⁸ After briefly noting the failure of treaties in pacifying all Indian tribes, Washington revealed that "Offensive operations have therefore been directed, to be conducted, however, as consistently as possible with the dictates of humanity. Some of these have been crowned with full success, and others are yet depending [sic]."¹⁹ Ironically, Washington made this last statement only two weeks before the St. Clair disaster on the frontier.

Before addressing other problems then at hand for the new Congress, such as roads, the post office, the mint, and weights and measures, Washington suggested a detailed solution to the Indian problem:

It is sincerely to be desired, that all need of coercion in future may cease; and that an intimate intercourse may succeed, calculated to advance the happiness of the Indians, and to attach them firmly to the United States.

In order to do this, it seems necessary---

That they should experience the benefits of an impartial disposition of justice.

That the mode of alienating their lands, the main source of discontent and war, should be so defined and regulated as to obviate imposition, and, as far as may be practicable, controversy concerning the reality and extent of the alienations which are made.

That commerce with them should be promoted under regulations tending to secure an equitable deportment towards them, and that such rational experiments should be made, for imparting to them the blessings of civilization, as may from time to time suit their condition.²⁰

Washington concluded on the Indian subject with this bit of eighteenth-century reasoning:

A system corresponding with the mild principles of religion and philanthropy towards an unenlightened race of men, whose happiness materially depends on the conduct of the United States, would be as honorable to the national character as conformable to the dictates of sound policy.²¹

In reply to the President's address, a committee of the Second Congress, headed by James Madison, agreed in particular with his statements concerning "the safety of our Western frontiers, in which the lives and repose of so many of our fellow-citizens are involved."²² Madison and the others also praised the "gallantry and good conduct of the militia" whose service on the frontier was "an honorable confirmation of the efficacy of that precious resource of a free State." In briefly praising the efforts of General Charles Scott and his Kentucky militia, Washington, during his address to Congress, had recognized the virtues of the militia, even as the fate of St. Clair's expedition was still unknown. He thereby provided opponents of a standing army, such as Madison, an opportunity to make a brief case for the virtues of the militia without

unnecessarily embarrassing the President. Every member of Congress knew of the failure of Harmar the year before, although the fate of St. Clair's army was still pending. The members of the reply committee went on to express hopes for the success of the new expedition, and wished that it would "leave the United States free to pursue the most benevolent policy towards the unhappy and deluded race of people in our neighborhood."²³

The expedition of Brigadier General Charles Scott to which both Washington and Madison referred proved an interesting exception to the generally unsuccessful use of militia against the Wabash Indians that preceded and followed it. Whereas Harmar and St. Clair lived to regret the employment of militia against the western tribes, Scott and James Wilkinson enjoyed successful raids against these Indians because of superior tactics and more careful selection of the troops involved. After a peace mission by Thomas Procter had met predictable failure, Knox instructed Scott to make two raids on the Indian towns on the Wea River. Scott's force was expected to intimidate the Indians into a peaceful settlement by a show of force.²⁴

Before setting out on his mission, General Scott carefully chose 750 Kentucky horsemen from the volunteer militia available. These men were experienced Indian fighters and were accustomed to the hardships of the wilderness, as opposed to the raw recruits of the Harmar and St. Clair campaigns. Moving swiftly and changing direction often in order to avoid detection or ambush by his Indian adversaries, Scott and his men struck deep into the Wabash territory. Utilizing hit-and-run tactics they had borrowed from the Indians themselves, Scott's men inflicted

casualties of thirty-two killed while sustaining only five wounded of their own. Although the crops and villages they burned were not enough incentive for the Indians to abandon frontier raids, Scott's men had shown that it was possible for a fast-moving volunteer force to advance with success into Indian territory and return intact. A similar expedition led by Lieutenant-Colonel-Commandant Wilkinson achieved lesser results, but still came away from the Wabash area with its unit integrity complete.²⁵ After his own campaign's conclusion, Scott made the telling observation of the character of the men involved in this style of fighting, remarking that "no act of inhumanity has marked the conduct of the volunteers of Kentucky on this occasion; even the inveterate habit of scalping the dead has ceased to influence."²⁶

These small campaigns seemed to indicate that militia could provide an adequate force for the new republic, but Scott and Wilkinson's campaigns were to be the last successes the militia forces of the United States enjoyed for some time. Preparations were hastily underway for the St. Clair campaign, which was intended to overawe the Indians and show them the uselessness of resisting the might of the United States.²⁷ Rather than a small-scale raid on the Indian villages, this expedition was to be "a full-scale invasion north from Cincinnati, so large and so powerful an army that it could overpower any combination of Indians" even if assisted by the British.²⁸ Unfortunately, the administration delayed action on the expedition so far into the year that supplies were lacking, the men were not adequately

trained, and most importantly, the men lacked the discipline to operate as a cohesive unit.²⁹

The rush to assemble St. Clair's force led to the administration's reluctant decision to use militia during the campaign. Despite misgivings generated by the lackluster performance of militia during the Harmar campaign, and mitigated by the successes of Scott and Wilkinson, the administration was so pressed by considerations of time and money that militia had to be utilized to flesh out the forces employed. In addition to militia, a new type of soldier, the levy, was to be used. Levies were a compromise between federal troops and state militia. They were volunteers officered and under the power of the national government who were to serve for the duration of the campaign.³⁰ According to Kohn, "for a campaign against the Indians in 1791, levies revealed the administration's timidity, its underestimation of the enemy, and its arrogance and overconfidence. Militarily, the levies turned out to be a disaster."³¹

As the army blundered through the wilderness, without adequate knowledge of the terrain, and split into its three components of regulars, militia, and levies, the Wabash Indians and their allies simply bided their time until an opportunity for attack presented itself. The men suffered from want of provisions and discipline problems were rampant. Wrote one miserable soldier on the march: "The evil fates seem to have pursued us; may they in future be auspicious."³²

On October 31, 1791, a number of militia deserted, with the result that the force was further weakened when the First

Regiment of regulars was detached to chase them. According to one bitter participant in the rout by the Indians that followed: "[It was a] fortunate circumstance that they were detached; for, had they been there, they would only have served to swell the numbers of the slain, and made the sacrifice on our part greater."³³ When the Indians finally attacked on November 4, 1791, the militia forces broke and ran immediately, leaving the regular troops to close the gaps in the ranks. For three hours the army fought in reasonable order until finally, after suffering around 900 casualties, the badly mauled United States Army began a retreat which quickly degenerated into a rout.³⁴

During the frantic race for the safety of their fort on the Ohio River, many of the wounded and less fleet-footed of the soldiers were left behind, including fifty female camp followers accompanying the expedition. Newspapers of the day carried several lurid, alleged first-hand accounts of the atrocities that befell those who could not keep pace with their comrades, although many of these can perhaps be attributed to newspaper sensationalism.³⁵ St. Clair himself admitted later that the conclusion of the army's encounter with the Wabash Indians was less than satisfactory. "It was, in fact, a flight," St. Clair sadly acknowledged to President Washington.³⁶

Reaction to the crushing defeat was one of shock. President Washington reportedly exploded with rage when informed of St. Clair's apparent carelessness and lack of caution. To Washington especially, the comparison to Braddock's defeat many years before struck home.³⁷ Similar reactions appeared in newspapers around the country. Several participants in the campaign wrote letters

detailing their shock and horror at what they had seen. A Captain John H. Buell wrote from Fort Washington (present-day Cincinnati): "I . . . am alive and well; but many of our friends have lately exchanged worlds. Such a total defeat has never happened in this country since Braddock's, and I presume that was not equal."³⁸ Congressman Elias Boudinot's response was typical: "It is on the whole a most mortifying and perplexing affair, and I am at a loss to know, what steps are proper to retrieve it. Our Sessions will be prolonged greatly by so untoward a Circumstance, as I expect it will give rise to great debates."³⁹

Stunned by the failure of St. Clair's efforts, the Washington administration began to reexamine both its Indian policy and military policy. Influenced by the dismal performance of the various militia involved in the Harmar and St. Clair campaigns, Henry Knox began to lean toward the use of regular troops as opposed to militia when fighting Indians, despite the successes of the smaller campaigns under Scott and Wilkinson. With the tribes now emboldened by their easy victories over the U. S. forces under Harmar and St. Clair, further peace initiatives seemed useless. Military force would be the primary means of dealing with the hostile tribes, and regular soldiers, "disciplined," "obedient," and "proud," would be the most effective agents of that policy.⁴⁰ Some of the misgivings Knox had expressed to President Washington in 1789 had been prophetic. Losing campaigns was expensive.

To pursue the administration goal of enlarging the federal army, Washington and Knox presented to Congress a plan to increase the existing army by three regiments, which would bring

the overall strength of the army to five regiments. This bill came to be called the "Five Regiment Bill," or the "Frontier Bill," since its purpose was to bring security and safety to the frontier settlements. The expense of the bill (estimated at one million dollars per year) was to be hotly debated in Congress.⁴¹

Opponents of a "standing army" saw in this bill a chance for the government to overawe not just the Indians it was allegedly intended to subdue, but the average citizen as well. During this debate in Congress these opponents, although not quoted by name in the Annals, pointed out that many of the difficulties that prompted a military expedition in the first place were brought on by the greed and rapacity of the white settlers on the frontier. Additionally, they emphasized the superiority of militia familiar with Indian tactics as opposed to regulars recruited from cities, "terrified at the idea of savage barbarity, which they have ever been taught to reflect on with horror." The example of General Scott's successful expedition against the Wabash tribes, using militia exclusively, was referred to in defense of the military status quo.⁴²

The huge expense of a greatly expanding army, "especially at the present moment, when there is scarcely a dollar in the Treasury," was also emphasized during the debate on the Frontier Bill, and opponents hailed the alleged extravagance as a sign to the nation's enemies that the United States was pursuing a policy of aggression toward its neighbors, particularly Canada. Opponents of the bill also echoed the sentiments prevalent in the press that the war was unjust and an intrusion into lands justifiably defended by their native inhabitants.⁴³

Proponents of the bill argued that regular forces, with their greater discipline and stamina for combat, would ultimately prove the superior form of military force against the Indians. The merits of properly handled militia against Indians were acknowledged by some advocates of the Frontier Bill, but they claimed that with adequate training, regulars could prove their equal or better in a contest with the Indians. Noted one supporter of the Frontier Bill:

Every man who has ever seen militia in the field, cannot but know that a very trifling disaster, or a slight cause of discontent, is sufficient to make them disband and forget all subordination, so far as even to neglect the means of self-defence; whereas regular troops, under proper discipline, and acting with greater steadiness and concert, are much more to be depended on, especially when the object of attack is distant, and great fatigue is to be undergone.⁴⁴

Foes of the militia managed to place opponents of a standing army in the uncomfortable position of appearing to contravene the interests of their constituents with the following call for immediate action on the Frontier Bill:

No dependence can therefore be placed on militia under any laws now existing. There is, indeed, a general militia law now before the House; but if it ever passes, it certainly cannot be passed in due season to answer the purpose of providing for the immediate defense of the frontier. Regular troops must be raised, or nothing effectual can be done; and if to avoid the expense we refuse the only aid that may prove of any real service, we render ourselves responsible for the consequences of this parsimonious policy, which may be attended with the ruin and destruction of our fellow-citizens in the Western country.⁴⁵

Thus, defenders of the principle of a free, non-threatening state militia were faced with the dilemma of having to yield to the urgent necessity of defending their state's frontiers with the most efficient, albeit expensive, military force available at the time, or else supporting the type of force that recent

experience had indicated to be inadequate--even dangerous. Even James Madison, one of those most suspicious of standing armies, had to place his constituents' immediate interests above his fears. Madison voted for the Frontier Bill. The bill passed the House on February 1, 1792, by a vote of 29 to 19.⁴⁶

Although the exigencies of the Indian crisis weighed heavily on the congressmen who dealt with the Frontier Bill, the concept of a healthy and active militia for the defense of the community was still a significant factor for most of the legislators present in the Second Congress. As we will see, the idea of a vital militia stretched far back in the consciousness of early America.

NOTES

¹Russell F. Weigley, History of the United States Army (New York: The Macmillan Company, 1967), 91-92; Jacobs, 71-80.

²United States Gazette (Philadelphia), 14 December 1791.

³William H. Guthman, March to Massacre: A History of the First Seven Years of the United States Army, 1784-1791 (New York: McGraw-Hill Book Company, 1970), 115-116.

⁴General Advertiser (Philadelphia), 16 January 1792.

⁵Francis Paul Prucha, The Sword of the Republic: The United States Army on the Frontier, 1783-1846 (New York: The MacMillan Company, 1969), 20-22.

⁶American State Papers: Class III, Indian Affairs, (Washington: Gales & Seaton, 1832-1861), 1:84-96.

⁷Michael S. Warner, "General Josiah Harmar's Campaign Reconsidered: How the Americans Lost the Battle of Kekionga," Indiana Magazine of History 85 (March 1987): 43-64.

⁸See the Annals of Congress for the Second Congress for the proceedings of the Court of Inquiry on General Harmar. Annals of the Congress of the United States, ed. Joseph Gales, Sr. (Washington: Gales and Seaton, 1834), Appendix, 3:1113-1149.

⁹Warner, Ibid.

¹⁰Boston Gazette, 19 September 1791.

¹¹Ibid., 7 November 1791.

¹²General Advertiser (Philadelphia), 21 February 1792.

¹³Ibid, 6 February 1792. Newspapers of the day referred to Cornplant as a peace chief because of his reluctance to make war on the whites.

¹⁴Ibid.

¹⁵Knox to Washington, June 15, 1789, American State Papers: Indian Affairs, 1:13.

¹⁶Ibid.

¹⁷General Advertiser (Philadelphia), 21 February 1792.

¹⁸Annals of Congress, 3:12; J. D. Richardson, ed., Compilation of the Messages and Papers of the Presidents, 1789-1897, vol. 1 (Washington, D. C.: U. S. Government Printing Office, 1899), 107-108.

¹⁹Annals of Congress, 3:12.

²⁰Ibid., 12-13.

²¹Ibid., 13.

²²Ibid., 146.

²³Ibid.

²⁴Guthman, 201-205.

²⁵Ibid.

²⁶American State Papers: Indian Affairs, 1:132.

²⁷Kohn, 107.

²⁸Ibid., 109.

²⁹Ibid., 110-16.

³⁰Jacobs, 80.

³¹Kohn, 110.

³²Boston Gazette, 12 December 1791.

³³Ibid., 16 January 1792.

³⁴Ibid.

³⁵Kohn, 116.

³⁶Boston Gazette, 19 December 1791.

³⁷Kohn, 116-17.

³⁸Boston Gazette, 26 December 1791.

³⁹J. J. Boudinot, ed., The Life, Public Services, Addresses and Letters of Elias Boudinot, LL.D., President of the Continental Congress (Boston: Houghton, Mifflin and Company, 1896), 81.

⁴⁰American State Papers, 1:197-99. See also Georgia Gazette (Savannah) 9 February 1792 for uneasiness on the frontier after the St. Clair disaster.

⁴¹Kohn, 120.

⁴²Annals of Congress, 3:341.

⁴³Ibid., 337-48.

⁴⁴Ibid., 347.

⁴⁵Ibid., 348.

⁴⁶Ibid., 355.

CHAPTER THREE: MILITIA PRECEDENTS

When the Second Congress met to consider passage of the Uniform Militia Act, it was not operating in an intellectual or historical void. The history of militia in both England and colonial America was both long and extensive, and quite familiar to most of the congressmen present, several of whom had had first-hand experience with militia. To understand the attitudes at work in the Second Congress when the Uniform Militia Act of 1792 was being considered, we must look at the English and colonial precedents.

Even in the scattered records that survive from the Anglo-Saxon period of English history, there is often mention of the *fyrd*, or host. The *fyrd* was a component of what modern historians call the *trinoda necessitas*, a threefold obligation incumbent on freeholders of that time. The other two portions of this system included constructing bridges (*bryc-geweorc*), and maintenance and construction of fortresses (*burhbot*). Although ownership of property required service in the *fyrd*, the sense of military obligation extended to other social classes of Anglo-Saxon times as well. Evidence of this appears in records of forfeiture of money or personal property by those failing to appear for duty in the *fyrd*.¹

According to Michael Powicke, the *fyrd* "was from an early date the king's army, both in allegiance and leadership."² At

the borough level the host was strictly of a defensive nature, but mounted warriors also comprised an important constituent of the fyrd. It was around these men, primarily thegns, or retainers, that the followings of earls and royal reeves collected. Eventually the elite huscarles, a force of mounted troops, were added to the royal force, and it was this combination of common militia and select forces that prevailed until the Battle of Hastings.³ With the Norman Conquest, the feudal levy was introduced. Service in the feudal levy was distinguished from the general levy (which was still in effect) by tenure of land under the king as feudal lord. In both systems one could still avoid actual service in the levy by payment or by hiring a substitute to serve in one's stead. Another important distinction between the feudal and general levy was that service in the general levy precluded overseas duty, whereas members of the feudal levy were subject to the whims of the king when it came to where they might end up fighting.⁴

By the eighteenth century the English militia had evolved into a system whereby each county had a "lord lieutenant" responsible for the muster and training of the militia. The lieutenant was accountable to the crown for the readiness of the men, and a system of fines was in effect for non-compliance with militia rules. Significantly, the English Militia Law of 1757 provided that "the militia shall not, on any occasion, be compelled to go out of the kingdom."⁵ By the middle of the eighteenth century, then, the English military had divided into two forces: a large, professional, regular army primarily for colonial and

expeditionary duties, and a carefully regulated militia intended for purely domestic and defensive purposes.

In colonial America, the earliest settlers in Massachusetts and Virginia adopted militia systems to defend themselves from the Indian threat, and these systems were altered from the English model to fit the circumstances of the colonial environment.⁶ Regarding the Jamestown settlement in particular, William L. Shea has said:

The ancient concept of the community in arms, a militia composed of all adult males who were expected to take up arms whenever danger threatened, was initially more appropriate to that society than the current English notion of a smallish peacekeeping militia. It is perhaps not overly romantic to say that a kind of hybrid Anglo-American fyrð existed for a brief time on the shores of Chesapeake Bay.⁷

As the colonies grew, the militia of each developed according to the defensive needs of that particular colony. In time, those colonies regularly challenged by frontier difficulties seemed to develop more efficient militia than others. According to John Shy, by the mid-point of the eighteenth century only New England had a vital, effective militia system, while the militias of Virginia, New York, South Carolina, and Georgia had either atrophied or become apathetic.⁸ As a result of general colonial indifference to events outside each colony's area, the Seven Years War was fought largely with regular forces and volunteers from the respective colonies, rather than with militia.⁹

After the immediate threat of Indian attack subsided in the colonies, the militia became something of a social club in some areas, and a bastion of the middle class. In fact, the burden of actual combat during the period preceding the American Revolution

befell those who were indigent or unable to find other employment.¹⁰ According to Martin and Lender:

Over time the militia became the exclusive province of free, white, propertied males, usually between the ages of 16 and 60. Thus Indians, slaves, free blacks, indentured servants, apprentices, and indigents came to be excluded from militia service. In actuality, a primary function of the militia turned out to be protecting the propertied and the privileged in colonial society from the unpropertied and unprivileged.¹¹

The connection between property and militia service is a strong one. When the militia members felt that their personal property was in danger of being despoiled or plundered, they could fight with determination, as they did at Lexington and Concord. When the threat was distant or not immediately apparent, they could be disinterested.¹² As Martin and Lender put it: "In actuality, the military component of the concept of citizenship in late colonial America extended as far as the outer limits of property holding went."¹³

Despite the provincial outlook of many of the militia, the popular conception endured of the selfless citizen-soldier who willingly faced peril while defending his country. The performance of the Virginia backwoodsmen on the Braddock campaign is a case in point. Although the efforts of Braddock ended in disaster, the prevailing sentiment then and now is that the colonials were naturally more talented fighters than the redcoats in the campaign. The tactical errors of the British commander provided ammunition to an already existing colonial bias toward the supposedly noble militia.¹⁴ The efforts of the militia army at Breed's (or Bunker) Hill provided further fuel for those proponents of the militia who did not comprehend the rigors of a protracted campaign. It was one thing to fight bravely from

entrenched fortifications, as at Bunker Hill, but quite another to face bayonet-equipped regular troops in open field fighting.¹⁵

At the onset of the Revolution, the notion of the militia's moral superiority to regular troops was in common vogue in the colonies. Professional troops were thought to be fighting for spoil and plunder, decidedly ignoble goals, while the militia was perceived as defending hearth and home. As Don Higginbotham puts it:

The roots of this American militia ethos were imported from England at a time when the Stuart monarchy was turning from a centuries-old militia system to professional soldiers as its first line of defense. Certain seventeenth- and eighteenth-century British writers, who kept alive a radical Whig tradition in the parent kingdom and whose works were widely disseminated in America, glorified an English militia that had not performed effectively in modern times and exaggerated the benefits of scarcely trained yeomen in arms because of their dislike and fear of salaried, full-time forces.¹⁶

Probably the most influential seventeenth-century writer on the virtue of the citizen soldier was James Harrington. Harrington's Commonwealth of Oceana (1656), says Lawrence Delbert Cress, "provides the starting point for understanding the assumptions behind the anti-standing army rhetoric that helped shape American perceptions of the military's relationship to the civil constitution."¹⁷ In Harrington's imaginary world, property was the key to citizenship. Without it, one could neither vote nor bear arms. Military and political power merged in this system, as those who held the balance of property would control society itself.¹⁸

Analyzing Harrington's philosophy, J. G. A. Pocock is in substantial agreement with Cress on this point, noting that "Harrington's citizen may or may not be an entrepreneur, but he

is primarily a freeholder."¹⁹ More important, as Pocock points out:

The right to bear arms, and the propertied independence enabling one to provide one's own, become the tests of citizenship in Harrington's England as they had been in Athens or Rome. County assemblies are at once assemblies of the electorate and musters of the militia; the citizens are exercising by their ballots the freedom they muster in their arms, and casting their votes in the course of their military drill.²⁰

Although the radical Whig thinkers rejected Harrington's idea that in a system such as his the landed citizens were immune from military abuses, they did adopt his idea of "that concept or bogey of the standing army which was to figure so prominently among the political ideas of the next century."²¹ The radical Whigs, through their writings, kept emphasizing the evils of a "hired mercenary force" that could imperil the stability of English government. In Cress's words:

A militia offered the constitutionally safe means of providing for the national defense. A revitalized militia would return the nation's defense to its most interested--that is, propertied--citizens, reinstating the balance between citizens and government and removing the tyrannical threat of the monarchy.²²

The threat to civil liberties posed by a standing army recurs often in the political literature of the seventeenth century. Pocock summarized the Country (as opposed to Court, or town) view of English politics:

The essence of the standing army is its long-service professionalism, which is what makes it a sinister interest and a potential uncontrolled branch of government. But there is an ancient institution known as the militia, whereby the public defense is exercised directly by the independent proprietors appearing in their arms at their own charge. If the armed force of the nation is embodied only in this form, there can be no threat to public liberty or the public purse; and the proprietor's liberty is guaranteed as much by his right to be the sole fighter in his own defense as by his ultimate right to cast a vote in his own government. To defend the militia against a standing army

is the same thing as to defend Parliament against corruption.²³

What may be most significant about the radical Whig ideas and political theories is the availability of their literature to the colonial leaders of America. According to Cress, many of the political tracts written by radical Whigs found their way into the libraries of most of the men who would come to be regarded as the Founding Fathers. This was the result in part of the efforts of the radical Whig propagandist Thomas Hollis. The pro-army literature of Adam Smith, however, received considerably less dissemination in the colonies.²⁴

One of the more prominent Virginians influenced by Whig philosophy on standing armies was George Mason. Speaking at the Virginia Convention in 1788, Mason echoed Whig thinking when he urged his colleagues: "Recollect the history of most nations of the world--what havoc, desolation, and destruction, have been perpetrated by standing armies!"²⁵ Mason went on to express the standard corollary to this notion, that of a virtuous militia which would obviate the hazards and corruption of a regular army.²⁶

Any who doubted the danger of having a standing army in the community's midst had to look no further than the Boston area, where the perception of a standing army as the tool of a corrupt ministry was reinforced by the so-called Boston Massacre of 1770. Although the affair was provoked in part by the actions of the townspeople, the incident served to fan the flames of those who felt the very presence of regular troops in the community was in some way a plan to enslave the populace.²⁷

After the Revolution, the fear of a standing army retained an immediacy in the thought of men of the Revolution, even to the point that the bitter lessons of the war regarding the inconsistency of the state militia were blissfully ignored. In the optimistic atmosphere that followed the Revolution, "belief in citizen-soldiers became inextricably intertwined with an undying faith in the martial prowess of untrained men led by political generals."²⁸ This attitude was still quite strong in the 1790s and is reflected in the debates over the military policy of the time.

While pushing for ratification of the Constitution, James Madison voiced a concern common to people of the era, when he spoke of the dangers of military unpreparedness, and excessive preparedness:

The veteran legions of Rome were an overmatch for the undisciplined valour of all other nations, and rendered her the mistress of the world. Nor the less true is it, that the liberties of Rome proved the final victim to her military triumphs; and that the liberties of Europe, as far as they ever existed, have, with few exceptions, been the price of her military establishments. A standing force therefore, is a dangerous, at the same time that it may be a necessary, provision. On the smallest scale it has its inconveniences. On an extensive scale its consequences may be fatal. On any scale it is an object of laudable circumspection and precaution.²⁹

Madison, then, while certainly no admirer of a standing army, acknowledged that requirements could arise that would require a regular military establishment, but warned that it should be watched closely. Besides, said Madison, "America united, with a handful of troops, or without a single soldier, exhibits a more forbidding posture to foreign ambition than America disunited, with a hundred thousand veterans ready for combat."³⁰ As things turned out, Madison got much of what he

wished in the Constitution, as far as things military. As Frederick B. Wiener puts it:

The Constitution as adopted reflected a fear of standing armies. One was authorized, but the militia was not abolished. It was to be organized, armed, and disciplined by Congress, but, except when in federal service, was to be governed by the states. The President was to be Commander-in-Chief of the Army, and of the militia while in federal service.³¹

The fear of a strong central government usurping individual rights led to passage of the Bill of Rights in 1791, mainly from the efforts of James Madison. The much-ballyhooed Second Amendment says: "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." But, "the 'free State' referred to was not the federal government," it was the individual states.³²

Looking at the Second Amendment objectively in modern times, Frederick B. Wiener calls it "substantially a dead letter in the face of police power necessities and a recession from the frontier conditions which required every citizen to go armed for his own defense." Wiener also notes "that the Third Amendment, which limits the quartering of soldiers, has yet to be invoked, indicates rather forcefully that the fears of the ratifiers were not well-founded; they cannot detract, however, from the prevalence of views then entertained."³³ Here Wiener is hitting the nail on the head in the matter of the militia and post-Revolutionary attitudes toward civil liberties. What may seem an unreasoning paranoia over military domination to someone in the twentieth century, probably would have made perfect sense

to a person who had just seen the conclusion of years of heated military conflict.

While the notion of a struggle between good and evil embodied by the militia on one hand and a regular army on the other hand may seem farfetched to a modern person, the concern over the quality of the nation's military readiness by members of the Second Congress is apparent from the debates in the Annals. Although the past could furnish fuel for both sides of the argument over whether militia or regulars were superior, the Second Congress had to devise a military system that would best serve the immediate needs of a country still unsure of its military destiny. As we shall see, the high hopes of many of the more militia-oriented congressmen would come to frustration when faced with the reality of implementing a national plan for the militia.

NOTES

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²Michael Powicke, Military Obligation in Medieval England: A Study in Liberty and Duty (Oxford: Clarendon Press, 1962), 25.

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⁶John Shy, Toward Lexington: The Role of the British Army in the Coming of the American Revolution (Princeton: Princeton University Press, 1965), 4-6.

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¹⁰James Kirby Martin and Mark Edward Lender, A Respectable Army: The Military Origins of the Republic, 1763-1789 (Arlington Heights, Illinois: Harlan Davidson, Inc., 1982), 17.

¹¹Ibid.

¹²Ibid., 21.

¹³Ibid., 22.

¹⁴Don Higginbotham, George Washington and the American Military Tradition (Athens, Georgia: The University of Georgia Press, 1985), 8-11.

¹⁵Geoffrey Perret, A Country Made By War: From the Revolution to Vietnam--the Story of America's Rise to Power (New York: Vintage Books, 1989), 13-16.

¹⁶Higginbotham, 9-10.

¹⁷Lawrence Delbert Cress, Citizens in Arms: The Army and the Militia in American Society to the War of 1812 (Chapel Hill: The University of North Carolina Press, 1982), 16.

¹⁸Cress, 16-17.

¹⁹J. G. A. Pocock, "Machiavelli, Harrington, and English Political Ideologies in the Eighteenth Century," William and Mary Quarterly 3d ser. 22 (October 1965): 556.

²⁰Ibid.

²¹Ibid., 560.

²²Cress, 20.

²³Pocock, 566.

²⁴Cress, 34-35.

²⁵H. Trevor Colbourn, The Lamp of Experience: Whig History and the Intellectual Origins of the American Revolution (Williamsburg, Virginia: The Institute of Early American Culture, 1965), 152. Also see pp. 23, 24, 40, 44, 48, and 55 for further discussions on the standing army issue.

²⁶Ibid.

²⁷Martin and Lender, 22-26.

²⁸Frederick Bernays Wiener, "The Militia Clause of the Constitution," Harvard Law Review 54 (December 1940): 183.

²⁹Max Beloff, ed., The Federalist or, The New Constitution, Federalist 41, by James Madison (Oxford: Basil Blackwell, 1948), 205-206.

³⁰Ibid.

³¹Wiener, 184-185.

³²John K. Mahon, The American Militia: Decade of Decision, 1789-1800 (Gainesville: University of Florida Press, 1960), 12.

³³Wiener, 186.

CHAPTER FOUR: PLANS FOR A MILITIA

The Uniform Militia Act of 1792 as passed by the Second Congress bore little resemblance to the plan originally proposed by Secretary of War Henry Knox in January 1790. From the plan initially set forth by Knox emerged a ramshackle system of militia that was barren of enforceable measures. The process by which Knox's system of universal military obligation was transformed into a piece of "politico-military nostalgia become law"¹ was a lengthy and interesting one. The First and Second Congresses transformed the administration's original plan into an almost unrecognizable plan for a national militia.

The plan that Henry Knox submitted to the First Congress was not the first suggested plan for an American national militia. Both Friedrich von Steuben and Henry Knox had prepared plans involving the militia during the years of the Confederation. Steuben's plan favored a system of military academies designed to create a number of professionally trained officers to both lead the regular army and the state militia. Ten percent of the graduates of these academies would enter the regular army, with the remaining ninety percent heading back to their respective state militia to provide a core of leadership for those units. By this system a cadre of officers trained in the art of war would be produced for the young nation, and a comprehensive nation-wide manpower defense network would be established.

Steuben was not of the opinion that every citizen was cut out to be a soldier, but felt rather that war was the province of the highly-trained and the skillful.²

Washington took the ideas put forth by Steuben and other advisors such as Timothy Pickering, Rufus Putnam, Adjutant General Edward Hand, and George Clinton, and boiled them down into one defense plan he felt suited the particular needs of the country at the time. The concept of classing, that is, distinguishing between men's militia obligation according to their age, was common to Pickering, Steuben, and, of course, Knox, and Washington also favored such a system. Washington and his advisors desired a formula of militia in national defense that would involve a select group of militia. These select militiamen would be ready to respond at a moment's notice to a military crisis. As is usually the case in such matters, the hardship of defending the nation would fall to the youngest class, in this case those aged eighteen to twenty-five.³

In his 1783 message to Congress known as his "Sentiments on a Peace Establishment," Washington wrote that the young not only displayed more ardor for military life, but that their removal from the general society during a military emergency would be less destructive to the social and economic well-being of society than would those more advanced in years. Washington also felt that the group of militia composed of the youngest members should be detached from the general mass of militia for more intense training and duty. Interestingly, Washington favored enrolling

all adult males aged eighteen to fifty, but wanted the select corps to be comprised of volunteers amenable to incurring a three- to seven-year militia obligation.⁴

Washington liked Steuben's plan for a system of military academies to train the nation's regular and militia officers, feeling that this would keep the germ of military science alive in the new nation. He believed then (1783) as he did later that a small regular army supplemented by a well-trained body of militia was the best means of national defense.⁵ This notion of a dependable national militia was the idea behind the Uniform Militia Act, even though the act was ultimately unsatisfactory. "Military efficiency was critical," concluded Delbert Cress, "but in the minds of General Washington and his advisors, the principal means to that end remained militia reform."⁶

When Alexander Hamilton received then army commander-in-chief Washington's 1783 plan, he was sitting in the Continental Congress as a member of the congressional committee working on the peace establishment. On the necessity of a national army and the equipment required to arm them, Hamilton concurred with Washington. Hamilton advised against the construction of national military academies, however, due to the lack of money to pay for them at the moment.⁷ Curiously, though, Hamilton came up with the idea of classing men not by their age, but by their marital status, with single men to bear the brunt of the republic's militia needs. In his plan, single men would need to report six times per year for training, while married men would have to attend only four. Also, both groups would include men as old as 62 fifty, significantly degrading the possible

military effectiveness of their units should extended service be necessary.⁸

Over and above Hamilton's two classes of militia, there was to be a class of volunteers paid, supplied, and armed by the continental government. This group, to number not more than two per cent of the militia, were to train every two weeks in companies, each month in regiments, and appear in camp for twenty days each year. This class, which would differ from a regular army only in the lack of day to day training, would resemble a reserve component of the army itself rather than the militia.⁹

Ultimately, plans to bring the militia under national control during the Confederation era came to naught because of a lack of funding for such massive programs and the old fear of an enlarged military establishment. In a nation which had just emerged from a lengthy war for independence, many felt that an expanded military of any sort in peacetime was dangerous.¹⁰ This point was driven home to those members of Congress who had to flee Philadelphia for Princeton when angry members of the Pennsylvania Line arrived in town demanding back pay.¹¹

Unfortunately for Hamilton's peacetime defense plan (which overall, favored an expanded regular army), the timing could not have been worse. Congress, concerned with the solvency of the country and suspicious of plans that would seemingly centralize military power, lost any enthusiasm for Hamilton's proposal.¹²

Fears that the states would be dominated by a consolidated national system were not all confined to the small states, as evidenced by Elbridge Gerry of Massachusetts. Gerry successfully opposed Hamilton's plan for a stronger military, noting the

safety provided by the geographical isolation of the United States and the Articles of Confederation's lack of power to raise a standing army in time of peace. In addition, Gerry and his colleagues were quick to point out that the militia represented "the Constitutional and only safe defence of Republican governments."¹³

With the defeat of Hamilton's peacetime military proposal, the next blueprint to appear was Henry Knox's 1786 Plan for the General Arrangement of the Militia, which he submitted to Congress in response to its request for a military plan that would fit the Articles' requirements.¹⁴ This plan was the genesis of Knox's 1790 proposal, which evolved, in greatly altered form, into the Uniform Militia Act of 1792.

As in his 1790 plan, Knox would require the youth of the country to form an "advanced corps" of men aged eighteen to twenty, who would be subject to camp for a total of forty-two days each year for training. In his later plan, which he devised in response to President Washington's request for a militia plan, Knox would have those of eighteen and nineteen report for thirty days annual training, while those twenty years of age would be required to attend only the last ten days of camp.¹⁵ In both plans the youth of the country would be improved by the "camps of discipline," where sports that corresponded with war, such as swimming, running, and wrestling would be practiced, as well as "such other exercises as shall render the body flexible and vigorous."¹⁶

After service in the advanced corps, the youth would enter the much less active "main corps," which would practice a mere

four days each year. The leadership of the main corps was expected to come eventually from the highly-trained advanced corps, as they matriculated into the older age bracket. The main corps was to be comprised of men from twenty-one to forty-five years of age.¹⁷

Not to be denied their chance at martial glory were the men of the "reserved corps," aged forty-six to sixty. Required to muster only twice annually for inspection of arms, or "whenever the defence of the State may render the measure necessary," the reserved corps was to be called out only in dire emergency or to free up the advanced corps for more pressing duty.¹⁸ Knox noted the natural reluctance of the middle-aged to rush to arduous or extended military duty, and commented that "Youth is the time for the State to avail itself of those services which it has a right to demand and by which it is to be invigorated and preserved."¹⁹ Observing that the youth will naturally be swayed by the attractions of "military parade," Knox also saw that "the head of a family, anxious for its general welfare, and perhaps its immediate subsistence, will reluctantly quit his domestic duties for any length of time."²⁰

Under Knox's 1786 plan the continental government would supply the weapons necessary for the militia, which the soldiers would retain at the end of their time in the advanced corps. Any mobilization of the national militia would be directed and overseen by state officials, although service during national emergencies would not be restricted to the confines of the individual states.²¹ In this way the states were to be protected

from abuse of the militia, while the national government would not be caught short by a dearth of well-trained soldiers.

Knox's 1786 plan, if enacted, would have bypassed the need for the standing army that terrified anti-federalist thinkers of the period. The plan had appeal to republican thinkers, with its emphasis on inculcating the youth with wholesome virtues such as physical fitness and clean living. The expense and time required by the plan, however, would have doomed it had the Confederation existed long enough to consider it seriously. Also, the idea of a nationally controlled militia was contrary to what some republican thinkers felt was safe.²² With the advent of the Constitutional Convention, Knox's plan submerged temporarily in the consciousness of national lawmakers, to resurface in the First Congress.

After the ratification of the Constitution, President Washington again asked Knox to present a plan for a national militia. In January, 1790, Secretary of War Knox presented the 1786 plan, slightly modified, to Congress for consideration. Not helping the cause of a national militia was Knox's prefacing letter, which mentioned the need of the country for "a national system of defense adequate to the probable exigencies of the United States, whether arising from internal or external causes."²³ While extolling the virtues of trained citizens in arms, Knox rather gracelessly mentioned that "The convulsive events, generated by the inordinate pursuit of riches or ambition, require that the Government should possess a strong corrective 66 arm."²⁴

The suggestion, probably unintentional, that a national militia could be useful in suppressing an unruly populace struck the wrong tone with congressmen concerned with preserving liberties so recently hard-won. The plan's federal supervision would also require a natural diminishing of the individual state militia's military independence. Noting these factors, General Benjamin Lincoln confided to Knox that though the bill "would make ours the strongest militia in the world, the people will not adopt it here if I know Massachusetts."²⁵

General Lincoln's prediction proved correct, largely because, with all philosophic considerations aside, Knox's plan to "perpetuate and secure the invaluable principles of liberty" would cost an estimated \$384,440 for one year's operation of the advanced corps.²⁶ In addition to the financial objections lay concerns that the "virtuous conduct of youth" referred to in Knox's outline might not be best continued in a military camp.²⁷

With Hamilton's financial program the most urgent and time-consuming matter facing the First Congress, Knox's 1790 plan for a federally supervised militia disappeared onto the legislative back burner until it reappeared in July 1790, greatly altered by a congressional committee. This bill, introduced by Elias Boudinot, still retained the concept of using the youngest men, in this bill those aged eighteen to twenty-five, as an elite light infantry force in the militia battalion or regiment.²⁸ After emerging in this configuration, the militia bill went back into committee seclusion for another five months, until it was debated in December 1790.²⁹

During the debates of December 1790, Congress argued over the issues of the ages involved in the proposed militia plan, the ever-present issue of state versus federal power, and the ultimately destructive issue of exemptions from militia service. Quakers especially objected to military service on grounds of conscience. James Jackson of Georgia, who was later to lose his seat to Anthony Wayne in one of the most fraudulent elections in Georgia history, vehemently attacked the granting of religious exemptions, noting that the ultimate consequence of granting exemptions was a standing army.³⁰ Aedanus Burke, himself a militia member, argued that widespread exemptions would lead to a situation where society would split into two classes of people: the rich and the working class. He felt that "all should equally be made to turn out in the ranks, high and low, rich and poor, old and young, and thus make the militia honorable."³¹

However, Burke, and James Madison saw no problem with granting exemption from militia duty for those truly religiously scrupulous of bearing arms. Madison did not believe that "the citizens of the United States would hypocritically renounce their principles, their conscience, and their God, for the sake of enjoying the exemption."³² Another exemption surfaced in this debate that was perhaps not as high-minded as that of the Quakers: that of congressional exemption from militia duty. Boudinot himself defended congressional exemption by saying: "The business of legislation is more arduous and momentous than any other; and ought not to be impeded, or rendered liable to be frustrated by any other."³³

After the debates of December, 1790, the militia bill again languished in committee for many months, not reappearing until just three days before St. Clair's defeat in November, 1791. According to one of the leading historians of the Federalist Era, Richard H. Kohn, "agreement was impossible on any provision which increased the burden on individual citizens or provided for a national standard."³⁴ The bill became a classic case of what occurs when something attempts to be all things to all people. By the time the bill finally came to a vote in March, 1792, Knox's original plan had been stripped of classing, federal inspection of state militia, and fines for non-compliance with militia rules. In its tremendously altered form, the law of 1792 did not much resemble its original version of 1790.

While the tortured efforts of the Second Congress to produce a workable plan for a national militia bogged down in a slough of compromises, the debates on the militia issue did serve to point up the differences of opinion prevalent in the House. The variety of objections to the original act emphasized the uselessness of trying to generate a system of truly universal military service in a large republic. The abundance of self-interested parties seeking exemptions from militia duty is proof that Knox's original 1790 could never survive intact in its course toward passage as the Uniform Militia Act. However, the often passionate debates over the Uniform Militia Act and the Frontier Bill do serve as additional evidence of the deepening political rift in the Second Congress.

NOTES

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³Cress, 80.

⁴Richard H. Kohn, Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783-1802 (New York: The Free Press, 1975), 46. See also John C. Fitzpatrick, ed., The Writings of George Washington, vol. 26 (Washington, D. C.: U. S. Government Printing Office, 1933), 375-394.

⁵Don Higginbotham, George Washington and the American Military Tradition (Athens, Georgia: The University of Georgia Press, 1985), 124-126.

⁶Cress, 86.

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⁸Cress, 87.

⁹Russell F. Weigley, Towards an American Army: Military Thought from Washington to Marshall (New York: Columbia University Press, 1962), 15.

¹⁰John K. Mahon, The American Militia: Decade of Decision, 1789-1800 (Gainesville: University of Florida Press, 1960), 12.

¹¹Kenneth R. Bowling, "'A Place to Which Tribute Is Brought': The Contest for the Federal Capital in 1783," Prologue: A Journal of the National Archives 8 (Fall 1976): 129-130. Bowling notes that the actions of the mutinous regular soldiers led to a resolution by Congress to move temporarily to New Jersey unless Pennsylvania took measures against these troops.

¹²Kohn, 50-53.

¹³George Athan Billias, Elbridge Gerry: Founding Father and Republican Statesman (New York: McGraw-Hill Book Company, 1976), 108-113.

¹⁴Cress, 90-91.

¹⁵Knox's reply to President Washington's request for a militia plan, Annals of the Congress of the United States, ed. Joseph Gales, Sr. (Washington: Gales and Seaton, 1834), Appendix, 2:2095.

¹⁶Annals of Congress, 2:2095, 2097; Cress, 91.

¹⁷Annals of Congress, 2:2099.

¹⁸*Ibid.*, 2:2099, 2101.

¹⁹*Ibid.*, 2:2100.

²⁰*Ibid.*

²¹Cress, 20.

²²*Ibid.*, 90-91; Mahon, 7.

²³Annals of Congress, 2:2087; Mahon, 14.

²⁴Annals of Congress, 2:2088.

²⁵Marcus Cunliffe, Soldiers and Civilians: The Martial Spirit in America, 1775-1865 (Boston: Little, Brown, and Company, 1968), 183.

²⁶Annals of Congress, 2:2103.

²⁷Kohn, 131.

²⁸Cunliffe, 184.

²⁹Annals of Congress, 2:1804-27.

³⁰*Ibid.*, 2:1822-23.

³¹*Ibid.*, 2:1822,24. See also Richard Wilson Renner, "Conscientious Objection and the Federal Government, 1781-1792," Military Affairs 37 (December 1974): 142-44.

³²Speech of James Madison on the Uniform Militia Act, Annals of Congress, 2:1811.

³³*Ibid.*

³⁴Kohn, 134-35.

CHAPTER FIVE: POLITICAL CONSIDERATIONS

Before analyzing the voting patterns of the Second Congress, we must examine the political circumstances facing those legislators. Voting on such issues as the Uniform Militia Act and the Five Regiment Bill, the congressmen were acting in an era of much more loosely categorized political allegiances than those same congressmen even a session later. Polarization of political philosophies and attitudes into two vigorous, opposing parties in the House and Senate that had begun with objections to Hamilton's financial programs was soon to accelerate as a result of the uproar over the conduct of foreign affairs.¹

With the political bifurcation that issued from these and other events, divisions between Federalists and Anti-Federalists (later Democratic-Republicans or simply Republicans) became more identifiable in the Third and subsequent Congresses than in the Second. One of the leading historians of this period, John C. Miller, says that "especially in the House of Representatives, many members refused to wear the livery of either party; instead, they made a point of voting as the interests of their state and section, rather than the party leaders, dictated. Even as late as the Third Congress (1795-96) almost half the members of the House prided themselves upon being free of party ties and obligations."² Although many legislators sought to distance themselves from party labels, use of cluster-bloc analysis does

show that a large number of members in the Second Congress regularly voted for one of the two major factions.

Although Alexander Hamilton and James Madison became leaders of opposing political groups, both had warned against the dangers of faction or party before the Constitution was ratified. Madison offered the view in The Federalist Papers that a faction was "a number of citizens, whether amounting to a majority or minority of the whole, who are united or actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community."³ In Madison's opinion, although faction was a regrettable element in the polity of the nation, it was an unavoidable by-product of a free society. As he said: "Liberty is to faction what air is to fire, an aliment without which it instantly expires."⁴ Madison continued on the subject of political faction by noting that, since the causes of faction could not be removed, "relief is to be sought in the means of controlling its effects."⁵

Arguing at the time for a stronger union, Madison felt that the best restraint upon the effects of faction was a healthy republican form of government. For safety's sake, a large republic was preferable to a small one. With a large society, the influence of a particular sect would be diluted, while in a tiny society the danger of "factious combinations" would be enlarged. Acknowledging that parties (a designation that Madison used interchangeably with faction) would exist in a free society, Madison opted for the idea of safety in numbers.⁶ This idea, with its parallels in the field of religious liberty, notes

Richard Hofstadter, apparently originated from Madison's philosophical attraction to the ideas of Voltaire, who had once noted that "in England one sect would have produced slavery and two a civil war, but that a multitude of sects caused the people to live in peace."⁷

In a letter to the National Gazette in January 1792, Madison reaffirmed his opinion that parties were unavoidable, but evil. "A difference of interests, real or supposed, is the most natural and fruitful source of them," wrote Madison on the origins of political parties.⁸ Besides "withholding unnecessary opportunities from a few, to increase the inequality of property, by an immoderate, and especially an unmerited, accumulation of riches," Madison said one way to "combat the evil" of party was to make "one party a check on the other, so far as the existence of parties cannot be prevented, nor their views accommodated. If this is not the voice of reason, it is that of republicanism."⁹

The party that Madison and republicanism were determined to check during the 1790's was headed by a man Forrest McDonald called the "most brilliant bastard in American history."¹⁰ By 1792 opposition to Hamilton's programs of funding the public debt and establishment of a national bank, and his general interference in the affairs of other departments of the government, had resulted in a potent political alliance between Madison and Jefferson. In a curious turnabout from his earlier stance against party and faction, Hamilton was now engaged in a bitter struggle for political control of the country.¹¹ Defense policy was just one of many issues outside the bounds of the Treasury Department in which Hamilton felt compelled to meddle.

In fact, according to John C. Miller, "so completely did he dominate Henry Knox, the Secretary of War, that he [Knox] became hardly more than a minion of the Treasury."¹²

Writing in Federalist 21, in December, 1787, Hamilton had warned that "A successful faction may erect a tyranny on the ruins of order and law, while no succour could constitutionally be afforded by the Union to the friends and supporters of the government."¹³ Referring in this case to Shay's Rebellion, Hamilton also condemned the danger of "inordinate pride of State importance" in the Confederation system.¹⁴ In a later issue of The Federalist, Hamilton referred to the necessity of "the terror of an example" when dealing with domestic rebellion or seditious behavior, an ominous foreshadowing of the eagerness with which he forced the issue of the Whiskey Rebellion in 1794.¹⁵ On the whole, Hamilton's writings suggest a greater willingness to use force against those opposing the government than do the writings of Madison.¹⁶

Statements by Hamilton against the wickedness of faction may seem strange in retrospect, considering Hamilton's aggressiveness in implementing his financial and other policies. Richard Hofstadter offers the suggestion that "the whole tradition of anti-party writing is full of the works of men who were strong partisans; this tradition is, in very large part, the work of partisan writers and political leaders who are actually appealing to a general distrust of the idea of a party or to advance the interest of another party whose greatest claim to glory is that it will surmount and eliminate the party battle itself."¹⁷ Such behavior, which would have been hypocrisy had it been conscious,

was unbecoming to the character of an eighteenth-century gentleman. But this was soon to be small potatoes compared to the bitter partisan rivalry that would erupt as relations with France and England worsened.

Writing in 1779 to Thomas McKean, John Adams spoke of the merits of an opposition in Congress or a council "to balance individuals, and bodies, and interests one against another, and bring the truth to light and justice to prevail."¹⁸ However, Adams apparently saw a difference between a "loyal" issue-oriented opposition and narrow patron-client partisanship, since in a letter a year later to Jonathan Jackson he said:

There is nothing I dread so much as a division of the republic into two great parties, each arranged under its leader, and concerting measures in opposition to each other. This, in my humble apprehension, is to be dreaded as the greatest political evil under our Constitution.¹⁹

Adams could not have been pleased with the political situation as it stood in the early 1790's, as both Hamilton and Jefferson had discovered not only a mutual political antagonism, but the handiness of the press for party purposes. To counter Hamilton's Gazette of the United States, edited by John Fenno, Jefferson enticed the thoroughly republican Philip Freneau to work in Philadelphia as editor of the National Gazette. Jefferson even used political patronage as an incentive for Freneau to journey to the capital in 1791 and goad the Federalists in his paper.²⁰ Jefferson, through Freneau, took every opportunity to attack Hamilton's financial programs, which ran directly contrary to Jefferson's conception of an agrarian society, a society where farmers, rather than merchants and

speculators, would represent the true nature of American society.²¹

Although both Jefferson and Madison were active in arranging Freneau's newspaper career, Noble Cunningham claims that "there is no basis for assuming that Jefferson and Madison set out to organize a political party with a blueprint in hand and that the establishment of a party newspaper was the first step."²² Rather, the Freneau venture was a result of Jefferson and Madison's frustration in informing the public of the inequities of Hamilton's financial programs. Cunningham notes that the end result of Freneau's paper was to speed the formation of national political parties by "bringing the conflict between Jefferson and Hamilton before the public view."²³

By May 1792, Hamilton had been prodded enough to confide his feelings on the political situation in a rather petulant letter to Edward Carrington. Hamilton noted that Madison's "insidious insinuations" (Hamilton's emphasis) suggesting that Hamilton was involved in speculation were "actuated by personal and political animosity."²⁴ Hamilton went on to accuse Madison of subverting the administration's measures and attempting to diminish the role of the Secretary of the Treasury in the government.²⁵

Interestingly, in the long and angry letter to Carrington, Hamilton mentioned that "Mr. Madison nevertheless opposed directly a reference to me to report ways & means for the Western expedition, & combatted on principle the propriety of such measures."²⁶ What Hamilton was referring to here was the Five Regiment Bill, or Frontier Bill, to raise an additional three regiments to the regular army's existing two. The resolution

that provoked Hamilton was that of 7 March 1792 resolving "That the Secretary of the Treasury be directed to report to this House his opinion of the best mode for raising the additional supplies requisite for the ensuing year."²⁷ Hamilton viewed this as an infringement on his power, and Theodore Sedgwick, as ardent a Federalist as ever there was, rushed to head off this challenge by Madison.

Sedgwick condensed Madison's arguments in order to rebut them:

This gentleman [Madison] had given in detail the several proceedings which ought to take place to obtain on hand the benefit of knowledge of the Secretary, and to maintain on the other the independency of the House. Thus, according to his plan, was the business to be pursued. The House was, in the first place, to call on the Secretary for a state of facts; it was then to resolve itself into a Committee of the Whole, to form opinions; these opinions were then to be referred to the Secretary, for him to report respecting them a systematic arrangement.²⁸

Hamilton was enraged at this ploy by Madison, and vowed that "if he had prevailed, a certain consequence was, my resignation--that I would not be fool enough to make pecuniary sacrifices and endure a life of extreme drudgery without opportunity either to do material good or to acquire reputation; and frequently with responsibility in reputation for measures in which I had no hand, and in respect to which, the part I had acted, if any, could not be known."²⁹

Hamilton then mentioned, in a manner indicating the cynical Federalist philosophy of human nature mentioned by John C. Miller, that "several, who had generally acted with me from various motives, vanity, self importance, &c. &c. were enlisted" against Madison's efforts.³⁰ Despite Hamilton's boast that he had

confounded Madison by his counteroffensive in the House, the resolution passed by a vote of thirty-one to twenty-seven.³¹

Later in his same letter to Carrington, Hamilton bitterly resented the efforts of Jefferson and Madison "to narrow the Federal authority," not only on the issue of a national bank, but also in the field of military affairs. Singling out Madison in particular, Hamilton growled that "in the Militia bill & in a variety of minor cases he has leaned to abridging the exercise of federal [sic] authority, & leaving as much as possible to the States & he has lost no opportunity of sounding the alarm with great affected solemnity at encroachments meditated on the rights of the States, & of holding up the bugbear of a faction in the Government having designs unfriendly to Liberty."³²

What Hamilton referred to was Madison's attempt to modify "An Act to provide for calling forth the Militia to execute the laws of the Union, suppress insurrections and repel invasions." Madison had acted to restrict the exercise of the President's power "to the recess of Congress and till an unspecified number of days after the next session shall commence."³³ As the act finally passed Congress on May 2, 1792, the President could call forth the militia to suppress insurrections "until the expiration of thirty days after the commencement of the ensuing session."³⁴ This time limit would supposedly prevent the accrual of total control of power over the militia by the President. At the same time it seems to have infuriated Alexander Hamilton.

So virulent became the conflict between Hamilton and Jefferson that President Washington tried to mediate the dispute. Fearful of losing either of his most gifted secretaries,

Washington appealed to both men. Writing to Hamilton in August, 1792, Washington said: "Differences in political opinions are as unavoidable as, to a certain point, they may perhaps be necessary; but it is to be regretted, exceedingly, that subjects cannot be discussed with temper on one hand, or decisions submitted to without having the motives which led to them, improperly implicated on the other: and this regret borders on chagrin when we find that Men of abilities--zealous patriots--having the same general objects in view, and the same upright intentions to prosecute them, will not exercise more charity in deciding on the opinions, and actions of one another."³⁵

Washington went on to tell Hamilton that mutual forbearances should be exercised by all parties in the dispute, or else "I do not see how the Reins of Government are to be managed, or how the Union of the States can be much longer preserved." The President noted that the political conflict between the two faction leaders showed "the consequences of diversified opinions, when pushed with too much tenacity."³⁶

In a similar message to Jefferson describing the difficulties facing the nation on the western frontiers, Washington repeated the themes of harmony and reconciliation he expressed to Hamilton, and added how unfortunate it was "that while we are encompassed on all sides with avowed enemies and insidious friends, that internal dissensions should be harrowing and tearing our vitals." Appealing for charity to prevail among his subordinates, Washington called for an end to "wounding suspicions and irritable charges" or else the "wheels of

Government will clog." Washington noted that the infighting that had occurred among his cabinet members had embarrassed the nation and given him personal pain."³⁷

Despite his appeals for peace within his cabinet, Washington was to be disappointed, since the philosophies and personalities of Hamilton and Jefferson were too contradictory to allow an easy settlement of differences. Hamilton would never imbibe Jefferson's or Madison's ideas of republicanism, since he would never overcome his doubts about the stability of republican government. Also, by 1792, the personal animosity between the two men had reached the point of no return.³⁸ The rift eventually culminated in a power struggle that only ended with the removal from the political scene of one of these men.³⁹

One of the more prominent Federalist congressmen in the Second House who was alert to the rising sectionalism in legislative matters was Fisher Ames of Massachusetts. Writing to a friend in January 1792, Ames observed that the Federalists were in power now but that "an immense mass of sour matter is fermenting at the southward."⁴⁰ After making this uncomplimentary comment on his colleagues from the South, Ames noted later that month the emergence of a southern voting coalition in the Second House: "Virginia moves in a solid column, and the discipline of the party is as severe as the Prussians. Deserters are not spared."⁴¹ While Ames' comments were colored by partisan rhetoric, he correctly identified Madison as the man in charge in the opposition bloc of the House. Ames noted that "Madison is become a desperate party leader, and I am not sure of his stopping at any ordinary point of extremity."⁴² As cluster bloc

analysis shows, Ames was correct in his assessment of the regional nature of the opposing voting bloc, at least on the overall business of the Second Congress.

The development of political parties, which accelerated during the second administration of George Washington, was, according to Joseph Charles, foreshadowed by the sectional division resulting from the vote on Hamilton's financial program.⁴³ Charles, like Cunningham, McDonald, and most modern historians, refuted Charles Beard's thesis that the origin of the Republican Party can be found in the remnants of the old Antifederalists.⁴⁴ Referring to the idea of a political party connection between the Constitutional Convention and the federal Congress, Cunningham remarked that "the fact that twelve Federalists of 1787 became Republicans and six could not be classified seems of equal significance with the fact that twenty-five became Federalists and suggests the impossibility of showing any substantial relationship."⁴⁵

Charles thought that Hamilton's financial proposals in the First Congress were "the first milestones in the growth of parties," but he conceded that it is difficult to pin down an exact date when parties came into existence with definitive characteristics.⁴⁶ Cunningham, on the other hand, points out that the elections of 1792 serve as evidence that Republicans were organizing as a party, although "it was clear that parties did not reach very deeply into the political life of the country."⁴⁷ McDonald seems to agree with Cunningham, for he argues that political activity in the country prior to 1793 was still primarily a local or regional concern for those involved in it,

although awareness of national affairs was beginning to emerge in the electorate.⁴⁸

Cunningham documented the voting record of the first session of the Second Congress (October 1791 to May 1792) and found that Madison had developed a following of sorts. Using a rather unsophisticated method of analysis, in which Madison's voting behavior was assumed to be a perfect archetype of Anti-Federalism, Cunningham selected thirty-five roll calls during that session. He found that seventeen men agreed with Madison at least two-thirds of the time. Another group of thirteen to fifteen members opposed the Madison group, leaving about half of the House apparently neutral or pro-Federalist in this coalescing political situation. Cunningham is quick to note that there was not yet a rigid two-party organization in Congress, although the alliances forming in this session did not appear to have been extant in the previous one.⁴⁹

One event in particular that emphasizes the growing partisan outlook in the Second Congress is the disputed election of Anthony Wayne. During the 1791 campaign for a House of Representatives seat from coastal Georgia, Anthony Wayne (of Revolutionary War fame) and James Jackson, the incumbent, conducted what seemed to be an uneventful campaign for the position. After Wayne's apparent victory, however, Jackson came forward with evidence of election rigging by Wayne's campaign manager. During the process of trying to regain his seat in the House, Jackson encountered on a national scale the sort of partisanship that characterized his home district, where he represented an avid Anti-Federal point of view. Wayne, on the

other hand, stood squarely for the policies of the Federalist administration, particularly as a member of the locally unpopular "Yazoo" faction.⁵⁰

The contrast between Jackson, an ardent supporter of Madison, and Wayne, a loyal follower of the Federalist line, was not lost on the members of Congress as they deliberated the issue. Right from the start, Wayne's case for retaining the seat was so weak that the issue was not whether to retain Wayne in the House, but whether the Federalists in the body would give the seat back to Jackson, a disciple of Madison.⁵¹ After an aborted Federalist motion to declare simply that Wayne "was not duly elected a member of this House," Republican Representative William Giles of Virginia made a motion that spelled out Jackson's right to Wayne's seat. The vote was tied, 29 yeas to 29 nays. When the Speaker, Representative Jonathan Trumbull of Connecticut, voted with the nays, Wayne's seat was declared vacant.⁵²

Lisle Rose notes that of the twenty-nine voting in favor of the Giles (and Jackson) motion, a mere three were identified by Clerk of the House John Beckley as Federalist-oriented. On the other hand, Beckley identified twelve of these twenty-nine negative voters as having Federalist leanings. As Rose says: "Prior to Jay's Treaty the Wayne-Jackson election was the most important popular test in the South of emerging partisan strength on both sides. The administration hosts had not merely been defeated; they had been disgraced."⁵³

The Second Congress, then, had come to display partisan aspects in its voting behavior, albeit mostly regional in nature,

and this despite the original protestations of the most influential politicians of the era, such as Madison and Hamilton, who despite their declamations against the dangers of factions, became leaders of opposing political parties. The clash of philosophies that had been delineated by Hamilton's financial activities had been accelerated by current events in France, and each controversial bill that came to a vote in the House became an opportunity to exhibit yet more partisan voting behavior.

One would expect the incipient partisanship that had begun to emerge in the Second House to extend to all issues that appeared before the House. As cluster bloc analysis will show in the next chapter, this in general holds true, but only when examining the business of the entire House. As we will see, there were still issues, such as the military future of the nation, that did not produce particular factional unanimity when votes were cast.

NOTES

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³Max Beloff, ed., The Federalist Or, the New Constitution, Federalist 10, by James Madison (Oxford: Basil Blackwell, 1948), 42.

⁴Ibid.

⁵Ibid., 44.

⁶Ibid., 46-47.

⁷Richard Hofstadter, The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780-1840 (Berkeley: University of California Press, 1970), 61.

⁸The Papers of James Madison, ed. Robert A. Rutland, et al., vol. 14 (Charlottesville: University of Virginia Press, 1983), 197.

⁹Ibid.

¹⁰Mcdonald, 62.

¹¹Ibid., 89-111.

¹²Miller, 84.

¹³The Papers of Alexander Hamilton, ed. Harold C. Syrett, et al., 27 vols. (New York: Columbia University Press, 1966-1987), 4:397.

¹⁴Ibid.

¹⁵Ibid., 627.

¹⁶Hofstadter, 17.

¹⁷Ibid., 17-18.

¹⁸The Works of John Adams, ed. Charles Francis Adams, vol. 9 (Boston: Little, Brown, and Company, 1850-56), 485.

¹⁹John Adams to Jonathan Jackson, October 2, 1780, *ibid.*, 511.

²⁰Frank Luther Mott, American Journalism, A History: 1690-1960, 3d ed. (New York: The MacMillan Company, 1971),

124-25.

²¹Miller, 92-97.

²²Noble E. Cunningham, Jr., The Jeffersonian Republicans: The Formation of Party Organization, 1789-1801 (Chapel Hill: The University of North Carolina Press, 1957), 19.

²³Ibid.

²⁴Alexander Hamilton to Edward Carrington, May 26, 1792, Papers of Alexander Hamilton, 11:435.

²⁵Ibid., 435-41.

²⁶Ibid., 432-33.

²⁷Annals of Congress, 3:437.

²⁸Ibid., 439-40.

²⁹Alexander Hamilton to Edward Carrington, May 26, 1792, Papers of Alexander Hamilton, 11:433.

³⁰Ibid.; Miller, 110.

³¹Annals of Congress, 3:452.

³²Hamilton to Carrington, May 26, 1792, Papers of Alexander Hamilton, 11:438.

³³Ibid. For the complete text of the law, see An Act to Provide for Calling Forth the Militia to Execute the Laws of the Union, Suppress Insurrections and Repel Invasions. Statutes at Large, 1, 264 (1792).

³⁴Annals of Congress, 3:1370-72.

³⁵George Washington to Alexander Hamilton, August 26, 1792, Papers of Alexander Hamilton, 12:276.

³⁶Ibid., 276-77.

³⁷George Washington to Thomas Jefferson, August 23, 1792, The Papers of Thomas Jefferson, ed. John Catanzariti, et al., vol. 24 (Princeton: Princeton University Press, 1990), 317.

³⁸Miller, 95-97.

³⁹McDonald, 95.

⁴⁰Fisher Ames to Thomas Dwight, January 13, 1792, in Seth Ames, ed., Works of Fisher Ames, with a Selection from his Speeches and Correspondence (Boston: Little, Brown & Company, 1854), 110.

⁴¹Fisher Ames to Thomas Dwight, January 26, 1792, in Works of Fisher Ames, 126.

⁴²Ibid.

⁴³Joseph Charles, The Origins of the American Party System: Three Essays (Williamsburg, Virginia: The Institute of Early American Culture, 1956), 21.

⁴⁴Charles, 21; Cunningham, 23; McDonald, 296.

⁴⁵Cunningham, 23n71.

⁴⁶Charles, 26, 93-95.

⁴⁷Cunningham, 49.

⁴⁸McDonald, 89-111.

⁴⁹Cunningham, 22.

⁵⁰Lisle A. Rose, Prologue to Democracy: The Federalists in the South, 1789-1800 (Lexington: University of Kentucky Press, 1968), 63-66.

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⁵³Rose, 67-68.

CHAPTER SIX: CLUSTER BLOC ANALYSIS

The members of the Second Congress were operating in a period of looser party development than their colleagues in the subsequent congresses of the Federalist Era. The crises of political conscience that came about as a result of the French Revolution and produced two sharply delineated political entities had not yet reached critical importance by 1791, when the majority of the members of the Second Congress took their seats. Even though the labels Republican and Federalist had not reached common usage when referring to congressmen, some division on issues had occurred, whether by local self-interest or in opposition to Hamilton's financial programs.

While the issue of national defense in the Second Congress does not receive the attention by historians that the establishment of the Hamiltonian financial system or the crises looming from across the sea do, nevertheless military concerns are important in the period. The struggle to establish a national system for the militia, the effort to create a more efficient regular army, and the resulting disagreements among congressmen are matters that should take their place in the study of the period with more widely recognized issues. Despite the somewhat nebulous political atmosphere of the Second Congress, some grouping of congressmen can be found by using Rice-Beyle cluster-bloc analysis. By use of this process, some voting

patterns can be identified among congressmen, although the system of party identification had not yet evolved into its later form.¹ As an example of how scattered the voting could be at this period in congressional development, a look at the Uniform Militia Act of 1792 is useful. It was passed without the crystal-clear party definition of later congresses, but nevertheless was the most significant legislation affecting militia for a century. John Mahon notes the lack of a clear voting pattern on the issue, but there is an interesting connection between the roll call on final passage of the bill and the personal experiences of the individual members.²

Of the fifty-eight members of the House who voted on the Uniform Militia Act in its final form, only nine of the thirty-one yeas voters (29 percent) had military experience of any sort. On the nay side, however, of the twenty-seven who voted against the measure a significant nineteen (70 percent) had served in some military capacity, either in the Revolution or the French and Indian War. Possibly some of the opposition to the bill came from those veterans disgusted with the bill's obvious weaknesses and lax standards of enforcement. Certainly Jeremiah Wadsworth, who had sponsored the bill until it was further emasculated just before passage, did not care for it in its eventual weakened form. Indeed, as mentioned before, Wadsworth himself voted against it when the time came for the roll call.

Anti-administration men such as Josiah Parker of Virginia, who had fought in such fierce battles as Trenton and Brandywine during the Revolution, may have decided that they could not support in good conscience an act that would lead to military

weakness, despite the rhetoric surrounding the theory of a stalwart militia. Other usual allies of Madison parted company with him on this vote, including John Page and Samuel Griffin, fellow Virginians, but unlike Madison, veterans of extended campaigning during the Revolution. As Table 1 indicates, there was a wide voting disparity between legislators who had perhaps had the chance to see actual fighting and those who had not.

TABLE 1

VETERANS/NON-VETERANS ON FINAL PASSAGE OF THE UNIFORM MILITIA ACT

	VETERANS	NON-VETERANS	TOTAL
YEA	9 (32%)	22 (73%)	31 (53%)
NAY	19 (68%)	8 (27%)	27 (47%)
	<u>28 (100%)</u>	<u>30 (100%)</u>	<u>58 (100%)</u>

Among the supporters of the Uniform Militia Act as it finally passed the House was North Carolina's John Steele, a representative from a district which had had its share of Indian troubles.³ Despite the somewhat sketchy performance of the militia on the frontier, Steele was a firm believer in the superiority of militia over regular armies in the western portion of the country. Also in the yea group on this bill was the old Anti-Federalist Elbridge Gerry, who did not agree in any appreciable way with other voting blocs in this Congress. He was, however, a committed opponent of the classic standing army and a devoted adherent to the notion of a virtuous republican militia.⁴ How many others thought like Gerry on this issue is difficult to say, since not all in this Congress were as vociferous as Gerry in expressing their opinions, but the fear of

a liberty-threatening standing army was certainly not confined to Gerry alone, and this attitude must have been a factor in the decision by some of his colleagues to vote yea on the issue.

Another supporter of the Uniform Militia Act was the devout Federalist Fisher Ames of Massachusetts. Although Ames supported the Frontier Bill, with its emphasis on a larger, more effective regular army, as the way to conclude the Indian campaign, he supported the Militia Act as a means of extending federal control over the states. In the words of his biographer, Winfred Bernhard, Ames "was dubious about the effectiveness of the bill as it stood, but voted with the majority in favor of it as he felt the need to make a beginning even if the legislation turned out to be feeble and poor."⁵ Another important congressional leader who voted for the much-altered Militia Bill was the redoubtable James Madison of Virginia, who, after having supported the militia concept vociferously time and again, was placed in the position of having to support the bill from the necessities of his republican philosophy rather than from any love of the bill's provisions.

Among the congressmen opposing passage of the Militia Act, only the delegates from Georgia, all of whom were veterans of the Revolution, voted solidly against it. The headstrong Anthony Wayne, of Stony Point fame, could have influenced the rest of his state's delegation against the measure. Wayne had been one of the militia's most steadfast detractors in the debates prior to passage of this and the Frontier Bill, and it is also likely that his extensive military experience during the Revolution had led him to a distaste for all things militia.⁶ Wayne may also have

known of his candidacy for leadership of the remodeled U. S. Army at this time, and may have sought to diminish the role of the militia to enhance the importance of regular forces. At any rate, this was to be one of his last votes due to his impending removal from the House for election improprieties.

For whatever reasons congressmen of the Second House had for voting against the Militia Bill, the nays were split between those whom Stanley Parsons has labeled pro-administration and those he labels anti-administration (the terms Federalist and Republican being not yet appropriate).⁷ The nays included fifteen of the thirty-six pro-administration congressmen (42 percent) and eleven of the twenty-one anti-administration men. Shearjashub Bourne of Massachusetts was an independent who was the twelfth nay on this measure. Of those representatives who voted in favor of the bill as it was sent to the Senate, twenty-one (58 percent) were what Parsons calls pro-administration in their voting sentiments, and ten (45 percent) were what he calls anti-administration in policy. However, the single vote on final passage provides only weak basis for any definitive conclusions. Table 2 illustrates the final vote on the Uniform Militia Act.

TABLE 2

UNIFORM MILITIA ACT
HOUSE VOTE, FINAL PASSAGE

	PRO-ADMINISTRATION	ANTI-ADMINISTRATION	TOTAL
Yea	21 (58%)	10 (45%)	31 (53%)
Nay	15 (42%)	12 (55%)	27 (47%)
	<u>36 (100%)</u>	<u>22 (100%)</u>	<u>58 (100%)</u>

Includes one Independent, Bourne, Mass.

When all eleven defense-related roll calls of the Second Congress under consideration are analyzed together using Rice-Beyle cluster bloc analysis at a minimum index of agreement of seventy per cent, two blocs emerge. However, analysis of these blocs indicated that this was the wrong approach. Lumping together all eleven votes obscured more than it revealed, and indicated primarily that most representatives did not see the militia issue and the frontier regiments issue as closely connected problems. Rather, roll-call voting behavior indicates that congressmen saw two issues where the modern researcher, having full benefit of hindsight, thought perhaps there was really only one issue--military defense. Whereas two small blocs emerged from analysis of all eleven defense related votes, a more distinct pattern emerged when the defense votes were divided into two groups for analysis: frontier votes and militia votes. By organizing the votes into these two subject areas, a small, but interesting, pattern of voting appeared. Since seven members of the House were either not present or not voting except during a couple of the roll calls under consideration, these men were eliminated from the analysis. Also, the fringe members that appeared when the votes were split into two subject areas are not included in the tabulations. (Due to the small number of votes examined, the number of fringe members was too small to be of consequence. The fringe members for the total business of the Second Congress, however, are included in Appendix F to give a general feeling of where their voting sympathies lay.)⁸

Table 3 examines the voting alliances found when considering the six militia related votes. The militia was a form of

national defense which many saw as both the preservation of the republican way of life and as a means of countering potential Federalist encroachment on state and private liberties. What is most interesting is the way the "Regular Bloc" (Bloc One, generally favoring regular forces as the means of the nation's defense) is composed almost totally of pro-administration congressmen (84 percent), with only one administration opponent, and a second labeled an independent by Parsons. While several of the members of this bloc were warm theoretical supporters of a well-trained militia, this group in general followed the Federalist line in seeking a more effective response to the nation's military problems. The Militia Bloc, Bloc 2, includes such pro-militia stalwarts as James Madison and John Steele, and is markedly anti-administration in makeup (75 percent).

TABLE 3

BLOCS REPRESENTED BY FACTION
MILITIA ISSUE, SIX RELATED VOTES
(#4,5,6,8,10,11)

	BLOCK 1: PRO-REGULAR	BLOCK 2: PRO-MILITIA	TOTAL
PRO-ADMIN	10 (83%)	2 (25%)	12 (60%)
ANTI-ADMIN	2 (17%)	6 (75%)	8 (40%)
	<u>12 (100%)</u>	<u>8 (100%)</u>	<u>20 (100%)</u>

* Includes one Independent, Bourne, Massachusetts, so labeled by Parsons, et al. The Biographical Directory of American Congress does not identify him as belonging to any party. In this, as in all tables, percentages may not equal 100 due to the effects of rounding. See Appendix A for a listing of the roll calls, and Appendix D for a list of bloc members.

Table 4 indicates the divisions that appear when the question of a stronger regular military force on the nation's

frontier came to a vote in the Second Congress. The members of the "pro-Frontier" bloc do not seem to be as dogmatic in their voting patterns, due to the nature of the country's problems on the frontier. Pro-administration members are the majority in both blocs on the frontier issue, underscoring the point that the legislators were not bound to a political consistency on this matter. Although militia had come to grief on the frontier during the St. Clair and Harmar campaigns, the seeming necessity of defending states with exposed frontiers with regular troops did not seem to override most of the anti-administration representatives' fears of an overbearing standing army. Congressmen Steele and Ashe of North Carolina, men from a state with a very real possibility of Indian attack, joined the other congressmen in the Frontier roll call bloc which opposed an

TABLE 4

BLOCS REPRESENTED BY FACTION
 FRONTIER ISSUE, FIVE RELATED VOTES
 (#1,2,3,7,9)

	BLOCK 1: PRO-FRONTIER	BLOCK 2: ANTI-FRONTIER	TOTAL
PRO-ADMIN	7 (58%)	11 (85%)	18 (72%)
ANTI-ADMIN	5 (42%)	2 (15%)	7 (28%)
	<u>12 (100%)</u>	<u>13 (100%)</u>	<u>25 (100%)</u>

* Bourne of Massachusetts again sided with the anti-Admin faction on this issue. See Appendix E for list of bloc members.

enlarged regular army, disputing the administration's claims of the need for such an army.

Another possible influence on voting patterns that could serve to explain potential divisions is section. In Table 5, a

strong sectional pattern is apparent in the bloc voting on the militia bills. The two blocs are equally clannish. The ten representatives of Bloc Two, the pro-Militia bloc, include only two congressmen from the North, Abraham Clark of New Jersey and Samuel Livermore of New Hampshire. The idea of a "Solid South" at this time is offset, however, by the presence of three southerners, all from South Carolina, in the pro-administration bloc. William Loughton Smith of South Carolina was one of the budding stars of Federalism at this time, and his commercial and political aspirations behooved him to toe the Federalist party line; he probably influenced his comrades Barnwell and Huger to vote with him as well.⁹

TABLE 5

BLOCS REPRESENTED BY SECTION
MILITIA ISSUE

	BLOCK 1: PRO-REGULAR	BLOCK 2: PRO-MILITIA	TOTAL
NORTH	10 (83%)	1 (12%)	11 (55%)
SOUTH	2 (17%)	7 (88%)	9 (45%)
	<u>12 (100%)</u>	<u>8 (100%)</u>	<u>20 (100%)</u>
FRONTIER	0 (0%)	6 (75%)	6 (30%)
SETTLED	12 (100%)	2 (25%)	14 (70%)
	<u>12 (100%)</u>	<u>8 (100%)</u>	<u>20 (100%)</u>

Another sectional division may have been between east and west, or, more precisely, frontier versus settled areas. At this time the frontier would include not only western parts of larger states, but also the Maine district of Massachusetts, Vermont,

New Hampshire, and Georgia. As Tables 5 and 6 indicate, the number of frontier congressmen voting in either bloc on defense bills are slight in this Congress, and their meager vote is split on the militia issue. The reason for this situation is that the frontier congressmen were too few in number to be effectively heard at this time, since the Atlantic seaboard was still the dominant political force in the country. It would be difficult to reach any firm conclusions, but one should note a tendency for the frontier congressmen to be more oriented toward militia than regulars. Whether such congressmen accurately reflected the feelings of their constituents, of course, is anybody's guess. For purposes of Table 5, Pennsylvania is considered as a northern state.

TABLE 6
BLOCS REPRESENTED BY SECTION
FRONTIER ISSUE

	PRO-REGULAR	PRO-MILITIA	TOTAL
NORTH	6 (46%)	7 (58%)	13 (52%)
SOUTH	7 (54%)	5 (42%)	12 (48%)
	<u>13 (100%)</u>	<u>12 (100%)</u>	<u>25 (100%)</u>
FRONTIER	1 (8%)	6 (50%)	7 (28%)
SETTLED	12 (92%)	6 (50%)	18 (72%)
	<u>13 (100%)</u>	<u>12 (100%)</u>	<u>25 (100%)</u>

Another variable that might shed some light on bloc members voting patterns is detailed in Table Seven. In Table 1 House members who are veterans show a marked tendency to vote against the Uniform Militia Act, possibly due to the weakness of the

measure. In Table 7, however, when examining the relatively tiny voting blocs that are the members who vote in definite groups on military matters, no dramatic pattern emerges. A good reason for this lack of a vivid voting contrast might be that most of the other military bills that the members of the Second House faced were not so obviously flawed or as emotionally charged as the Uniform Militia Act, and thus did not bring out strong feelings by veterans in the House.

TABLE 7

BLOCS REPRESENTED BY VETERAN STATUS
MILITIA ISSUE

	PRO-REGULAR	PRO-MILITIA	TOTAL
VETERAN	6 (50%)	3 (38%)	9 (45%)
NON-VETERAN	6 (50%)	5 (62%)	11 (55%)
	<u>12 (100%)</u>	<u>8 (100%)</u>	<u>20 (100%)</u>

FRONTIER ISSUE

	PRO-FRONTIER	ANTI-FRONTIER	TOTAL
VETERAN	6 (50%)	5 (38%)	11 (44%)
NON-VETERAN	6 (50%)	8 (62%)	14 (56%)
	<u>12 (100%)</u>	<u>13 (100%)</u>	<u>25 (100%)</u>

The lack of a consensus in congressional voting on military issues becomes more apparent when viewed in the light of the overall voting business of the Second House. In contrast to the relatively miniature voting blocs that occurred on the military issues of the Second Congress, cluster-bloc analysis of the entire House of Representatives for this period showed that, when members had at least thirty mutual votes, they tended to fall

into distinct, recognizable voting patterns. As is apparent in Table 8, the anti-administration faction had the overall strength to be a significant influence in the deliberations of the Second Congress.

TABLE 8
BLOCS REPRESENTED BY FACTION, SECOND CONGRESS
TOTAL BUSINESS

	ADMINISTRATION CONGRESSMEN*	ANTI-ADMINISTRATION CONGRESSMEN	TOTAL
ADMIN BLOC	12 (27%)	0 (0%)	12 (17%)
ADMIN FRINGE	11 (24%)	2 (7%)	13 (18%)
TOTAL ADMIN ATTITUDE	23 (51%)	2 (7%)	25 (35%)
ANTI-ADMIN BLOC	4 (9%)	10 (37%)	14 (19%)
ANTI-ADMIN FRINGE	3 (6%)	7 (26%)	10 (14%)
TOTAL ANTI-ADMIN ATTITUDE	7 (15%)	17 (63%)	24 (33%)
<hr/>			
BLOC TOTALS	30 (67%)	19 (70%)	49 (68%)
NON-BLOC MEMBERS	15 (33%)	8 (30%)	23 (32%)
<hr/>			
TOTAL	45 (100%)	27 (100%)	72 (100%)

* As Appendix F shows, Congressman Shearjashub Bourne of Massachusetts voted with the Administration at least 70 percent of the time on issues before the House. Therefore he is included here in the Administration faction here despite his designation by Parsons as an Independent.

Table 8 shows the extent to which partisan voting behavior had begun to emerge in the House of Representatives during the Second Congress. Significantly, 68 percent of the 72 members voted either as members of a bloc or as members of an associated fringe. This is particularly striking when one considers the

constant flux in membership that this House experienced. Due to Kentucky's admission to the Union in June 1792, the two members from Kentucky did not take their seats until half the term of the Second Congress had been completed. This and such factors as illness and family problems, not to mention Anthony Wayne's forced departure from his seat in the House, resulted in nine members of the Second Congress not serving a complete term.¹⁰ When one applies a consistent agreement threshold of 70 percent for inclusion in a voting bloc and requires at least 30 mutual votes out of the 102 total votes of this House, cluster-bloc analysis reveals a surprising degree of voting polarity on the total business of the Second Congress. Nevertheless, the relatively low state of party development that characterized the Second House explains why a full 32 percent of this House's members do not fit into either a bloc or fringe. The fact that such a large number of legislators did not yet regularly vote in easily definable blocs also goes a long way toward accounting for the relatively small bloc numbers and negligible fringes found in the roll-call record on the militia and frontier bills as separate entities. By narrowing the pool of votes from 102 to groupings of five and six, the possibility of excluding voting partners jumps significantly.

One evidence that members of the Anti-administration faction were beginning to band together is the low level of crossover voting that appears in Table 8. After all the votes of the Second House are considered it becomes apparent that the opposition had begun to solidify. Particularly good evidence that Fisher Ames was correct in his assertion that "Virginia

moves in a solid column" can be seen in Appendix F, where the entire Virginia delegation appears, dominating the Anti-administration faction.¹¹ The increasingly sectional nature of voting behavior is obvious here and in the fringe group for the anti-administration faction. In this appendix no northerner save William Findley of Pennsylvania appears as a member of the anti-administration faction, and only two Pennsylvania legislators and one New Yorker side consistently with the opposition. With the exception of some of the South Carolina delegation, most of the southern members had begun to follow Madison's lead in opposing Federalist legislative measures, and Rice-Beyle cluster bloc analysis makes this deepening sectional division dramatically apparent.

NOTES

¹Lee F. Anderson, Meredith W. Watts, Jr., and Allen R. Wilcox, Legislative Roll-Call Analysis (Evanston: Northwestern Press, 1966), 60-67.

²Mahon, 19.

³Nobel E. Cunningham, Jr., ed., Circular Letters of Congressmen to Their Constituents: 1789-1829 (Chapel Hill: University of North Carolina Press, 1978), 9.

⁴Billias, 191-192.

⁵Winfred E. A. Bernhard, Fisher Ames: Federalist and Statesman, 1758-1808 (Chapel Hill: University of North Carolina Press, 1965), 194-195.

⁶Annals of Congress, 337-348.

⁷Stanley B. Parsons, William W. Beach, and Dan Hermann, United States Congressional Districts, 1788-1841 (Westport, Conn.: Greenwood Press, 1978).

⁸By fringe I mean those members who agreed on at least seventy percent of the votes with at least fifty percent of the members of the bloc.

⁹George C. Rogers, Jr., Evolution of a Federalist: William Loughton Smith of Charleston, 1758-1812 (Columbia: University of South Carolina Press, 1962), 237-241.

¹⁰This information derived from Biographical Directory of the American Congress, 1774-1971 (Washington, D. C.: U. S. Government Printing Office, 1971).

¹¹Ames, Works of Fisher Ames, 126.

CHAPTER 7: CONCLUSION

As the Second Congress closed it could look back on having created the foundation of the American military establishment for the next century. In the Frontier Bill, or Five-Regiment Act, it had created the precedent for an expanded regular army to bear the brunt of the nation's military demands. In the Uniform Militia Act of 1792, it had continued the American tradition of paying lip service to the concept of a militia comprised of the average citizen, ready at a moment's notice to defend home and hearth. Although some of the supporters of the Uniform Militia Act did not realize it at the time they sent the measure to the Senate, the bill accelerated the decline of the militia system in the nation. Both the passage of the Frontier Bill and the Uniform Militia Act were hastened by the disasters which had beset the sloppily organized military campaigns of Harmar and St. Clair on the northwest frontier.

The coincidental appearance before the House of both the Uniform Militia Act and the Frontier Bill served to point up the philosophical differences present among members of the House concerning military matters. While the militia bill had lingered in committee for almost two years before coming out for public debate, the Frontier Bill was spawned out of the necessity for a more solid regular military force to defend the outer reaches of United States territory. The two bills became intertwined in the

discussions of military matters by congressmen, as supporters of the militia would refer to sinister implications of the Frontier Bill for the nation's future, while supporters of a more efficient military would point out the obvious flaws in the militia plan.

The passage of the Frontier Bill resulted after often bitter accusations by states-rights congressmen that the federal government was using the measure to rob the citizens of their freedoms.¹ Senator William Maclay of Pennsylvania voiced his disgust with the bill when he said "the business of the militia stands still, and the Military Establishment bill is passed with all the art and address of ministerial management."² Mindful of the excesses of the recent colonial past, some men feared the use of a "standing army" to pacify the Indian tribes of the frontier. Many felt that the enlargement of the regular army was an attempt to strip away the hard-won liberties of the people. The high-toned Federalist Fisher Ames would have not allayed such men's fears if they had known his private opinions on how to handle the Indian military dilemma. Noting that some of the back-country people were "averse to regulars" Ames noted an advantage to sending regulars to the West: "so many troops there will look as if government could not be resisted, and the excise perhaps less trifled with."³ This reference to the resistance by some to Hamilton's tax programs indicates that there may have been some basis to Republican fears of Federalist intentions.

In the end, the need for effective protection of the outlying regions of United States territory outweighed the objections of the adversaries of the Frontier Bill. As shown by

cluster-bloc analysis (Table 4), the coherence of the blocs favoring and opposing the enlargement of federal military might is not tightly confined to geographical groupings. While it would seem that such men as John Steele and John Baptista Ashe would uniformly support a powerful force to defend their potentially exposed frontier areas, such was not always the case. In Steele's case, his personal preference for the militia concept led him to oppose a larger, more expensive regular army after pondering the huge cost of the expanded army.⁴ Steele's advocacy of the militia as opposed to regular troops did not set well with his constituents on the edge of a still powerful southern Indian confederacy. According to Kemp Plummer Battle, the editor of Steele's papers, "Mr. Steele's cause in moving to reduce the army, being perverted into indifference to the sufferings of the frontiersmen from Indian hostilities, probably caused his defeat for the 3rd Congress."⁵

The urgency of creating a force capable of opposing the Indian military coalition was paramount, while President Washington and Secretary of War Knox bought time by pursuing a policy of negotiation with the Indian tribes. After the defeat of St. Clair's army in November 1791, the regular army consisted of only scattered fragments, many of which were needed to garrison widely scattered forts on the frontier. Without a much-strengthened and well-trained regular army, offensive operations against the Indian forces would be impossible, since militia forces had proved unmanageable on extended campaigns.⁶

After the passage of the Five Regiment bill enlarging the regular army, progress toward a more effective regular military

force proceeded slowly and inexorably. Rather than squander his forces in a hasty, ill-planned campaign as his predecessors had done, the newly-appointed Commander of the Legion of the United States Anthony Wayne, contrary to his "Mad" title, took nearly two years to train and equip his men properly before using them in a march against the northwest tribes. With careful planning and strict precautions against ambush, Wayne was able to break the military power of the Wabash Indians at the Battle of Fallen Timbers in August 1794. This smashing victory ended years of military frustration and disgrace for the new nation, years which had seen five out of every six government dollars spent on the war in the West, with disastrously meager returns.⁷ The Indian tribes of the frontier had expected their former allies, the British, to assist them logistically and militarily in their efforts against Wayne. That aid was not forthcoming due to the obviously revitalized and aggressive American military presence on the frontier, and the Indians signed the Treaty of Greenville in 1795. The regular army had proved its worth.

The passage of the Frontier Act began a trend that continued until World War I, that of expanding the country's regular forces to meet permanent defense requirements and relying on the regular army plus volunteers to shoulder the load of extended campaigns against other countries. Except for the War of 1812, militia saw little duty other than short-term Indian conflicts before the Civil War and occasional strike duty after. A cynical person might also say that the act is also part of a trend of using a military crisis to justify the enlargement of the military and its role in the nation's policy development.

With the Uniform Militia Act, the denouement was not so satisfying to supporters of the militia concept. As some had predicted, the bill received very uneven application in the different states, as some states required a vigorous, active militia, while others, less exposed to danger, felt militia service more a nuisance than a necessity. Those states which had always had a strong tradition of militia service, such as Massachusetts, provided substantial penalties for non-compliance with militia requirements. For example, men who appeared on muster days without arms were liable to be lent out to a term of service specified by the selectmen of the town.⁸ For the same offense, Maryland fined the unarmed man a mere one cent per day, while Pennsylvania had no fines or punishment for appearing without arms. North Carolina gave local militia leaders the option of loaning weapons to those unable to bring their own, provided they returned them after drill was complete.⁹

In 1794, a committee of the Third Congress considered amending the Uniform Militia Act because of complaints regarding its effectiveness, but hesitated to act, as did all other congresses until the end of the nineteenth century. The committee said that since the "right of training the militia is constitutionally reserved to the States, if they can be impressed with the importance of exercising this power, and directing its operation, more especially to the light infantry, an efficient force may be thereby created, and equal to any that can probably be obtained by any additional law of the United States, made under the constitutional powers of Congress." The committee concluded that no further amendment was necessary to the act

pending further experience with it.¹⁰ Although proposals to reform the act would reappear from time to time, the congressmen would not act on them due to the sticky nature of the problem of universal military obligation.¹¹

According to Theodore Sedgwick's report to Congress in 1794, the total of the militia available from the states amounted to approximately 80,000 men, with Massachusetts, Virginia, and Pennsylvania providing over 30,000 of this total.¹² This force, at least on paper, dwarfed the 3,629 regulars on duty at the time.¹³ While the enormous paper army of militia could not possibly possess anywhere near the fighting strength suggested by Sedgwick's statistics, due to inconsistent training and arming, there is perhaps some credence to Jim Dan Hill's assertion that the Uniform Militia Act was never intended to produce a uniformly effective field army, but rather to serve as a means of registering able-bodied men for potential active duty.¹⁴

At any rate, the Uniform Militia Act did not prove to be the instrument originally envisioned by Henry Knox that would provide a place where young Americans could learn a "glorious national spirit" and absorb noble personal characteristics that would make them better citizens.¹⁵ Writing in 1794, Knox acknowledged the flaws in the final product, especially the requirement for each man to provide his own firearm: "The militia are requested to arm and equip themselves, at their own expense; but there is no penalty to enforce the injunction of the law."¹⁶ Knox noted the danger of the shortage of arms (about 5,000) for the militia during the Whiskey Rebellion: "The late experiment proves, at least in some parts, that the laws were inefficient, and had it

not been for voluntary zeal, which came to its aid, the community might have experienced great evils."¹⁷

Knox never retreated from his position that only by having an elite, mobile force comprised of socially expendable citizens able to rush to trouble spots could the nation have a workable militia system. Writing to Congress in 1794, Knox offered a forlorn hope that the Uniform Militia Act could be modified to realize his concept of a select force within the mass of the militia: "Whether the act in question is susceptible of such attention and amendments, on its present principles, as will secure the advantages to be derived from a well-organized militia, or whether a limited, but select, and efficient corps of militia, formed on a principle of rotation, or otherwise, and taken from the classes least injurious to the industry of the community, would not better fulfill that object, and at the same time better comport with economy are questions which the wisdom of Congress alone is competent to decide."¹⁸ As Frederick Bernays Wiener notes, not until the Dick Act of 1903 and the National Defense Act of 1916 would Congress act to reorganize the nation's militia plan into a practical system.¹⁹

The War of 1812 provided evidence of how the rhetoric about the militia differed from the reality. Conflicts over how the militia should be used created militarily untenable situations at times. Some militia conveniently reverted to the British notion of militia as purely defensive, and at inopportune times. At the battle of Queenston in October 1812, the militia contingent refused to cross the Niagara River into Canada, and watched their regular army comrades get slaughtered by British forces.²⁰

Further evidence of the unsuitability of hastily assembled militia came when 4,400 men gathered from the community met British regulars outside Washington, D.C. The resulting rout ("the Bladensburg Races") swept up several in the administration, including, ironically, then-President James Madison.²¹ The raw militia of the country was spared embarrassment during the Mexican War since it "was fought on foreign soil, and therefore it was not possible to call up the militia which claimed constitutional immunity against being used as an invading force."²² As a result, the war was fought mostly with regulars, although many individual members of the state militias saw duty in Mexico.

The Civil War dramatically showed the shortcomings of what George Washington once called "a mistaken dependence on the militia;" the initial campaign of the war had to be fought with militia, which by law could not be called into federal service for more than three months.²³ One unwanted effect of this use of militia was the untimely departure of some of the Union soldiers during the midst of the battle of Bull Run when their obligation had expired. According to Galloway, "the failure of the state militia system led to the draft."²⁴

When I originally approached the problem of analyzing the Second Congress' military roll calls through cluster bloc analysis, I expected that the voting patterns would break down into neat segments that would reflect obvious voting tendencies. Unfortunately, the period's lack of party development complicated the matter. Since the great foreign crises with France and England that would serve to accelerate political cleavage had not

yet reached fever pitch, congressmen tended to vote in ways that defied the polarization of each subsequent Congress.

Analysis of all 102 votes and all House members makes apparent the general trend toward sectional voting that was at work in the Second Congress. Federalist New Englanders, led by the redoubtable Fisher Ames and Theodore Sedgwick of Massachusetts, and assisted in part by a few sympathetically oriented South Carolinians, voted in a bloc opposed regularly by the other Southern and Mid-Atlantic states. The Virginians, led by James Madison, voted consistently with several North Carolinians and Pennsylvanians overall, usually taking what would soon be called the Republican position. In this movement toward regional political identification were the seeds for far more dangerous disagreements in the nation's future.

Within the fringes of both groups, however, were independent thinkers, such as the notably quirky Elbridge Gerry, who voted on issues according to the dictates of their whim, rather than following a designated party line. While such men would have bedeviled the serenity of potential party leaders, their presence is a factor not found as often in later congresses, when parties had coalesced into solid entities. The independence of men such as Gerry and the various members appointed to fill seats vacated due to illness or personal problems must be considered as a factor also when noting the relatively small voting blocs developed on militia and frontier issues.

Using the seventy percent agreement level used throughout the analysis, the six militia roll calls produced a strong Federalist bloc. This group voted regularly in support of

administration measures, and includes several members of what could be called the master bloc of Federalist congressmen. The bloc which opposed them was composed primarily of Virginians and North Carolinians, who voted on militia measures in a manner calculated to preserve the sanctity of state sovereignty over the militia and prevent the encroachment of federal power on personal liberties.

The fact that voting on the Uniform Militia Act itself combines members of the Federalist bloc with a few of the opposition bloc attests to the scrambled appeal of the bill, and the strength of the cross pressures created by two different (though similar) issues. Strong supporters of the militia, such as Madison and Steele, favored a sturdy militia, while strong Federalists, such as Ames and William Loughton Smith, favored an extension of federal authority and control over the state militia. Thus, some intersection occurred between blocs on the militia vote itself.

Another factor that must have been at play when men were making their voting choices in the Second House was whether a member had seen military service of some sort. Despite all the rhetoric about the virtues of a Saxon-like militia, members who had actually seen combat could not, for the most part, bring themselves to vote for the Uniform Militia Act. Table One shows the difference between veterans and non-veterans on this point, with 68 percent of the members who had been exposed to the realities of war voting against the haphazard militia bill. While the same striking contrast does not occur between veterans and non-veterans when they are examined in voting blocs, few

combat veterans voiced more than token acknowledgement to the concept of a militia. Most, especially hard-bitten soldiers like Anthony Wayne and Artemas Ward, sneered at the idea of militia ever being anything more than cannon fodder. Interestingly, one of the most vigorous proponents of the militia concept was James Madison, whose experiences with untrained troops years later at the Battle of Bladensburg would provide further fuel to detractors of the militia.

On votes dealing with the issue of a stronger federal army, which I grouped together as Frontier votes, there is less cohesion in the voting blocs. Rather than groups that link together by region or party, the blocs take on a more random form than on the militia issue. The apparently scattered nature of the voting blocs is attributable to the variety of interests facing the congressmen on this issue. Some men, such as Ashe and Steele of North Carolina, were in the position of needing a military presence near their home districts due to the Indian threat, and voted for a stronger regular military although their hearts lay with the militia. Others, such as Artemas Ward, who had led militia during the first exciting days of the Revolution, voted for a stronger regular army out of a belief in a more powerful and effective federal military. The issue of a more potent regular army on the frontier seems to have been one that transcended future party lines and came down to the personal beliefs of the individual members.

The members of the Second Congress passed several bills that have influence to this day. The Frontier Bill established a precedent of massive defense expenditures for the nation which

has continued periodically since then. The Uniform Militia Act, although ineffective and soon relegated to obscurity, continued the philosophical tradition of the citizen soldier that had been in place since the Jamestown and Plymouth settlements and remains with us to this day. By enacting this legislation, the Second Congress perpetuated the notion, or myth, of the sturdy citizen who would spring to arms in his country's defense at a moments' notice. As the nation's leading military historian, Russell F. Weigley, put it, "The Militia Act of 1792 was not useless; it preserved if it did not improve the inherited tradition of a citizen soldiery, and that tradition was to assist the nation often in future years."²⁵

The issue of how the Uniform Militia Act was passed remains something of a mystery. For months at a time after its introduction to the House it lay on the shelf in committee, rarely emerging for discussion until the St. Clair disaster prompted renewed interest in things military. A future researcher might do well to track in detail the passage of the bill from its introduction in 1790 until its passage in 1792. Of even more interest might be either proving or disproving Richard Kohn's suggestion that the final passage of the Uniform Militia Act in its watered-down form was actually a clever attempt by the Federalists to destroy the existing state militia systems of the country. The notion is an intriguing one, but concrete evidence might prove difficult to obtain, since any conspirators in such a plot are long dead and naturally would have been stealthy in their activities. It is curious that the Federalists, who espoused a strong military, allowed what was previously a

vigorous, if uneven, state militia system to atrophy into insignificance.

NOTES

¹See, for example, Annals of Congress, 3:337-54.

²Edgar S. Maclay, ed., Journal of William Maclay (New York: D. Appleton & Company, 1890), 240.

³Fisher Ames to Thomas Dwight, January 13, 1792, in Ames, Works of Fisher Ames, 109.

⁴Kemp Plummer Battle, ed., Letters of Nathaniel Macon, John Steele and William Barry Grove with Sketches and Notes by Kemp P. Battle, LL.D. (Chapel Hill: University of North Carolina Press, 1902), 7.

⁵Ibid.

⁶Prucha, 32-38.

⁷Miller, 183; Nelson, 249-68.

⁸Knox to Congress, December 10, 1794, American State Papers: Class V, Military Affairs, 1:21. See also R. Don Higginbotham, "The Martial Spirit in the Antebellum South: Some Further Speculations in a National Context," Journal of Southern History 58 (February 1992): 3-26. Higginbotham disputes the prevalent idea that the South had an exclusive hold on military orientation. He cites the superior readiness of Massachusetts and the number of northern military academies.

⁹Ibid.

¹⁰Third Congress, First Session, March 24, 1794, American State Papers: Class V, Military Affairs, 1:15.

¹¹Wiener, 187.

¹²Report of Theodore Sedgwick to the Third Congress, First Session, March 27, 1794, American State Papers: Class V, Military Affairs, 1:16.

¹³Third Congress, First Session, November 25, 1794, Ibid., 18.

¹⁴Hill, 9-12; Knox to Congress, December 10, 1794, American State Papers: Class V, Military Affairs, 1:21.

¹⁵Annals of Congress, 2:2088-89.

¹⁶Knox to Congress, December 10, 1794, American State Papers: Class V, Military Affairs, 1:21.

¹⁷Ibid.

¹⁸Ibid.

¹⁹Wiener, 187.

²⁰Eileen Galloway, History of U.S. Military Policy on Reserve Forces, 1775-1957 (Washington, D.C.: U.S. Government Printing Office, 1957), 445.

²¹Ibid., 445.

²²Ibid., 446.

²³Ibid., 448; George Washington to the President of Congress, December 20, 1776, Vol. 6, Writings of George Washington, 402.

²⁴Galloway, 449.

²⁵Weigley, History of the United States Army, 94.

APPENDIX A
DEFENSE RELATED ROLL CALLS IN THE SECOND CONGRESS

Roll Call 1

Date:

January 30, 1792

Measure:

To amend H. R. 162, a bill to make further and more effectual provision for the protection of the frontiers of the United States by eliminating the second section which provides for the raising of three additional regiments of infantry.

Issue:

This amendment would eliminate the expense of equipping and arming about 3,000 regular soldiers for the nation's defense by not raising them.

Vote:

Yea 18, Nay 34.

Result:

H. R. 162 comes to a vote in its original form, which provides for an expanded regular army for the defense of the frontier.

Location:

Annals, 354; Journal, 2H, 1S, 87.

ICPSR variable number:

HO21014

ICPSR location:

Card 1, column 46.

Attitudinal position:

A nay vote would indicate approval of the enlargement of the regular army for the defense of the frontier.

Roll Call 2

Date:

February 1, 1792

Measure:

To pass H. R. 162, a bill to make further and more effectual provision for the protection of the frontiers of the United States.

Issue:

This bill, sometimes referred to as "The Frontier Bill," would authorize the raising of three additional regiments of regular infantry for use in the Indian war then raging. This would bring the strength of the U. S. Army to a total of five regiments.

Vote:

Yea 29, Nay 19.

Result:

A shift began in American military policy towards a much greater reliance on regular troops in the Indian campaigns.

Location: Annals, 355. Journal, 2H, 1S, 500.
 ICPSR variable number: H021015
 ICPSR location: Card 1, Column 47.
 Attitudinal position: A yea vote would indicate approval of the enlargement of the regular army for the defense of the frontier and a more efficient approach to the nation's defense, despite the greatly increased cost of maintaining this force. The vote on this issue placed some of the members in the position of choosing between their fear of a larger regular military force and the need for a more disciplined army to defend a frontier exposed to attack by General St. Clair's rout.

Roll Call 3
 Date: February 28, 1792
 Measure: A motion to disagree to the Senate amendment to H. R. 162, which would strike out the fourteenth section which grants exclusive authority to the President to appoint officers.
 Issue: The motion in question voices House desire to restore the President's power to appoint officers to the force being raised for the defense of the frontiers. The House wants the President to have the power to appoint officers in the interim between sessions of Congress; the Senate had killed this provision.
 Vote: Yea 43, Nay 9. The House disagrees to the proposed amendment of the Senate.
 Result: The House affirms the right of the President to make interim appointments of officers to the three additional regiments being raised for the defense of the frontier.

Location: Annals, 430; Journal, 2H, 1S, 117.
 ICPSR variable number: H021025
 ICPSR location: Card 1, column 57.
 Attitudinal position: A yea vote would indicate approval of the enlargement of the regular army, or at least executive appointment of officers; it would also indicate that a delay in raising the regiments would not be "consistent with the public safety."

Roll Call 4

Date:

March 6, 1792

Measure:

To pass H. R. 102, the Uniform Militia Act (also referred to in the ICPSR data as H. R. 148) to more effectually provide for the national defense, by establishing a uniform militia throughout the United States.

Issue:

This bill would require each able-bodied white male between the ages of eighteen and forty-five to enroll in a state militia within one year from the time the bill became law. Further, each man was required to arm and equip himself according to the act's requirements.

Vote:

Yea 31, Nay 27.

Result:

The much-modified Uniform Militia Act is approved by the House.

Location:

Annals, 435; Journal, 2H, 1S. 125.

ICPSR variable number:

H021026

ICPSR location:

Card 1, column 58.

Attitudinal position:

A ye a vote would be cast by a congressman who wished to see a militia act of some sort to standardize state forces and to develop a potentially strong army. However, several representatives who voted for the bill expressed reservations about its weaknesses.

Roll Call 5

Date:

April 12, 1792

Measure:

A motion to amend H. R. 102, an act to more effectually provide for the national defense by establishing a uniform militia throughout the country by extending the authority of the President to call up the militia in emergencies.

Issue:

The amendment would empower the President to call forth the militia "to execute the laws of the Union, suppress insurrections, and repel invasions."

Vote:

Yea 37, nay 20.

Result:

The President's power to call out the state militia in emergencies is enhanced.

Location:

Annals, 552; Journal, 2H, 1S, 183.

ICPSR variable number:

H021050

ICPSR location:

Card 2, column 35.

Attitudinal position: A yea vote would be cast by a representative who felt that the President needed the flexibility of placing the militia under national service in a sudden crisis. It would indicate support for a strong, effective militia.

Roll Call 6

Date : April 12, 1792
 Measure: A motion to amend H. R. 102, a bill to establish a uniform militia, by extending the President's authority to call up the militia and to provide punishment for refusing to obey orders while in the service.

Issue: The amendment would provide a heavy fine or court-martial for a militia member who refused an order while in federal service.

Vote: Yea 24, Nay 37.
 Result: The provision of H. R. 102 that would levy stiff penalties on disobedient state militia in federal service is disagreed to by the House.

Location: Annals, 555; Journal, 2H, 1S, 184.
 ICPSR variable number: H21051
 ICPSR location: Card 2, column 36.
 Attitudinal position: A yea vote would be cast by a Representative who desired to support federal authority, even at the expense of state authority.

Roll Call 7

Date: April 19, 1792
 Measure: To amend H. R. 162, a bill to raise a further sum of money for the protection of the frontiers by increasing the duty on imported hemp and cordage and to revive all duties previously exempted.

Issue: The amendment would strike out imported cotton from articles exempted from duty. This issue moved the focus of the debate from the protection of the frontier to a discussion of the merits of Southern cotton.

Vote: Yea 32, Nay 31. The Speaker declared himself with the nays. The question was lost.

Result: The raising of further revenues for the protection of the frontiers would have to come from other sources than the proposed plan.

Location: Annals, 562; Journal, 2H, 1S, 191.
 ICPSR variable number: H021052
 ICPSR location: Card 2, column 37.

Attitudinal position:

A yea vote would be cast by a congressman who would like to see a duty placed on imported cotton, thus protecting Southern cotton and financing the protection of the frontiers. The voting broke down into a strong North-South sectional voting pattern.

Roll Call 8

Date:

November 21, 1792

Measure:

To pass the resolution to appoint a committee to bring in a bill to repeal the clause of the militia law which relates to the arming of the same.

Issue:

Congressman Murray of Maryland protested that the clause which required each militia member to provide his own firearm was unjust and unfairly burdened those members of society who could least afford their own arms.

Vote:

Yea 6, Nay 50.

Result:

The requirement for each member of the militia to provide his own firearm continues unchanged.

Location:

Annals, 710. Journal, 2H, 2S, 20.

ICPSR variable number:

H022001

ICPSR location:

Card 2, column 46.

Attitudinal position:

A nay vote would be cast by a congressman who would not want to make the Congress accountable for arming vast numbers of state militia. The issue became one of fiscal concern rather than an attempt to weaken the militia.

Roll Call 9

Date:

December 18, 1792

Measure:

To pass a resolution that the U. S. be authorized to employ such part of the military force and militia as required for the protection of the frontiers and, if necessary, to carry on offensive operations against the five lower Cherokee towns.

Issue:

The resolution would allow the use of the regular army or militia not only to defend the frontier, but also to take the offensive against some of the Southern tribes.

Vote:

Yea 21, Nay 27.

Result:

Offensive action against the Indian tribes of the South is delayed.

Location:

Annals, 749. Journal, no entry.

ICPSR variable number:

H022005

ICPSR location:

Card 2, column 50.

Attitudinal position:

A yea vote would be cast by a congressman in favor of the use of federal or state forces in a destructive offensive campaign against Indians.

Roll Call 10

Date:

January 8, 1793

Measure:

To amend the resolution to reduce the military establishment.

Issue:

The amendment would set a specific pattern for the reduction of the military forces of the United States. Yea 26, Nay 32.

Vote:

Result:

The main resolution for reduction of the country's military establishment remains undiluted. Annals, 802. Journal, 2H, 2S, 72.

Location:

ICPSR variable number:

ICPSR location:

Attitudinal position:

H022008

Card 2, column 53.

A nay vote would reflect a congressman's general dissatisfaction with the bill for reduction of the nation's military, and would indicate support for a strong army. The voting pattern on this vote closely resembles that of the main vote that immediately follows it.

Roll Call 11

Date:

January 8, 1793

Measure:

To pass the resolution to appoint a committee to prepare a bill to reduce the military establishment and to repeal the act for the further protection of the frontiers.

Issue:

The proposal put forth by Mr. Steele of North Carolina would significantly reduce the number of regular troops in the U. S. Army, making the frontier more dependent on the militia for defense. The measure would save the nation a great deal of money in defense costs.

Vote:

Result:

Yea 20, Nay 36.

Reliance on regular forces remains the dominant means of defense.

Location:

ICPSR variable number:

ICPSR location:

Attitudinal position:

Annals, 802. Journal, 2H, 2S, 73.

H022009

Card 2, column 54.

A yea vote indicates a desire to rely on militia as the principal deterrent military force in the nation. In the often florid debate that preceded the vote, the merits and failings of militia through the country's history were discussed hotly.

Roll Calls one, two, three, seven, and nine were analyzed together as Frontier votes, since they primarily involved the use of regular troops or the extension of federal authority over the use of the nation's defense forces.

Roll Calls four, five, six, eight, ten, and eleven were analyzed as Militia votes, since they dealt with militia forces.

APPENDIX B
U. S. HOUSE OF REPRESENTATIVES,
SECOND CONGRESS, 1791-1793

<u>Representative</u>	<u>Party</u> ¹	<u>State</u>
Ames, Fisher	Ad	Mass.
Ashe, John Baptista	A-Ad	N.C.Car.
Baldwin, Abraham	Ad	Ga.
Barnwell, Robert	Ad	S.C.
Benson, Egbert	Ad	N.Y.
Boudinot, Elias	Ad	N.J.
Bourne, Shearjashub	Independent	Mass.
Bourn, Benjamin	Ad	R.I..
Brown, John	A-Ad	Va.
Clark, Abraham	Ad	N.J.
Dayton, Jonathan	Ad	N.J.
Findley, William	Ad	Pa.
Fitzsimmons, Thomas	Ad	Pa.
Gerry, Elbridge	A-Ad	Mass.
Giles, William B.	A-Ad	Va.
Gilman, Nicholas	Ad	N.H.
Goodhue, Benjamin	Ad	Mass.
Gordon, James	Ad	N.Y.
Greenup, Christopher	A-Ad	Ky.
Gregg, Andrew	A-Ad	Pa.
Griffin, Samuel	A-Ad	Va.
Grove, William Barry	A-Ad	N.C.
Hartley, Thomas	Ad	Pa.
Hiestler, Daniel	Ad	Pa.
Hillhouse, James	Ad	Conn.
Hindman, William	Ad	Md.
Huger, Daniel	A-Ad	S.C.
Jacobs, Israel	Ad	Pa.
Key, Philip	Ad	Md.
Kitchell, Aaron	Ad	N.J.
Kittera, John	Ad	Pa.
Laurance, John	Ad	N.Y.
Learned, Amasa	Ad	Conn.
Lee, Richard Bland	Ad	Va.
Leonard, George	Ad	Mass.
Livermore, Samuel	A-Ad	N.H.
Macon, Nathaniel	Ad	N.C.
Madison, James	A-Ad	Va.
Mercer, John Francis	A-Ad	Md.
Milledge, John	A-Ad	Ga.
Moore, Andrew	A-Ad	Va.
Muhlenberg, Frederick Augustus	Ad	Pa.
Murray, William Vans	Ad	Md.

Niles, Nathaniel	A-Ad	Vt.
Orr, Alexander	A-Ad	Ky.
Page, John	A-Ad	Va.
Parker, Josiah	A-Ad	Va.
Pinkney, William	Ad	Md.
Schoonmaker, Cornelius C.	A-Ad	N.Y.
Sedgwick, Theodore	Ad	Mass.
Seney, Joshua	Ad	Md.
Sheridine, Upton	A-Ad	Md.
Silvester, Peter	Ad	N.Y.
Smith, Israel	A-Ad	Vt.
Smith, Jeremiah	Ad	N.H.
Smith, William Loughton	Ad	S.C.
Steele, John	Ad	N.C.
Sterett, Samuel	A-Ad	Md.
Sturges, Jonathan	Ad	Conn.
Sumter, Thomas	A-Ad	S.C.
Thacher, George	Ad	Mass.
Tredwell, Thomas	A-Ad	N.Y.
Trumbull, Jonathan	Ad	Conn.
Tucker, Thomas Tudor	Ad	S.C.
Venable, Abraham	A-Ad	Va.
Vining, John	Ad	Del.
Wadsworth, Jeremiah	Ad	Conn.
Ward, Artemas	Ad	Mass.
Wayne, Anthony	Ad	Ga.
White, Alexander	A-Ad	Va.
Williamson, Hugh	Ad	N.C.
Willis, Francis	A-Ad	Ga.

There were a total of seventy-two members during the Second Congress.

¹Designations for this period of early party development are taken from Stanley B. Parsons, William W. Beach, and Dan Hermann, United States Congressional Districts, 1788-1841 (Westport, Conn.: Greenwood Press, 1978). Parsons uses the designations Administration and Anti-Administration in lieu of the labels Federalist and Democrat, which are more appropriate in later congresses.

APPENDIX C
HOUSE MEMBERS EXCLUDED FROM ANALYSIS

The following House members have been excluded from analysis due to an insufficient voting record.

<u>Representative</u> (N=7)	<u>Party</u>	<u>State</u>
Brown, John	A-Ad	Va.
Greenup, Christopher	A-Ad	Ky.
Hindman, William	Ad	Md.
Leonard, George	Ad	Mass.
Milledge, John	A-Ad	Ga.
Orr, Alexander	A-Ad	Ky.
Pinkney, William	Ad	Md.

APPENDIX D
 BLOC STRUCTURE OF HOUSE OF REPRESENTATIVES
 ON SIX MILITIA ROLL CALLS, SECOND CONGRESS

PRO-REGULAR (N=12)
Representatives

	<u>Party</u>	<u>State</u>
Ames, Fisher	Ad	Mass.
Barnwell, Robert	Ad	S.C.
Benson, Egbert	Ad	N.Y.
Bourne, Shearjashub	Independent	Mass.
Fitzsimmons, Thomas	Ad	Pa.
Hartley, Thomas	Ad	Pa.
Hillhouse, James	Ad	Conn.
Huger, Daniel	A-Ad	S.C.
Kittera, John	Ad	Pa.
Laurance, John	Ad	N.Y.
Silvester, Peter	Ad	N.Y.
Thacher, George	Ad	Mass.

PRO-MILITIA (N=8)
Representative

	<u>Party</u>	<u>State</u>
Ashe, John Baptista	A-Ad	N.C.
Giles, William B.	A-Ad	Va.
Grove, William Barry	A-Ad	N.C.
Livermore, Samuel	A-Ad	N.H.
Macon, Nathaniel	Ad	N.C.
Parker, Josiah	A-Ad	Va.
Steele, John	Ad	N.C.
Venable, Abraham	A-Ad	Va.

APPENDIX E
 BLOC STRUCTURE OF HOUSE OF REPRESENTATIVES
 ON FIVE FRONTIER ROLL CALLS

PRO-FRONTIER (N=12)

<u>Representative</u>	<u>Party</u>	<u>State</u>
Ashe, John Baptista	A-Ad	N.C.
Bourne, Shearjashub	Independent	Mass.
Bourn, Benjamin	Ad	R.I.
Gilman, Nicholas	Ad	N.H.
Goodhue, Benjamin	Ad	Mass.
Grove, William Barry	A-Ad	N.C.
Macon, Nathaniel	Ad	Va.
Niles, Nathaniel	A-Ad	Vt.
Steele, John	Ad	N.C.
Sumter, Thomas	A-Ad	S.C.
Thacher, George	Ad	Mass.
Ward, Artemas	Ad	Mass.

ANTI-FRONTIER (N=13)

<u>Representative</u>	<u>Party</u>	<u>State</u>
Ames, Fisher	Ad	Mass.
Barnwell, Robert	Ad	S.C.
Dayton, Jonathan	Ad	N. J.
Huger, Daniel	A-Ad	S.C.
Kitchell, Aaron	Ad	N.J.
Learned, Amasa	Ad	Conn.
Muhlenberg, Frederick A.	Ad	Pa.
Murray, William Vans	Ad	Md.
Seney, Joshua	Ad	Md.
Silvester, Peter	Ad	N.Y.
Smith, William L.	Ad	S.C.
Sterett, Samuel	A-Ad	Md.
Wadsworth, Jeremiah	Ad	Conn.

APPENDIX F
 SECOND HOUSE: TOTAL BUSINESS WITH BLOCS/FRINGES
 (102 ROLL CALLS)

ADMINISTRATION BLOC (N=12)

<u>Representative</u>	<u>Party</u>	<u>State</u>
Ames, Fisher	Ad	Mass.
Benson, Egbert	Ad	N.Y.
Boudinot, Elias	Ad	N.J.
Bourne, Shearjashub	Independent	Mass.
Bourn, Benjamin	Ad	R.I.
Goodhue, Benjamin	Ad	Mass.
Gordon, James	Ad	N.Y.
Hillhouse, James	Ad	Conn.
Leonard, George	Ad	Mass.
Sedgwick, Theodore	Ad	Mass.Wadsworth,
Jeremiah	Ad	Conn.
Ward, Artemas	Ad	Mass.

FRINGE MEMBERS OF ADMINISTRATION BLOC
 ON 102 ROLL CALLS

<u>Representative</u> (N=13)	<u>Party</u>	<u>State</u>
Barnwell, Robert	Ad	S.C.
Dayton, Jonathan	Ad	Pa.
Fitzsimmons, Thomas	Ad	Pa.
Gerry, Elbridge	A-Ad	Mass.
Gilman, Nicholas	Ad	N.H.
Hartley, Thomas	Ad	Pa.
Kittera, John	Ad	Pa.
Laurance, John	Ad	N.Y.
Livermore, Samuel	A-Ad	N.H.
Silvester, Peter	Ad	N.Y.
Smith, William Loughton	Ad	S.C.
Thacher, George	Ad	Mass.
Vining, John	Ad	Del.

ANTI-ADMINISTRATION BLOC MEMBERS
ON 102 ROLL CALLS

<u>Representative</u> (N=13)	<u>Party</u>	<u>State</u>
Ashe, John Baptista	A-Ad	N.C.
Baldwin, Abraham	Ad	Ga.
Brown, John	A-Ad	Va.
Findley, William	Ad	Pa.
Giles, William	A-Ad	Va.
Griffin, Samuel	A-Ad	Va.
Lee, Richard Bland	Ad	Va.
Madison, James	A-Ad	Va.
Moore, Andrew	A-Ad	Va.
Page, John	A-Ad	Va.
Parker, Josiah	A-Ad	Va.
Seney, Joshua	Ad	Md.
Venable, Abraham	A-Ad	Va.

FRINGE MEMBERS OF ANTI-ADMINISTRATION BLOC
ON 102 ROLL CALLS

<u>Representative</u> (N=10)	<u>Party</u>	<u>State</u>
Greenup, Christopher	A-Ad	Ky.
Gregg, Andrew	A-Ad	Pa.
Grove, William Barry	A-Ad	N.C.
Hiestler, Daniel	Ad	Pa.
Macon, Nathaniel	Ad	N.C.
Mercer, John Francis	A-Ad	Md.
Tredwell, Thomas	A-Ad	N.Y.
Williamson, Hugh	Ad	N.C.
White Alexander	A-Ad	Va.
Willis, Francis	A-Ad	Ga.

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