The Executive and Party Politics from Washington to Buchanan (1789-1859)

I. Political Parties as “Sores on the Body Politic”

A. The authors of the Constitution and early presidents held negative views of political parties.

1. Partisan conflict had the potential to break up the union.

2. Partisanship was seen as related to private and group interests, and both were seen as damaging to the national interest. George Washington in particular worked to rise above partisan interests and work in support of the national interest.

3. Washington’s cabinet was divided between Federalist Alexander Hamilton and Thomas Jefferson, leader of the Democratic-Republican party. Washington himself was the only president to NOT claim a party affiliation.

II. Federalists vs. Jeffersonian Democratic-Republicans

A. A prominent early dispute between the Federalists and the Democratic-Republicans concerning the power of the executive came over the Jay treaty.

1. Democratic-Republican leaders in the House were able to gain support for a measure that called on the President to send them all papers regarding the negotiation of the Jay treaty.

2. Washington refused, and his influence ultimately broke down the Democratic-Republican majority in the House.

3. Although the issue of the House’s role in foreign policy, given the House role as the origination of bills regarding appropriations, has never been entirely resolved, Washington’s position on the Jay treaty set a powerful precedent on the side of executive power.
4. Democratic-Republican opposition to the Jay treaty was designed to gain support in the election of 1896, but this back-fired and is seen as helping to get Federalist John Adams elected as president and increasing the number of Federalists in Congress.

B. John Adams became the first Federalist president, with Democratic-Republican Thomas Jefferson as his vice president. The authors of the Constitution had not considered how partisan rivalries might affect the composition of the executive.

C. The Federalists supported a stronger executive, whereas the Democratic-Republicans feared a strong executive as a threat to both congressional and state leadership and power.

D. President Adams support of the Alien and Sedition Acts was attacked by the Democratic-Republicans as vesting too much power in the executive and violating the principle of separation of powers. Further, the Sedition Act was attacked by Democratic-Republicans as an unconstitutional violation of freedom of speech and the press.

1. The Sedition Act was used against the Democratic-Republican press, with differences in political opinion held to be seditious.

2. The Sedition Act expired the day before Jefferson took office as president, but Jefferson underscored his opposition by pardoning those who had been convicted under the act.

E. Although, in principle, the Democratic-Republicans believed in a weaker executive relative to the Congress and emphasized restraint on the part of the national government, in practice they did not reduce the power of the executive.

1. Jefferson exercised as much power over domestic policy making as Hamilton had done in the Washington administration.

2. In 1803, Jefferson purchased the Louisiana territory, doubling the size of the nation. In a letter to a senator, Jefferson indicated his belief that the Constitution granted such power to neither the executive nor the Congress.
3. In 1807, Jefferson imposed an embargo on all foreign commerce in an attempt to maintain U.S. commitment to neutrality between Britain and France. As stated by Milkis and Nelson (p.98), this involved coercion on the part of the federal government on a scale similar to that of the Alien and Sedition Acts.

F. Despite the similarities in terms of the relative strength of the executive under Federalists and Democratic-Republicans, there was a difference in the executive in terms of the relationship between the president and the people.

1. Washington and Adams, in the Federalist view, believed that the president’s power came from the Constitution.

2. Jefferson did not reject the view that presidential power was based on the Constitution, but Jefferson also believed that the strength of the executive ultimately depended upon public support (the “affections of the people” as quoted by Milkis and Nelson, p.99).

   a. In his attempt at party government, Jefferson sought to join the executive with the legislative branch (particularly the more representative House). This differed from the Federalist emphasis on the separation of the executive and judicial branches.

   b. This difference in Federalist emphasis on a separate executive versus the Democratic-Republican emphasis on the importance of representation of the people leading to a more important role for the legislature went back to original differences between the Federalists and Democratic-Republicans concerning the power of the executive.

   c. Jefferson sought to change the relationship between the president and the public in a number of ways.

1. Jefferson was much less “regal” and formal than Washington and Jefferson had been. Jefferson, for example, rode his own horse with one servant in attendance, whereas Washington and Jefferson had rode through the capital in a coach with a number of attendants.

2. Jefferson began the practice of sending the State of the Union speech in written format to Congress, rather than delivering it in person.
3. Jefferson emphasized the role of the president as acting in the best interests of the nation, as in the case of the Louisiana Purchase, where Jefferson viewed himself as placing the public interest above a strict interpretation of the Constitution.

G. Jefferson and the 3 Democratic-Republican presidents who followed him did not, however, take the idea of popular presidential leadership to the extent that Andrew Jackson and 20th Century presidents beginning with Theodore Roosevelt would.

1. Jefferson and the Democratic-Republican presidents who followed him did not extend the use of the spoils system in attempts to strengthen their party or gain influence in Congress.

2. Many Federalists administrators were left in place by Jefferson, and the expectation of non-partisan public administration continued.

3. Democratic-Republican presidents (as most 19th Century presidents) did not appeal directly to the public over the heads of Congress (now referred to as “going public”), but rather attempted to gain influence through party mechanisms in Congress and the state governments.

Despite great controversy over Jefferson’s trade embargo, Jefferson only attempted private persuasion and leadership among party leaders. Jefferson never took the issue directly to the public, and Congress ended the embargo in early 1809. Modern-day presidents are much more likely to seek public support for policies threatened by Congress.

H. In summary, both the Federalists and the Democratic-Republicans may be seen as taking the position in favor of a strong executive relative to Congress. The principal difference between the actions of Federalist and Democratic-Republican presidents reflected a difference in views of presidential power as arising from the Constitution or based on popular leadership (through party leadership). Democratic-Republicans did not, however, take the conception of popular leadership by the president to the extent that later presidents would.
III. Jacksonian Democracy and the Whig Response

A. With Andrew Jackson’s rise as a national political figure, Jefferson’s Democratic-Republican party split between what became the Democratic party under Jackson and the National Republicans under John Quincy Adams and Henry Clay. The National Republican party developed into the Whig party, with the term Whig taken from the party in England who opposed the power of the King and supported legislative (parliamentary) power and designed to emphasize Whig opposition to Jackson’s conception of the presidency.

B. Key elements of Jacksonian Democracy and Jackson’s conception of the presidency

1. Belief in equality of opportunity and the view that no one should have special privileges over others

2. Support for strict limits on the role of the national government, with states playing the greater role in governing and less government intrusion overall

3. Belief in the president, rather than Congress, as the link between citizens and the national government

4. Contradiction between a more powerful president (as the representative with the most direct link to the public) and the belief in a weaker national government, as well as Jackson’s opposition to South Carolina’s ordinance of nullification in favor of national supremacy over states’ rights

5. Change in state election laws to make state voters rather than the state legislature the determining voters in the selection of electors to the Electoral college (changed in all states but S. Carolina by 1832)

6. Expansion of the electorate, with the elimination of property requirements for voting and the development of universal suffrage for white men (by 1832)

7. End of the “king caucus” as the method of choosing presidential nominees and the beginning of the national party convention
8. Development of political parties as mass organizations, with both citizens and political elites playing important roles in the political party.

9. Development of the political party as the link between the president and the public, providing the president with a relatively stable foundation of popular support that helped to lessen the likelihood of Congress resuming the role of the more representative institution

10. Expansion of the “spoils system” (party patronage)

11. Expansion of the partisan press as a link between the president and the public

C. Conflict over legislation to recharter the Bank of the United States was key element of contention between President Jackson (and a Democratic House) and the Whig leadership in the Senate (who, although not a majority) formed a coalition with southern Democratic senators who resented Jackson’s support for the union over states’ rights in the nullification crisis of 1832

   1. In opposition to the national bank, Jackson moved deposits to various state banks

   2. Exemplifies the contradiction between Jackson’s support for greater power of state governments as well as greater power for the president

D. Financial crisis in 1837 leads to defeat of Democratic President Van Buren in favor of Whig President William Henry Harrison

E. Harrison’s death after only a month in office leads to presidency of John Tyler, who had been chosen to “balance the ticket”

   1. Tyler represented a faction of the Whig party that was less nationalist than Whig Leaders such as Henry Clay.

   2. Tyler was less supportive of dismantling the Jacksonian presidency than Harrison and other Whigs.
3. Tyler quickly assumed the presidency after Harrison’s death and asserted his position as president, setting the precedent for later vice presidents to assume the presidency with the same status as an elected president, absent clear guidance in the Constitution as to whether the vice president served only until a special election could be held or until the next regular election.

4. Tyler effectively helped to consolidate the Jacksonian presidency, and subsequent presidents in the Jacksonian era, including Whig President Zachary Taylor and Vice President Millard Fillmore, who assumed office after Taylor’s death.

F. The Whigs also helped to reinforce Jacksonian democracy by (in their efforts to defeat Jackson) adopting the same techniques of popular campaigning first developed by Jackson.

G. The era of Democratic-Whig partisan rivalry and the Jacksonian presidency ended with the controversy over slavery and the battle between states’ rights and national supremacy that resulted in the Civil War.