PENNSYLVANIANS, FOREIGN RELATIONS, AND POLITICS, 1775-1790

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by

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INTRODUCTION

The purpose of this study is to examine the role of Pennsylvania leaders, Pennsylvania politics, and ideology in the making and conduct of foreign policy during the Revolution and Confederation. Historians have not recognized the significant relationship of these topics in the overall story of early American foreign relations and the movement for constitutional reform during the 1780s, which received much of its motivation from recognition of the weakness of the Confederation government in foreign affairs. This study intends to demonstrate the importance of the combination of these topics to our understanding of how American foreign relations emerged during the Revolution and the Confederation.

Pennsylvania leaders had such a notable impact on American foreign affairs mainly because of the immense significance of their colony in its relationship to the others in the years before the Revolution, and then of their state to the new nation during the Revolution and Confederation. It is not surprising that Pennsylvania was important to the evolution of American foreign relations:
Philadelphia, its largest city, and the second largest city in the British Empire before the Revolution, was the capital of the United States and the seat of the Continental and Confederation Congresses where the first foreign policy was made; it was a major port for overseas trade and thus the home of many of the prominent merchants in America; it was called the “breadbasket” of the colonies because it produced grains for export to the other colonies and to overseas ports; its delegation’s vote on the independence resolution in the Second Continental Congress was crucial to its passage; Pennsylvania’s internal political revolution and counterrevolution would also have an impact on the foreign affairs of the new nation.

The analysis of the impact of ideology on Pennsylvanians’ thinking about foreign relations intends to make understandable the complex affairs they faced in dealing with other nations, and why they responded to them in the manner they did. Michael Hunt defines ideology as “an interrelated set of convictions or assumptions that reduces the complexities of a particular slice of reality to easily comprehensible terms and suggests appropriate
ways of dealing with that reality."\(^1\) When we pay attention to the influence of ideologies, we can see the meaning behind important words used in correspondence. It thus becomes apparent that ideology links to the social, cultural, and economic environment in which foreign policy-makers exist.\(^2\)

This work examines the four ideologies that were available to Americans of the late eighteenth century that could guide them in their approach to foreign relations. These are realism; idealism, or what the historian Felix Gilbert called idealistic internationalism; republicanism; and liberalism. When observing relations between nations of the world the realist sees a situation that has not changed since nation states first developed and will not change in the future. The condition of the world is chaotic; states act in their own interests and will often use aggressive diplomacy and war to achieve their goals. When making decisions about foreign policy, humanitarian concerns or the benefits their actions will have for other nations do not motivate realists. They believe in being


\(^2\) Ibid., 196.
prepared for dangerous developments in foreign affairs. ³ We will use the term realist to describe Pennsylvanians who believed their state and nation would prosper through use of traditional European methods of diplomacy in attempting to achieve commercial expansion without involvement in foreign politics. Pennsylvania realists also came to recognize that the nation required a strong central government with the capacity to regulate foreign commerce and defend American merchant vessels at sea and national borders from aggressive foreign nations.

Idealism in foreign relations is an ideology based on the belief that a reformation in world affairs was possible and that alliances and war between nations were unnecessary. Conflicts could be resolved peacefully and all nations could benefit from the mutual exchange of ideas and commerce. It only required leaders motivated by the desire to establish peace and prosperity and to move forward in moral and political progress.⁴ Idealistic internationalism is used here to describe the thinking of those Pennsylvanians who subscribed to the ideology of

⁴ Ibid., 312.
Thomas Paine in foreign relations that is described in chapter one. Briefly stated, an idealistic internationalist envisions a free exchange of commerce between nations breaking down the barriers between them and ushering in a new era of peace.

Republicanism in the eighteenth century was a political ideology that professed that a republic required its citizens to uphold virtue in all public and private affairs. American republicanism emphasized agriculture as the means to national prosperity because of the productivity of American lands and the virtue associated with agricultural labor. It condemned the accumulation of wealth and the pursuit of luxury as leading to corruption, loss of liberty, and the dependency of one class of society upon another. It accepted commerce, however, as a means to maintain the health of the republic because it illuminated the republican traits that Montesquieu listed as “‘frugality, economy, moderation, labour [sic], prudence, tranquility, order, and rule.’” The political faction

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known as the Constitutionalists best reflects republicanism in the following chapters.

Liberalism was an ideology that influenced Americans of the revolutionary period that traced its origins to seventeenth-century England. Political liberalism proclaims that the purpose of government is to protect the individual rights of the citizenry.\textsuperscript{6} The premise of economic liberalism is that when individuals pursue their own commercial interests they benefit themselves and society.\textsuperscript{7} American liberalism emerged during the 1750s, when the colonial commodity market grew substantially because of food shortages in Europe. Colonial farmers became directly involved in overseas commerce, which led to increased prosperity for them and a feeling that their individual commercial ventures could gain them social, economic, and eventually political independence.\textsuperscript{8} This study uses liberalism to describe the economic ideology of the Republicans in Pennsylvania, the faction of Robert Morris.

\textsuperscript{7} Joyce Appleby, \textit{Liberalism and Republicanism in the Historical Imagination}, Cambridge, MA 1992), 107-08.
\textsuperscript{8} Banning, “Jeffersonian Ideology Revisited”, 5.
This is the first study of one of the thirteen states during the Revolution and Confederation and the role of its leaders in politics and foreign relations. By examining the contacts between Americans and foreign nations in the microcosm of one state, we gain a better understanding of Americans’ attitudes toward the new union, their states, and their position in the world. Pennsylvania, and specifically its capital Philadelphia, is the setting for significant interaction between state and national leaders and the representatives of foreign nations, probably more than any other state.

The availability of a significant volume of sources makes Pennsylvania and foreign relations worthy of examination. The papers of major figures such as Benjamin Franklin and Robert Morris, the records of the Pennsylvania governments of the Revolution, and the diplomatic correspondence of foreign representatives in Pennsylvania during the period are some of the documents that are at the foundation of this study.

Historians have not highlighted the relationship between Benjamin Franklin and Robert Morris and their cooperation in the making and conduct of foreign policy. They were oftentimes the leading figures in American
foreign affairs and in the political affairs in Pennsylvania. This meant that they could not always separate their involvement in both. We will discuss this partnership in chapters two and four.

This study strengthens Frederick Marks’s argument that foreign affairs were the primary issue that moved the nation toward a new constitution. The Pennsylvania Nationalists were the major force that recognized that the nation’s weakness in foreign affairs and failure to achieve commercial expansion could not be remedied without a central government that had the power to defend the nation and its interests. We will see the role of Robert Morris and his supporters in this movement in chapter four.

The political struggle in Pennsylvania from 1776 to 1790 was between the Constitutionalists or Radicals, and Anti-Constitutionalists or Republicans. The Constitutionalists were typically small farmers who were suspicious of big business and wanted a democratic government for the state. Republicans set out to convene a second state constitutional convention and write a document that reflected their conservative political ideology of

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republican government that included a separation of powers. Many were wealthy merchants who became targets of the Constitutionalists because they opposed the Constitutionalists’ economic and financial policies. These policies were often contrary to the Republican commercial and financial vision for Pennsylvania and the United States. This study argues that the eventual victory of the Republicans in the struggle for control of Pennsylvania was also vital to the ratification of the Constitution of the United States by 1788, which provided for a strong central government capable of enforcing the articles of treaties agreed to between the United States and foreign nations, regulating commerce and collecting duties on imports, and effectively defending the nation from foreign dangers.

Chapter one examines the historiography of foreign relations, Pennsylvania politics, Pennsylvanians involved in foreign relations and ideology during the Revolutionary period. The survey of the ideologies available to American leaders when considering foreign policy reveals the sharp disagreement among historians on the influence of particular modes of thinking. This study argues that the primary theme of the pronouncements and actions in the realm of foreign relations of Pennsylvania leaders and
political factions was the conviction that either an idealistic or a realistic foreign policy would best serve the interests of the state and the nation. By 1787, the realist ideology had gained enough support in Pennsylvania for the state to support a new constitution for the nation that gave the central government power to regulate commerce and provide for national defense.

Chapter two investigates the attitude of prominent Pennsylvanians towards the colonial relationship with Great Britain before the Revolution and those individuals who contributed to the writing of the 1776 Plan of Treaties, the first foreign policy of the United States. Pennsylvania leaders were at the forefront of the gatherings of delegates from the other colonies to formulate a single policy in response to what Americans viewed as a violation of their constitutional liberties. The realist “Pennsylvania” ideology of these individuals played a major role in delaying the outbreak of the American Revolution. In 1776, Pennsylvania leaders began to show different attitudes toward what they believed to be the proper course for American foreign relations. Benjamin Franklin and Robert Morris, both of whom were in positions to direct policy, were at the center of the story.
Franklin and Morris best represented the new “Pennsylvania” ideologies, but their different views did not cause them to diverge in the conduct of foreign affairs. During this period, however, they began to disagree on commercial policy. Both men shared a vision of American commercial expansion, but subtly different mixtures of realism and idealism guided them in the pursuit of their goals. Franklin was an idealistic internationalist and republican who envisioned a world at peace that embraced the principles of the Plan of Treaties, but he also acted in the interests of the nation when he believed it was necessary. Morris had an ideal albeit liberal view of commerce between nations flowing without restriction; yet, he came to recognize the necessity of a realistic foreign policy. The fruition of either Franklin’s or Morris’s hopes for American foreign relations depended by 1780 on many factors, among them the course of the Revolution, the outcome of the political struggle in Pennsylvania, and, for Morris, the future of his career in state and national politics and in business.

The third chapter studies the early phases of the battle between the Constitutionalists and the Republicans for control of the Pennsylvania state government. The
Republicans sought to gain power in order to write a new constitution and to carry out commercial and financial policies that reflected their liberal ideology. The outcome of the struggle with the Constitutionalists was important to the Nationalists, who arose in the 1780s seeking revision of the Articles of the Confederation to allow for a strong central government capable of providing for the national defense, regulating commerce and collecting duties, and enforcing treaty obligations in the states. Robert Morris, the leader of the Nationalists, was a primary target of Constitutionalist criticism and investigation. If his opponents had succeeded in discrediting him, damaging his reputation, and perhaps destroying his political position in the state, they might have dashed the hopes of the Republicans and Nationalists for constitutional reform in Pennsylvania and the United States. As we will see in this chapter, the attacks on Morris were often entangled with relations with France. The many contacts between the government of Pennsylvania and French officials and merchants were nothing but detrimental to Franco-American relations. There is no evidence, however, that they ever seriously threatened the alliance or continued French financial and military support.
for the Revolution. In fact, this study argues that the Pennsylvania authorities’ handling of several of these incidents actually served to demonstrate to foreign nations that in the absence of a consular convention and a central government that had the power to enforce agreements with foreign nations, when confronted with disputes between state and foreign representatives and citizens, Pennsylvania would apply state law and uphold the sovereignty of the state during a critical period in which the fragile union was vulnerable to diplomatic pressure from powerful nations such as France. Yet, the incidents showed also that to avoid them in the future the nation required a single policy on affairs with foreign nations and a central government with power to enforce it.

In chapter four we will see the real appearance of the Nationalists under Morris and their successes and failures in Pennsylvania and in seeking to open foreign markets for American commerce. Morris and Franklin are again highlighted as the major figures who used their positions (Morris, as superintendent of finance, and Franklin, as minister to France) to expand American commerce. Their own ideologies guided their approach to this goal. At home, Morris and his allies succeeded in establishing the bank of
North America, an institution that they believed, among other things, would strengthen the nation’s credit abroad; but they met resistance from several of the states to amending the Articles of Confederation to allow Congress to collect duties on imported goods as a source of revenue. The opposition they faced at home to granting Congress power over commerce and abroad to expanding American commerce with the colonial possessions of France and Spain was evidence of the critical need for constitutional revision. It was also evidence that the nation required a realistic foreign policy, one that recognized that changes in international politics, the balance of power, and the interests of states had to be considered in foreign relations, and that to effectively handle these issues, the central government required the power to regulate foreign commerce and have complete control over foreign policy.

The efforts of Morris and the Republicans helped to bring about the Federal Convention of 1787 that produced the Constitution of the United States. During the early 1780s, Franklin continued to advance idealistic internationalism in his diplomacy in Europe but was unable to achieve his vision of a world of peace and free trade.
Pennsylvania politics of the 1780s, continued efforts of the Constitutionalists to undermine Robert Morris and the Republicans, and the most serious diplomatic imbroglio between Pennsylvania and France are the subjects in chapter five. After a brief period as the minority party in the assembly the Republicans succeeded in regaining control of the state government by 1786. This was the decisive moment; they were then in a position to move toward constitutional reform for the state and the nation.

From the analysis of the impact of ideology on the thinking of the Pennsylvanians in the following chapters, we will see that they did not draw from one body of ideas alone, but rather combined several philosophies in formulating their Weltanshauung. Realism, the most prominent of the modes of thinking among Pennsylvania leaders convinced them eventually that the new nation had emerged into a dangerous world and therefore needed to develop foreign policies that protected the nation, its people, and its interests.
Chapter One

American Foreign Relations, Pennsylvania, and Ideology

During the Revolution and Confederation: A

Historiographical Background

This chapter examines the historiography of American diplomacy of the American Revolution, how historians have treated the involvement of Pennsylvania and Pennsylvania leaders in foreign affairs, and the ideologies that influenced the making and conduct of foreign policy. A survey of the literature on these topics demonstrates the need for this study to further our understanding of the period. Historians have not examined the role of the leaders and politics of the individual states in the foreign relations of the Revolution and Confederation. This is not surprising since scholars of the Revolutionary period have been more interested in such things as political ideology, the constitutions of the states, social developments, and, of course, the military history of the War of the Revolution. Works on diplomacy have focused on the American negotiations in Europe and territorial expansion. This study hopes to bring to attention the
potential of examining an individual state, its politics, and its leaders to the field of early American diplomacy. The different origins of the American colonies meant that the attitudes of their people toward foreign relations could have varied dramatically. For example, the New England colonies’ traditional maritime economy and their resistance to British policies may have engendered a very different ideology on foreign affairs from the politically and socially conservative Carolinas. Some colonies such as Virginia had concerns with Atlantic commerce and westward expansion while colonies such as Rhode Island and Delaware did not. Although the Declaration of Independence created a union of the states, the citizens within each of them still believed they would conduct many of their affairs themselves. They did not always see their relations with foreign nations as something they should conduct as one nation. We will see in this study that during the Revolution and Confederation Pennsylvania established its own commercial policy toward foreign trade and handled its affairs with foreign representatives on its own. By studying American foreign relations during this period from the perspective of one state, we can better understand the varied economic and political interests that Americans
held, and how those interests influenced the making and conduct of national policy. We may also see that factors such as culture, economics, and politics may have influenced the thinking and actions of American leaders from the other states involved in foreign relations.

There is at present a large collection of works on the diplomacy of the American Revolution and American relations with nations of Europe during the Revolution and Confederation.

We will examine here only those works that are relevant to this study. On the period of the Revolution itself, Samuel

Flagg Bemis's 1935 *The Diplomacy of the American Revolution* has withstood the test of time as a detailed narrative. His chronology provides a background to the discussion of the diplomatic activities of the individuals in the chapters to follow. Bemis pioneered the multiarchival approach, a methodology that historians are once again putting to great use, although they have scrutinized his interpretive framework. Bemis favors the American diplomats, elevates their achievements in Europe, and sees the American Revolution as having the center of attention of the European powers. In *A Diplomatic History of the American Revolution*, Jonathan Dull argues that the Europeans were much more concerned with the politics and balance of power on their continent than the outcome of the war in America. He also finds fault with American negotiators and does not view them as skillful as Bemis does.²


John Adams is the center of the analysis of American diplomacy in Europe in James Hutson's *John Adams and the Diplomacy of the American Revolution*. His volume is important to the present study because it argues in favor of realism as the dominant ideology of American foreign relations during the Revolution in expanded form. Hutson offers psychological explanations for Adams' actions that are not always persuasive and dismisses the possible influence on Adams' thinking on foreign policy of any other ideas except traditional European ones. We will discuss Hutson’s challenge of idealism in early American foreign policy later in this chapter.

*Benjamin Franklin and American Foreign Policy* by Gerald Stourzh is another important study of the influence of ideas on attitudes about international affairs. Stourzh finds the roots of Franklin's thinking about diplomacy in two concepts that also guided his political thought: power and equality. We see the application of these principles in Franklin's statements on the political crisis between the colonies and Great Britain before 1775, when he accepted the sovereignty of the king but rejected the sovereignty of Parliament over the colonies because its membership did not include colonial representatives.
Stourzh argues that throughout Franklin’s long career in politics and diplomacy he was never a prisoner of ideology in his thinking about either British foreign policy during the 1750s or American foreign policy during the Revolution. Although he appeared to become more of an internationalist after the signing of the French treaties, he still believed America should avoid as many foreign connections as possible. Franklin was aware that the presence of foreign powers on America’s frontiers was a danger to the nation’s security, thus his belief that the nation should acquire much of the continent. Stourzh does not see Franklin as a prisoner of any one ideology; he acted in every diplomatic situation in the best interests of the nation. The present study argues, however, that Franklin was an idealist when he considered the security of high seas commerce and hoped that all nations would agree to the principles of the Plan of Treaties of 1776.

The need to remedy America’s foreign affairs problems as the primary motivation behind the movement toward the Federal Convention of 1787 is the thesis of Frederick Marks in Independence on Trial: Foreign Affairs and the Making of the Constitution. The United States faced significant foreign relations challenges during the 1780s including
British restrictions on American commerce with their West Indies islands, friction with Spain over access to the Mississippi River and Indian raids across the frontier of Florida, and attacks by Barbary corsairs on American merchant vessels in the Mediterranean. Marks argues that the Nationalists knew that foreign affairs impacted all of the interest groups and classes of people in the country and that they could be convinced that a constitution that granted the central government the power to collect taxes and regulate trade was necessary. Although Marks does not include ideology in his analysis, his findings support the argument that by the 1780s American leaders became convinced that a realistic foreign policy was necessary to achieve American commercial expansion. The current study intends to enhance Marks’s thesis by emphasizing the importance of Pennsylvanians and Pennsylvania’s experience with foreign relations in the movement for constitutional reform.

The tradition of scholarship on revolutionary Pennsylvania has been to focus on internal politics; this is the first examination of Pennsylvanians and foreign
affairs during the Revolution. The Counter-Revolution in Pennsylvania, 1776-1790, by Robert L. Brunhouse provides the chronological framework used in this study of the effect of politics on Pennsylvania’s foreign relations. Brunhouse’s primary argument is that from the moment of the completion of the Pennsylvania constitution in 1776, a party of opposition — the Republicans — began competing with the supporters of the constitution — called Constitutionalists or Radicals — and succeeded by the late 1780s in gaining control of the state government and writing a new conservative constitution for the state. Brunhouse attributes the Republicans success to their

ability to sell their financial and economic policies to the voters. The Republicans had an advantage over their opponents in that many of them were merchants who understood business and financial affairs. Foreign affairs and the ideology of the two parties only occasionally enter into the course of Brunhouse’s narrative. The present study supplements his work and contends that the success of the Nationalists in moving the nation toward constitutional revision was dependent upon the Republicans’ victory over the Constitutionalists, and that the outcome of the conflicts between the Pennsylvania government and France demonstrated the necessity of a stronger American central government with the power to control the foreign relations of the United States and regulate foreign commerce for the entire nation.

On the topic of Pennsylvania and commerce, A Vigorous Spirit of Enterprise by Thomas Doerflinger studies the merchants of Philadelphia and their varied commercial activities between the 1750s and 1790s. Doerflinger provides a detailed social history of Philadelphia's merchant class and statistics on their imports and exports as well as their wealth. Although Doerflinger does not pay much attention to the influence of ideology on these men,
he does examine how merchants became more politically active after 1776, especially in advocating a central government that could provide for the protection of commerce.¹

Surprisingly, despite his significance to the success of the Revolution and the Nationalist movement, there have been very few biographies of Robert Morris. *Robert Morris, Revolutionary Financier with an Analysis of His Earlier Career* by Clarence L. Ver Steeg is still the most comprehensive account of Morris’s life and career as man of business and public servant. Yet Ver Steeg presents Morris in isolation from the political battles going on around him, battles in which the present study demonstrates he was very much involved.

There is no attempt here to analyze the large number of biographies of Benjamin Franklin. Historians have examined his role in pre-revolutionary Pennsylvania politics and his diplomacy during the Revolution. None of these works, however, describes Franklin as representative

of the “Pennsylvania” ideology advanced by the Constitutionalists or the dichotomy of his attitude toward foreign policy compared to that of his close friend and fellow Pennsylvanian Robert Morris that we will see in the following chapters. Gerald Stourzh’s book remains the only survey of Franklin and ideology in foreign relations.

An extensive debate between historians on the political and foreign policy ideology of the Revolution centers on which mode of thinking was the most attractive to Americans of the time. Felix Gilbert began the discussion on ideology and foreign affairs with his 1961 book *To the Farewell Address*, in which he used the term idealistic internationalism to describe the ideology of Thomas Paine and the European philosophes who encouraged American leaders to seek a revolution in the eighteenth-century international system of power politics and mercantilism. Gilbert focuses on the process by which European notions and American assumptions about foreign relations fused into a unique American foreign policy. Throughout the eighteenth century, politicians and writers in England debated the policy their country should follow in foreign affairs. The European state system changed dramatically between the Peace of Utrecht of 1713 and the
American Revolution. Since the sixteenth century, English foreign policy had sought the maintenance of a balance of power in Europe, while diplomacy on the Continent centered on the rivalry between the Bourbon and Habsburg dynasties. England had participated in the War of the Spanish Succession to prevent Louis XIV of France from gaining a hegemonic continental position. This war marked the shift in the theater of contention in Europe from the southern and central regions to the Atlantic coast and North America. England and France had become the major rivals in Europe. Other changes were the turning of Austria's attention to the Danube River Valley, the rise of Russia to major power status, and Prussia's emergence as a military power in central Europe. As British prime minister, William Pitt the Elder redirected English foreign policy to a focus on commerce and colonies in North America and the containment of France on the Continent with the aid of Prussia.⁵

During the eighteenth century, British foreign policy sought the maintenance of a balance of power on the European continent through the employment of either a

⁵ Felix Gilbert, To the Farewell Address: Ideas of Early American Foreign Policy (Princeton, 1961), 33-34.
continental policy in which Britain would ally itself with
one or more of the powers or an insular or "blue water"
policy in which the navy would be the first line of offense
or defense. In Parliament, Whigs and Tories, the political
factions of eighteenth-century Britain, divided on foreign
policy. Arising during the debate on the Exclusion Bill
between 1679 and 1681, the Whigs opposed the royal
succession of Charles II's Catholic brother, James the Duke
of York, while the Tories supported the hereditary
succession. The ideological divide in religion extended to
politics and meant that each party had its allies. The
Whigs' belief in the supremacy of Parliament earned them
the allegiance of Dissenters and the mercantile community;
the Tory camp included Anglican clergy and the landed
gentry. Whigs and Tories expressed their opposing views in
pamphlets in which some argued that England should preserve
the balance of power in Europe; others wanted to take
advantage of their nation's position as an island. The
accession of the Hanoverian monarch George I to the English

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6 Earl A. Reitan, Politics, War, and Empire: The Rise of
Britain to a World Power 1688-1792 (Arlington Heights, IL,

7 Ibid., 8.
throne complicated the debate. The Act of Settlement of 1715 stated that "'in case the Crown and Imperial dignity of this Realm shall hereafter come to any person not being a native of this Kingdom of England, this nation shall not be obliged to engage in any war for the defence of any dominions or territories, which do not belong to the Crown of England, without the consent of Parliament.'" This meant that a parliamentary majority that did not believe in preserving the balance of power in Europe could prevent British participation in wars on the Continent.

A number of English writers argued against Great Britain's involvement in wars and in favor of a concentration on commercial interests. A pamphlet published in 1742 proclaimed that a trading nation "'ought not to concern itself with particular nations, or Schemes of Government in distant countries. Her interest requires that she should live if possible in constant Harmony with all Nations, that she may better enjoy the Effects of their friendship in the Benefits resulting from their commerce.'"

The most influential work of the period was Israel Mauduit's Considerations on the Present German War, published in 1761. Mauduit argued against British

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8 Gilbert, Farewell Address, 24.
involvement in continental alliances, instead promoting the idea that a unification of the German states could serve England's interests as a counterbalance to France.⁹

Many of the American elite were familiar with the writings on foreign affairs of English writers. John Adams read Bolingbroke and Mauduit's pamphlet and was familiar with the so-called Bible of the English Whigs, James Burgh's *Political Disquisitions*. Burgh was a pacifist who wrote against entangling England in conflicts on the European continent. American newspapers quoted him, and several prominent men, including George Washington, Thomas Jefferson, and John Hancock, purchased the first American edition of *Political Disquisitions* in 1775.¹⁰

Felix Gilbert contends that the most influential writer on American thinking on foreign affairs was the English émigré to the colonies, Thomas Paine, who wrote in his 1776 essay *Common Sense* that the American plan of foreign relations was commerce, which, "well attended to, will secure us the peace and friendship of all Europe; because it is in the interest of all Europe to have America

⁹ Ibid., 27-30.

¹⁰ Ibid., 35-36.
a free port."¹¹ Paine anticipated America becoming a liberal commercial republic of citizens motivated by self-interest. Government's only purpose would be to keep order but with a minimum of power, for it would be the "'mutual and reciprocal interest'" of individuals that would maintain social order. Paine argued that civil disturbances and uprisings were not attributed to weak government, but to government itself. "'Instead of consolidating society, it divided it; it deprived it of its natural cohesion, and engendered discontents and disorders, which otherwise would not have existed.'"¹² The virtue in commerce was in the benefits it provided to all nations, and internal revolution or foreign invasion would not threaten a liberal republic that prospered through foreign trade. He saw international trade as facilitating domestic tranquility, acting to "'temper the human mind,'" and having a "'civilizing effect'" on the nations involved. As nations became more dependent on one another for commerce, the threat of war would diminish. Paine labeled


international trade a "'pacific system operating to unite mankind by rendering nations as well as individuals useful to each other.'" He claimed that "'if commerce were permitted to act to the universal extent it is capable of, it would extirpate the system of war, and produce a revolution in the uncivilized state of governments.'"\(^{13}\)

Paine's ideology rejected the traditional view that the interest of states was the underlying principle of foreign policy and contended that nations should direct their international affairs toward the progress of all people. The basis of Paine's ideas on international relations was his belief in two classes of human beings: "society" and "the state." "Society" consisted of "the productive classes" of laborers, farmers, artisans, small merchants, and manufacturers not involved in monopolies; "the state" included government officials, standing armies, blue-water navies, aristocrats, established clergy, and holders of government-chartered monopolies that exploited state power and benefited themselves by taxing the productive classes. Paine recognized the main theme of history to be the struggle for supremacy between these two classes; warfare was an extension of this conflict. When

\(^{13}\) Ibid., 576-77.
one state invaded another, it attempted to conquer new territories to tax their productive classes and to provide a justification for taxation at home. Paine approved, however, of wars of national liberation and civil wars aimed at overthrowing despotic governments. Thus, he wholeheartedly approved of the American Revolutionary War, calling it "'a new era for politics'" and "'in great measure the cause of all mankind.'"\footnote{\textit{Ibid.}, 577.}

According to Gilbert, the French philosophes, the progressive minds of eighteenth-century Europe who believed that history had reached a point in which all conflict among nations could be resolved and order achieved, were another important influence on American attitudes about foreign affairs. They envisioned a world united as one civilization through the free exchange of goods; this commerce could achieve not only a community of interests but also the elevation of isolated sovereignties to higher significance. The philosophes viewed the primacy of foreign affairs in politics with disdain. D'Argenson in his \textit{Considerations sur le Government Ancient et Present de la France} said, "'The true purpose of the science called politics is to perfect the interior of a state as much as..."
possible. Flatterers assure the princes that the interior is there only to serve foreign policy. Duty tells them the opposite.'" Philosophes criticized the widely held notion that peace in Europe could only be preserved through the maintenance of a balance of power. Gabriel-Henri Gaillard wrote: "'the system of balance of power is a system of resistance, consequently of disturbance, of shocks and explosions.'" Other philosophes criticized treaties as "temporary armistices," alliances as "preparations for treason," and secret diplomacy as an "'obscure art which hides itself in the folds of deceit, fears to let itself to be seen and believes it can succeed only in the darkness of mystery.'"

Gilbert asserts that Thomas Paine's *Common Sense*, the French philosophes, and other writers of the European Enlightenment influenced the making of American foreign policy in 1776. In this work, we will see that the thinking of several Pennsylvania leaders about foreign relations, especially Benjamin Franklin and Robert Morris, partially supports Gilbert’s argument that idealistic internationalism influenced the ideology of early American foreign relations. As the following chapters also demonstrate, however, idealism in foreign relations was by

15 Gilbert, Farewell Address, 56-61.
no means prevalent among Pennsylvania leaders, and even Franklin and Morris came to realize that a revolution in the international system was unlikely.

Gilbert's thesis remained unchallenged until 1976, when James H. Hutson published his article "Early American Diplomacy: A Reappraisal." Hutson contends that Gilbert was incorrect in his claim that the ideas of the philosophes influenced the American revolutionaries in their formulation of foreign policy. The absence of documentary evidence in the writings of Americans during the 1770s would seem to support Hutson. He points out that John Adams, the main architect of the 1776 Plan of Treaties, expressed disdain for the philosophes. Leaving no stone unturned in his determination to prove the nonexistence of the influence of the philosophes or idealistic internationalism in the thinking of the members of Congress, Hutson read the entire corpus of correspondence for 1776 in the Letters of Delegates to Congress, 1774-1789 and found no evidence of the influence of either.16

Gilbert argues that when Americans used the phrase "free trade," they referred to commerce without tariffs,

16 Fitzsimons, "Tom Paine's New World Order," 570.
duties, exclusions, or monopolies that the philosophes advocated, but Hutson contends that a completely free system of trade was not what American leaders sought to achieve. The Model Treaty of 1776, Hutson declares, was a framework for commercial reciprocity, not free trade. American leaders sought to have foreign nations treat American merchants and their cargoes in the same manner in which they treated their own merchants. The United States would then reciprocate to foreign traders in American ports. It would comply with the European system of mercantilism but preserve the American carrying trade.\textsuperscript{17}

Hutson's strongest criticism of Gilbert is of the latter's assertion that eighteenth-century Americans had a clouded perception of the role of power in shaping international politics. That they clearly understood power is shown in Benjamin Franklin's 1751 pamphlet Observations Concerning the Increase of Mankind, predicting that the colonial population would continue to double every twenty years and make America a great power in the world. John Adams, after reading Franklin's paper, wrote that the increase in the American population would allow Americans

to gain "'the mastery of the seas; and then the united force of all Europe will not be able to subdue us.'" Franklin theorized that this steady growth in population would facilitate the expansion of British commerce and power as the citizens of America would be consumers of British goods. He stated enthusiastically that the 'foundations of the future grandeur and stability of the British empire lie in America.'"¹⁸

Hutson believes that Americans before the Revolutionary War looked upon themselves and their colonies as the assets that made Great Britain the dominant power in Europe and the world, and that the political and commercial course that America followed would decide the shift in the European balance of power. A cessation of Anglo-American trade would be catastrophic to Britain, American leaders believed. As early as fall 1774, the Whigs in Congress were envisioning the foreign policy of an independent America and they agreed "'that the European balance of power, if manipulated properly by America would guarantee her national security." According to Hutson, that colonial

¹⁸ Ibid., 50-52.
Americans understood the balance of power and its potential uses to the Revolution is beyond dispute.\(^{19}\)

American leaders also considered the principle of interests of nation states in their political and diplomatic deliberations. Again, Hutson uses the words of John Adams to support this point: "'How is the Interest of France and Spain affected by the dispute between B[ritain], and the C[olonies]? Is it the Interest of France [to] stand neuter to join with B. or to join with the C. Is it not her Interest to dismember the B. Empire?'" Hutson proposes that Americans may have learned about realism in foreign policy from reading the writers of the English Opposition -- Algernon Sidney, John Bolingbroke, and others. Probably more influential was the general attitude in the British Empire that the maintenance of the balance of power in Europe should be the basis of British foreign policy.\(^{20}\)

When the Continental Congress agreed to the Plan of Treaties in the summer of 1776, its intent was to lure France to open its commerce to the United States based on

\(^{19}\) Ibid., 54; Hutson, John Adams and the Diplomacy of the American Revolution (Lexington, KY, 1980), 16.

reciprocity. The Revolutionary leaders recognized the potential danger of France to the United States and hoped that Britain would also agree to the terms of the Model Treaty and thus counter the power of France. Adams did not wish to humble the British at the feet of the French. He thought that America should "'resist every thought of giving to France any unequal advantage in our Trade even over England, for it never could be our Interest to ruin England, or annihilate their maritime Power.'"  

Britain would be needed, Adams realized, if France ever threatened the balance of power in Europe. This was a prescient observation as such a scenario would arise in Europe within twenty-five years. Yet, French commercial and naval power could serve the same purpose to counter British ambitions in America.  

Hutson maintains that John Adams intended the Model Treaty to benefit both France and Great Britain because it was in America's interest to benefit both. In a letter of March 1783 describing the debates in Congress on foreign policy in 1775 and 1776, Adams recounted the agreement that "there is a Ballance [sic] in Europe. Nature has formed it. Practice and habit have confirmed

21 Ibid., 59.

22 Hutson, John Adams, 28-29.
it, and it must exist forever. It may be disturbed for a time, by the accidental Removal of a Weight from one scale to another; but there will be a continual Effort to restore the Equilibrium.'"²³

Hutson presents a sizable amount of evidence to support his position that the Founders did not have an idealistic vision of a world of free trade, but rather drew on European ideas of international politics, balance of power, and interests of states in making foreign policy during the Revolution. American policymakers, Hutson argues, reached a consensus to use these ideas in establishing relations with the European nations in 1776, which led to prompt approval of the Model Treaty. Although this study of Pennsylvanians and foreign relations supports Hutson’s claim that realism was the dominant ideology among American leaders, it also demonstrates that his dismissal of the influence of Enlightenment ideas and Paine’s *Common Sense* on some American pronouncements on foreign relations is incorrect.

The republican interpretation of the Revolution then in vogue at the time of Hutson's revision of Gilbert sees the Founders' efforts geared toward building a republic

²³ Ibid.,
that was not tainted by the selfish avarice associated with foreign commerce. Nevertheless, even the staunchest supporters of this view do not go so far as to assert that the Founding Fathers opposed American involvement in international trade in principle. On the contrary, they argue that American leaders believed that the United States would prosper through its foreign commercial enterprises. What the Founders did find disdainful was the pursuit of profit and luxury and the cooperation of government with financial and commercial interests. Republican government, developed in pre-Christian Rome, was organized on the principle that elected officials should represent the people in government. The Romans expected these persons to demonstrate civic virtue by sacrificing their self-interest for the public good. In the mid-eighteenth century, many Americans considered the British constitutional system to be the best example of the republican ideal of mixed government because it balanced the interests of the people with the bicameral legislature of Lords and Commons and the monarchy.

The source of American republican ideology was the Opposition view of English politics of the radical left of the Whig party in England during the eighteenth century.
Known as Commonwealthmen to modern historians, these politicians did not propose radical changes to the English political system. Instead, they merely rebelled against the manner in which money and bureaucracy dominated the making of policy. They wrote about contemporary British politics and found support in the works of the classical republicans, such as James Harrington, John Milton, and Algernon Sydney. The paradigmatic shift to what historians call the republican synthesis established itself on a firm foundation with the publication of Bernard Bailyn's *The Ideological Origins of the American Revolution* in 1967, followed by two of republicanism's great columns: Gordon S. Wood's *The Creation of the American Republic* (1969), and J. G. A. Pocock's *The Machiavellian Moment* (1975).

Bailyn's thesis is that the republican ideas of English Commonwealthmen of the seventeenth century had a substantial influence on American political ideology in the second half of the eighteenth century. Americans committed themselves to revolution and the creation of a virtuous republic because they feared the growing influence of

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commercialization and British political corruption. Through the practice of frugality, industry, temperance, and simplicity, a virtuous people would achieve the ideal republican form of government and defend liberty from the depravities of power.\textsuperscript{25}

Carrying Bailyn's thesis into a study of the political and constitutional developments of the states was Wood's *Creation of the American Republic, 1776-1787*. To summarize, Americans on the eve of their revolution embraced republicanism as a modernizing force and emphasized the achievement of the "public good" through "'the sacrifice of individual interests to the greater good of the whole.'" The factionalism of party politics in the states during the 1780s eventually overwhelmed the commitment to the public good until the Constitution of 1787 achieved a new and modern conception of politics.\textsuperscript{26} Wood demonstrates that the various experiments in republican government in the states were not successful in the classical sense. In classical republican theory, power


\textsuperscript{26} Rodgers, "Republicanism," 18-19.
from the people came from, to use John Adams's term, "trinity in unity," as a division of one, few, and many. The "natural aristocracy," or those with the attributes necessary to govern, made up the one and the few, while the many, participating in government to a limited degree, "deferred to the few." Wood argues that the elite of America did not have a firm enough hold over their constituencies, and that the people resisted any semblance of the classical republican model. Revolutionary leaders were thus forced to adjust republican government to an American form that regarded the "people" as sovereign and the three branches of government, executive, legislative, and judicial, as representations of the people.27

In Pennsylvania, as Wood describes, the Republicans used the people's disenchantment with the radically democratic government of the state to promote bicameralism and the separation of powers, and thus protect the people from any abuse of power. Wood's analysis of Pennsylvania and the other states demonstrates the differing interpretations of what the American revolutionaries thought constituted a republican form of government. He

contends that both the people and patrician elements had a hand in the political and constitutional developments in the states.  

Although many historians acclaimed Wood's book as an interpretive masterpiece, Jack N. Rakove criticized Wood's emphasis on ideology and "'an overly intellectual approach to the study of American politics.'" For Wood, the writing of the republican constitutions in the states was the paramount concern of the revolutionaries. Thus, he writes, "'Nothing -- not the creation of this confederacy, not the Continental Congress, not the war, not the French alliance -- in the years surrounding the Declaration of Independence engaged the interests of Americans more than the framing of these separate governments.'" Rakove, however, points out that Wood does not really address the demands the war with England placed on Americans' republican virtues. These demands, Rakove believes, directed American actions more than ideology.

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In his rebuttal to Rakove, Wood offers that the apprehension about the over-intellectualizing of history may be the result of an exaggeration of the importance of ideas in history. Nevertheless, if ideas are not the driving force behind human actions, Wood says, they are at least coexistent with actions. There can be no behavior that does not have meaning, and for that meaning to be understandable, it must have an ideological root. Meanings are public and defined by contemporary culture, so that the range of human behavior is dependent on "an inherited system of conventions and values."  

J. G. A. Pocock analyzes the deep roots of American republicanism and describes what he calls "country" ideology, which had its origins in seventeenth-century England. During the reign of Charles II, some Englishmen came to believe that the crown's increasing use of the power of patronage, the augmentation of a professional army, a system of public credit, and a national debt threatened parliamentary liberty. In the decades that followed, an oppositional ideology known as "Old Whig," "Commonwealth," or "Country" solidified in the minds of

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some of the English gentry. This ideology entailed the independence of the branches of government -- in this case King, Lords, and Commons -- and a greater participation in politics of the independent proprietors (landowners and some merchants). Yet, these ideas did not originate in English political thought; they are a continuation of a classical republican tradition going back to the Italian Renaissance and ultimately the pronouncements of Aristotle and Cicero.

The country ideology of the eighteenth century incorporated the Renaissance idea that the loss of any part of a balanced government would be detrimental not only to the health of the government but to the independence and thus the morality of the individual citizen as well. Only a population that maintained a degree of social and political independence could contribute to the public welfare and thus be called virtuous. A society's loss of virtue would result in an irreversible descent into corruption. Bailyn postulated that country ideology permeated the minds of Americans in the 1760s and 1770s as they began to identify their difficulties with the
corruption of the British government, and to see their redemption only in a reaffirmation of civic virtue.\textsuperscript{31}

Wood and Pocock did not interpret the revolutionaries' fear of the corrupting influences of commercial activity as simply the exchange of goods. In fact, Wood writes, the founders "'favored commerce, by which they generally meant international trade, and many of them envisioned the United States becoming a great and wealthy commercial nation.'" What they viewed with trepidation, Stanley Elkins and Eric McKitrick call an "'unholy alliance of commerce, manufacturing, money, and public credit, fostered by an intrusive and interfering government.'"\textsuperscript{32} Ironically, such an alliance would be a major objective of Robert Morris, Revolutionary America's leading disciple of liberalism, another ideology of the late eighteenth century that some historians say dominated the thinking of American leaders. Led by a triumvirate of its own--Joyce Appleby, Isaac Kramnick, and John Diggins, liberalism countered the republican paradigm with strong criticism for its discounting of the influence of John Locke and liberal individualism, and its overemphasis on ideology.

\textsuperscript{31} Pocock, "Virtue and Commerce," 119-22.

\textsuperscript{32} Fitzsimons, "Tom Paine's New World Order," 572.
Liberalism had its roots in seventeenth-century England when Protestant values of hard work, frugality, and industry merged with the growing phenomenon of free-market capitalism. English writers on liberal economics emphasized self-interest as the force that stabilized the market and argued that ambition raised standards of living and stimulated the economy more than protectionist government policies. They believed that human beings could create economic prosperity if permitted to pursue their own interests. The market would bring out the economic rationalism that was inherent in human beings. Thomas Sheridan wrote in 1677 "'every man in society, even from the King to the peasant, is a merchant.'" Dudley North proclaimed "'that the loss of Trade with one Nation, is not that only, but so much of the Trade of the World rescinded and lost, for all is combined together.'" Rice Vaughan criticized the mercantilist policies of Portugal and Spain in the New World and predicted that "'future times will find no part of the Story of this Age so, as that all the other States of Europe . . . have not

33 Joyce Appleby, Liberalism and Republicanism in the Historical Imagination (Cambridge, MA, 1992), 102-3.
34 Ibid.
combined together to enforce a liberty of Trade in the West Indies; the restraint whereof is against all Justice."

Private enterprise in England grew during the seventeenth century despite continued enclosures of land and economic depressions. New types of trade, free coinage, non-enforcement of economic laws, and the abolition of feudal dues paid by property owners contributed to the success of the free-market economy. Inventories of shopkeepers became more diversified, and people who in earlier times had not participated in the exchange of goods were doing business over long distances.

The historiography of liberalism begins with Louis Hartz's *The Liberal Tradition in America*, in which Hartz argues that "Lockean liberalism" has been the guiding ideology in America since the nation's founding. But Hartz differentiates between the historic John Locke and his liberal philosophy, which Hartz says is based on individualism, economic self-interest, and materialist values." These ideas became so entrenched in British America because it did not experience feudalism, with all

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35 Ibid., 172-73.

its social and political hierarchies that would have at least delayed the development of liberalism. 37

Almost thirty years separated Hartz's 1955 book and new work on liberalism from a school of historians including John Patrick Diggins, Thomas L. Pangle, Steven Dworetz, and Isaac Kramnick who rejected the republican paradigm. Kramnick, for example, calls liberalism an ideology based on labor because according to its principles it is the duty of each individual to be industrious and to use his property to improve his life. Liberalism emphasized liberty and equality, work and the marketplace, achievement and talent. Locke justified competitive individualism and the right to unlimited wealth by arguing that God commanded man to work the earth for his own benefit and that, naturally, some would work it more efficiently than others. Therefore, some would possess more property than others. 38


Recognizing the narrow focus of the republican thesis on political and constitutional issues, J. E. Crowley and Drew R. McCoy have examined the political economy of republicanism. For Crowley, it was industry and frugality that created a "moral economy" that united Americans. Crowley also suggests that the majority of Americans accepted economic liberalism as compatible with their republicanism and thus did not try to restrict or eliminate commerce. McCoy's work reveals that Americans believed that they could avoid the decadence brought on by mercantilism and political corruption through the maintenance of a republican economy made up of self-reliant producers. Continental expansion combined with a liberal policy of international commerce would ensure the health of the Republic.\(^\text{39}\)

Despite the apparent harmonization in the neo-republican and liberal interpretations, Joyce Appleby came to reject these new interpretations of republicanism and its influence on ideology in the early Republic. She argues that the modernization of America before the Revolution

\(^{39}\) Shallope, "Republicanism and Early American Historiography," 345-46.
created "'the aggressive individualism, the optimistic materialism, and the pragmatic interest-group politics that became so salient so early in the life of the new nation.'" Seventeenth-century English economic literature, Appleby asserts, more than classical republicanism, motivated the lower and middle classes to carry out a revolution and create a liberal republic.40 She maintains that in Jeffersonian ideology, the key components necessary for American prosperity were agrarian expansion, the opening of new overseas markets, and internal improvements to facilitate the transport of agricultural production. The Jeffersonian vision, wrote Appleby, was "'both democratic and capitalistic, agrarian and commercial.'" She claimed that the work of the neo-republicans "'points Jefferson and his party in the wrong direction,' towards nostalgia for the past instead of enthusiasm for the future, toward admiration for 'agrarian self-sufficiency' rather than acceptance of commercial development."41

40 Ibid., 342.

Responding to Appleby's criticism of his colleagues, Lance Banning maintains that she has misidentified the Country ideology that he and other neo-republicans describe in their works. Appleby equates Country ideology with "the backward-looking, fearful country gentlemen and their great Tory spokesman, Viscount Bolingbroke." Banning points out, however, that American Republicans did not necessarily embrace all of Bolingbroke's ideology. The Revisionists, Banning says, "have stressed the Country's condemnation, not of commerce, but of financialism, mercantilism, and all-absorbing luxury."\(^\text{42}\) In his own *The Jeffersonian Persuasion*, Banning argues that both English and American republicans saw threats to their virtue not from merchants and manufacturers, but in the power of bureaucrats, creditors, and stockjobbers.\(^\text{43}\) Banning attempted to bridge the gap between Appleby and the revisionists. Recognizing a clear distinction between liberalism and classical republicanism, Banning maintains that since American revolutionaries were knowledgeable about both sets of ideas, identifying the influence of both on American

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\(^{42}\) Ibid., 9-10.

\(^{43}\) Ibid., 16-17.
ideology can significantly advance our understanding of the period.\(^{44}\)

Throughout the long career of republicanism and its challenge from liberalism in the historiography of the Revolution, diplomatic history maintained a position on the periphery of the field, uninvolved in the extensive debates over ideology. Yet, the historiographical chaos created by the disintegration of the republican paradigm offers diplomatic historians the opportunity to participate in the restoration of order and the construction of new interpretive frameworks. The significance of foreign policy to the revolutionaries is becoming apparent. As Peter Onuf writes, their "agenda was shaped by political and economic developments in the Atlantic world and their goals were articulated in the cosmopolitan idiom of the Enlightenment."\(^{45}\) Nevertheless, getting cosmopolitan interpretations of the Revolution into the foreground of American diplomatic history will be no easy task, for although the field has undergone a dramatic evolution in

\(^{44}\) Ibid., 17.

the last two decades with the appearance of a variety of new interpretations and methodologies, the emphasis has been on the twentieth century. Diplomatic historians studying the revolutionary and early national periods do their work on the remote frontier outposts, far from the metropolitan center of the field. This is unfortunate, because as Bradford Perkins points out, foreign policy during the early Republic was as important as it has been during any period of the twentieth century.

In the next chapter, we will see ideology in action as Pennsylvania leaders consider the imperial crisis between the colonies and Great Britain prior to 1775, and then the Revolution between 1775 and 1780. Because of the significance of the attitude of their colony in the formulation of a united colonial response to British policies and then in conducting foreign relations during the Revolution, the ideology of Pennsylvania leaders played a significant role.
Chapter Two

Benjamin Franklin, Robert Morris, and the Quest for Commercial Expansion, 1775-1780

From the beginning of the resistance movement to British policies during the 1760s through the Revolutionary War Pennsylvania leaders were at the forefront of the making and conduct of American policy toward Great Britain and then toward foreign nations. In their thinking on foreign relations before the Revolution, these individuals exhibited the ideology then dominant in their colony and then state, but the survival of an ideology depended on the political currents in Pennsylvania at the time. In response to the imperial crisis before 1776, Pennsylvanians sought respect for American liberties and the preservation of the Anglo-American political and economic relationship. They were, however, unable to stop the growing independence movement in their state and in Congress in 1776, and for those who accepted the new political realities by the summer of that year, the focus became how best to direct the course of Pennsylvania and the United States. Two individuals in particular, Benjamin Franklin and Robert Morris, reflected the ideological divisions between the two
factions in political conflict for control of the state government. Both men shared the aim of expanding American commerce with foreign nations, but they disagreed on the precise policies to achieve it. Franklin represented the Constitutionalist faith in a republican foreign policy based on the principles of the Plan of Treaties that Congress approved in 1776. Morris, also expressing idealism in some of his pronouncements, agreed with his Republican allies in the state who believed the nation needed to be realistic in its foreign relations and adhere to the philosophy of economic liberalism.

By 1779, Franklin had been successful in negotiating a commercial treaty with France, and he and other American diplomats were making efforts to convince other European nations to agree to the Plan of Treaties. Morris, for his part, was disenchanted with the results of American diplomacy, but he was out of Congress and no longer in a position to influence policy. The achievement of his foreign commercial goals depended upon the ability of his party to gain power in Pennsylvania. That story is the topic of chapter three.

It is ironic that a colony founded by members of the Society of Friends, an organization dedicated to peaceful
coexistence between all people and certainly not given to quarrels and revolution, became the setting of intense internal political unrest between 1776 and 1790. William Penn, a leading member of the Friends, founded the English colony of Pennsylvania in 1681 after he received a charter from Charles II as payment for a debt that the king owed to Penn's father. The grant included the territory between New York and Maryland and west of the Delaware River to the forks of the Ohio River. When Penn arrived, there were approximately 15,000 American Indians and 1,000 persons of Dutch and Swedish background as well as some English settlers from New Jersey living in Pennsylvania. The colony's policy of religious tolerance and the abundance of land for settlement attracted Welsh, Scots-Irish, and German Calvinists of different sects. Penn's "Holy Experiment" was to demonstrate that a population with a mixture of faiths and ethnic backgrounds could thrive without friction between them. The Quakers tolerated African slavery in Pennsylvania; by the eve of the American Revolution, there were over 10,000 slaves in the colony.

Not long after the Quakers established the government of Pennsylvania, some of them began to question the power of the proprietor. As a result, in 1683, Penn wrote a
Second Frame of Government that did not include the three votes in the upper chamber of the legislature that he had granted himself in the first frame. He later reduced the power of the legislature, however, with the Charter of Privileges.

1 Penn's commonwealth developed through commerce into one of the most prosperous of the English colonies in America. Farmers produced cereals and hay and raised livestock, while Pennsylvania also became a center of shipbuilding, iron, textiles, glass, lumber, and paper manufacture. Moreover, it was a center of and cultural life in British America. The University of Pennsylvania began as a charity school in 1740, subsequently expanded into an academy, and opened a medical school in 1765. America's first newspaper, the American Weekly Mercury, began publication in Philadelphia in 1719, and the city's most famous resident, Benjamin Franklin, started his publishing career with the Pennsylvania Gazette in 1730 and Poor Richard's Almanack in 1732.²

In the period before the Revolution, the struggle for power in Pennsylvania between the assembly and the proprietor was the main theme of politics. The proprietary faction consisted of men who owned large estates and had great prestige in the colony. It did not have, however, the unity of purpose beyond reducing the power of the Quakers in the assembly. The Quakers had the advantage over the proprietors of better organization. They represented the people honestly, but their pacifism would not allow them to vote funds for the raising of militia to defend the colony from attack.\(^3\)

The outbreak of the French and Indian War in 1754 marked the beginning of the struggle between Presbyterians and Quakers for control of the Pennsylvania's government that culminated in 1776. Most Presbyterians from Ireland and Scotland immigrated to the colony during the first half of the eighteenth century, settled in the western frontier counties, and were not in touch with the political affairs in the east. In fact, the Quakers intentionally kept the backcountry settlers underrepresented in politics with a formula for proportioning seats in the assembly that gave

them dominance. The failure of the Quakers to respond to the Indian raids in western Pennsylvania that commenced in the fall of 1755, many of which targeted settlements of Scotch and Irish Presbyterians, however, motivated Presbyterians in the eastern counties to involve themselves in the making of policy.⁴ They found an ally in Benjamin Franklin who argued in favor of legislation that provided for the defense of the colony. When ten Quakers resigned from the assembly in 1756 because of the new militant attitude in the assembly, Franklin had a clear path for passing a militia bill. Philadelphia Presbyterians, including George Bryan and Joseph Galloway, supported the measure.⁵

Many Presbyterians soon withdrew their support for Franklin’s coalition in the assembly, however, and gave it to the proprietary faction because of the fear that once the frontier crisis ended the Quakers would return to their pacifism and the conflict between the Quakers and the proprietary camp would reemerge. They also found the leader of the proprietary faction, William Allen, appealing because he was Presbyterian and a supporter of military

⁴ Ibid., 36-37.
⁵ Ibid., 38-9.
measures in the colony. The French and Indian raids on the Pennsylvania frontier lessened in intensity as British and colonial forces gradually gained control of key French strongholds along the frontier and in Canada. When the war finally ended in 1763 Great Britain took possession of Canada and territory west to the Mississippi River. The military threat to Pennsylvania was over, but the rise of Presbyterians in Pennsylvania politics continued with the resistance movement to British colonial policies after 1763.

Pennsylvanians were some of the first colonists to oppose the Royal Proclamation of 1763 that forbade settlement west of a line along the mountains from Canada to the Gulf of Mexico. Many moved over the mountains and settled in the region later called Kentucky.

Anger over what some Pennsylvanians considered encroachments on their liberties grew in late 1764 when the legislature received resolves from the Massachusetts House of Representatives on sugar duties and the Stamp Act proposed in Parliament. The legislature appointed a

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6 Ibid., 42-3.

7 Frantz and Pencak, Beyond Philadelphia, xiii-xiv
committee to instruct Richard Jackson, Pennsylvania's agent in London, "to argue against the Sugar Act, a stamp act, and any other Taxes and Impositions intended to be laid by the government of Great Britain on the Colonies in America repugnant to our Rights and Privileges as Freemen and as British Subjects."\textsuperscript{8}

Massachusetts followed up the resolves in June 1765 with a circular letter to the other colonies calling for the convening of a Stamp Act Congress, a meeting in which Pennsylvania performed a significant role. The Pennsylvania assembly appointed George Bryan, John Dickinson, Joseph Fox, and John Morton to attend the Congress in New York. When it assembled in October 1765, Dickinson took the lead in writing resolutions calling the Stamp Act unconstitutional and urging Parliament to repeal it.\textsuperscript{9}

Born into wealth in Talbot County, Maryland, in 1732, Dickinson moved with his family to an estate near Dover in the lower county of New Castle--later part of the state of Delaware--while still a boy. He studied law in


\textsuperscript{9} Foster, In Pursuit of Equal Liberty, 64-5.
Philadelphia and at the Middle Temple in London between 1753 and 1757, returned to Philadelphia in the later year, began his own law practice, and was soon arguing cases before the Pennsylvania Supreme Court. After two years in the assembly of the lower counties, the voters elected him to the Pennsylvania Assembly in 1762, where he voiced a conservative view on issues of proprietary government, taxation, representation, and frontier defense. In the debates of 1764 over Pennsylvania's charter, Dickinson argued against dismantling the proprietary system of government. His position cost him his seat, but he regained it in 1770.

In 1767, Dickinson and his friend Charles Thomson took control of the resistance movement in Philadelphia. They organized a committee to carry out a policy of non-importation in reaction to the Townshend Acts, the new measures of the British government to raise revenue and tighten enforcement of the system of mercantilism. The merchants were unable to agree on non-importation, however, and the effort collapsed. The failure to organize an effective boycott did not deter Dickinson from using his pen to speak out against Townshend’s policies. In his *Letters from a Farmer in Pennsylvania*, Dickinson
demonstrated a thorough understanding of the issues involved in the crisis over the Townshend Acts.\textsuperscript{10}

A new committee of twenty—established in September 1770—did not induce opposition among Philadelphians during the period of relative calm in relations with England between 1770 and 1773. The radicals reemerged in 1773 to animate the citizens of Philadelphia to prevent the collection of the tea tax in their city. Through his fiery speeches, Thomson convinced thousands to endorse the Boston Tea Party that took place on 16 December 1773.\textsuperscript{11}

Charles Thomson had arrived in Philadelphia from Ireland in 1739 as a youth. He received his education at Dr. Francis Alison’s academy and the Philadelphia Academy before becoming a merchant. In the negotiations of the Treaty of Easton in 1757 between the Commonwealth of Pennsylvania and the Delaware Indians, Thomson served as secretary for the natives, even learning their language and becoming an adopted son of the Delawares. The turbulent


\textsuperscript{11} Charles H. Lincoln, \textit{The Revolutionary Movement in Pennsylvania}, 156.
period of the 1760s brought Thomson to the vanguard of the resistance to British policies Philadelphia.\textsuperscript{12}

In the spring of 1774, events accelerated Pennsylvania's involvement in a unified colonial response to British policies. Word of Parliament's passage of the Boston Port Act reached Pennsylvania in May, and a meeting of citizens of Philadelphia followed at which they agreed that they would act on behalf of the entire colony. They called for the convening of the legislature but also proposed a general convention of all citizens of the colony whenever needed. The meeting appointed a committee of correspondence that composed a letter to their compatriots in Boston in which the Pennsylvanians said that they favored payment for the tea if it led to an end to Parliamentary interference in colonial affairs. If it did not, they wrote, they would have to take radical action.\textsuperscript{13}

On 10 June, the Philadelphia committee of correspondence agreed that a committee of forty-three representatives of the city and county of Philadelphia

\textsuperscript{12} Fred S. Rolater, "Charles Thomson, 'Prime Minister' of the United States," \textit{WMQ} 1977, 323.

\textsuperscript{13} Lincoln, \textit{Revolutionary Movement}, 160-65.
assemble to correspond with similar committees in the other colonies. When the committee of correspondence met in late June, it called on each county in Pennsylvania to consent to the immediate convening of the legislature and to form a committee to come to Philadelphia to advise the assembly on a method of apportioning deputies for the Continental Congress.\textsuperscript{14}

When the convention of representatives from the counties met on 15 July in Philadelphia Dickinson assumed a leading role in directing the course of the meeting. He presented papers on the American position in the current crisis and his views on the British Constitution and the powers of government.\textsuperscript{15} He wrote \textit{An Essay on the Constitutional Power of Great Britain over the Colonies in America} and intended it as a source of argument for the Pennsylvania delegation to Congress. Upholding the compact theory of the empire, he maintained that the colonial legislatures were “founded on the immutable and unalienable rights of human nature, the principles of the constitution, and charters.’” And although accepting the authority of

\textsuperscript{14} Ibid., 172-74.

\textsuperscript{15} Ibid., 177-79.
Parliament to regulate commerce, he believed the colonists reserved the right to judge when regulations were actually means of raising revenue.\textsuperscript{16} Three days later the assembly gathered and voted in favor of calling a congress of colonial representatives and appointed seven delegates to attend the meeting that would take place in September in Philadelphia. The assembly's instructions to the delegates, however, were not consistent with one of the resolutions of the convention. The convention had agreed that if the Congress learned of additional Parliamentary legislation that it judged to be injurious to American liberties and it decided that a response was necessary, then Pennsylvanians would "'adopt such farther steps and do all in their power to carry them into execution.'"

Clearly, the legislature was losing touch with public opinion in the colony.\textsuperscript{17}

54 At the First Continental Congress, Pennsylvania delegates for the most part reflected the conservative political attitude of the assembly, and Joseph Galloway was the leading representative of that way of thinking. Born

\textsuperscript{16} Adams, "John Dickinson," DAB 3: 300.

\textsuperscript{17} Lincoln, The Revolutionary Movement in Pennsylvania, 1760-1776, 179.
around 1731, Galloway descended from aristocratic Maryland stock. He came to Philadelphia as a young man to read the law as well as the classics, history, science, philosophy, and enlightenment political writers. After earning incomes from his law practice, involvement in Philadelphia merchant houses, and land speculation, he decided in the 1750s to enter politics. The voters elected him to the Pennsylvania Assembly in 1756, a seat he held for all but one of the next twenty years. He lost his seat, along with Benjamin Franklin, in 1764 because of his opposition to giving more representation to the western counties of the colony. Between 1766 and 1775, he served as speaker of the assembly and was chairman of the committee to correspond with Pennsylvania's agents in England. Galloway recognized Parliament's need to raise revenue in the colonies, but he did not believe that taxation or commercial restrictions were constitutional. He went to the Continental Congress with the intention of finding a resolution to the difficulties with Great Britain, but he was no revolutionary; he believed strongly in British mercantilism and the monarchy’s right to make policy for the colonies. He used his influence in the assembly to ensure that the
Pennsylvania delegation only included men who he believed shared his convictions.\textsuperscript{18}

When it assembled on 5 September in Carpenter's Hall the Congress unanimously elected Charles Thomson as secretary, a post he would hold through the Revolution and the entire period of the Confederation. With the exception of Galloway and Dickinson, who joined the delegation in mid-October, we know very little of the contributions of the other Pennsylvanians in the Congress. None of them made any dramatic speeches or proposed any revolutionary action. They served on committees, and from their votes on resolutions, we know that they were in favor of the several documents that the Congress produced.

The colonial delegates who came to the Continental Congress in September 1774 in Philadelphia sought a redress of their grievances against the British government and a definition of the American cause. They faced the difficult challenge of writing a statement of the American position that was consistent with the sentiments that the individual colonies expressed. Many of them sought to preserve their liberties and avoid confrontation while remaining within

the British Empire; yet some, such as Samuel Adams of Massachusetts, believed that America would eventually be independent.\textsuperscript{19} There was no formal talk of declaring independence from England, but some of the delegates at least considered the possibility of an armed conflict with England that might involve the other European nations.

The first order of business on 6 September 1774 was the approval of a resolution to appoint a committee to "'state the rights of the Colonies in general, the several instances in which these rights are violated or infringed, and the means most proper to be pursued for obtaining a restoration of them.'"\textsuperscript{20}

When the committee brought the report to the floor on the 22d, the Congress decided to deal only with American grievances since 1763. Galloway used this moment to present a plan of imperial union remarkably similar to the one that Benjamin Franklin had offered to the Albany Congress twenty years earlier. In Galloway's plan, an annual "Grand Council" composed of delegates from the


\textsuperscript{20} Ibid., 358.
several colonies with a "President General" overseeing its proceedings would have the responsibility for "'regulating and administering all the general police and affairs of the colonies, in which Great Britain and the colonies, or any of them, the colonies in general, or more than one colony, are in any manner concerned, as well civil and criminal as commercial.'" The colonies would handle their own internal concerns. Legislation for the empire could originate either in Parliament or the Grand Council and would be "'transmitted to the other for their approbation or dissent,' and the assent of both shall be requisite to the validity of all such general acts and statutes.'"

Galloway sought to preserve the Anglo-American union and condemned the idea of political independence in his plan. Yet, he knew that the time might well have passed for a scheme such as his to be accepted as a solution to the imperial crisis. James Duane and John Jay, both of New York, voiced approval of Galloway's proposal, as did John Rutledge of South Carolina and Stephen Hopkins of Rhode Island. Many other delegates, however, opposed the plan, and when it was brought to the floor on 28 September, it was examined but not acted upon. When it was considered
again on 22 October, some members' earlier enthusiasm had evaporated.\(^\text{21}\)

The Congress agreed on a commercial policy for the colonies to follow during the crisis when on 22 September it resolved to ask merchants to suspend importation of goods from Great Britain "until the sense of the Congress, or the means to be taken for the preservation of the liberties of America is made public." For some of the delegates, this did not go far enough, and on the 29th, a resolution was introduced to cease importation of all dutiable goods and discontinue exports to Great Britain. Thomas Mifflin of Pennsylvania even proposed the suspension of shipments of flaxseed and lumber to the West Indies and the inclusion of those islands in the non-importation policy. The following day the Congress resolved that beginning on 10 September 1775 the colonies would halt all

\(^{21}\) Ibid., 370-73. Franklin introduced his Plan of Union in the summer of 1754 at the Albany Congress of delegates of the northern colonies to discuss frontier defense. Based on his article, *Short Hints towards a Scheme for Uniting the Northern Colonies*, published in the *Pennsylvania Gazette*, Franklin's plan called for a Parliamentary act that created a union of the northern colonies. The colonial government was to consist of a president-general and a grand council of colonial representatives. It would have control over defense policy, relations with Indians, commerce, and western settlement. Stourzh, *Benjamin Franklin and American Foreign Policy*, 52-3.
exports to Great Britain, Ireland, and the West Indies "unless the grievances of America are redressed before that time."\(^{22}\)

On 26 October, the delegates agreed to the Continental Association: beginning on 1 December 1774 the colonies were to cease importation and consumption of British goods and exports. They intended to use the threat of boycott to coerce the British government to redress their grievances. They wrote in the fourth resolution of their Declaration of Rights, adopted in October 1774, that "'we cheerfully consent to the operation of such acts of the British parliament as are bona fide, restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its representative members.'"\(^{23}\) The Congress exhibited no hint of a wish to break free from the bonds of British mercantilism. Galloway saw contradiction in the concession to allow Parliament to regulate only the external commerce of the


\(^{23}\) Ibid., 1:41.
colonies. How could "the Commercial Benefits of the whole Empire," he asked, "be secured to the Mother Country and at the Same Time to its American Members?"\textsuperscript{24} The question of American commercial benefits within the British Empire went unanswered. For Galloway, however, the course of events in the Congress had rendered his hopes of resolving the imperial crisis through his own efforts academic. The time of his ultra-conservative ideology in Pennsylvania had passed. Colonial leaders would soon begin to think in terms of their relationship with other nations and would employ new ideologies in their considerations.

\textsuperscript{24} Joseph Galloway to Samuel Verplanck? 30 December 1774, Paul H. Smith, ed., Gerald W. Gewalt, Rosemary Fry Plakas, and Eugene R. Sheridan, assistant eds., \textit{Letters of the Delegates to Congress, 1774-1789}, 25 vols. (Washington, DC, 1890), 1: 282-88. After the commencement of hostilities between England and the colonies on 19 April 1775, Galloway left Philadelphia for his own safety and did not return until British General Sir William Howe entered the city with his army in September 1777. During the British occupation, Galloway served as superintendent of police and of the port of Philadelphia. In June 1778, after the British departed the city, Galloway immigrated to England with his daughter, unaware at that time that he would never return to Pennsylvania. He became unofficial representative of American loyalists in speeches before Parliament, attempted to gain support for his idea of an imperial constitution, and wrote pamphlets in which he criticized British generals for their failures in the war in America. After the peace of 1783, Pennsylvania authorities confiscated Galloway's estates and later denied his request to return. He died in England in 1803. \textit{DAB} 4:116-17.61
John Dickinson joined the Pennsylvania delegation in October and helped write several of the documents produced by that body. He was pessimistic about the prospects for reconciliation after the Congress adjourned later in the month. Although he cherished the Empire and English liberty, he recognized that the colonies were evolving into a separate political entity, and unless the British government changed its colonial policy, he predicted a civil war that would quickly develop into a general European conflict in which Britain's rivals would exploit their enemy's distraction and indirectly assist the American cause. If Dickinson saw an approaching political revolution, he did not envision the colonies existing outside of the Empire or of the beginning of an era of free trade. He headed the committee in the assembly to write new instructions for Pennsylvania's delegates that directed them to support measures that would "afford the best Prospect of obtaining Redress of American Grievances, and restoring that Union & Harmony between Great Britain & the Colonies so essential to the Welfare & Happiness of both Countries." It seemed that Pennsylvania's leaders still held a strong affection for Great Britain, despite the
mounting political crisis with that country; but that attitude would change for many in the coming months. 25

John Dickinson revealed his realistic perception of international affairs after the outbreak of war between

25 John Dickinson to Josiah Quincy Jr., 28 Oct. 1774, Dickinson to Samuel Ward, Jan. 1775, Smith, ed., Letters of Delegates 1:251, 302-3. Instructions to Pennsylvania Delegates, 9 November 1775, Smith ed., Ibid., 2: 319-20. Appointed to two committees on 21 October, one to write an address to the king, the other a letter to inhabitants of the province of Quebec, Dickinson was the primary author of both documents. The address to the king was meant to bring to his attention the grievances of the colonists and request that he use his authority to resolve the crisis. George III received the address in late December 1775, read it, and then submitted to Parliament. No formal response to it was ever made. See Edwin Wolf, "The Authorship of the 1774 Address to the King Restudied," WMQ 22 (1965).
The Letter to Quebec as an early statement of American foreign policy has never received much attention from diplomatic historians. Aware that the Quebec Act of 22 June 1774 had installed a government there with no representative assembly, granted the Catholic church a unique autonomy, and adjusted the borders in that province to extend into the Ohio valley, Congress passed a resolution to encourage the people of Quebec to join in common cause with the seaboard colonies. In the letter, approved by Congress on 26 October 1774, Dickinson asked the inhabitants of the Canadian province to consider the fate of their liberties under the current British administration and saw as their only alternative "an entire adoption in to the Union of these Colonies." He extended an invitation from Congress to join the colonial confederation and send delegates to the next session of the Continental Congress in 1775. As with the letter to the king, no answer from Quebec was ever received. See Edmund S. Morgan, The Birth of the Republic, 1763-89, (Chicago, 1977), 59; Smith, ed., Letters of Delegates1: 243-44, 236, 241-43.
Great Britain and the colonies and the convening of the Second Continental Congress in the spring of 1775. He considered the intervention of France and Spain in the Anglo-American conflict as a possibility that could lead to Britain's defeat but warned that these nations could "then turn their arms on these provinces, which must submit to wear their Chains or wade thro [sic] Seas of Blood too dear bought and at bewst [sic] a frequently convuls'd [sic] and precarious Independence."26 Opening American ports to an unrestrained commerce with foreign nations, an idea under consideration, would give to those countries the commercial advantages that Britain had enjoyed, he warned, and, what he feared most, political control of the colonies.27

Benjamin Franklin, a new member of the Pennsylvania delegation to Congress in May 1775, was born in Boston in 1706 and came to Philadelphia as a youth, where his life became a splendid example of the American self-made man. With experience as a printer, Franklin worked for two employers before becoming owner of a print shop and the Pennsylvania Gazette in 1730. Between 1732 and 1757,


Franklin published *Poor Richard's Almanack*, which was widely read throughout the colonies. During these years, he contributed to the creation of a police force in Philadelphia, a public library, a city hospital, an Academy for the Education of Youth, and the American Philosophical Society. He served as clerk of the Pennsylvania Assembly and then as a member for Philadelphia, and from 1753 to 1774 was deputy postmaster-general for the colonies. Franklin's interest in natural phenomena led to many scientific experiments that have made him the leading figure of the American Enlightenment. By 1748, his incomes from property and business allowed him to pursue his interests in leisure. The dispute between Great Britain and France over control of the Ohio valley gave Franklin his first experience as a diplomat when he represented Pennsylvania at the 1754 Albany Congress, where he introduced his Plan of Union. The Pennsylvania Assembly sent him to England in 1757 to discuss the conflict between the colony's proprietors and the assembly. He developed friendships with the botanist Peter Collinson, the physician and philanthropist John Fothergill, chemist and philosopher Joseph Priestley, and the Scottish printer and publisher William Strahan. He exchanged letters with Lord
Kames and the Scottish economist David Hume. The University of Edinburgh awarded Franklin the L.L.D. in 1759; Oxford University honored him with the D.C.L. in 1762.

Franklin returned to Philadelphia in 1762, only to have the assembly send him back to England to recall the colony's charter. During this second sojourn in England Franklin testified before Parliament against the Stamp Act calling it unconstitutional, but when Lord Grenville, George III's chief minister, asked the colonial agents to recommend men to be stamp distributors in the colonies, Franklin suggested his friend John Hughes, who carried stamped paper for Franklin's business partner. As a result, Franklin came under criticism in the colonies for appearing to profit from the Stamp Act. In February 1766, he testified before Parliament again, this time arguing that the Stamp Act "was contrary to custom, and administratively impartible both on account of the circumstances of the country and the settled opposition of the people." After Franklin was reappointed as agent for Pennsylvania in England, the colonies of Georgia, New Jersey, and Massachusetts also chose him to represent their interests. Franklin returned to America in early May 1775,
only to have the Pennsylvania assembly send him immediately as a delegate to the Second Continental Congress.\textsuperscript{28}6767

Franklin disagreed with Dickinson's argument that allowing foreign vessels to trade in colonial ports would be detrimental to the American cause. In the summer of 1775, he saw the opportunity to make practical use of commerce to assist in achieving a political reconciliation with England. To that end, he offered resolutions from the committee established "to devise ways and means to protect the trade of these colonies," which called for the cessation of customs collections on 20 December 1775 and the opening of American ports to "'the Ships of every state in Europe that will admit our Commerce and protect it.'" Trade with foreign nations was only to last as long as "'the late Acts of Parliament for Restraining the Commerce and Fisheries, and altering the Laws and Charters of any of the Colonies, shall continue unrepealed.'" The committee expected the nations that established trade with America to sell their goods duty free. This policy was also intended to coerce the British into restoring their commercial relationship with the colonies. Congress, however, was not

yet prepared to take the steps Franklin proposed, or to accept his addendum to Dickinson's Olive Branch Petition to allow Great Britain to make commercial policy for the colonies for one hundred years.\textsuperscript{29}

Despite the rejection of his plan, Franklin found a positive side to being prevented from trading with the world. His republicanism guided his belief that America, with its agrarian society of virtuous and industrious citizens, did not require commerce to prosper. The closure of trade would actually strengthen the resolve of Americans to focus their energies on the public good rather than the personal wealth that came through the exchange of goods.\textsuperscript{30} But Franklin did not disdain commerce. As the Revolution progressed, and especially after Americans achieved independence, free trade became a significant component of his republican vision of an agricultural America that exported its surpluses and its ideals to the world. The appearance of Franklin's approbation for British mercantilism in 1775 is inconsistent with the strong

\textsuperscript{29} John E. Crowley, \textit{The Privileges of Independence: Neomercantilism and the American Revolution} (Baltimore, 1993), 50-51.

\textsuperscript{30} Benjamin Franklin to Jonathan Shipley, 7 July 1775, Smith, ed., \textit{Letters of Delegates} 1:605-6.
criticism of the system he had shown in the years before the Revolution. In 1760, he wrote of his approval for the Scottish economist David Hume's 1752 anti-mercantilist essay *Of the Jealousy of Trade*.\(^{31}\) British commercial regulations after 1763, in Franklin's view, were intended to strengthen the mercantilistic system, and he compared them to the actions of "'a mad Shop-keeper, who should attempt, by beating those that pass his Door, to make them come in and be his Customers.'"\(^{32}\) Writing in 1764, Franklin showed a desire to see commerce liberated from mercantilism, hoping that "'in time perhaps Mankind may be wise enough to let Trade take its own Course, find its own Channels, and regulate its own Proportions, etc.'"\(^{33}\) Franklin commented to his friend Jean-Baptiste Le Roy in 1769 "that the true Principles of Commerce are yet but little understood, and that most of the Acts of Parliament, Arrets and Edicts are political Errors, solicited and obtained by Particulars for private Interest under the

\(^{31}\) Gerald Stourzh, *Benjamin Franklin and American Foreign Policy* (Chicago, 1954), 108.

\(^{32}\) Drew R. McCoy, "Benjamin Franklin's Vision of a Republican Political Economy for America," *WMQ* 35 (October 1978), 616-17, 621-22.

\(^{33}\) Stourzh, *Benjamin Franklin*, 107-8.
In notes for the second edition of George Whatley's pamphlet *The Laws and Policy of England Relating to Trade*, published in 1774, Franklin argued that "if restrictive laws were everywhere abandoned, trade would thrive in those countries where geography, climate, and industrious inhabitants provided the wherewithall to supply real and ideal wants."\(^{35}\)

Franklin suppressed the expression of these views in Congress in the summer of 1775 and focused only on the immediate crisis with Great Britain in his commercial policy recommendations. Congress's decision to keep American ports closed to foreign trade did nothing to solve the dilemma of obtaining the necessary supplies to support the American war effort and still abide by the commercial policy that the First Continental Congress had established.

Congress found a solution to its commercial predicament in September 1775 when it created the Secret Committee of Correspondence for the procurement, purchase, and distribution of materiel for the war effort. It


\(^{35}\) Franklin's contributions to a pamphlet by George Whatley, March 1774, ibid., 21:169-70.
authorized the committee to purchase supplies in the West Indies islands of Britain's rivals and contracted with as many as twenty different individuals and firms to obtain the needed supplies.  

Dickinson and Franklin served on this committee and on the Committee of Secret Correspondence, established on 29 November 1775, "for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world." This committee sent its first letter on 12 December 1775 to the American agent in London, Arthur Lee, to determine the disposition of the European states toward America and its war against Great Britain.  

This first official effort to establish American foreign relations preceded the publication of Thomas Paine's *Common Sense* by a month. The pamphlet did not have any immediate impact on the ideology of Pennsylvania leaders in Congress, but as we shall see, Franklin and Morris echoed Paine's ideas later in the Revolution. One

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component of Paine's vision, however, the "civilizing
effect" of commerce on those who engaged in it, had long
been one of Franklin's beliefs.

Franklin's first effort to actively participate in
testing this theory occurred in 1771, after the British
vessel *Endeavour*, under the command of Captain James Cook,
returned to England from a three-year voyage around the
globe, which included six months at the islands of New
Zealand. Franklin, the British explorer and hydrographer
Alexander Dalrymple, as well as leaders of the British East
India Company reviewed the expedition's report, and the
latter group proposed opening trade with the natives of New
Zealand. Franklin, intrigued with the idea, said that "'he
would with all his heart subscribe to a voyage intended to
communicate in general those benefits which we enjoy to
Countries destitute of them, in the remote parts of the
Globe.'" Dalrymple agreed to lead an expedition to New
Zealand and wrote a prospectus to attract investors. In
the foreword to the document, Franklin affirmed the purpose
of the venture to advance "a general Civilization of
Mankind" by bringing to a primitive people the "Arts and
Conveniences of Life" that the West had achieved. The
expedition did not capture enough attention among investors.
and was never launched, but Franklin would have other opportunities to persuade nations of the potential of commerce's benefit to mankind.\textsuperscript{38}

Robert Morris, who joined Franklin and Dickinson in Congress and on the Secret Committee of Correspondence in November 1775, was an experienced merchant who held no idealistic notions about trade. An émigré to America from England with his father in 1747, Morris became an apprentice in the Philadelphia mercantile firm of Charles Willing. This was the usual course for a boy to follow in a colonial American city, yet no one could have predicted Morris's future as one of the wealthiest men in the colonies. When Charles Willing died in 1757, the business was left to his son Thomas, and he and Morris entered into a partnership in the new firm of Willing and Morris that same year. The new company conducted business in a variety of commodities with Great Britain, Portugal, Spain, and the West Indies and served other firms as a correspondent, transporter of goods, and drawer of bills of exchange. As senior partner, Willing wrote the letters and instructions for the firm. By 1775, however, Morris was

\textsuperscript{38} "Introduction to a Plan for Benefiting the New Zealanders," August 1771, Labaree, ed., \textit{Papers of Benjamin Franklin} 18:214-16.
running most of the company's affairs, which had expanded into investment in lands. 39

Morris did not embrace Paine's idealistic vision of independence and free trade in early 1776. His perceptions were realistic, believing strongly that the role of the colonies in the British mercantilist system was the key to Britain's strength and that the nation that possessed the American trade could potentially shift the European balance of power in its favor. He stated privately that he did not wish to see America conclude treaties with foreign nations, but rather to seek protection for trade from one of the European states. His first wish was a reconciliation with Great Britain and a restoration of Anglo-American commerce, but, he wrote, "If by our own Force of Conduct we establish an Independent Empire, notwithstanding the utmost exertions of Britain; there is not a Nation in Europe, but will be glad to treat and trade with us on our own terms: therefore I think it best to persevere in our own measures, and depend on our strength, which I believe is quite sufficient; and if so, we shall ever after hold respectable

consequence in the World." Morris was leaning here toward the thought of America becoming a mercantilist power that could rival Great Britain, yet ironically, he was not part of the independence movement in Congress led by John Adams. Congress adopted a new commercial policy on 6 April 1776, not to seek protection for American trade as Morris recommended, but to open the colonies to commerce with all nations except Great Britain as Franklin proposed in July 1775.

Morris, Franklin, and Dickinson continued their conduct of the business of the Committee of Secret Correspondence. They were in almost total control of the conduct of American foreign relations, but the exigencies of the war took precedence over the advancement of their own particular ideology and they focused their efforts on obtaining much needed military supplies. In early March 1776, the committee agreed to the instructions for Silas Deane, newly appointed American agent to be sent to France. Deane was a native of Connecticut and graduated from Yale College in 1758. Involved in business for a short time in

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41 Giunta, Emerging Nation, 2:7.
Connecticut, he then practiced law. The Connecticut legislature appointed him as a delegate to both the First and the Second Continental Congresses. Robert Morris recognized him as an ideal choice for an agent to handle American commercial activities in France and Congress appointed him to that position in February 1776.

After arriving at Paris Deane was to communicate with French foreign minister Comte de Vergennes and appeal to him for French assistance to America by supplying arms. He was to determine the attitude of the French government to the possibility of the American colonies declaring themselves independent, and if that were to occur, whether France would receive diplomatic representatives from America and agree to a treaty of alliance or commerce. Acting as a merchant trading with the West Indies, Deane was to make contact with two of Franklin's close friends, Jean-Baptiste Le Roy and Jacques Barbeu-Dubourg, the latter of whom would be able to help Deane obtain an audience with Vergennes. The committee also wanted Deane to travel to the United Provinces and confer with Dumas. Finally, Deane

42 "Silas Deane" in The Revolutionary Diplomatic Correspondence of the United States, ed., Francis Wharton 1:559.
was to write to the American physician and chemist in London, Edward Bancroft, a friend of Franklin's, as well as Arthur Lee, and Charles Jean Garnier, former French charge' des affaires in London, and learn of the affairs in England. 43

Later in the spring of 1776, the committee drew up instructions for Pennsylvanian William Bingham, its agent assigned to Martinique in the West Indies. Bingham's task was to obtain 10,000 muskets with bayonets from the governor of the island to be paid for with American produce, and to learn the purpose of the French fleet and army assembling in the West Indies. The committee wanted him to make contact with Deane and to arrange for Deane's dispatches to be sent to Philadelphia via a French merchant from Martinique. 44

Besides arranging for the importation of supplies, Morris and Franklin found themselves in a position to manage the dissemination of information Congress received from Europe. Intelligence that France would contribute arms and ammunition to the United States reached the


44 Committee of Secret Correspondence to William Bingham, 3 June 1776, ibid., 4:126-29.
Committee of Secret Correspondence, not from Deane, but from Thomas Story, another agent for the committee in Europe. Story reported that Arthur Lee had met the French ambassador in England who told him that France was not going to enter the war, but it would send 200,000 pounds Sterling worth of military supplies to either St. Eustatius, Martinique, or Cape Francois, and that they would be delivered to an American agent through the French Hortalez company. Morris and Franklin, the only two members of the Committee of Secret Correspondence in Philadelphia when this news reached America in late September 1776, agreed to withhold it from Congress due to its sensitive nature. Both men knew that members of Congress had divulged secrets before and could not be trusted. The course of American foreign relations was solely in the hands of these two Pennsylvanians at this moment. Morris was confident that the operation could be carried out without the full Congress being involved. He was a member of the committees that would handle the importation of the arms, and he was in contact with Bingham, who was already in place in the Caribbean to receive them and send them to the United States. Morris vowed that he would inform Congress of the news only if
"any unexpected misfortune befall the States of America so as to depress the Spirits of the Congress." \(^45\)

The Committee of Secret Correspondence also learned in September 1776 that the French were outfitting a fleet at Brest and Toulon and the members wanted Deane to communicate to them its purpose as well as carry out new instructions. (The committee did not know at the time that the French fleet was to escort merchant ships carrying arms for America.) Deane was to obtain a loan from the French government in order to purchase clothing and tents. He could negotiate with the Farmers General, which might be willing to loan money in exchange for tobacco. He was to remind the French government, as well as the representatives of Spain and Portugal in France, that allowing American vessels into their ports, although in defiance of the British demand that those countries seize American ships in their waters, supplied them with commodities they needed. \(^46\)

\(^{45}\) Committee of Secret Correspondence Statement, 1 October 1776, ibid., 5:27275.

\(^{46}\) Committee of Secret Correspondence to Silas Deane, 1 October 1776, ibid., 5:277-81.
Bingham's activities in the West Indies were to be focused on the arrival of arms and ammunition at St. Eustatius. He was to make himself known to the governor of that island as the American agent authorized to receive the shipment from France. The committee instructed him to have the arms, ammunition, money or other stores shipped to Philadelphia on the sloop Independence.\footnote{47 Committee of Secret Correspondence to William Bingham, 1 October 1776, ibid., 5:275-77; Ford, ed., Journals of the Continental Congress 7:421-447.}

The operations of the Committee of Secret Correspondence had been going on in the background of momentous events in Congress in the summer of 1776. The faction in support of American independence led by John Adams succeeded in getting a resolution on independence introduced in early June, a written declaration completed by the end of the month, and a vote of the full Congress on independence scheduled for 2 July. The issue divided the Pennsylvania delegation, and John Dickinson led the opposition.

On 1 July, Dickinson delivered a speech in which he made a final effort to convince his fellow delegates that the united colonies might not be ready to delve into the international arena as an independent nation. He was
concerned that the European nations would not receive a declaration of American independence favorably. It would not serve as proof of American strength and unity of purpose. Wishing to gauge the attitude of France to an American declaration before embarking on a course of foreign policy, Dickinson wrote: "When We have bound ourselves to an external Quarrel with Great Britain by a Declaration of Independence, France has nothing to do but to hold back & intimidate Great Britain till Canada is put into her Hands, then to intimidate Us into a most disadvantageous Grant of our Trade." France had the potential to be beneficial to the united colonies by supplying them with arms and munitions or by declaring war on England, but a potential danger for America existed if France replaced its rival as the leading world power, Dickinson argued. He believed that there were inter-colonial affairs as well that required resolution before a declaration of independence could be made: the border controversies between the individual colonies had to be settled, foreign support secured, and treaties concluded among the colonies and with other nations. Finally, the war turning in America's favor could force the British to come to peace terms and make a declaration of independence
unnecessary. Two of Dickinson's recommendations, foreign support and treaties with other nations, were important

48 John Dickinson's Notes for a Speech in Congress, 1 July 1776, Smith, ed., Letters of Delegates 4:351-57. Robert Morris to Joseph Reed, 21 July 1776, ibid., 511-12. Thomas Jefferson noted in his record of the proceedings in Congress that when the Congress approved the Declaration on 4 July, every member signed it except John Dickinson. Thomas McKean of Delaware reported that Dickinson and Robert Morris did not attend Congress on 4 July so as not to prevent Pennsylvania from voting in favor of the Declaration. He wrote later: "'The State of Pennsylvania on the 4th of July (there being five members present, Messrs. Dickinson and Morris, who had in the committee of the whole voted against Independence were absent) voted for it; three to two, Messrs. Willing and Humphries (sic) in the negative. Unanimity in the thirteen States, an all important point so great an occasion, was thus obtained; the dissention of a single State might have produced very dangerous consequences.'" The editors of the Letters of Delegates to Congress believe that McKean was mistaken and that Dickinson and Morris were in Congress on 4 July. On that day, a committee was appointed that included Dickinson to discuss the measures taken for the defense of New Jersey and Pennsylvania, and Congress directed Robert Morris to investigate a situation involving a Continental naval vessel. McKean may have been referring to the vote of 2 July in his recollection. Smith., ed., Letters of Delegates 4: 359-60, 364-65. Jane Calvert argues that Dickinson's behavior in the summer of 1776, and really throughout the years prior to the Revolution, can be understood by examining him from the perspective of his "Quaker theologico-politics." Quakers tolerated all viewpoints in their internal religious affairs, but when the meeting reached a final decision on an issue the minority was required to submit to the majority view. Dickinson wrote after the vote on independence: "'Although I spoke my sentiments freely, -- an honest man ought to do, -- yet when a determination was reached upon the question against my opinion, I regarded that determination as the voice of my country. That voice proclaimed her destiny, in which I was resolved by every impulse of my soul to share,
priorities for Congress, but independence took precedence. Although Dickinson failed to prevent the passage of the independence resolution, he would have an opportunity to contribute to the making of a plan of foreign policy when Congress appointed him to serve on the committee instructed to write a model treaty.

Robert Morris also opposed declaring independence at first, but quickly realized there was no turning back and continued with the business of obtaining vital supplies for the war effort. He informed Deane in Paris of the approval by Congress of the Declaration of Independence and asked him to inform the French government of it and have the document translated into French and published. Deane was to expect instructions from Congress "directing you to sound the Court of France on the subject of mutual commerce between her and these States." 49

Morris's own state of Pennsylvania would eventually carry on very substantial trade with France in which he would have a part. Establishing the commercial policy for the state and the new country that he wanted, however,

49 Robert Morris to Silas Deane, 8 July 1776, ibid., 4:405.
became a difficult struggle. The political battle in Pennsylvania between Morris and his allies and their opponents began straightaway after the state convention completed the new constitution for Pennsylvania in the late summer of 1776.

Morris had the opportunity to argue his position on this issue when he served with Dickinson, Franklin, John Adams of Massachusetts, and Benjamin Harrison of Virginia on the committee to compose the Plan of Treaties. The secrecy of the discussions of this committee makes it impossible to determine the contribution of the individual members, although historians consider Adams the primary author of the Model Treaty. We can, however, conjecture about the influence the other members’ thinking on foreign affairs may have had on the plan the committee produced. As three fifths of the committee, Dickinson, Franklin, and Morris had the opportunity to place a “Pennsylvania” ideological imprint on the plan. Dickinson most likely advocated a treaty based on traditional European realism that preserved the American carrying trade. Although convinced that securing foreign naval protection for American commerce was more important than concluding treaties with other states, Morris may have seen the
necessity of formal treaty connections in order to receive desperately needed foreign support for the American war effort. Having already demonstrated realistic thinking on foreign policy, Morris probably joined Dickinson in calling for a plan based on Old World terms.

The committee's report of a framework for negotiation, presented to the full Congress on 18 July, included commercial reciprocity between the United States and France, the principle that free ships make free goods, the right of neutral vessels to carry goods to and from the ports of belligerents, a strict definition of contraband, and regard for the rights of neutral vessels at sea. Other articles provided for French protection of Americans and their vessels from the pirates of the Barbary states, the right of the vessels of both the United States and France to sail in the naval convoys of the other nation, and the promise that the United States would not aid Great Britain with military supplies if France and Britain were to go to war as a result of French recognition of American independence. The United States would not join with France in a "common cause" or in a peace with an enemy of both countries. France was to agree not to attempt to occupy
British possessions in North America -- an effort to safeguard possible American continental expansion.\textsuperscript{50}

The vote in support of the Model Treaty in Congress on 17 September 1776 was unanimous; no member wanted to convey the impression to the world that the states were not unified in their purpose. But the treaty was not a means for achieving recognition of American independence by the community of nations. Its goals were commercial, and Congress did not seem to consider other issues such as possible alliances, the fisheries of the North Atlantic, so vital to the New England economy, access to the Mississippi River for American commerce, or the friction that could come through association with Catholic France.\textsuperscript{51}

James Wilson of Pennsylvania, who along with Richard Henry Lee of Virginia joined the committee on 27 August, wrote the instructions for the agents who were to negotiate the Plan of Treaties. They directed the American diplomats that if France would not agree to commercial reciprocity with the United States, then they were to offer most favored nation status. Other articles were also expendable

\textsuperscript{50} Samuel Flagg Bemis, \textit{The Diplomacy of the American Revolution} (Bloomington, IA, 1957), 46-47.
if their inclusion meant that the treaty would be rejected. If France refused to accept "that free Ships shall also give a Freedom to Goods," as contained in Article 26, and the requirement in Article 15 that contraband goods be adjudicated by an admiralty court, then the agents were to agree "to consent that the Goods and Effects of Enemies, on Board the Ships and Vessels of either Party, shall be liable to Seizure and Confiscation." The United States was to agree not to recognize any connection or to make any special commercial arrangement with England. Neither France nor the United States was to negotiate a separate peace with England, in the event that France and Great Britain were to go to war, for at least six months after informing the other party that it was pursuing a peace. The agents were to try to obtain military supplies from France and to enlist the services of several military engineers. They were to suggest to the French government that reports that America was not in need of foreign support were incorrect, and that if France procrastinated in entering the 87 war, a rapprochement between the United States and Britain could occur. Finally, the American diplomats were to reassure the Spanish that the United States had no ambitions to acquire their possessions in
South America, were such a fear to cause reluctance to support the American war effort. Additional instructions of 16 October directed the agents to make contact with the representatives of other European nations in Paris, to ask them for recognition of American independence, and to offer treaties of amity and commerce based on the Model Treaty.\textsuperscript{52}

James Wilson's selection by the committee to contribute to the writing of the negotiating instructions for the Plan of Treaties may very likely have been due to his realistic perception of international affairs. His thinking harmonized with John Adams's goal of establishing commercial relations with the European powers while avoiding political entanglements. Thus, Wilson wrote to Robert Morris in January 1777 that he hoped "the United States will never be involved in the Maze of European Politics, but it is incumbent upon us to know something of them, even to steer clear of them. . . . Treaties are considered, in Europe as a Kind of Science. In our Transactions with European States, it is certainly of Importance neither to transgress, nor to fall short of

those Maxims, by which they regulate their Conduct towards one another." Although Wilson is not generally known for having adeptness for international affairs, he clearly understood the subject and warned his young nation not to have any illusions of enjoying a commercial relationship with Europe that would not be without its dangers. He argued that American commerce could easily become a victim of the aggressive actions of European powers at war. Born at Carskerdo near St. Andrews, Scotland in 1742, he attended the Universities of St. Andrew, Glasgow, and Edinburgh before coming to Pennsylvania in 1765. He presented letters of introduction to Richard Peters, provincial secretary and trustee of the College of Philadelphia, and in 1766 was hired as a Latin tutor at that institution. Not satisfied with this career, Wilson studied law in the office of John Dickinson and in 1767 became a member of the Pennsylvania bar. He opened his own practice in Reading, but within a short time, he settled at Carlisle, Cumberland County, where he expanded his legal work into seven other counties. Wilson rose to prominence as one of the most brilliant legal minds in the colonies,

contributing his own views on the dispute with Great Britain in his pamphlet, Considerations on the Nature and the Legislative Authority of the British Parliament, which he wrote in 1768 or early 1769 but did not publish until August 1774. Emphasizing Parliament's infringement on the rights of the colonists, Wilson argued that the British government was incapable of administering the colonies. He did not advocate American independence in the years 1768-1774, because he still believed that the Crown should handle all imperial affairs including war, diplomacy, and the regulation of commerce.54

Wilson approached the issue of British regulation of colonial commerce in Consideration by first examining the view of the empire as a confederation of states separate from one another, but united under the crown, and then asking how commerce in the empire could operate without central regulation. He addressed the arguments made in favor of free trade, "that the stream of commerce never flows with so much beauty and advantage, as when it is not diverted from its natural channels," but he neither accepted nor rejected them. The king, according to

Wilson's interpretation of the British constitution, could regulate the trade of the individual colonies, but that power could not extend to the raising of revenue by imposing restrictions on trade.\(^5^5\)

Robert Morris most likely agreed with Wilson's realistic admonition. After all, he had sought to establish a commercial relationship with one of the Old World nations during the interruption of trade with Great Britain through manipulation of the balance of power and the interests of the states of Europe. Moreover, as he wrote to Silas Deane in mid-December 1776, "if the court of France open their eyes to their own interest, and think the commerce of North America will compensate for the expense and evil of a war with Great Britain, they may readily create a diversion, and afford us succors that will change the state of affairs." Morris believed the lure of the American market to be irresistible and stated "that whatever European Power possesses the presumption of it, must of Consequence become the Richest & most potent in Europe."\(^5^6\) James Hutson uses this statement to support his


\(^{56}\) Robert Morris to Silas Deane, 20 Dec. 1776, ibid. 5:624.
contention that American leaders thought in traditional terms when making diplomatic calculations.

But Morris was also beginning to think in terms of liberating commerce from mercantilism and monopolies when he wrote in January 1777 that commerce should be "'free as air to place it in the most advantageous state to mankind.'" His opposition to trade regulations stemmed from his belief that the private and public business of merchants benefited all: "'Their own interest and the publick [sic] goes hand in hand and they need no other prompter or tutor.'" How can we account for Morris's apparent transformation from a champion of British mercantilism to an advocate of free trade? Benjamin Franklin, of course, could have had a strong influence on Morris. The two men were close friends and most likely engaged in discussions on commerce and foreign policy. Thomas Paine's ideas or the writings of the philosophes or of English liberals may have begun to sway Morris, or possibly David Fitzsimons is correct when he proposes that Americans were a commercial people who may have developed an ideology of free trade on their own. We cannot know whether Morris was familiar with the works of European

57 Ver Steeg, Robert Morris, 38.
economists and philosophers, but he probably read Paine's *Common Sense*, although like most members of Congress, he made no written comment on it.

Neither Gilbert's idealistic internationalism nor Hutson's traditional realism is adequate by itself to explain Morris's or Franklin's thinking on commerce and foreign policy. Hutson does not choose to resolve the apparent contradiction in Morris's traditional approach to foreign policy and his vision of commerce "as free as air," or Franklin's prewar idealism and his realist thinking after. To reach a resolution in both cases we must recognize that the ideologies of the two men were complex and that they responded to the exigencies of the Revolution while contemplating an ideal world. When they did describe an ideal world, they exhibited subtle differences in their visions.

Franklin never endorsed commerce without duties of any kind, but instead advocated the freest commerce possible and its "civilizing effect" to establish and preserve peaceful relations between nations, which he believed could be achieved if the nations of the world accepted the principles of the Model Treaty. Franklin was convinced, as were many American leaders, that it was in the interest of
nations such as France to form a commercial relationship with the United States. But the interests of mankind, as we will see, were never far from Franklin's thoughts during his diplomatic negotiations with the European states.

Morris's thinking on foreign policy after 1776 was a blend of realism, idealism, and liberalism. While clinging to the dream of a world in which commerce would be one day completely free, he would still follow a realistic approach to American commercial expansion. As we shall see, Morris understood that power was what guided the course of international affairs and that the successful expansion of American commerce depended on the preparedness of the new nation to defend it. During the remainder of his tenure in Congress and then as the nation's superintendent of finance, he therefore continued to seek foreign naval protection of American merchantmen at sea.

Morris's perception of the interests of France and Spain was that both would have acceded to offer protection once they learned of his scheme to create a new order in the Western Hemisphere. He predicted that once the two nations cooperated with the United States to drive the British navy from the western Atlantic, the Caribbean, and the Gulf of Mexico, "the Communication for Trade would be
opened, the Number of Interests reduced which have hitherto
distracted the West Indies, and Consequently the Peace of
all this Side the Globe will be put on a better foundation
than it has yet ever been a Mutual Advantage as we
Conceive to France, Spain and these States."\textsuperscript{58} As a member
of the Committee for Foreign Affairs (formally the
Committee of Secret Correspondence until April 1777),
Morris would encourage Franklin, serving as American
minister to France, and John Jay, soon to be American
minister to Spain, to advance his plan.

Congress had chosen Benjamin Franklin to serve as one
of three American plenipotentiaries in France along with
Silas Deane and Arthur Lee to conclude the Model Treaty
with France. After his arrival there in December 1776, he
assumed immediately the role of leading American negotiator
because of his reputation with the French. The
commissioners had three goals in their diplomacy in 1777:
convince the French to recognize American independence,
form an alliance with France and Spain; and obtain
additional material support for the American war effort.
Deane had already written a draft treaty with France and

\textsuperscript{58} Committee for Foreign Affairs to the Commissioners at
Paris, 30 May 1777, Smith, ed., \textit{Letters of Delegates}
7:156.
Spain that would ensure the protection of French and Spanish colonies in the Americas, allow France, Spain, and the United States to fish the waters off Newfoundland, and close American waters to British vessels. The commissioners offered France and Spain the opportunity to join an alliance with the United States that would only make peace with Great Britain after Spain had gained control of Portugal and the British had given up their possessions in Canada and the West Indies. The Spanish government, however, refused to negotiate with Arthur Lee when he presented it with the American proposals. It did, however, continue to allow supplies to be shipped to America from Spanish ports. The French also carried on with their policy of secret aid to the United States, and Louis XVI went as far as extending a loan of two million livres to support the American war effort.

France went further in its support for America when it approved American privateers using French ports to fit out and to sell their prizes to French merchants, but it reversed this policy as well as other measures to aid America in the face of British objections. When the British ambassador to France protested the French policy and presented evidence to the Comte de Vergennes, the
French secretary of state and minister of foreign affairs, that his country was in violation of the treaties of 1713 that forbade France to allow privateers of nations at war with Great Britain into French ports, Vergennes ordered the cessation of the transportation in French vessels of supplies for America, and recalled French officers who had volunteered to serve in the Continental army. But the French minister told the American diplomats privately that the flow of arms and munitions would resume shortly.\footnote{Bemis, Diplomacy, 52-4. Although not part of its original instructions, Congress permitted the commissioners to agree to alliances if it led to achievement of their other goals. Wharton, ed., Revolutionary Diplomatic Correspondence, 2:240.97}

Franklin reported to the Committee for Foreign Affairs that French merchants were reluctant to form companies for trading with the United States because of the danger of their vessels being captured by British cruisers. Morris understood the French dilemma in being unwilling to delve into trade with a country at war with a practically nonexistent navy, but he argued, "this timidity ceases naturally as soon as a trade is opened for losing or gaining after that equally produces a Spirit of adventuring farther." He advised Franklin to constantly remind the
French of the potential benefits of capturing the British West Indies if they entered the war as an ally of the United States.\textsuperscript{60}

By the summer of 1777, the moment was approaching when France would have to commit officially to the American side in the war or honor its agreements with Great Britain. Vergennes believed that his country was prepared to enter the war and advised his king to form an alliance with the United States that included Spain. But the king insisted that France would only do so if the Spanish consented to it first. The Conde de Floridablanca, the new Spanish foreign minister in 1777, was opposed to involving Spain in a war with Great Britain that he believed would only benefit the French. He favored a negotiated peace between the British and their colonies with France and Spain acting as mediators. Without Spanish commitment to an alliance, Vergennes had to once again make it appear that France was reversing its policy by expelling American privateers from French ports and halting the flow of arms to America. British victories in the late summer of 1777 at Brandywine Creek in Pennsylvania and in northern New York seemed to

\textsuperscript{60} Committee to Commissioners at Paris, 2 May 1777, Smith, ed., \textit{Letters of Delegates}, 7:14-15.
ensure that the French would not intervene on the American side in the immediate future.

The stunning news of the surrender of British General John Burgoyne's army to the American army commanded by General Horatio Gates in mid-October at Saratoga, New York, changed the diplomatic situation dramatically. Both the British and French governments moved to be the first to convince the American commissioners to agree to their proposals. The British announced that they would repeal the several acts of the 1760s that helped push America toward revolution and offered the Americans autonomy within the British Empire. Vergennes informed the commissioners in mid-December that France would soon recognize the independence of the United States and sign treaties of alliance and commerce with the Americans. The Spanish government still declined to join in an alliance with France and the United States, but Vergennes believed he had to act immediately, even without Spain's approval. He met with the commissioners on 8 January 1778 and apprised them

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61 Bemis, Diplomacy, 55-6.
of Louis XVI's decision to make a treaty and alliance with the United States.  

On 6 February 1778, Franklin and the other commissioners signed a treaty of amity and commerce and a treaty of alliance with France. The French agreed to all of the articles of the Model Treaty except commercial reciprocity. They granted most-favored-nation status to the United States but "when a concession to another nation had not been made freely but in return for compensation, such a concession would not extend to the most-favored party except in return for similar compensation." American merchants would have access to certain free ports in France and its Caribbean possessions under the terms of the commercial treaty. France and the United States also agreed that each would send consuls to reside in the other nation after a consular treaty had been ratified.

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62 Ibid., 58, 60.100

63 Ibid., 61-2. A treaty of alliance with France had not been a goal of Congress in 1776. The French made it a quid pro quo of any commercial agreement. Several members of Congress argued that the alliance was contrary to the American aim to avoid involvement in foreign wars. Gregg L. Lint, "The Law of Nations and the American Revolution," in Kaplan, ed., The American Revolution, 115.
Robert Morris should have been gratified to learn in the spring of 1778 of the signing of the treaties with France. Although he has left no written comment on them, based on later statements he made we can infer that he did not consider the new commercial relationship to be consistent with his foreign policy goals. He found the principle in the commercial treaty that free ships make free goods particularly incongruent with his realistic perception of the international arena and an impediment to his aim of expelling the British from the Caribbean. Did he raise objection to this principle in the discussions in the committee that wrote the Plan of Treaties? And if he did, why did he not vote against the plan in Congress? The explanation may be that he chose to act as he did with the vote on independence. He had abstained from voting on the independence resolution on 2 July 1776 because he did not want to prevent its passage. The same may be true of the vote on the Plan of Treaties.

Morris's hope of restoring commercial access to the British Caribbean islands may have become reality in the summer of 1778 if he had cooperated with the British peace mission sent to America. With authority to suspend all acts of Parliament since 1763, Frederick Howard, Fifth Earl
of Carlisle, led the commission that also included the Howe brothers, Richard and William, William Eden, a friend of Carlisle, and George Johnstone, a Scot and former governor of West Florida. Johnstone believed that there were two members of Congress from Pennsylvania who could be convinced to abandon the Revolution and assume a leading role in restoring the bonds between England and the colonies. Robert Morris was one: English-born, a known political conservative, and a one-time champion of the British commercial system. The other potentially pro-reconciliation Pennsylvanian was Adjutant General of the Continental Army Joseph Reed.

Born in Trenton, New Jersey, the son of a wealthy merchant, Reed was educated at the Academy of Philadelphia and the College of New Jersey, where he earned the B.A. degree in 1757. Reed read the law under Richard Stockton and was admitted to the New Jersey bar in 1763. He traveled to England to continue his studies at the Middle Temple and attended debates in Parliament on colonial affairs. When he returned to New Jersey, he became involved in the iron trade and land sales while serving as

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deputy secretary of his colony. Reed journeyed to England once again to marry Esther De Berdt in 1770, but soon was back in America where he opened a law office in Philadelphia. He contributed his views on the imperial crisis in 1773 when his brother-in-law Dennis De Berdt encouraged him to correspond with Lord Dartmouth, the secretary of state for the colonies. He was unable to convince the British official that England's policies were only contributing to the deteriorating relations between the colonies and mother country. The Parliamentary Acts of the spring of 1774, meant to punish Massachusetts for the destruction of East Indies Company tea, had disrupted the normal flow of commerce between the colonies and England. Reed was not sanguine about the resumption of that trade. He wrote to De Berdt in September 1774: "The present appearances bode ruin to all the American merchants, and one half the debts to Great Britain will never be paid unless there should be an immediate repeal of all the obnoxious laws, which from the temper both of the Minister and people of Great Britain, I fear there is little reason to hope. . . . The first drop of blood spilt in America will occasion a total suspension of all commerce

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and connexion [sic]. We are indeed on the melancholy verge of civil war."

Reed was appointed to the committee of correspondence for Philadelphia in November 1774 and president of the second Provincial Conference in January 1775. He began his military career after Lexington and Concord as a lieutenant colonel of the Pennsylvania Associated Militia before becoming secretary for General George Washington. He represented his chief in meetings with British Admiral Howe in July 1776, participated in the New Jersey campaign of 1776-77, and fought at Brandywine Germantown, and Monmouth.67

Johnstone, who was acquainted with Reed's brother-in-law Dennis De Berdt, wrote to the American officer in April 1778 in conciliatory terms toward America, urging him to take the initiative "in bringing us all to act once more in harmony."68 None of the commissioners was aware that Congress had resolved in April that any American who reached agreement with the commission would be considered an enemy

66 Reed, Life and Correspondence of Joseph Reed I, 80-81.
67 "Joseph Reed," DAB, 8:451-52.
of the States. Carlisle asked for a conference with Congress on 17 June, but the Americans replied that the only possible topics of discussion were British evacuation of the United States and recognition of American independence. Nevertheless, Reed wrote to Johnstone with his recommendation that England "give up her visionary schemes [sic] of Conquest & Empire for the solid benefits she may yet derive from our Amity & Commerce." He reminded his brother-in-law that "a thousand circumstances concur to give you a great share of our trade, our remittances in my opinion will be better than formerly & we are not so fond of war as to continue it one moment beyond the severest necessity." Reed reveals himself here as an Anglophile and a mercantilist.

Reed learned from the wife of a Philadelphia loyalist that Johnstone was prepared to offer him 10,000 pounds sterling and a position of high office in the colonies if his support for the objectives of the British commission resulted in their success. Reed's terse response that he

69 Boatner, Encyclopedia, 844-45.


71 Reed to Dennis De Berdt, 19 July 1778, ibid, 312.
"was not worth purchasing, but such as I was, the king of England was not rich enough to do it," ended any debate about his loyalty to the United States.  

Johnstone reached out to Morris, encouraging him to work with the British diplomats to achieve a reconciliation and offering "honour and emoluments" for efforts. Morris, in fact, hoped to meet with Governor Johnstone to impress on him the possibility "that Great Britain may still be happy & Continue Rich, by forming a Commercial Alliance with us, on the same broad basis that other Nations do . . . that Great Britain wou'd still enjoy under such Treaties the greatest share & most valuable parts of our Trade." After Congress learned of the bribes offered to Reed and Morris, as well as to Francis Dana of Massachusetts, it voted not to have any further contact with Johnstone.  

We do not have any other documentation from Morris that could tell us what type of commercial alliance he hoped to conclude with Great Britain, whether it would have been

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73 Ibid., 98.


75 Boatner, ed., *Encyclopedia*, 845.
based on the terms of the Model Treaty or some other arrangement. It is interesting that Morris suggested the possibility of an Anglo-American commercial alliance in the wake of the news of the signing of the treaties with France. There is no doubt that he demonstrated an interest in resuming trade with England, but he quickly abandoned any desire to do so after the Carlisle Affair. His sights from late 1778 on were firmly set on gaining American commercial access to the West Indies islands of France and Spain and naval protection for American commercial traffic from those powers.

The attitude of many of the European states toward the Anglo-American conflict became defined in 1780, when Catherine II of Russia issued her Declaration of Armed Neutrality and invited the Netherlands, Sweden, Denmark-Norway, Prussia, and Austria to join with Russia in observation of the right of neutrals to trade in the ports of belligerents, the free ships free goods principle, and a definition of contraband based on the Anglo-Russian treaty of 1766.\textsuperscript{76} Denmark-Norway, Sweden, and the Netherlands

acceded to the Armed Neutrality before the end of 1780; Prussia and Austria in 1781; Portugal in 1782; and the Kingdom of the Two Sicilies in early 1783.\textsuperscript{77}

Congress voted to accept the principles of the League of Armed Neutrality in the fall of 1780, but it retained the definition of contraband in the French treaty of amity and commerce, which listed goods that could be seized and those that could not. But this policy created situations in which cargo not listed was sometimes seized as contraband. On 4 December 1781, Congress agreed to the definition of contraband in the Anglo-Russian Treaty of 1766, one of the principles of the Armed Neutrality, that said “‘with the single exception of warlike stores, the aforesaid subjects [of Great Britain and Russia] may transport to these places [not blockaded or besieged] all sorts of merchandise as well as passengers without the least impediment.’”\textsuperscript{78}

\textsuperscript{77} Bemis, 	extit{Diplomacy}, 152, 154-56, 162.

Franklin praised the neutral states' acceptance of the free ships free goods doctrine and wrote to Morris in June 1780, "France and Spain have approved of it, and it is likely to become henceforth the Law of Nations, that free Ships make Goods." Morris believed that requiring American privateers and naval vessels to abide by the doctrine would render them useless against enemy commerce, since the British government would not agree to such a policy. "Consequently Neutral Ships cannot protect American property against British Captures," he wrote, "Neutral Ships will cover British Property against American capture. Consequently our Privateers will be discouraged and probably the whole Force which now Operates against the Enemy in that Way may be withdrawn."

Morris did write to Franklin concerning the illicit commerce American merchants were engaged in with the British, a commerce that began, Morris said, when France's

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acceptance of "the principles of the Armed Neutrality gave her Enemy the Means of bringing her Manufactures in safety to our Neighborhood, she tempted our Merchants to buy those Manufactures. She added the Motives of Interest to the Force of Habit and ought not therefore to be surprized [sic] that such cogent Principles have had Effect. One Mode remained, that of convoying the Trade between France and America, and that Mode has been neglected."

The use of naval power was imperative, in Morris's view, if Franco-American commerce was to flourish. He would entertain no thoughts of idealism when it came to the conduct of ships at sea.

American compliance with the principles of the Armed neutrality was another triumph for Franklin and his idealistic vision of a world of peace and free trade. It was yet to be seen, though, whether the policies that Franklin embraced would help achieve the goals of victory in the war of the Revolution, recognition of American independence, and the expansion of American commerce. We must also remember that 1780 was one of the darkest years of the Revolution from a military perspective. The

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81 Robert Morris to Benjamin Franklin, 27 November 1781, ibid., 3:282.
momentum of the war seemed to be shifting in favor of the British.

Franklin and Morris, the two Pennsylvania leaders who turned out to be the most actively involved in and the most influential on American foreign relations from Pennsylvania, began 1776 with different views on foreign commerce. The publication of Common Sense, the declaration of American independence, the political revolution in Pennsylvania, and the formation of two political factions in the state muddled the ideological waters. If we see Franklin’s foreign policy as representative of the Constitutionalists, then they accepted the Plan of Treaties as the proper basis for American foreign relations. The republican-idealist ideology of Franklin and his faction, however, had competition as the new “Pennsylvania” ideology by late 1776. The opposition Republican faction led by Robert Morris advanced a liberal-realist mode of thinking on foreign commercial relations. The ideology that had the strongest impact on American policy depended on the endurance of Franklin and Morris in their positions and their respective factions in state politics.

The international realities of the time frustrated Robert Morris in his efforts to bring to fruition the
commercial world that he envisioned. In 1780, his hopes depended partially on a reversal of the fortunes of the Republicans in Pennsylvania. As we will see in the following chapter, Morris faced attacks from his opponents in Congress and in his state who found fault with his political opposition and his private and public business activities.

The onset of the American Revolution meant the end of the “Pennsylvania” ideology that guided many state leaders on imperial affairs during the 1760s and 1770s. The Constitutionalists who took power in 1776 advocated a break from British mercantilism; they sought commercial treaties with foreign nations. Benjamin Franklin represented the new “Pennsylvania” ideology in foreign affairs. Its endurance depended partly on the Constitutionalists’ ability to remain in power. Franklin, however, was a unique individual in the context of the political struggle in Pennsylvania; both the Constitutionalists and the Republicans respected his diplomatic skills, and he continued to serve as American minister to France into the 1780s.
Chapter Three

Ideologies in Conflict: The Republican-constitutionalist Political Struggle in Pennsylvania and the Role of Foreign Relations, 1776-1780

The participation of Pennsylvanians in national foreign relations discussed in the previous chapter occurred against the backdrop of momentous political changes in the state. We will now examine the early years of the struggle between Constitutionalists and Republicans in Pennsylvania after the overthrow of the proprietary government of the Quakers by revolutionaries in the summer of 1776 and the establishment of republican government. This contest also involved ideology and foreign relations and the party that gained power and held it had the opportunity to influence the conduct of foreign relations. Economic ideology divided the two factions, and with the importance of Pennsylvania in the world of maritime commerce and as the political capital of America, the policies of the party in power naturally affected relations with foreign nations that engaged in commerce with the United States. The republican-idealistic Constitutionalists battled the liberal-realistic Republicans. The contest
between realism and idealism in foreign relations intertwined in Pennsylvania with politics and relations with France in 1778 when the Constitutionalists began to establish commercial policies intended to support the war effort against Great Britain and to stabilize prices and the value of Continental currency. Their policies occasionally caused conflicts with French merchants and official representatives in Pennsylvania that tested the acumen of Pennsylvania's leaders in resolving disputes with the French while preserving the close relationship with France and upholding the honor and dignity of the state. Because of his business arrangements with the French, Robert Morris was deeply involved in several of the controversies. He was already a target of criticism of the Constitutionalists who sought to discredit him. By the end of 1780 Morris was still standing, but he and his fellow Republicans had not been wholly successful in their efforts to liberalize commerce, write a new constitution for Pennsylvania, and strengthen the power of Congress. The state and the country were in a crisis that threatened to undermine the Revolution.

The Pennsylvania assembly controlled by the Quakers steadily lost control of the colony during the winter and
spring of 1776. County committees of safety, encouraged by
the independence party in Congress, mobilized for war by
gathering supplies and raising militia units; the
Philadelphia Council of Safety even created a navy to
defend the city from a British attack from the Delaware
River. In June, the Whigs, supporters of independence from
Great Britain, organized a provincial conference that
proceeded to plan a convention to write a constitution for
Pennsylvania.

The ninety-six delegates who met from July to
September 1776 in Philadelphia divided into two camps: the
Constitutionalists, or Radicals, as they would be called,
and the Anti-Constitutionalists, or Republicans. The
Constitutionalists were for the most part uneducated
farmers and artisans, many Scotch-Irish Presbyterians, from
the back-counties of the state who had little understanding
of political theory but believed strongly in liberty and
democracy and set out to create a republican constitution
that would benefit all of the citizens of the state. They
also agreed to declare Pennsylvania independent of Great

1 Foster, In Pursuit of Equal Liberty, 78.
Britain and to reinforce George Washington's army in northern New Jersey with Pennsylvania militia. The delegates in the ranks of the Republicans were, as Owen Ireland describes them, "urban, commercial, cosmopolitan, eastern, larger property holders, Quaker or Episcopalian, English, and less democratic in their political and social views." They cherished basic English liberties and supported independence from the crown; they dismissed suggestions that they were allies of loyalists and that they would attempt to put the proprietors back in power. They opposed the constitution that the convention ultimately produced because they believed it created a government that was unbalanced and contained no checks on its power. As soon as the convention adjourned, the Republicans made the writing of a new constitution one of their primary goals.

The Pennsylvania Constitution of 1776 provided for a government, republican in structure, but with unprecedented mechanisms that were intended to maximize the voice of the

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people in legislation and ensure the preservation of the document itself. The unicameral legislature was required to submit its bills to the public for approval; only after the approval of the general citizenry could the legislature pass a bill in the following session. Emergency legislation, however, could be approved in the legislature without public consent. Each county would elect six delegates to the legislature. In 1778, a statewide census of taxpaying citizens would establish proportional representation and a new census would then be taken every seven years. Members of the legislature could only serve four out of any seven-year period and each member swore "that he would do nothing prejudicial to the Constitution and that he acknowledged belief in one God and the divine inspiration of the Bible." A Supreme Executive Council would consist of one representative from each county, including the city of Philadelphia, who would serve a three-year term. The Council and the assembly elected a president and a vice president as chief executive officers of the state. The Supreme Court would consist of judges chosen by the Council for seven-year terms. Every seven years each county would elect two members to a Council of Censors that would examine the conduct of the government
over the previous seven years and ascertain whether or not the Constitution had been upheld. The Censors had the authority to recommend amendments to the Constitution and to call for a convention to debate them.\(^5\)

The Constitutionalists' commercial policies reflected their republican political ideology expressed in the state constitution, although with the exception of a few such as Benjamin Franklin, Joseph Reed, and Thomas Paine, it is difficult to discern precise viewpoints of individual members of the faction on the subject because they did not convey them in their private correspondence. We can make judgments, however, of what they believed based on the policies they established in Pennsylvania. We know that they supported the expansion of the state's commerce for the benefit of all, and not, in their minds, a small group of wealthy merchants from the eastern counties; but they were willing to restrict commerce and to control prices of goods and commodities when they thought it would support the war effort and stabilize the state's economy. They evidently supported the new instructions the Convention wrote in the summer of 1776 for its delegation in Congress that called on them "to use your utmost power and influence

\(^5\) Ibid., 14-15.
in Congress, to have a due Attention paid to the establishing and maintaining [of] a respectable Naval Force." A navy was "absolutely necessary to every trading Nation, and is the least expensive or dangerous to the Liberties of Mankind." The delegates were not to agree to any treaty of commerce or alliance with any nation except as free and independent states, and "whenever Great Britain shall acknowledge these States free and independent, you are hereby authorized, in conjunction with the Delegates of the other united States, to treat with her concerning peace, Amity and Commerce on just and equal terms." The assertion that a navy was "the least expensive or dangerous to the Liberties of Mankind" was obviously a reference to the classical republican idea that a standing army was a threat to liberty while a navy was not. On this subject, the Republicans were in agreement with the Constitutionalists that naval protection of American commerce was vital since many of them were either merchants themselves or had mercantile interests. As we saw in the previous chapter, Robert Morris made the acquisition of

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foreign naval escorts for American merchantmen one of his primary aims during the Revolution. The Republicans advocated liberal policies of free trade with a strong belief in the sanctity of private property.

In the elections for the Pennsylvania Assembly in 1777, the voters chose several prominent conservatives for the city of Philadelphia, including Robert Morris, Thomas Mifflin, and George Clymer, but the Republicans did not gain enough seats to enable them to call for another constitutional convention or to change state policy. Not long after the new assembly’s session, met, a special election for president of the Supreme Executive Council had to be conducted to replace Thomas Wharton who had died in May 1778. In early December, the Council and the assembly chose Joseph Reed as the new president. The Republicans had been led to believe that Reed was a conservative, but in his inaugural address, he proclaimed his support for the state constitution.\footnote{Brunhouse, \textit{Counter-Revolution}, 54, 56-7.}

During 1778 and 1779, Robert Morris came under severe criticism from members of Congress who believed that on several occasions he had conducted his public and private business improperly. The result of these investigations
was important not only for Morris, but also for the Republicans in Pennsylvania and the future of American foreign relations. If Morris’s enemies destroyed him, his party in Pennsylvania might have lost his leadership and failed to secure control of the state government. These affairs also give us a clearer image of Morris’s economic ideology and the ideology of his opponents. Morris did not believe it was unethical to continue to profit personally from foreign commerce while his nation was at war or to mix private with public business. He defended himself vigorously when accused of dishonest practices. As we will see, the French did not embrace the republicanism of the Constitutionalists and their vision of a world in which the pursuit of profit would be secondary to conducting commerce for the benefit of all mankind.

In January 1779, Henry Laurens, delegate to Congress from South Carolina, accused Morris of corruption while serving as a member of the Secret Committee of Commerce. Laurens based his charges on information he received from Francis Lewis, who had served with Morris on the Secret Committee. Laurens claimed that in January 1777, Willing and Morris had a shipment paid for with public funds sent from Baltimore bound for Europe aboard a merchant vessel,
the Farmer. Morris learned later that a British cruiser had captured the Farmer at sea. He asked Congress to compensate his firm for fifty barrels of tobacco that had been on board and shipped on private account of Willing and Morris. Congress granted Morris's request.

The congressional committee that investigated the matter cleared Morris and his firm of any wrongdoing and concluded that the Secret Committee of Commerce had used Willing and Morris as one of its purchasing agents and had directed the firm to ship a cargo of tobacco on the Farmer. The committee agreed to compensate Willing and Morris for the cost of transporting the tobacco to the Farmer and for the outfit of the vessel itself. The documentation of the entire affair supports Morris's position that he only received compensation for those costs and the fifty barrels of flour shipped on private account.\(^8\)

Morris also became entangled in the affair over Arthur Lee's charges of the alleged misconduct of Silas Deane while serving as an American agent in France. When Lee joined Deane and Benjamin Franklin at Paris in 1777, his relationship with the two men almost immediately soured. Lee resented taking second chair to Franklin in diplomatic

\(^8\) Ver Steeg, Robert Morris, 22-3.
matters and Deane in financial affairs. He reported to Congress that he believed that Deane was personally profiting from his business dealings through speculation. Finally, in December 1777, Congress recalled Deane to defend himself against Lee's accusations.

In Congress, the affair divided the delegates into two camps: Robert Morris and other merchants supported Deane; Arthur Lee and his brother Richard Henry Lee, chairman of the committee for foreign affairs, led the delegates who believed that Deane was guilty of misconduct. Deane explained his actions in his “Address to the people of the United States” and had it published in the Philadelphia Gazette. Thomas Paine, then serving as secretary to the committee for foreign affairs, and an ally of the Lees, responded to Deane by arguing that Arthur Lee had negotiated with Beaumarchais in London for the shipment of supplies to the United States from the French government.9

9 "Silas Deane," in Revolutionary Diplomatic Correspondence, ed., Wharton, 560-62. Deane intended to resolve his accounts that had come under suspicion when he sailed for Europe again in 1780. Once in France, though, he engaged in discussions with British agents. He was forced to leave France and take residence in Holland after Franklin discovered his activities. In letters that Deane wrote during this period, he called for an end to the war with
Many Constitutionalists and Republicans in Pennsylvania divided along predictable lines in the Lee-Deane affair. Joseph Reed, Thomas Paine, and Timothy Matlack were three of the leading Constitutionalists who supported Lee; Robert Morris and the mercantile interests, as in Congress, stood with Deane. In his letters to Pennsylvania newspapers criticizing Deane, Paine censured Morris because of his business connections with Deane and called on the state assembly to conduct its own investigation into Morris's activities because he was a delegate to Congress.10

Morris answered Paine’s charges stating that it was not the business of the Commonwealth of Pennsylvania to examine his private business operations, even as a member of Congress. He still gave a detailed account of his commercial relationship with Deane, not to satisfy Paine, but to refute his conclusions. Paine accused Morris specifically of acquiring the account books of the Secret Committee of Commerce in October 1777 with the intention of America remaining within the British Empire. He eventually settled in England and died in 1789 on a voyage back to the United States. Bemis, Diplomacy, 59.

10 Brunhouse, Counter-Revolution, 60.
settling them, but then returning them in September 1778 with more than two million dollars still outstanding. Morris countered that "the little leizure [sic] which remained from my private avocations & the many interruptions occasioned by public business which pursued me in my retirement," did not allow him to examine the books until late December 1777, and then until June 1778. But he settled some of the accounts until there was no room in the committee's ledger for more. Morris had recommended to Congress in November 1777 that "a Board of Commissioners to manage the Public Commerce & settle the Accounts" be created, but no action had been taken as of January 1779. Later he suggested that "the Old Members of the Secret Committee as most competent might be reappointed a Committee to finish the Settlement of their Accounts." One of those members along with a new one had, Morris said, completed the work of putting the financial affairs of the Secret Committee of Commerce in order.\(^{11}\)

In 1779, Morris faced scrutiny of his business affairs from Constitutionalists in Pennsylvania that became intertwined with altercations between the government of

Pennsylvania with French officials in the state over sundry affairs that threatened to damage relations between the United States and France. The matters that raised tensions often involved the questions of the powers of French consuls in the United States and the jurisdiction of the authorities in the individual states over them and their operations. There were no definitive answers to these issues in 1779 because a Franco-American consular convention did not yet exist. The lack of such an agreement meant that the Pennsylvania government, if not choosing to consult Congress, would define foreign policy in their state. As president of the Supreme Executive Council in 1779, Joseph Reed was confronted with the very delicate task of upholding Pennsylvania law while maintaining amicable relations with America's ally, France.

In the spring of 1778, the Constitutionalists undertook an effort to combat inflation and their political opponents, many of them merchants, with a bill that regulated prices on certain articles sold within the state. They made their attitude toward the wealthiest among Pennsylvania's commercial class clear in the bill in stating that "certain persons in this state, instigated by the lust of avarice and devoid of every principle of public
virtue and humanity are assiduously endeavoring, by every means of oppression, sharping and extortion, to accumulate enormous gain to themselves, to the great distress of private families in general and especially of the poorer and more dependent part of the community as well as to the great injury of the public service."  

But the assembly withdrew the law in May after Congress asked the northern states to suspend their price regulations because the southern states had not imposed them. When Congress called on the states to begin an embargo on the export of foodstuffs in the summer of 1778 the Executive Council agreed to the measure, although it issued a statement that it was not within the power of Congress to interfere in a state's commercial policy. 

The economic problems in Pennsylvania of inflation, shortages of foodstuffs, and the declining value of the state's paper currency reached a crescendo in the spring and summer of 1779. Constitutionalists blamed conservative merchants and businessmen for the crisis, demanded an

12 "An Act for Regulating the Prices of the Several Articles herein mentioned for a Limited Time," 1 April 1778, James T. Mitchell, Henry Flanders, eds., The Statutes at Large of Pennsylvania from 1682 to 1809, 236.

13 Brunhouse, Counter-Revolution, 51.
investigation, and petitioned the Supreme Executive Council to take action. The Council appointed nine members of the assembly to look into speculation into commodities, especially flour. At a mass meeting in late May 1779 in Philadelphia, the attendees "adopted resolves to reduce the price of goods and provisions, to support the currency and to reform abuses." A committee of inspection was to set prices on goods and commodities; another committee was to investigate the business operations of Robert Morris.\textsuperscript{14}128128

The latter committee focused its attention on the affair involving Morris and the French merchant vessel \textit{Victorious} that had dropped anchor at Philadelphia on 10 April 1779. A French merchant from Baltimore, Mr. Sollekoff, went aboard and made an arrangement with the owners of the ship that would allow him to purchase or not the entire cargo. Several days later, according to Sollekoff, he entered into a partnership with Robert Morris to act with him in purchasing and selling the cargo. Morris reserved for himself the right "'of dictating the terms of the purchase.'"

\textsuperscript{14} Brunhouse, \textit{Counter-Revolution}, 70.
In late April, agents from the Commercial Committee of Congress offered to purchase the entire cargo of the *Victorious* and to pay for it in tobacco and bills of exchange. The owners responded that they would consider the offer, but they did not inform the agents that they had already agreed to deal with Sollekoff and Morris. Two more meetings between the agents and the owners achieved nothing. On 3 May 1779, the owners sold the cargo to Sollekoff and Morris. The investigating committee of Philadelphia suspected that "the Commercial Committee of Congress," acting for the public, "were unfairly trifled with," and asked for Morris to offer an explanation.\(^{15}\)

In a letter to the Philadelphia committee Morris said that after purchasing the cargo he had offered the Continental agents "'whatever they wanted for the army on such terms as they declared were moderate.'" It was only later that the owners of the *Victorious* informed Morris of the details of Sollekoff's proposal, which he had not read because it was in French. Apparently, the price Morris had charged the agents was lower than Sollekoff had intended. A new arrangement was drawn up and Morris sold a part of

\(^{15}\) *Pennsylvania Packet*, 24 July 1779.
the cargo to the agents at a higher price. Although the committee commended Morris for offering the cargo to the Commercial Committee first, it criticized the profits he earned in the bargain because the agents could have made the purchase without Morris.\textsuperscript{16}

In the meantime, the inspection committee requested Morris to appear before it and explain a shipment of 182 barrels of flour from which the committee believed Morris had personally profited and that a committee at Wilmington, Delaware, had seized from Mr. Jonathan Rumford, an agent of John Holker, the French consul at Philadelphia, and turned over to the Philadelphia committee.\textsuperscript{17} Morris had in fact made an arrangement with Holker to provide flour for the French fleet in American waters. The two men had had a business relationship since July 1778 when Morris agreed to serve as purchasing agent in Pennsylvania for Holker, then purchasing agent in the United States for the Royal Marine of France. Conrad-Alexandre Gerard de Rayneval, the French minister to the United States, had appointed Holker to that position as well as "inspector general of trade and

\textsuperscript{16} Ibid.

\textsuperscript{17} Brunhouse, \textit{Counter-Revolution}, 71.
manufactures of France," and "consul of France in the port of Philadelphia" on 15 July 1778.\textsuperscript{18} Holker had come to America in late 1777 with a design to speculate in American currency. After he met Morris, Holker convinced him to become involved in his commercial operations on Holker's behalf with the promise of monetary compensation. But Morris agreed to participate in only a limited capacity. In the spring of 1780, Morris and Holker organized the firm of William Turnbull and Company to handle the purchasing in Pennsylvania for the Royal Marine. Holker and Morris were to be partners in the company, but the arrangement allowed Morris to focus most of his attention on his other business affairs.\textsuperscript{19}

Morris did not appear before the inspection committee in the Wilmington flour affair; he instead expressed his thoughts on it in his address in early July 1779 "to the Citizens of Pennsylvania."\textsuperscript{20} Drawing a distinction between his affairs and those of John Holker, he pointed out that Holker acted for France and with the approval of Congress,

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\textsuperscript{18} Ford, ed., \textit{Journals of Congress}, 23 July 1778, 713.
\textsuperscript{19} Ver Steeg, \textit{Robert Morris}, 32-33.
\textsuperscript{20} Brunhouse, \textit{Counter-Revolution}, 71.
\end{flushleft}
and that the Philadelphia committee of inspection had no authority over him. He argued that the embargo on the export of flour from Pennsylvania and the cap on prices had tarnished relations with France. He recounted his past contributions to expanding the commercial markets of the state and enjoying a mutually beneficial relationship with the merchants of Philadelphia, many of whom owed their prosperity to Morris's business acumen.  

Holker, in the meantime, complained to President Reed that he believed he had been unfairly criticized for his conduct in the press and warned of "the evil consequences that may arise from such illiberal aggressions." He was under the impression that he had satisfied the Supreme Executive Council when he explained to that body that he was not in violation of state law in arranging for the delivery of the flour to the French fleet and demanded that the government of Pennsylvania give its immediate attention to the matter.  

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21 Pennsylvania Gazette, 21 July 1779.

22 Holker to Reed, President of Pennsylvania, 24 July 1779, Wharton, ed., Revolutionary Diplomatic Correspondence, 3 no. 2:261-62.
Gerard became involved in the affair and defended his fellow countryman by lecturing President Reed on how governments traditionally treated the officials of a foreign nation operating within their borders. Holker had acted with the approval and the consent of Congress, Gerard said. The representatives of France in the United States would obey the laws of the individual states, but Gerard reminded Reed "that there is no civilized nation where the agents and public servants of a foreign sovereign do not enjoy immunities and exemptions" that are "indispensably necessary for the free exercise of their functions," and these persons "can not be subjected to any inspection or inquisition with regard to the execution of their public functions, except to that of their own sovereign and his representatives." Gerard also requested that Reed respond immediately to his memorandum in order to uphold the honor of France, its king, and its representatives. Until the policies of Pennsylvania were clarified, French officials would suspend their business operations in the state.²³

Gerard informed John Hancock, president of Congress, that it was his body's responsibility to defend the honor

²³ M. Gerard to the President of the State of Pennsylvania, 26 July 1779, ibid., 260-61.
and dignity of France's agents from attacks made by the
government of one of the states. He asked that Congress
take Holker under its protection, announce to the public
that he was the consul of France in Pennsylvania, see to it
that Holker receive "justice and satisfaction for the
attacks publicly made on his honor and reputation," state
unequivocally that Holker transacted the business of
procuring flour for the French fleet with the blessing of
Congress, and see to it that such an offense made against
France was not repeated.24

Both Congress and Pennsylvania moved quickly to
prevent a diplomatic breach over the Wilmington affair. A
congressional committee determined that the Pennsylvania
Supreme Executive Council gave permission for 1,600 barrels
of flour to be loaded aboard the Mary and Elizabeth, a
vessel owned by Pennsylvania merchant Thomas FitzSimons,
and concluded that neither FitzSimons nor Holker did
anything that violated Pennsylvania's prohibition of the
exportation of provisions.25 Reed responded to Gerard in
an apologetic tone that disavowed any statements that had

24 Gerard to the President of Congress, 26 July 1779, ibid.,
259-60.

been made against Holker's honor and informed the French minister that the Supreme Executive Council had taken the flour into its possession and was prepared to return it to Holker for delivery to the French fleet.  

To Holker, however, Reed was not as repentant. He pointed out that it was not in doubt that in April 1779 Rumford had transported flour and claimed it was with Holker's approval. If Holker had at that time ended that gentleman's employment with the consul it could have prevented, Reed said, "the present Difficulty." Reed upheld the decision of the Wilmington committee to seize the flour, believing it had no other choice given the suspicions of Rumford, and explained the scandalous remarks about Holker in the press as a case of ignorance of the Frenchman's character on the part of the writers, and expressed the hope that Holker would excuse such utterances and remember "the most sincere Affection & Respect the true Lovers of American Freedom & Independence bear to the People of France."  

26 J. Reed, President of Pennsylvania, to Gerard, 31 July 1779, Wharton, ed., Revolutionary Diplomatic Correspondence, 3:270-72.  

27 Pres. Reed to Mr. Holker, French Consul, 31 July 1779, Hazard, et al., eds., Pennsylvania Archives 1, 7:601-03.
In early August 1779, the Supreme Executive Council agreed to resolutions in regard to the Wilmington affair in which it made clear that it "highly disapproves of all Publications tending to injure the Characters and impede the Officers of his most Christian Majesty in the faithfull [sic] discharge of their Publick [sic] Functions," and concluded that no commerce in violation of the embargo had been conducted. The Council recommended that in the future Holker only make use of agents who had reputations for honesty and integrity.28

On Holker's complaint that he was "still held up to the 'Publick [sic] in a suspicious Light and as accountable for the private & personal Transactions of Mr. Rumford," Reed responded that the government of Pennsylvania was not interested in the private affairs of Mr. Rumford; it thought that Holker should have insisted that Rumford clear himself of the charge against him before allowing him to continue in the service of the French consul. The president agreed with Holker that Rumford should not have been dismissed until an investigation found him in

28 Minutes of the Supreme Executive Council, 9 August 1779, ibid., 68.
violation of Pennsylvania law. Still, Reed pointed out, the charges against Rumford were based on "an Oath of Facts & Information given you by a reputable Citizen & an Officer under Congress," and that there were precedents in the United States of officials dismissed without trial. On the issue of the calumny against Holker in the press, Congress had resolved that the newspaper responsible could be prosecuted. Gerard had already declined to ask for legal prosecution in the case, but Reed left it up to Holker to decide whether he wanted formal charges brought against the press. Finally, Reed assured the French consul that the state government would cooperate fully in the exercise of his duties, but he emphasized that the state would not hesitate to exercise its power if its laws were violated or ignored.  

Reed should be given credit for his astute handling of an affair of American foreign relations that had no precedent, at least in Pennsylvania. He did not retreat when confronted by complaints from the representatives of a powerful nation, and he did not turn immediately to Congress for guidance. Reed was no neophyte when it came to the law—he had studied it in both America and in 

29 Pres. Reed to Mr. Holker, 9 August 1779, ibid., 628.
England—and he was aware of conventions regarding treatment of foreign officials. In the absence of a consular convention, or any other agreement with France that might have applied to the Wilmington flour affair, Reed established that Pennsylvania would exercise its authority with infractions of state law. His successors in the office of president of the Supreme Executive Council could follow his precedent, at least until Congress agreed to a uniform policy for the nation. But how much, if at all, did political ideology influence Reed's approach to the controversy? And here, there is no evidence that Reed treated Holker more critically because he was a business partner of Robert Morris, an opponent of the Constitutionalists and their economic policies.

While the Wilmington flour affair was being resolved Reed had other debates with Holker over state law and the prerogatives of foreign citizens. In the summer of 1779, two French merchants who resided in Philadelphia complained to Holker that they had been ordered to pay the militia tax, the tax imposed on men who did not do military service for the state, and that if they refused the collector would seize the equivalent in goods. The French consul requested that until Congress established a policy on the service
liability of foreign citizens, Pennsylvania authorities cease from pursuing the French merchants.30

Reed responded that if the merchants had resided in Pennsylvania for more than six months, then they were required to obey the law and either serve in the militia or pay the tax until the assembly or Congress declared how such persons should be treated.31 This was not satisfactory to Holker, who warned Reed that "to Insist upon enforcing the measures which It seems that Council means to support, they would necessarily involve both nations into difficulties to which you have not perhaps far attended & which I shall readily explain to you whenever you'll think proper."32 Holker brought to the attention of Congress through Gerard the complaint of a French sailor, Francois Fluery, who had been pressed by American sailors in mid-May 1779 and forced to serve aboard the American ship General Greene. In mid-June, Fleury jumped ship but argued to Holker that he was entitled to a portion of the prize money

30 Mr. Holker to Pres. Reed, 22 June 1779, ibid., 7:499.
31 Reed to Holker, 23 June 1779, ibid., 502.
32 Mr. Holker to Pres. Reed, 25 June 1779, ibid., 510.
for the ships captured by the General Greene. 33 Congress informed Reed, who then issued a general order that directed Pennsylvania magistrates to assist French captains in having their sailors returned. 34

As Reed and the French endeavored to resolve the many controversies between them during the summer of 1779, the Constitutionalists came under greater criticism from those who were either dissatisfied or thoroughly opposed to their economic policies. The committee of inspection received complaints from Philadelphia artisans who vowed that they would not obey the regulation of prices of their goods until the people agreed to regulation across the board of all goods and commodities. Another mass meeting in late July 1779 in Philadelphia called for an election to choose 120 additional members for the committee. Conservatives led by Robert Morris met separately after their efforts to speak against price controls at the meeting were shouted down. They passed their own resolutions in which they agreed that they would participate in the election for new members of the committee and declared that Morris and

33 Minutes of the Supreme Executive Council, ibid., 1 July 1779, 35.

34 Pres. Reed to Mr. Holker, ibid., 3 September 1779, 1, 7:678.
Holker had not violated the law in the conduct of their business.

The conservatives painted the Constitutionalists as opponents of free speech by publishing a broadside that pointed out how conservative voices at the mass meeting were not permitted to have their views heard and also "'the late public Insult offered to the French Nation, through their Officer in this City.'" The Constitutionalists responded by showing their support for the Franco-American relationship by printing 141 ballots emblazoned with the arms of the Franco-American alliance. When the votes were counted Constitutionalists won by a margin of nearly ten to one; only a handful of prominent Republicans were added to the committee.\(^{35}\)

Continued control by the Constitutionalists over economic policy meant that price controls remained in effect. In an effort to frighten merchants into compliance with state policy the inspection committee resolved in mid-August 1779 that it would publish the names and charges against persons found in violation of its regulations and hoped they would "be held up as enemies to their

\(^{35}\) Brunhouse, Counter-Revolution, 68, 70, 72.
country.'”\textsuperscript{36} A group of Philadelphia merchants responded with a memorial to the committee in which they complained that the setting of prices "invades the laws of property." They predicted that European merchants would "desist from sending anything to a place where on the instant of its arrival it would be taken from them at a price to be fixed by the purchasers." The merchants had learned that their foreign counterparts were aware of the new policies in Pennsylvania and that they condemned them.\textsuperscript{37} Holker attempted to convince President Reed that "a free and uncontroled [sic] course of trade might, perhaps, put things to rights. The price of exported articles may rise somewhat by a free exportation, but an abundance of provisions will be the immediate consequence thereof, & would necessarily reduce their price after a short period of time."\textsuperscript{38} No response from Reed to this argument has been found. An author calling himself a Citizen of Pennsylvania, in his "Third Essay on Free Trade and Finances" of January 1780, called on the state "to take off

\textsuperscript{36} Pennsylvania Packet, 24 August 1779

\textsuperscript{37} Ibid., 10 September, 1779.

\textsuperscript{38} Mr. Holker to Pres. Reed, 8 September 1779, Hazard, et al., eds., Pennsylvania Archives, 1, 7:687.
every restraint from our trade." "Limitations of our trade have been so often tried, so strongly enforced, and have so constantly failed of the intended effect."39

The objections of economic liberals to price controls and other regulations had no apparent influence on the Constitutionalists. They continued to blame wealthy merchants for Pennsylvania's problems and the public seemed to agree with them. The elections in October 1779 gave the Constitutionalists full control of the assembly with not a single seat held by a Republican. Reed was selected for another term as president.40

New squabbles between the government of Pennsylvania and the French began late in the following year when three French naval vessels anchored at Philadelphia and landed goods on private accounts for city merchants. The senior French officer, Lieutenant Etheart, failed to report his off-loaded cargo to the officer of the customs. The Pennsylvania official brought to the attention of Etheart and Consul Holker what the law required with regard to the cargo but neither responded. Etheart informed Reed that his commission in the French navy did not require him to

39 Pennsylvania Packet, 8 January 1780.
40 Brunhouse, Counter-Revolution, 76.
pay duties, and although he said he would do so to satisfy the state government, he sailed with the three vessels without fulfilling his obligation. Besides this affront, the Pennsylvania authorities also took exception to the French officer for allowing a boat from his frigate to take soundings of the Delaware River without permission, which Reed said "was a Breach of Decorum, & the Laws & Usage of Nations." Finally, the French ships departed Philadelphia carrying provisions and therefore violating the embargo then in force in Pennsylvania. 41 Within a few days, Reed became incensed with Holker's failure to give an explanation for Etheart's behavior and called Holker's silence "fresh Proof of the Estimation in which he holds the Authority of Pennsylvania." 42

Reed raised the issue of the behavior of the French naval officer again with Holker several months later and also requested explanations for some of Holker's other recent affairs in Pennsylvania. An agent of the state government reported to the Supreme Executive Council in the

41 President Reed to the Chevalier De Ternay, 12 November 1780, Hazard, et al., eds., Pennsylvania Archives, 2, 3:381-83.

42 Pres. Reed to Minister of France, 20 November 1780, ibid., 614.
fall of 1780 that men under contract with Holker cut timber to be used for masts for the French navy in parts of Berks County and provoked an Indian attack on settlements there. Militia arrived to defend the inhabitants, but at a considerable monetary cost to the state. The policy of the American colonies with regard to timber suitable for use as ships' masts had, since before the Revolution, allowed for public use even when on private property. Holker should have informed the state government before arranging for timber to be harvested. Reed also accused Holker of selling flour at a price above market price in Philadelphia "to Merchants having Vessels bound to the West Indies transferring to them in that Case the Privilege of Exportation for private Emoluments." The merchants then sold the flour in the French islands or offered it to the French army or navy since Holker provided the merchants with the documents proving it had been legally exported from Pennsylvania.\(^4^3\) 

Holker declared that he had the cargo in question returned to the French ships, but he was dismayed that Reed had asked Luzerne to report the misconduct of Etheart to the senior French naval officer in the United States.\(^4^3\) Pres. Reed to Mr. Holker, ibid., 1, 9:9-10.
Etheart had been sent to Philadelphia by the governor of Martinique and was operating under his authority. Reed, therefore, should have complained to Holker, who was then consul for Pennsylvania and later consul general for the middle district of the United States. Holker produced written evidence that he asked Etheart repeatedly to comply with Pennsylvania law. On the question of Holker's involvement in the cutting of timber in Berks County, Pennsylvania, for masts for the French navy, the consul stated that he had "never had any concern directly or indirectly, in the purchase property of a single mast & sparr [sic], considered as such, nor in any contract whatever." For an explanation of his export of flour from Pennsylvania Holker referred Reed to Minister Luzerne who directed the consul's operations in this area. 44

With the state's finances and economy still in desperate straits in the summer of 1780, the Supreme Executive Council issued a proclamation in July that authorized the president and the speaker of the assembly to borrow funds in Europe of up to two hundred thousand pounds in specie. It appointed James Searle, a Pennsylvania

44 Mons. Holker to Pres. Reed, 26 March 1781, ibid., 31-36.
delegate to Congress, to negotiate the loan. After receiving the requested funds Searle was to purchase military as well as other supplies for use by Pennsylvania's forces; one quarter of the money was to be sent to the Council. Searle arrived in France in September 1780 and met with Franklin to learn whether securing a loan in that nation was realistic. Franklin had stated his opposition to the states acting alone in seeking foreign financial aid. "The Agents from our different States running all over Europe begging to borrow Money at high Interest, has given such an Idea of our Poverty and Duties, as has exceedingly hurt the general Credit, and made the Loan for the United States almost impracticable."

The results of the fall 1780 elections in Pennsylvania rendered the failure of Searle's mission virtually

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46 William B. Reed, Life and Correspondence of Joseph Reed, (Philadelphia, 1847), 452.


48 Franklin to Alexander Gillon, 5 July 1779, Labaree, ed., Papers of Benjamin Franklin, 30:36.
inevitable. Reed gained support from both parties and was elected for another term as president of the Supreme Executive Council, but the Republicans won a majority of seats in the assembly for the first time. They did nothing to support efforts to obtain a foreign loan. Indeed, Robert Brunhouse states that Robert Morris and Benjamin Franklin may have conspired to undermine Searle even before he made his first inquiry in Europe, but he does not support this claim with any specific documentary evidence.50

Searle traveled to Amsterdam where he made contact with John Adams, there to find Dutch sources of money for the United States, but having had no success. Not to be deterred, Searle entered into negotiations with the bank of John de Neufville and Son to assist him in locating persons or houses willing to provide money. De Neufville was prepared to sell him supplies, but he needed the loan to buy them.51


50 Ibid., 98.

51 Reed, *Life and Correspondence of Joseph Reed*, 455.
Returning to Paris in January 1781 Searle turned to the Framers General as a source of money but without success. He blamed Silas Deane for what he called "a spirit of doubt and disconfidence [sic] in many of the worthy people of this country with respect to America." The Lee-Deane affair of 1779 had convinced Searle that Deane had engaged in misconduct during his mission to Europe. He also became mistrustful of Franklin because he defended Deane.\(^{52}\)

In March 1781, Searle reported to President Reed that he inquired with the Company of Lyons, also known as the Fournisseurs Generaux, the supplier for the French army, as to whether it would make a loan to Pennsylvania. It responded that as Pennsylvania was a state of the United States and not independent of Congress, it could not negotiate with a representative who was not authorized by the national government.\(^{53}\) He returned to Holland and continued his efforts until August 1781, then sailed for France with the intention of returning to Pennsylvania. In

\(^{52}\) Ibid., 455.

\(^{53}\) Lombard, "James Searle," 288.
November, while at L'Orient, he learned of Reed's decision to recall him.\textsuperscript{54}

Although 1781 turned out to be the year of decisive victory in the War of the Revolution against Great Britain, it was just the beginning of a new phase in the struggle between Constitutionalists and Republicans in Pennsylvania. Foreign affairs would play an important role in the political battles to come.

\textsuperscript{54} Ibid., 290.
Chapter Four

Robert Morris, the Nationalists, and the Pursuit of Commercial and Constitutional Reform, 1781-1790

Robert Morris’s survival against the attacks from his enemies in Congress and the Constitutionalists in Pennsylvania allowed him to continue the pursuit of his political and economic goals for the nation and the state. With the victory of the Republicans in the state election in 1780, Morris was in a better position to lead his party’s efforts to advance liberal commercial policies. His ability to influence national economic and financial policy with his blend of realism, idealism, and liberalism in foreign affairs increased substantially in May 1781, when he accepted the post of superintendent of finance. Congress established the office on 7 February 1781, with the power “to direct the execution of all plans which shall be adopted by Congress respecting revenue and expenditure.” Congress resolved to take this action to deal with the financial crisis that had been growing since 1775.
As superintendent, Morris linked the reform of the nation’s finances with foreign relations and employed his realist approach to opening markets for American commerce, establishing naval protection for merchant vessels, and devising sound sources of revenue in the form of import duties for the Confederation government. He continued to maintain a close relationship with Benjamin Franklin despite their different foreign policy views. Their efforts to broaden American commercial horizons were not a competition between realism and idealism; between 1781 and 1784, Morris and Franklin continued their cooperative efforts to achieve that goal and to win the war of the Revolution.

At the beginning of the Revolution Congress used bills of credit, a form of paper money, to meet its needs. By October 1776, the number of these bills in circulation had grown to a point that disastrous inflation might result if Congress did not adopt new methods of funding. Accordingly, it voted to borrow money from domestic sources and issue loan office certificates and certificates of indebtedness in payment for purchases. France had been providing secret loans to America since 1775, and it provided direct financial aid after 1778, but these loans
accounted for only about 3 percent of the funding of the Revolution.

With Congress's financial policies proving to be inadequate by the fall of 1777, it voted to impose a requisition of $5,000,000 on the states, apportioned according to property values. This policy was somewhat effective, and in 1780, Congress began requisitioning commodities.\(^1\) But the overall financial situation in the country had grown worse, as reflected in the correspondence of Pennsylvania's delegates to Congress. William Shippen Sr. wrote in late June 1779, "I wish I could give a good prospect of some valuable conclusion of our finances, but so long as the power of evading, perplexing & delaying the most patriotic propositions is allowed to a certain few, we shall do nothing timely that is fit & proper to be done."\(^2\)

The "patriotic propositions" Shippen referred to may have been the plan his fellow Pennsylvania delegate John Armstrong Sr. described in a letter in July 1779. Congress was then considering bringing the supply of paper money under control by halting the printing of additional notes.

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1 Ver Steeg, Robert Morris, 43-45.

and seeking loans to meet the debts of the government.³ But in March 1780, Congress voted to call in the bills of exchange then in circulation and issue new bills with a value of one-dollar specie per bill that owners could redeem within six years at 5 percent interest on the ratio of 40:1, or forty dollars for one of coin. This paper depreciated as well until it had lost all value by the spring of 1781. Domestic loan certificates also declined in value because Congress could not keep up with the interest payments.⁴

These were the problems that Morris confronted when he assumed his new office. He dealt with them vigorously, dabbling in foreign affairs in the process as he attempted to expand American commerce with France and Spain and their possessions while seeking constitutional reform. As superintendent of finance, Morris assumed leadership of the Nationalist movement to strengthen the central government through amendment of the Articles and to establish sound financial and economic policies for the entire nation that would strengthen American credit overseas, expand commerce,

³ John Armstrong Sr. to Horatio Gates, 12 July 1779, ibid., 194.

⁴ Ver Steeg, Robert Morris, 45-6.
and support the American armies in the field fighting for final victory in the war.\textsuperscript{5} Morris was also, in essence, the representative of the Pennsylvania Republicans in the central government. He symbolized their political ideology as well as their foreign policy, and just as his success depended on theirs, their success depended on his.\textsuperscript{155155}

Even before Morris assumed the office of superintendent the Nationalists' aim of establishing one commercial policy for the United States under the control of the central government seemed to be closer to coming to fruition in February 1781 when Congress requested that the states "pass laws granting to vest a power in Congress to levy for the use of the United States, a duty of five percent ad valorem" on goods imported from outside the country.\textsuperscript{6} Morris fully supported this measure and hoped his own state would be the first to ratify it. He wrote to the speaker of the Pennsylvania Assembly: "The full and ready Compliance of Pennsylvania with the Grant of an Impost asked for by Congress will be on their records a


flattering Monument of Zeal for the glorious Cause we are engaged in, of regard for the sacred Principles of moral Justice and of adherence to the exalted Dictates of national Obligation.” Pennsylvania did comply with the request of Congress. Morris then worked tirelessly over the next year to convince the other states to ratify the impost amendment.

One of the components of Morris's program for financial reform was his proposal to Congress in May 1784 for a national bank. Congress chartered the Bank of North America in December 1784; the state of Pennsylvania followed shortly thereafter with its own charter for the institution to be established on Chestnut Street in Philadelphia. Among the twelve directors chosen by the stockholders were Pennsylvania Republicans William Bingham, Thomas FitzSimons, and James Wilson. Thomas Willing was the bank's first president. Morris wrote that “stockholders in the bank will have the Satisfaction to be Considered for Ever as promoters of an Institution which

7 Robert Morris to the Speaker of the Pennsylvania Assembly (Frederick A. Muhlenberg), 13 February 1782, Ferguson, ed., Papers of Robert Morris 4: 226.

can be found beneficial to other Countries and inevitably must be so in the highest degree to this, An institution that most probably Will Continue as long as the United States, and that will probably become as usefull [sic] to Commerce and Agriculture in the days of Peace as it must to Government During the War."  

Hoping to establish the bank's credit in Europe with some of the eminent bankers in Paris, Morris requested Franklin to make contact with them. Franklin expressed strong support for the bank but informed Morris that he should not expect to receive credit from private French financiers because many of them were not willing to risk loaning money to the infant United States.

Other components of Morris's program were detailed in his Report on Public Credit of July 1782, which combined liberal commercial ideology with financial reform, acknowledging "'the intimate Connection between the Commerce, the Agriculture and the Finances of a Country'"

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10 Robert Morris to Benjamin Franklin, 14 July 1781, ibid., 295.

11 Benjamin Franklin to Robert Morris, 5 November 1781, ibid., 149-52.
and arguing that American economic independence depended on the viability of commercial agriculture and markets for the export of its production.\textsuperscript{12} To restore the public credit damaged by Congress's earlier financial policies, Morris called for the creation of domestic sources of revenue. He argued that his debt-funding methods would strengthen the credit of the United States, create new capital for men of property to invest in the growing economy, and encourage foreign investors to stake their money in American enterprises. Commerce would supply the wealth that could be taxed for payment of debts, internal improvements, and a naval construction program for the defense of the mercantile marine.\textsuperscript{13}

On 4 September 1782, the congressional committee appointed to consider the report recommended the adoption of Morris's plan to implement land, poll, and excise taxes for the raising of revenue, but the full Congress rejected this measure, only agreeing to issue a requisition of $1.2 million in specie apportioned on the states to finance the interest on the public debt. When news arrived in

\textsuperscript{12} Report on Public Credit, 29 July 1782, ibid., 6:36-42.

\textsuperscript{13} Ibid., 47-53.
September 1782 that John Adams had secured a loan for the United States in the Netherlands, Morris's opponents in Congress seized the opportunity to argue against the necessity of the impost and other taxes for funding the war.\textsuperscript{14}

The setback for Morris and the Nationalists of Congress's failure to adopt the entirety of his recommendations in the Report on Public Credit was magnified by the failure of all of the states to adopt the impost amendment. Congress made a second effort on the measure in March 1783 when it passed another impost resolution.\textsuperscript{15} Pennsylvania's delegates, all Republicans, were again supportive of this measure to establish a secure source of revenue in the form of duties and to counter the commercial restrictions of other nations. Richard Peters commented "that the European Nations are more likely to make a common Cause with Britain as to the carrying & exclusive Trade" and argued "that unless there is a general power to regulate Commerce so that there shall be a Unity of System & a Decision & Energy in its Execution, our Trade

\textsuperscript{14} Ibid., xxx-xxxi.

\textsuperscript{15} Ford, ed., \textit{Journals of Congress}, 6 March 1783, 170.
will be at the Mercy of foreign Nations & of none more than our late Enemy who will let no Opportunity slip of dividing us by throwing out baits to some, & when she dare, Frowns & Threats to others."  

Charles Thomson believed "that G Britain in delaying the definitive treaty [He did not know that the treaty had been signed on 3 September.] & restricting our commercial intercourse, has it in view to conclude the war by the provisional articles, to disunite us from France and by a future commercial treaty separate and apart to draw us into a close and intimate Union with Britain."  

He suspected that the British objective was to divide the states through offers of different commercial agreements with each of them or groups of them and advocated investing Congress with the power to regulate commerce and collect duties on imports to "give weight to the federal council and dignity to the nation."  

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17 Charles Thomson to Hannah Thomson, 17 Oct. 1783, ibid., 73.

18 Charles Thomson to John Dickinson, 19 July 1785, ibid., 22:521. Between Robert R. Livingston's resignation as secretary for foreign affairs on 4 June 1783 and John Jay's assumption of that office on 1 January 1785, Thomson was unofficially acting-secretary. For many years historians, including Samuel Flagg Bemis, believed that during this
A congressional committee that included Philadelphia merchant Thomas FitzSimons evaluated the dispatches from American diplomats in Europe that described the new restrictions on American trade (the British order in council of July 1783 that closed the West Indies to American traffic) and reported on 25 September 1783 that the only solution for the new nation was in "delegating a general Power for regulating its commercial Interests." This committee also suggested that a committee be formed to compose an address to the states that explained the European regulations and the necessity of developing a policy against them. Another committee was needed to prepare draft treaties based on principles of the most perfect Reciprocity" and instructions for American diplomats to negotiate with those European states that period the president of Congress handled the business of foreign affairs and that Thomson only kept the papers of the office. A close examination of the Papers of the Continental Congress reveals that Thomson was in official correspondence with American diplomats abroad. In fact, he did a great service to the United States in obtaining an extension from the British government for ratification of the definitive treaty of peace in order to assemble a quorum of delegates in Congress. Thomson oversaw the exchange of ratifications of the treaty with Sweden, the recognition of foreign consuls, and the writing of instructions for Thomas Jefferson's posting at Paris in 1785. Rolater, "Charles Thomson," 334-35.
showed an interest in forming commercial connections with the United States.\textsuperscript{19}

The agreement of commercial treaties with other nations would mean little to Robert Morris and the Nationalists unless Congress had the power to regulate commerce and collect duties on imports. By May 1784, all of the states except Georgia, North Carolina, New York, and Rhode Island had ratified the impost amendment.\textsuperscript{20} Two years later, only New York still stood firm and prevented its adoption. The nation then drifted through the remainder of the 1780s with no coherent commercial or financial policy. Robert Morris, frustrated by resistance in the states and in Congress to his other proposed financial reforms, resigned as superintendent of finance in September 1784, although he continued to crusade for a new constitution that provided for the strong central government he and the other Nationalists believed necessary for the Union.

Although thwarted from achieving his domestic policy goals, Morris remained focused on securing naval protection for American commerce while serving as superintendent of


\textsuperscript{20} Thomas Jefferson to James Madison, 8 May 1784, ibid., 3:25.
finance. His authority in this office gave him the opportunity to engage in his own diplomacy to achieve this goal as well as commercial access to the Spanish and French possessions in the West Indies. He rekindled a plan similar to the one he had described in the spring of 1777, in which Spanish aid to the United States could lead to insular acquisitions for both nations at the expense of Great Britain. Morris prophesied to American minister to Spain John Jay "that when relieved from the Enemy, we may assist her [Spain] in the Reduction of the Floridas and Bahamas and perhaps of Jamaica. We shall then also be in a Situation to secure Nova Scotia, thereby depriving Great Britain of her principal Resource for Ship Timber, and enabling us to furnish that essential Article to the Navy of Spain on cheaper and better Terms than it can be had elsewhere." 21 Morris believed that driving English contraband trade out of Mexican waters could also have been to Spain's advantage if that nation were to undertake it; he hoped to see Spain open a port on the Atlantic coast of

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21 Morris to John Jay, 4 July 1781, ibid., 222-33.
East Florida that would benefit both Spain and the United States.\textsuperscript{22}

John Dickinson had had similar thoughts about an arrangement with Spain in September 1779 when he introduced a motion in Congress to grant authority to Jay to sign a treaty with the Spanish in which they would accept American acquisition of “Canada, Nova Scotia, Bermudas, and the Floridas when conquered, and the free and full exercise of the common right of these states to the fisheries on the banks of Newfoundland and the other fishing banks and seas of North America; and also the free navigation of the Mississippi into the sea.”\textsuperscript{23}

Morris's and Dickinson's aggressive plan for the Western Hemisphere, however, was not consistent with Spain's foreign policy objectives. Spain had entered the war against Great Britain in June 1779 with the principal goal of regaining the island of Gibraltar from the British, not to aid the United States in establishing commercial dominance in the Americas. Assistance in the form of military supplies and money did come from the Spanish, but

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\textsuperscript{22} Ibid., 229, 232.
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they meant it to keep the United States in the war and thus distract British forces from Gibraltar. Morris's misperception of Spanish interests seems surprising given Jay's failure to obtain any of the goals of his mission since 1779. Congress had hoped to gain Spain's recognition of American independence, its agreement to join the Franco-American alliance, its acceptance of the American western boundaries in its peace terms with Great Britain, American right to navigate the Mississippi and access to the Mississippi through Louisiana, and a grant of $5 million.\textsuperscript{24}

Morris was not overly optimistic about obtaining financial support from the Spanish, not for lack of confidence in Jay's ability as a diplomat, but because the issue of American navigation of the Mississippi River would impede the negotiations.\textsuperscript{25} While Jay conducted American affairs in Madrid in 1781, however, Morris was successful in convincing Spain's unofficial representative, Fransisco Rendon, to extend money to the new republic. Rendon subsequently informed the minister of the Indies, the

\textsuperscript{24} Guinta, ed., \textit{Emerging Nation} 1:7-8.

\textsuperscript{25} Robert Morris to Samuel Huntington, 9 July 1781, Ferguson, ed., \textit{Papers of Robert Morris}, 1:253-54.
Marques de la Sonora, Jose de Galvez, that he had endorsed Morris's request for Spanish financial aid based on the American official's reputation as a businessman and the potential of the United States as an ally against Great Britain. The use of Havana as a port of disbursement of Spanish money was the key to Morris's plan. Rendon transmitted to Juan Manuel de Cagigal, governor general of Cuba, the superintendent's intention to request that official to advance him $400,000 in specie against a Spanish loan and to accept bills of exchange on Versailles and Madrid in return. Cagigal could be assured by the French minister to the United States, the Chevalier de la Luzerne, and Morris's pledged prompt discharge of the bills.  

Employing his plan for a national bank to entice the Spanish to contribute to the American war effort, Morris sent a copy to Jay for use in his discussions and convinced the French Consul at Philadelphia, Francois Barbe de Marbois, to inform the French ambassador at Madrid about

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26 Robert Morris to Fransisco Rendon, 11 July 1781, ibid., 274-75.
the bank and the benefits of a Spanish loan to the United States.\textsuperscript{27}

Morris also sought funds directly from the governor general of Cuba and enclosed a copy of his plan for a bank in a letter to that official requesting money. "It is to your Excellency that I apply for foreign Aid. The Vicinity of your Situation, the frequent Intercourse between your Port and this and your Ability to comply with what I shall request all point out the Propriety of that Application." Morris told the governor that he expected Jay to obtain a significant loan from Madrid and that he wanted to export $400,000 Mexican from Havana for deposit in the national bank. Also wishing to use Havana as a center for the sale of bills of exchange, Morris informed the governor of his transmission to the American agent at Havana, Robert Smith, of a bill for 500,000 livres and three bills drawn on Jay.\textsuperscript{28}

\textsuperscript{27} Robert Morris to Benjamin Franklin, 13 July 1781, ibid., 282-90, 295.
\textsuperscript{28} Robert Morris to the Governor of Cuba, 17 July 1781, ibid., 312-15. Morris sent the frigate \textit{Trumbull} from Philadelphia with five hundred barrels of flour and bills of exchange for Robert Smith (the flour to be used to pay the Cuban government for the specie if it did not accept bills of exchange). A British cruiser captured the \textit{Trumbull} at sea and brought her to New York on 11 August 1781. The British also intercepted Morris's letter of 15 August to John Jay warning him not to honor the bills. On the 25th, however, $463,000 in French bullion arrived in
The failure to obtain Spain's support for Morris's commercial vision for the Western Hemisphere magnified the necessity of naval protection for American commerce. In the spring of 1782, the British began using their naval units to intercept American merchant vessels supplying flour and other provisions to the French and Spanish forces in the West Indies. To the disgust of American merchants, the new British strategy proved to be very effective. Morris reported from Philadelphia in March 1782 that British cruisers had firm control of the Delaware Bay; Gouverneur Morris, assistant to the superintendent, observed from Elizabeth, New Jersey, that "Prizes are every Day going in great Numbers to New York." 29

Robert Morris, aided by the pen of Thomas Paine, attempted to convince French diplomats in Philadelphia to direct French naval units in the area to defend American commerce. On 23 March 1782, Morris asked Marbois for a French frigate in the Chesapeake Bay to protect merchantmen sailing from Philadelphia, but Marbois took no action on

Boston, $254,000 of which Morris used for capitalization of the Bank of North America on behalf of the United States.

Morris's request or on a memorial from American merchants to provide them with naval escorts.\textsuperscript{30}

In early April 1782, Paine sent Morris his "piece concerning the protection of our Commerce." Morris recommended changes before the article was published under the title "Hints on the present Condition of Foreign Commerce" in the Pennsylvania Packet on 11 April. Paine argued that the British were attempting to destroy Franco-American trade at New York, and called on Philadelphia merchants, supported by the governments of Pennsylvania and Delaware, to arm their vessels and clear Delaware Bay of British warships.\textsuperscript{31} (The manuscript of Paine's "piece" has not been found and it is not known what Morris contributed to the article.) Paine's exhortations, like Morris's, were not acted upon.

Morris made efforts to strengthen the tiny Continental Navy for use in defending commerce, especially after he agreed to Congress's request in September 1781 to serve as secretary of marine, while continuing as superintendent of finance. The new position gave Morris authority over many

\textsuperscript{30} Ibid., 147-48.
\textsuperscript{31} Thomas Paine to Robert Morris, 7 April 1782, ibid., 4:535-36.
of the administrative details of the Continental navy that Morris was well suited to handle.\textsuperscript{32} He informed President of Congress John Hanson in mid-April 1782 that he was funding the construction of the ship-of-the-line America at Portsmouth, New Hampshire, and the frigate Bourbon in Connecticut, although there were difficulties in completing the latter vessel. Morris left the future of the Bourbon in the hands of Congress, but he advised "that from present appearances it may become immediately necessary to bend our attention and exhortations to the accomplishments of a naval force for the protection of that commerce which is to enable the payment of taxes throughout the United States."\textsuperscript{33}

\textsuperscript{32} Ibid., 4. During the discussions in Congress in 1780-81 on creating executive departments to strengthen the central government, Gouverneur Morris described what he thought should be the qualities of the man who would serve as agent or secretary of marine: "'A minister of the marine should be a man of plain good sense, and a good economist, firm but not harsh; well acquainted with sea affairs, such as the construction, fitting, and victualing of ships, the conduct and manoeuvre [sic] on a cruise and in action, the nautical face of the earth, and maritime phenomena. He should also know the temper, manners, and disposition of sailors; for all which purposes it is proper, that he should have been bred to that business, and have followed it in peace and in war, in a military, and commercial capacity. His principles and manners should be absolutely republican, and his circumstances not indigent.'" Ibid. 2:214-15.

\textsuperscript{33} Robert Morris to John Hanson, 15 April 1782, ibid., 4:580.
In late July 1782, Morris urged Congress to approve the $1.8 million he provided in his Continental budget for 1783 for the construction of six warships of a new Continental navy. Congress in the end did not appropriate the money because of word of the progress in the peace negotiations in Europe, and the new nation therefore would have to wait more than a decade for funding for a navy.\textsuperscript{34}

Morris received support for his advocacy of a larger navy from Pennsylvania Republican and signer of the Declaration of Independence, Benjamin Rush. In letters to the \textit{Pennsylvania Journal}, Rush offered opinions on issues of foreign affairs and naval power. “What will not America be capable of doing for herself,” Rush wrote, “when she opens her eyes to behold her native strength on the water?” “Great Britain knows and trembles with her knowledge of our resources for naval power.” Rush argued that British naval

\textsuperscript{34} Ibid., 6:xxxv-xxxviii. In May 1782, Morris recommended to Congress that the Americabe given to the King of France as a gift to replace the French 74-gun \textit{Magnifique}, which had run aground at Boston. Morris also tried to arrange, on the suggestion of the Chevalier de La Luzerne, for the construction of French naval vessels in the United States, but nothing ever came of the idea.
power had its origins in commerce with its American colleagues. 

For the short term, Congress wished to gauge the impact of the British blockade, and in late April 1782, it directed Morris to write a report on the condition of American overseas trade. In the "State of American Commerce and Plan for Protecting It," Morris expressed a blend of realism and idealism in his recommendations for expanding and defending American maritime trade. He described the potential export capacity of the Eastern, Middle, and Southern United States to supply Europe with a variety of agricultural staples and raw materials, explaining the benefits for France through trade in American tobacco if it were to offer naval protection to merchant convoys. Morris embraced the idea of the civilizing effect of commerce in this document, arguing that a stronger Franco-American commercial connection would lead to "an increase of friendship, intercourse and commerce, and a greater knowledge of each other’s manners, and consequently the means of adapting the wares and

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produce of one, to the wants and desires of the other."  

Morris estimated that four frigates could provide escort for between forty and fifty merchant vessels at sea, and for the protection of American commerce on the American coast, a force of one or two ships-of-the-line and ten frigates would be sufficient. The United States would only need French naval protection until it could construct a naval force of its own. Morris sent copies of the report to the commanders of the French and Spanish fleets after showing it to Luzerne, and getting him to appeal to the governor of Cuba and the French admiral the Comte De Grasse. Secretary for Foreign Affairs Robert Livingston sent the report to the French government through Franklin, who wrote his own essay on the state of American commerce and reiterated Morris's proposal for a convoying system to carry American tobacco to France. He quoted verbatim Morris's statement that "the mutual advantage of the two Countries would be an encrease [sic] friendship, intercourse and commerce."  

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Morris made a similar plea for naval protection for commerce to the Spanish in April 1782, after the British victory over the French West Indies fleet at the Battle of the Saints meant that British warships would likely commence a campaign to interfere with American commercial traffic in the Caribbean. Emphasizing the advantages for Spain's colonies of the uninterrupted delivery of American provisions, Morris appealed to the Spanish commander of the naval station at Havana and the West Indies fleet, Jose Solano, to provide protection to American commerce with the Spanish islands. Spanish authorities, perhaps fearing British reprisals, showed no interest in Morris's request.\(^{38}\) Failing to convince France and Spain to provide the naval protection of American commerce that Morris wanted, and to convince Congress to provide funds for the expansion of the American navy were more evidence that the nation required a central government that would possess a secure source of revenue to provide for national defense.\(^ {174} \)\(^ {174}\)

The failure of both Morris and American diplomats to interest Spain in joining with the United States in

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\(^ {38}\) "State of American Commerce," Ferguson, ed., *Papers of Robert Morris* 52; Robert Morris to Jose Solano, 16 May 1782, ibid., 197-98.
expelling the British from their West Indies possessions meant that it was the task of the American peace mission to reach a commercial agreement with Great Britain that would allow American merchants into its islands. In the negotiations with England in 1782, Franklin, Jay, and Adams had sought to include in the definitive treaty a commercial article that would restore the advantages America enjoyed in the prewar period. By October 1782, Jay and his counterpart Richard Oswald had agreed to an article for complete commercial reciprocity, one of the principles of the Model Treaty, between Great Britain and the United States.\(^{39}\) But in the final draft of the preliminary treaty, the provision was removed and replaced by a statement that another treaty would be negotiated later that would include a commercial policy of "'mutual advantages and convenience.'"\(^{40}\)

\(^{39}\) Guinta, ed., *Emerging Nation* 2:115-16.

\(^{40}\) Merrill Jensen, *The New Nation: A History of the United States during the Confederation 1781-1789* (New York, 1962), 158-59. There was support in Great Britain for a policy of free trade with the former colonies: William Petty, Lord Shelburne, chief minister and first lord of the treasury from July 1782 until February 1783, was one of the outspoken advocates of free trade, along with many British merchants who had conducted lucrative business in America and wanted to resume their voyages before other European merchants filled the void they had left when the war began.
Franklin saw the opportunity for the inclusion of additional articles in the treaty to advance his vision of a world of peace and free trade. In a communication to Oswald in January 1783, Franklin enclosed his proposed article to end the use of privateering as an instrument of war against commerce. "It is for the interest of humanity in general," Franklin wrote, "that the occasions of war, and the inducements to it should be diminished. If rapine is abolished, one of the encouragement's [sic] to war is taken away, and peace therefore more likely to continue and be lasting." 41 Linking privateering to the prosperity of the West Indies, Franklin argued that the condemnation of West India planters, moreover, dependent for their very survival on American commodities, strongly opposed any interference with the trade with the former colonies. When Parliament reacted to the preliminary treaty by rejecting it and censuring its terms, Shelburne resigned and was not immediately replaced. But Chancellor of the Exchequer William Pitt, another supporter of open trade with the United States, yielded to pressure from British merchants to reestablish Anglo-American commerce and sent a bill to Parliament to repeal all laws against American trade and allow American vessels to receive the same privileges as British vessels in home ports. Parliamentary opponents of Pitt's bill argued that granting Americans commercial reciprocity would damage British trade with the West Indies, cause a decline in British shipping, and thus a major source of seamen for the navy. Pitt's bill was defeated. ibid., 157-60.

41 Benjamin Franklin to Richard Oswald, 14 Jan. 1783, Guinta, ed., Emerging Nation 1:750.
the former practice by the maritime states would reduce the burden on those with island possessions to defend them and make sugar cheaper for all. He called on the colonial powers to consent to self-government of the islands as neutrals with an open door for commerce with all nations.\(^{42}\)

Oswald did not respond to Franklin's proposal because the British government replaced him as plenipotentiary to negotiate peace in the spring of 1783 with David Hartley, a friend of Franklin's from before the Revolution. Franklin shared with Hartley his views on privateering and warned that American privateers would always threaten British commerce with the West Indies. He feared the possibility of "a New Barbary rising in America, and our long-extended Coast occupied by Piratical States," and urged his friend to convince his government to be the first nation to renounce privateering as a legitimate method of war.\(^{43}\)

Nothing ever came of Franklin's efforts. There is no evidence that Franklin shared his idealistic vision of a world without privateering with Robert Morris, but Morris

\(^{42}\) Ibid., 751-52.

\(^{43}\) Franklin to David Hartley, 8 May 1783, ibid., 853-54.
most likely would have strongly disagreed with it. Although at the beginning of the war he could not condone privateering against British merchants he had likely once done business with, by the spring of 1777, he had changed his position. He wrote to his friend William Bingham: "'I have seen such rapine plunder and destruction denounced against and executed on the Americans that I join you in thinking it a duty to oppose and distress so merciless an enemy in every shape we can.'"

Morris might have supported Franklin's proposal for independent Caribbean islands open to commerce, but any hope of securing American access to the British West Indies had to be considered forlorn by the summer of 1783. Beginning in May of that year, the British government adopted its new commercial policy in the West Indies when it issued the first of a series of orders-in-council. The order of 2 July, the one that received the most boisterous criticism in the United States, stated that American cargoes carried to the British West Indies could only go in "'British built ships owned by His Majesty's subjects and navigated according to law.'" Advocates of the orders-in-council in Britain saw them as the means of preserving the

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" Ver Steeg, Robert Morris, 20-21."

principle of the old Navigation Acts. The West Indies, they hoped, could be supplied by the other British colonies in North America.45

The orders-in-council only deepened Morris's distrust and indignation toward the nation of his birth and presaged, in his view, similar American restrictions against British vessels in American ports. He wrote to a fellow Pennsylvania merchant that he "should be inclined to postpone the opening any Treaty of Commerce or even the appointment of a Minister to the Court of G. Britain whilst they restrain our intercourse with their Islands."46 "Should the court of France pursue the same Policy," Morris wrote, "we shall fall in with the Dutch and probably have more Connections in Commerce with them than with any other People." His anger and frustration over British policy is plainly evident by his reference to establishing trade with the United Provinces. Although he never before expressed any commercial interest in that nation, if such a close relationship with the Dutch did develop, it would have been a radical adjustment for Morris to make after a lifetime of


association with British merchants. His skepticism of the effectiveness of the Plan of Treaties to achieve American foreign policy goals was even more pronounced by this time, but he had not abandoned his idealistic vision for the world. He commented that “Treaties of Commerce are dangerous rather than otherwise, and if all Governments were to agree that Commerce should be as free as Air I believe they would then place it on the most advantageous footing for every Country and for all mankind.”  

Morris faced the realities of international politics in 1783-84 with cautious optimism, hoping that France had come to realize the folly of commercial restrictions and would not impose a policy in its Caribbean islands that Great Britain imposed in its own. A French navigation act would have been nothing but detrimental to the islands, Morris argued, as their produce would have been unable to support the duties or competition in foreign ports. A paper written in 1783 by either Morris or the Philadelphia merchant George Clymer titled "Thoughts on the West India


48 Robert Morris to Benjamin Franklin, 30 Sept. 1783, ibid., 945.
Trade" argued "that America is as necessary to the West Indies as they are to us, and that it would be to the advantage of France to allow us a free Intercourse with her Sugar Colonies." The populations of the French islands were not capable of cultivating all of the available land, the author pointed out, and therefore they could not provide needed provisions to feed themselves, as the land in use was for sugar and coffee. By allowing Americans to bring provisions into the islands, the French inhabitants would then be able to devote their efforts to the cultivation of lucrative commodities.49

A mercantilist French policy, however, was exactly what they were going to impose if Matthew Ridley, purchasing agent in Europe for the state of Maryland and a friend of Robert Morris, was to be believed. He wrote to the superintendent from Paris that, "as to Trade you may rely the Wishes [of the French] are to check our Rise and Influence as much as possible. The desire is to shut us out from the West India Islands, unless to carry Fish paying a Duty, Lumber, Live- stock, cattle and salted

49 "Thoughts on the West India Trade," Papers of the Continental Congress, reel 124.
provisions and to take in return Taffia, Coffee and Cotton but no Sugar.”

In January 1783 the French government had made the decision to restore trade barriers in its Caribbean islands, but instead of publishing that information at that time, it informed its colonial governors that they were to begin to impose prewar commercial restrictions, which then commenced in early July 1783. Although word of the new French policy reached Philadelphia by the middle of the month, the city's merchant community showed more indignation toward British restrictions, and plans were already under way to circumvent the trade barriers. The directive from Paris, colonial officials discovered, could be interpreted to continue the American trade.

Marbois had submitted his plan for commercial policy between the French islands and the United States to the Marquis de Castries, minister of the navy, in June 1783. It called for the import of American flour and salt fish and for the export of coffee and sugar, but American ships carrying American goods could only go to established free ports. Taxes on the trade would subsidize French fishing

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and processing of flour and sugar. In December 1783, Luzerne sent a similar plan to Minister of Foreign Affairs the Comte de Vergennes, along with Gouverneur Morris's "Ideas of an American on Commerce between the United States and the French Islands." Both agreed with Gouverneur Morris that allowing a free trade between the United States and the islands would increase the sale of French goods to both, but, like the British in their islands, they did not want American merchants to become the major carriers of goods to the islands or of commodities from the islands to Europe. After taking the various positions of the French and American commercial interests into consideration, the French government issued its new West Indies trade policy on 30 August 1784. The number of free ports increased from two to seven. (Port-du-Carenage in Saint Lucia remained a free port; on Santo Domingo, Cape Francois, Port-au-Prince, and Cayes-Saint-Louis were opened while Mole St. Nicholas was closed. Other new free ports were St. Pierre on Martinique, Pointe-a-Pitre on Guadeloupe, and Scarborough on Tobago.) The list of allowable imported goods was increased; ships had to be at least sixty tons to trade in free ports, and a 1 percent duty was to be imposed on all imports and exports. American ships could not import grain
and flour and could only carry out molasses, rum, and manufactures from France. The French intended the decree to impede the contraband trade.  

Although having failed to achieve free access to the British islands and only a limited trade in the French West Indies, Robert Morris still sought to employ the idea of the "civilizing effect" of commerce to gain access to other colonial possessions of France in 1784. Robert Morris and Gouverneur Morris focused their attention on the possibility of American commerce with the French islands of Ile de France and Ile de Bourbon in the Indian Ocean. There had been support in France itself for opening the islands to free trade since the dissolution of the French East India Company monopoly in 1769. The United States had showed interest in the islands in 1777, when American diplomats requested that the French allow American privateers and warships to operate out of Ile de France against British vessels involved in the China trade. American merchants sought entrance to the islands during the war but without success. Robert Morris argued to the Marquis de Lafayette that if his country made the Isle of

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51 Ideas of an American on Commerce between the United States and French Islands," ibid., 681-88.
France a free port without duties for commerce with all nations, France and its merchants would benefit immensely.  

In early 1784, the French government opened Ile de France to American ships as a way station and a place to take on additional cargo; Americans would not be permitted to carry goods from Europe to the islands and French merchants would not extend credit. But Gouverneur Morris, acting on the superintendent's behalf, persisted in attempting to persuade the French of the benefits of opening the Indian Ocean islands to free commerce. American ships would trade there instead of sailing to other ports in the Far East and thereby contribute to the islands' prosperity. The French concern with maintaining a reserve of experienced merchant seamen for call up to naval service would be preserved. France and the islands would consume French goods, and French merchants would earn money through their business with the islands and spend it in France. Finally, the United States could supply the islands with provisions and naval stores, thus reducing the

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53 Gouverneur Morris to Marquis de Chastellux, 14 May 1784, ibid., 336-43.
expense of the islands to the French government. Late in 1787, the French government issued a decree on commercial policy in the islands, article thirteen of which granted Americans the same treatment that French merchants received in France's Asian possessions.\textsuperscript{54} The access gained for American merchants in the French Indian Ocean islands was not the "commerce as free as air" that Robert Morris sought, but the method of achieving it was an example of the commercial diplomacy without treaty that he championed and one of the few American successes at establishing an open door in the colonial empires of the European powers during the Confederation.

Morris's interest in opening Spain's islands to American commerce continued in 1783-84 despite the Spanish government's decision in May 1783 to end the policy it had initiated in the spring of 1780 of allowing the importation of American naval stores and agricultural staples to support the military forces stationed on the island. In late August 1783, Francisco Rendon received a letter on the topic of commerce from, in his own words, "'an American politician who resides in this city'" and "'an American trader who is perfectly acquainted with the commerce and

\textsuperscript{54} Ibid., 339-41.
interests of his country.'" This letter was based on "Thoughts on the West India Trade," that described "'the mutual advantages of the commerce between No. America and the West Indies . . . particularly calculated to shew [sic] the benefit that would result to the several nations in Europe, which have West India colonies, from a removal of the restraints imposed by colonial systems upon the No. American trade,'" and was brought before Congress on 5 September 1783. A committee of George Clymer of Pennsylvania, Arthur Lee of Virginia, and Jonathan Jackson of Massachusetts advised on 17 September that Congress send the paper to American diplomats in Europe for their use with the statement, "that if Spain would permit the free introduction of American Products into its islands, such would be the abundance which would reign in them that her planters would be able to dedicate all their work and attention to enrich the Nation to which they belong."55

Without waiting for formal diplomacy in Europe to achieve results, Robert Morris urged Senor Rendon to consider the importance of trade between the United States and the Spanish islands in a future conflict involving Spain and other European states, and the likelihood of a

55 to Fransisco Rendon, 30 Aug. 1783, ibid. 8:475-77.
contraband trade if the islands were closed to commercial traffic. Rendon sent a translation of Morris's letter along with one of his own to Jose de Galvez in which Rendon criticized Morris's arguments and argued that if his government opened the islands to Americans, they would deliver overstocks of European goods to the detriment of Spanish merchants. He believed that American goods would be cheaper, but only because they were inferior. American shippers would resort to trade in contraband to make up for their loss in profits. No response to Morris's letter has been found. Needless to say, he was unsuccessful in convincing the Spanish to open their West Indies islands to American commerce.  

The fundamental root of Morris's quest to penetrate the colonial possessions of the European powers for American commerce was the liberal ideology he had first expressed in 1777. He believed "'that Commerce should be perfectly free and property Sacredly secure to the Owner.'"  

Opening "all the markets of America to the free sale and purchase of every article of its production and

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56 Robert Morris to Fransisco Rendon, 20 April 1784, ibid. 9:266-68.

import; and by taking away all restraints on money, leave every individual to Judge and act for himself," was Morris's gospel by the 1780s. Yet he probably realized that he could not achieve his vision in the current political and international climate. His nation required constitutional revision that gave power to a central government to regulate commerce to counter the restrictions of foreign nations against American merchants and their cargoes, and to defend them on the high seas. In essence, he could only hope that his nation could achieve commercial expansion through its own policy of mercantilism.

Unfortunately, no papers of Robert Morris have survived that deal with his involvement in the first American commercial ventures to China during the mid-1780s. Morris at first showed no interest in a China enterprise when John Holker and New York merchant William Duer approached him with the idea in the fall of 1780. In the spring of 1783, however, Morris decided to form a business arrangement with Holker, Duer, and Massachusetts merchant Daniel Parker to arrange a voyage to the East. On 24

58 Morris to Oliver Phelps, 30 March 1782, ibid. 4:482-83.

February 1784 the 360-ton Empress of China, a vessel acquired by Parker, departed New York for China. She returned to New York on 10 May 1785, the cargo was sold and the profits divided. Morris arranged a second voyage of the Empress with the financial backing of a New York firm and Baltimore merchant Tench Tilghman. These initial ventures with the Far East led to a rapid increase in the number of American vessels involved in the trade with that region. The China enterprise was a major success of American commercial expansion during the Confederation and exactly the style of open commerce without the formalities of treaties that Morris hoped to establish with France and Spain.

Although the inability of the Confederation government to gain control over the nation's commerce made any new treaties of reciprocity almost inconsequential, during 1783-1785 Benjamin Franklin remained committed to the principles of the Model Treaty and his idealistic vision of a world of peace and free trade. He believed "the general Principle in America being for a free trade with all the World, and to leave every one of their Merchants at Liberty

60 Ibid., 204, 208-9.
to prosecute it as he may judge most for his Advantage."^{61} Successful in his negotiation of a treaty of amity and commerce with Sweden in April 1783 that included the principles of most favored nation and free ships make free goods, he evidently made no effort to include an article to abolish privateering such as he had proposed for the definitive treaty with Great Britain.^{62} After John Adams and Thomas Jefferson joined Franklin in the spring of 1784 in his mission to conclude treaties with other European states, he renewed his crusade against privateering in the negotiations with Prussia.

In a memorandum to their Prussian counterpart, the American diplomats first attempted to convince him of the salubrious effect a policy of free trade could have on the nation before raising the issue of the use of privateers against commerce and the beneficial effects of abolishing the practice. "It is for the interest of humanity in general, that the occasions of war, & the inducements to it should be diminished. If rapine is abolished, one of the encouragements to war is taken away, & peace therefore more

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^{61} Benjamin Franklin to M. Van der Odermeulen, 22 June 1780, Labaree, ed. *Papers of Benjamin Franklin*, 32:572.
likely to continue & be lasting," they wrote. It is logical to assume that Franklin's ideas were the main contributions to this memorandum. Prussia, however, showed no interest in the American proposal to abolish privateering, but it did sign a treaty of amity and commerce with the United States in September 1785 based on the most favored nation principle. These negotiations marked the end of Franklin's career as a diplomat in Europe. He returned to the United States in the spring of 1785, his vision of a world of peace and free trade going largely unfulfilled.

Franklin's involvement in diplomacy was essentially over with the end of his mission as minister to France, but he still had an active role to play in Pennsylvania politics and the movement for constitutional reform in the United States. He did comment on Secretary for Foreign Affairs John Jay's negotiations with Diego Maria de Gardoqui, Spain's diplomatic representative to the United States, for a commercial treaty and a settlement of the

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63 Memorandum of the American Commissioners in Europe on the Prussian Treaty, 10 Nov. 1784, ibid., 490.

question of American navigation of the Mississippi River. The mercantile interests of eastern Pennsylvania were not concerned with access to the Mississippi, but Franklin believed the latter to be "of great Importance to all our Country beyond the Mountains," and recommended that Jay slow down the negotiations with new proposals to allow more American settlers to move into the territory on the east bank of the Mississippi. This would convince the Spanish of American strength and compel them to agree to American use of the river. Ideally, Franklin hoped the Spanish would be willing to sell the territory they occupied in the Mississippi Valley.\footnote{Franklin to Charles Pettit, 10 October 1786, Labaree, ed., \textit{Papers of Benjamin Franklin}, 44:352.}

Arthur St. Clair, one of Pennsylvania's delegates in Congress, had already argued in the language of idealistic internationalism that the benefits for the United States in a treaty with Spain "go much farther than the mere commercial profit they embrace the political Interests of the Nation and her future consequence with respect to other Nations. Treaties of Amity and Commerce," St. Clair stated, "have a most happy Effect upon Mankind. They greatly tend to remove by the intercourse that follows 193
from them that Distrust and Jealousy that distant Nations whose manners & Customs are different, who live under different Laws & Governments, and speak different Languages are apt to entertain of each other the interchange of commodities that One has and the other wants begets a friendly disposition disposes then to peace and literally [sic] as the poet has beautifully expressed it binds the round of Nations in a golden Chain.”

Jay and de Gardoqui agreed to some of the content of a commercial treaty: reciprocity, the exchange of consuls, the allowance for American cargoes to enter Spain and its island possessions in Europe, a convention within one year of ratification of the treaty to establish tariffs on the basis of reciprocity, and the promise that the Spanish would purchase American masts and timber with specie. De Gardoqui would not compromise, however, on navigation of the Mississippi. Jay believed that sacrificing a claim to free navigation of the Mississippi for twenty-five to thirty years in exchange for a commercial treaty with Spain was in the best interests of the United States. He found

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the terms that de Gardoqui offered to be "far more advantageous than any to be found in her commercial Treaties with other Nations." Unless the Mississippi question was settled, Jay warned, the treaty would not be concluded. 67

On 25 August 1786 seven of the state delegations, including Pennsylvania's, voted to amend Jay's instructions and permit him to concede free navigation of the Mississippi River for twenty-five years. The southern delegates voted solidly against the measure, believing the use of the Mississippi to be vital to the economic growth of the new western territory acquired from Great Britain. 68 Their opposition to giving in on the Mississippi issue grew strong enough by June 1787 to convince the full Congress to direct Jay to impress on de Gardoqui the necessity that the United States have free navigation of the Mississippi River. 69 The discussions between the two men broke off without any final agreement on a treaty. Settlement of the Mississippi question would have to wait until the new

67 John Jay to the President of Congress, Aug. 3, 1786, ibid., 251-54.
68 Brunhouse, Counter-Revolution, 188-89.
constitution gave the national government a position of strength from which to negotiate.

The irony of the Nationalists’ failure to amend the Articles to grant Congress power to regulate commerce strengthened their resolve and arguments that the nation required a new constitution. The irony of Morris’s failure to achieve his commercial goals was the reinforcement of the necessity for a realistic approach to foreign policy. As Frederick Marks has argued, the foreign affairs problems of the Confederation more than any others convinced Americans that the nation required a new constitution. 70

The Nationalists had gained momentum in their campaign for constitutional reform. Their final success remained linked to the politics of Pennsylvania and the continued involvement of Robert Morris in the affairs of the state and the nation. The following chapter examines the political struggle in Pennsylvania between 1781 and 1790. The highlight of this struggle in foreign relations occurred in 1784 when the Republicans faced the climactic diplomatic crisis between the state and the French that had

70 Frederick W. Marks III, Independence on Trial: Foreign Affairs and the Making of the Constitution (Wilmington, DE, 1973), XV, 52.
consequences for both Pennsylvania politics and American foreign policy during the Confederation.
Chapter Five

The Climax of Franco-Pennsylvanian Diplomatic Relations: The Longchamps Affair and the Triumph of Constitutional Reform, 1781-1790

The struggle between the Constitutionalists and the Republicans in Pennsylvania reached its culmination during the 1780s as each party attempted to discredit and reverse the other's policies. In the midst of this political battle, an affair involving a French citizen that turned into a serious diplomatic crisis again strained relations between Pennsylvania and France. Following this event, the Constitutionalists continued their campaign against Robert Morris and now his Bank of North America, which they argued, benefited only a wealthy minority. They succeeded in repealing the bank's state charter only to see the Republicans restore it after regaining control of the assembly in the second half of the decade. The Republican victory ensured that the Pennsylvania delegation that went to the constitutional convention was composed primarily of
Nationalists. It also gave the Republicans the opportunity to move the state toward a new constitution.

Philadelphia’s location as a commercial port and as an anchorage for American and French naval vessels led to new sources of irritation in the relations between Pennsylvania and France. In July 1781, Congress became involved in the issue of deserters from French naval vessels serving aboard American naval and merchant ships with a resolution ordering all American captains of merchant and commissioned vessels to return any French sailors who were aboard their ships to Admiral Saint-Laurent de Barras, commander of the French fleet at Rhode Island.¹ The Supreme Executive Council responded with a supporting resolution that directed all mariners and law enforcement officials in the state to comply with the order of Congress.²

During 1781 and 1782, some Philadelphia merchants engaged in clandestine commerce with the British and used West Indies islands such as St. Eustatius as exchange points. This trade was already illegal under previous provisions of Congress and the state governments, but the


² Minutes of the Supreme Executive Council, 17 July 1781, ibid., 13:5.
Chevalier de la Luzerne pressured them to strengthen the laws against it. The Pennsylvania assembly responded with an act on 20 September 1782 that made it unlawful to engage in commerce with Great Britain and its possessions until the end of the war. Delaware had also outlawed trade with the British but they did not enforce the policy and Pennsylvania merchants were thus able to export their commodities to the islands through Wilmington.

The most serious clash during the Confederation between the Pennsylvania government and French diplomats in Philadelphia occurred in the spring and summer of 1784 that once again tested the diplomatic acumen of the Pennsylvania president, threatened to damage the Franco-American alliance, and became a political issue in the ongoing struggle between Constitutionalists and Republicans in Pennsylvania. The Longchamps Affair, as historians call it, demonstrated that the nation required a strong central government that had control over all aspects of foreign

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3 "An Act for the more Effectual Suppression of all Intercourse and Commerce with the Enemies of the United States of America," James T. Mitchell, Henry Flanders, eds., The Statutes at Large of Pennsylvania from 1682 to 1809, 497-505.

4 Brunhouse, Counter-Revolution, 116.
relations. It strengthened therefore the arguments in favor of a realist ideology in foreign policy. Ironically, the Constitutionalists involved in the affair who resolved it by following a course of action that a Franco-American treaty eventually vindicated. It was a situation that the idealistic internationalist ideology provided no guidance.

Charles Julien de Longchamps was an officer in the French army when he came to America from France in 1775 and volunteered his services to the American army outside Boston.¹ His whereabouts after 1775 are not known until he turned up in Philadelphia in 1783 and became involved in a theft of property case in which he was found not guilty. Wanting there to be no question that his name had been cleared, Longchamps went to Marbois, the secretary of the French Legation and French Consul General in the United States, and asked him to certify the document issued in the case that confirmed that Longchamps had not committed a crime. Marbois agreed to the request. In the meantime, Longchamps married a Quaker girl without her father's permission, causing the Quaker community to become so incensed that it used the Philadelphia newspapers to warn

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Quaker women not to be seduced by foreigners.⁶ Longchamps visited Luzerne, but since he did not possess letters of recommendation, the minister said he could not meet with him again. In February 1784, Longchamps returned to the office of the French Legation and asked Marbois for "legalization of his titles and other documents necessary to establish his good reputation," but in this instance Marbois turned him down. Refusing to be deterred, Longchamps obtained an audience with Luzerne in early May and asked that he certify his papers. "I found nothing in them of a character to change the bad opinion I had of him," Luzerne later said, "and I refused positively to receive him in my own home, to legalize his papers, and to accord him the protection he requested." On 17 May, Longchamps visited the French Legation again and confronted Marbois about his and the minister's rejection of his credentials. Spurned a second time, Longchamps became hostile and threatening in his tone and then stormed out of the house.⁷ Marbois informed Dickinson of the incident but the French official stated that he did not believe that

⁶ Ibid., 394.
Longchamps posed any danger to the safety of the legation. Dickinson still sent for him and asked that he behave in a civilized manner while in the state. On the morning of 19 May, Longchamps encountered Marbois on a Philadelphia street and questioned him about his refusal to grant his request. Marbois advised him to address his grievance to either the Pennsylvania authorities or the French ministry. People on the street, overhearing the increasingly heated exchange between the two Frenchmen, gathered around them. When Marbois broke off the conversation Longchamps assaulted him with his cane, provoking Marbois to respond by striking Longchamps on the back with his own cane before several onlookers stepped in and separated the two men. Luzerne reported the incident to Dickinson and requested that Longchamps be taken into custody and turned over to the French Legation so he could be returned to France for trial and punishment.

On 21 May, Dickinson informed Luzerne that he had met with one of the judges of the Pennsylvania Supreme Court.

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9 Mons. de Marbois to the President of the State, 27 May 1784, Hazard, et al., eds., *Pennsylvania Archives*, 471.
and convinced him "to issue a warrant for the apprehension of the person who assaulted Mr. De Marbois."\textsuperscript{10} The authorities arrested Longchamps the next day and held him in the common prison.\textsuperscript{11} The French officials were angered to learn that Justice George Bryan allowed Longchamps to go free on bail, although the French were told it was an amount much higher than in normal circumstances. They were not placated and sensed a political motivation in Bryan's action since as a Constitutionalist he opposed Dickinson and the Republicans.

Longchamps was arrested again on 27 May, and after appealing to Justice Bryan for a writ of \textit{habeas corpus}, a hearing on the matter was scheduled for 3 June. On that day, Marbois received an unsigned letter that offered him a reward if he turned Longchamps over to the unknown author. Luzerne believed that Longchamps had written the letter to provide an excuse for his planned escape from custody. On the morning of the hearing, the sheriff permitted Longchamps to call on his wife at her home before going to court. Once inside the house, Longchamps made his escape.

\textsuperscript{10} Pres. Dickinson to the Minister of France, 21 May 1784, ibid., 465.

\textsuperscript{11} Chevalier de la Luzerne to Comte de Vergennes, 19 June 1784, Giunta, ed., \textit{Emerging Nation}, 2:397-98.
on a horse he had arranged to be waiting outside the rear of the residence. Dickinson appealed to Thomas Mifflin, president of Congress, for advice on handling the affair in order to be certain that the state's actions were not contrary to the wishes of the Confederation government. He was most likely relieved to learn that Congress was in full agreement with his and the council's handling of the affair. State politics also concerned Dickinson as he pondered the proper course of conduct in a situation that could had the potential of developing into a diplomatic crisis. The Republicans were generally more friendly toward France than their political opponents in Pennsylvania, as many of them engaged in commerce with French merchants.

Marbois gave a deposition to two Pennsylvania judges and then received a request for another from President Dickinson. The French Legation agreed to allow Marbois to

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13 Pres. Dickinson to His Excellency the President of Congress, 28 May 1784, ibid., 473.

14 Secretary of Congress to Committee of the States, 4 June 1784, ibid., 483.
meet with the judges a second time, but it considered Longchamps to be a subject of the king of France since he had only resided in Pennsylvania for a short time; therefore, it believed that all proceedings should be conducted in France.\textsuperscript{15}

Luzerne did not oppose Longchamps being questioned by the Pennsylvania authorities before being returned to France, but he wanted resolved the matter of Longchamps apparently having taken the oath of allegiance to Pennsylvania on the day before the confrontation with Marbois in order to escape deportation to France. Luzerne also requested copies of the legal documents associated with Longchamps' other affairs including: his theft of fifty Guineas from the captain of the Swedish ship who brought him to Philadelphia, a quarrel he had with a Mr. Brunot over a debt and Longchamps' threat to kill him, an incident with a night watchman that resulted in Longchamps sustaining a head injury, and the case in which Longchamps was found not guilty of stealing a watch.\textsuperscript{16}

\textsuperscript{15} Mons. de Marbois to the President of the State, 27 May 1784, ibid., 471.

\textsuperscript{16} Minister of France to Pres. Dickinson, 28 May 1784, ibid., 473-74.
Longchamps' flight from justice increased the potential damage the affair could have had not only on American relations with France but also on other European nations that had representatives in Philadelphia. Marbois called Longchamps' getaway "a most unwarrantable neglect on the side of the officers of the State, when they suffered a man guilty of so heinous a crime, so easily to run away from the hand of justice." Pieter Johan Van Berckel, minister of the United Provinces to the United States, M. de Hermelin, the minister from Sweden, and Don Francisco Rendon, Spain's unofficial representative in the United States, informed Dickinson that they would leave Philadelphia unless the state authorities resolved the Longchamps affair to their satisfaction. Van Berckel was particularly incensed by Longchamps' behavior after the Frenchman verbally attacked him in an encounter with his son on a Philadelphia street.17 Fortunately for the Pennsylvania government and for the United States, the

sheriff of Philadelphia recaptured Longchamps only several days after his escape and returned him to prison.  

Luzerne, who was to return to France, instructed Marbois to "constantly insist on his [Longchamps'] return to France as a Frenchman, under good and secure guard, to be judged there, or at least on his detention until His Majesty's intentions are known to you." Marbois was to object fervently if Longchamps' sentence was to be simply a fine or a short prison term, as such punishment would not be accepted by the French government. If the Pennsylvania Assembly were to give its consent to a fine or a term of six months for Longchamps, Marbois was to announce to Dickinson and the council that the sentence was "absolutely disproportionate to the magnitude of the offence."

A consular treaty would have provided some guidance in resolving the Longchamps case, but France and the United States had not yet ratified one by May 1784. Many members of Congress had criticized the draft treaty they took into consideration in July 1781. Some argued that it could only be binding if it was supported by legislation in each of

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18 John Reynolds, Gaoler, to the Vice President, 8 June 1784, hazard, et al., eds., Pennsylvania Archives, 9:277.
the states. Nationalists disagreed and proclaimed that the power to conclude treaties with foreign nations rested solely with Congress.\textsuperscript{20}

If the officials involved in the Longchamps case believed they would find answers to the legal problems it raised in Emmerich Vattel's \textit{The Law of Nations} they were mistaken. The work did not support the French position that Longchamps should be returned to France, but neither did it establish a proper course of action for the Pennsylvania authorities. One section states that a defendant such as Longchamps "'ought to be punished according to the laws of the country'"; another calls on the state to "'at the expense of the delinquent, give a full satisfaction to the sovereign affronted in the person of his minister.'" Vattel described specific protections for specific members of a foreign legation. This was relevant to the Longchamps case because Marbois was both a consul and a secretary and it was unclear which role he had exercised when he was assaulted. Pennsylvania officials who consulted Vattel encountered problems in trying to interpret his definition of "state." If they understood it

to mean "nation-state," in the European definition, then Pennsylvania, a state within the Confederation, did not possess the powers of a "state." Whatever interpretation the court would have of the case, it would have significant consequences for American policy toward foreign nationals in the United States.

Pennsylvania Attorney General William Bradford was the prosecutor of the case; Dickinson appointed James Wilson, a brilliant legal mind in the opinion of those who knew him, to aid Bradford. Jonathan Dickinson Sergeant, a Constitutionalist and former attorney general of Pennsylvania, and John Vannost, a Philadelphia lawyer, were Longchamps' defense counsels. The jury that the sheriff chose for the trial did not impress Marbois and he believed the members were ignorant of the law of nations and could not make a just decision in the case. This was not a serious weakness of the court, however, because the three judge panel that was to preside over the trial would pass sentence. Marbois refused to appear in court; he agreed to answer questions of the court if they came to his home. Bradford found this to be unacceptable, but Marbois held

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21 Ibid., 288-89.

22 Ibid., 289.
firm that the proceedings were not legal under the law of nations and that he would not dishonor himself by being cross-examined by the defense attorneys. When the trial began on 24 June Sergeant and Vannost argued that the law of nations should not have any part of the proceedings as the incident took place in Pennsylvania and therefore only Pennsylvania law could be considered in reaching judgment. Contending the opposite, Bradford and Wilson pointed out that no state law was applicable in the case and that it was imperative that other nations understood that their representatives who resided in Pennsylvania were entitled to a guarantee of their safety and privileges and that the law of nations was the law of Pennsylvania.\textsuperscript{23} Judges and the attorneys on both sides seemed to agree that Longchamps' claim that he could not be tried under the law of nations because he had swore his allegiance to the state on 18 May, the day before the incident in the street, was invalid.\textsuperscript{24} In the indictment, the state charged Longchamps with threatening both Marbois and Luzerne and physically assaulting Marbois in the street. On the second count, the

\textsuperscript{23} Ibid., 290-91.

\textsuperscript{24} Charles Thomson to Benjamin Franklin, 13 August 1784, Giunta, ed., \textit{Emerging Nation} 2:428. 211
testimony of witnesses to Longchamps' behavior was not mitigated by his own witnesses.

Praising Bradford's closing argument Marbois said "that he exposed the facts with as much precision and clearness, and that if this point of the law of Nations is established on its true principles in Pennsylvania it will be owing especially to his skill." When the jury found Longchamps guilty only on the second charge the judges directed the jury to return to its chamber to reconsider the first. It shortly returned a guilty verdict on it as well. Sentencing of Longchamps was scheduled for 28 June. In the wake of the court's verdict, Dickinson, on behalf of the council, requested that before the sentencing phase of the trial the judges consider the demand of the French that Longchamps be returned to France and "if he cannot be thus delivered up, whether his offenses in violation of the Law of Nations being now ascertained and verified according to the Laws of the Commonwealth, he ought not to be imprisoned until his Most Christian Majesty shall declare that the Reparation is satisfactory." Dickinson also wished to know
whether the council, on its own authority, could order Longchamps to be held until he was sentenced.\textsuperscript{25}

On 28 June, an individual calling himself "An Independent Patriot" published a broadside in Philadelphia that claimed that an effort was underway to have Longchamps sent to France for trial and punishment that if successful would undermine American liberties. No proof of this charge has been found. At the hearing, the judges informed Longchamps that they were delaying his sentencing until after 10 July when they would meet together with the Supreme Executive Council because of the potential political and diplomatic consequences of the decision.\textsuperscript{26}

The Pennsylvania Assembly convened a special session on 20 July at the request of President Dickinson to discuss the Longchamps affair and possibly pass legislation that would prevent a similar crisis from arising in the future. Dickinson probably hoped that the legislature would be

\textsuperscript{25} President Dickinson to the Judges of the Supreme Court, 26 June 1784, Hazard, et al., eds., \textit{Pennsylvania Archives}, 10:488-89.
\textsuperscript{26} Chevalier de la Luzerne to Francois Barbe de Marbois, 20 June 1784, Giunta, ed., \textit{Emerging Nation}, 2:399-400.
sympathetic to the arguments of the French and turn
Longchamps over to them.\textsuperscript{27}

While the public waited for the sentencing phase of
the trial, Louis XVI of France made known his desire on the
question of Longchamps' punishment. The king's minister of
the navy notified Vergennes in early August that it was
"most essential that M. de Longchamps be judged by one of
the Tribunals of the Realm; it is the only way to assure
the existence and the functions of the King's officers in
North America, by putting a brake upon the audacity of the
Frenchmen who hitherto have penetrated into these
regions."\textsuperscript{28}

Charles Thomson called the affair "a premeditated
design to embroil us with France," and supported his claim
with the newspaper, \textit{Courier de L'Amerique}, whose owners,
Bernod and Gaillard, began publication in Philadelphia in
the fall of 1783. They wrote editorials that were highly
critical of France and its policies.\textsuperscript{29}

\begin{footnotesize}
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\item \textsuperscript{27} Rowe and Knott, "Power, Justice, and Foreign Relations," 295-96.
\item \textsuperscript{28} Marquis de Castries to Comte de Vergennes, 8 August 1784,
\item \textsuperscript{29} Charles Thomson to Benjamin Franklin, 13 August 1784,
ibid., 427.
\end{itemize}
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Marbois reported that the Constitutionalists were putting the responsibility for the Longchamps affair on the back of Dickinson because he failed to have Longchamps arrested after he threatened him and for not allowing the French to take their countryman into their custody. The Pennsylvania authorities were delaying the sentencing, Marbois believed, until they knew the attitude of the king and Vergennes toward the affair and could then punish Longchamps in a way satisfactory to the French.\textsuperscript{30} On 7 October, the court sentenced Longchamps to pay one hundred French crowns to the state of Pennsylvania and serve a little less than two years in prison.\textsuperscript{31}

In February 1785, Secretary for Foreign Affairs John Jay issued his report on the Longchamps affair in which he concluded that Pennsylvania had the sole authority to prosecute Longchamps and that it was not required to turn him over to France because the United States had not agreed to an extradition treaty with that nation.\textsuperscript{32}

\textsuperscript{30} François Barbe de Marbois to Comte de Vergennes, 14 August 1784, ibid., 429.


Some historians have argued that the decision of the Pennsylvania Supreme Court in the Longchamps case continued the tradition of America as a refuge from European tyranny. The public agreed with the court that Longchamps could not be returned to France for trial and punishment because to do so would undermine American republicanism. It was President Dickinson and the prosecutors who were at odds with public opinion on the case and were willing to adhere to European tradition and fulfill French demands.\textsuperscript{33} To all who were involved in the seeking a resolution of the affair, it was unfortunate that it did not occur several months later, after a Franco-American consular treaty had been finalized. Franklin and Vergennes signed a convention at Versailles on 29 July 1784 in which it was stated clearly that “in Cases where the respective Subjects shall have committed any Crime, they shall be amenable to the Judges of the Country.”\textsuperscript{34} But as with other agreements between the United States and foreign nations there was no guarantee that the states would abide by the terms of the convention. The Longchamps affair was more evidence that


\textsuperscript{34} Guinta, ed., \textit{Emerging Nation}, 3:33-35.
the nation required a central government that could enforce law and treaties.

In attempting to follow the proper course in responding to the Longchamps case President Dickinson indicated repeatedly in his correspondence with French officials that he wanted to see "that the Laws of Nations are properly vindicated in this State," that he had a "due regard for the Law of Nations," that he sought "to assert the law of nations," and that the law of nations was "part of our Common Law." But as we have seen, Vattel's *The Laws of Nations* did not provide a clear solution to the Longchamps case. Dickinson's objective may have been to reassure the French that they would approve of the way in which the case was adjudicated. He needed time to consult the judges of the state supreme court on how to proceed. But time was not on his side, because the French demanded swift justice and Longchamps' escape from custody only exacerbated the situation. Dickinson's indecisiveness and course of reacting to events instead of following a coherent policy in dealing with Longchamps also added to the strain on Franco-American relations that the case caused. It is ironic that despite Dickinson's wish to see Longchamps turned over to the French authorities for trial
and punishment in France, in the end, the Supreme Court of Pennsylvania upheld the customs of the law of nations. The judges proclaimed that "the practice of nations appears to us to be an appeal to the Justice of the Country where insults and Injuries have been offered to the public ministers of all Ranks."\(^{35}\)

There is no evidence that the Longchamps affair damaged the Republicans politically, but in the elections for the assembly in October 1784, the voters swept the Constitutionalists back into power with the Republicans winning only two counties. The new majority proceeded to repeal the policies that the Republicans had put in place in the preceding years and to set their sights once again on Robert Morris. When the Constitutionalists learned from Congress that John Holker had requested that the states make it easier for French agents to resolve their financial affairs with Americans, the Constitutionalists saw an opportunity to place Morris under suspicion of impropriety. They passed a bill in April 1785 to allow French agents "to sue for and recover in a more speedy way any debt or demand that may be due to them in this state," citing among their

\(^{35}\) Judges of the Supreme Court to Pres. Dickinson, 7 June 1784, Hazard, et al., eds., Pennsylvania Archives, 10:486.218
reasons not just the recommendation of Congress but also the advantages the state had gained through its friendship with France, which mandated "that equal attention be paid to the interest of our generous benefactor his most Christian Majesty." All sixteen of the Republicans in the assembly voted against the measure on the grounds that Americans would not have the same privileges in France, but they could not block its passage. In coming to the support of Holker, however, the Constitutionalists alienated Joseph Reed, who had tangled with Holker before over his affairs in Pennsylvania.  

Another effort to damage Robert Morris was initiated in the summer of 1785 by John Nicholson, the comptroller-general of Pennsylvania and a Constitutionalist, when he sent President Dickinson copies of Morris's accounts from when he was purchasing agent for the state that Nicholson said "are in controversy." The "scandal," as the Constitutionalists considered it, dated back to November

36 "An Act to Enable the Agent or Agents of his most Christian Majesty to sue for and recover in a more speedy way any Debt or Demand that may be due to them in this State," Mitchell and Flanders, eds., Statutes at Large, 11:542-45. Brunhouse, Counter Revolution,

1782 when the Pennsylvania Assembly had called on Morris to determine the amount of supplies to be credited to the state and the amount of money he received from the state for procurement that he used "in general expenditures for the service of the United States." Morris subsequently appointed James Milligan, the comptroller of the United States, to settle the accounts with Nicholson. The two officials could not come to agreement on the matter, and after Morris resigned as superintendent of finance, Milligan "did not conceive himself authorized without a renewal of his powers, to proceed in said business." The board of treasury, the body Congress created to replace the office of superintendent of finance after Morris's resignation, concluded from its investigation of the affair that Morris had used state funds for public purposes. It recommended that Congress grant it permission to appoint an official to collaborate with a representative of Pennsylvania to resolve Morris's account.  

Not until the following September did Congress take up the matter of the Pennsylvania account and authorize the board of treasury to

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chose the individual who would negotiate with the state's counterpart.\textsuperscript{39}

The demand on the state to issue paper money increased in 1785 from small farmers who were hardest hit by the postwar depression and wanted paper to pay their debts. Championing the cause of the farmers were the Constitutionalists who argued that the Bank of North America would not value paper with specie because they believed it was an institution that served the interests of only the wealthy and was therefore incompatible with republicanism. They began a campaign to repeal the bank's charter. The national charter that Congress had granted to the bank in 1781 was not in danger, but the inability of Congress to act effectively on national issues had caused the charter to lose its credibility.\textsuperscript{40} A preliminary bill to repeal it passed the Assembly on 4 April 1785.\textsuperscript{41}

The directors turned to James Wilson to use his pen to convince Congress to intercede on behalf of the bank and paid him $400.00 for his pamphlet, "Considerations on the Bank of North America," in which he pointed out that the

\textsuperscript{39} Ibid., 634-35.
\textsuperscript{40} Wilson, "The Bank of North America," 6-7.
\textsuperscript{41} Ibid., 13.
Articles of Confederation gave Congress the authority in those affairs that the states were not capable of controlling. He believed that if the bank lost its state charter it would not only cause financial turmoil in the United States, but also damage the nation's credibility overseas. In fact, Wilson declared, the charter could only be withdrawn upon the ruling of a court of law.  

Reaction of foreign representatives in the United States to the charter's repeal was particularly negative. Louis Guillaume Otto, a former secretary to Luzerne in the French legation at Philadelphia, lamented the decision of the Pennsylvania Assembly to destroy the bank, "whose notes," he said, "had given at least an imaginary increase to the legal tender." The paper money issued by some of the states, "that foreigners would never wish to accept in payment," Otto reported, "will gradually limit American Commerce in France to several cargoes of tobacco that will serve to balance the wines and brandies of France, which the United States cannot do without." He recounted to his government that merchants in several French ports had ceased extending credit to American merchants and would

42 Wilson, "The Bank of North America, 11-12."
only accept payment in specie.\textsuperscript{43} The minister from the United Provinces and four shareholders in New York wrote to Thomas Willing "'that the very existence of the institution has by this proceeding been drawn into controversy, a circumstance which we consider in so serious a light as to render necessary the most speedy and effectual measures to decide the doubt.'" They wished to know whether the bank was still legally a corporation in Pennsylvania.\textsuperscript{44}

The bank directors turned to Delaware as a headquarters for the bank and managed to convince that state's assembly to grant it a charter in February 1786. Still wanting his institution returned to Philadelphia, Morris made efforts to achieve that goal. The elections of 1786, in which the Republicans gained nineteen seats in the assembly, improved his chances of success. Morris also gained an unlikely ally in Thomas Paine, previously a strong opponent of the bank. In December 1786, Paine wrote a pamphlet that criticized the assembly for its ineffective financial policies and prejudiced campaign to destroy the

\textsuperscript{43} Louis Guillaume Otto to Comte de Vergennes, 30 June 1785, Giunta, ed., \textit{Emerging Nation}, 2:676.

\textsuperscript{44} Wilson, "The Bank of North America," 13.
bank. Constitutionalists accused Paine of betraying them and of accepting a bribe from Robert Morris.\textsuperscript{45}

The Constitutionalists feared that an increase in foreign investment in the bank would only drain hard money out of the state. Morris answered the last charge by pointing out that the bank did not make loans to Europeans and paid only dividends to European shareholders. American republican institutions were safe from corruption by foreign investment, Morris proclaimed, as it was only the interest of foreigners to profit from their relationship with the bank.\textsuperscript{46}

Benjamin Franklin, supported by both Republicans and Constitutionalists in the elections of October 1785, received all of the votes of the Council and the assembly for president of the Supreme Executive Council. His influence was important in the assembly’s decision to recharter the bank.\textsuperscript{47} "'An Act to revive the incorporation of the subscribers to the Bank of North America'" passed the assembly on 17 March 1787.\textsuperscript{48}

\textsuperscript{45} Ibid., 14-15.
\textsuperscript{46} Ibid., 18-19.
\textsuperscript{47} Brunhouse, Counter-Revolution, 193-94.
The battle over the bank occurred during a low point in the volume of overseas trade from Philadelphia that caused a collapse of credit because of the export of hard money. In response to the restrictions imposed on American commerce by European nations, particularly the British Order in Council of July 1783 that closed the British West Indies islands to American traffic and impacted Pennsylvania merchants severely, the assembly had voted in late 1784 to give Congress the power to prohibit the import and export of goods in any vessels belonging to nations that had not made commercial treaties with the United States. Many Pennsylvania artisans were more concerned with foreign competition and wanted the legislature to take stronger action to protect them. The Constitutionalists sided with the artisans, hoping to gain their support in the elections for the assembly. They introduced a tariff bill in the spring of 1785 that placed additional duties of 2.5 percent on most imports, an additional 5 per cent ad valorem duty on refined iron and steel, and 7.5 percent on certain wooden products for ships as well as leatherwork. The assembly, though, delayed passage of the bill until late September. In the meantime, manufacturers who had not spoken out initially called on the assembly to impose
duties on foreign goods that they produced. President Dickinson and the Republicans, most, if not all of them Nationalists, had already argued that Congress should have the exclusive power to set and collect import duties for revenue. Many Constitutionals were beginning to share this view, but not surprisingly expressed concerns that Congress would accumulate too much power if given control over commerce.49

The complicated issues of foreign commerce reached John Dickinson's desk in another form in early 1785 when a memorial from Philadelphia merchants who complained of the depredations against American merchant vessels by the Barbary pirates of the Mediterranean. The signatories hoped "that Councill [sic] will Represent to Congress the Necessity of endeavouring Speedily to conciliate the states of Barbary to us by presents, as it is practiced by most of the Commercial Nations in Europe, or by treatys [sic] to be entered into with them as shall be deemed expedient by the

49 Brunhouse, *Counter Revolution*, 172-73; An Act to Encourage and Protect the Manufactures of this State by laying additional duties on the Importation of Certain Manufactures which interfere with them, Mitchell and Flanders, eds., *Statutes at Large*, 12:99-104.
Wisdom of that Body."\(^{50}\) Dickinson forwarded the memorial to Pennsylvania's delegates in Congress. Congress resolved in December 1783 to enter into treaties of amity and commerce with the Barbary states.\(^{51}\) When it received word in October 1785 that Algiers had declared war on the United States the delegates directed American diplomats in Europe not to seek a treaty with that state, but to continue on a path of negotiations with the others. With no naval units to defend American commerce in the Mediterranean, Congress urged merchants to arm their ships at the expense of the United States for the cost of stores and men to crew them. The delegates considered the recommendation that "five forty Gun Ships should be forthwith built and put under the Direction of a brave experienced Commodore, for the Purpose of cruizing [sic] in those Seas during the Seasons proper for it."\(^{52}\)

In the election of 1786, the Republicans won the seven eastern counties of the state and took control of thirty-

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\(^{51}\) Journals of the Continental Congress, 22 December 1783,

\(^{52}\) JCC, 20 October 1785, 843.
six of the assembly's sixty-five seats.\textsuperscript{53} Even with a slim majority, they were able to take control of events and continue to advance their program. The Republicans in the assembly, including new members Robert Morris, George Clymer, and Thomas FitzSimons, chose William Irvine, Samuel Meredith, and William Bingham as new delegates to Congress. All three were Republicans who supported constitutional reform.\textsuperscript{54} Bingham was thoroughly convinced that if the nation was to fully benefit from its export trade in provisions and raw materials then "there must be Power lodged Somewhere to form Commercial Regulations, whose Effects must be general & pervade every Part of the Union."\textsuperscript{55}

In an attempt to establish commercial cooperation between Virginia and Maryland on navigation of the Potomac River and Chesapeake Bay, the Virginia legislature arranged a meeting of representatives of the two states for March 1785 at Alexandria and Mount Vernon. Maryland later proposed inviting Pennsylvania and Delaware to a second

\textsuperscript{53} Brunhouse, \textit{Counter-Revolution}, 193.

\textsuperscript{54} Brunhouse, \textit{Counter-Revolution}, 219.

convention on use of their common waterways. James Madison seized upon the opportunity to unite the states on commercial policy and suggested that all the states participate in a meeting the following year at Annapolis, Maryland. Delegates from five states, New York, New Jersey, Pennsylvania, Delaware, and Virginia, gathered in September 1786 at the Annapolis Convention.\textsuperscript{56}\textsuperscript{229229}

John Dickinson, now representing Delaware and chairman of the convention, reported to Congress and to the legislatures of the five states in attendance that the delegates were prepared to meet with commissioners of the other states "to take into consideration the trade and commerce of the United States, to consider how far a uniform system in their commercial intercourse and regulations might be necessary to their Common interest and permanent harmony."\textsuperscript{57} The result of this suggestion was an agreement in Congress to convene a federal convention.

Among the eight Pennsylvania delegates to the convention that opened in late May 1787 in Philadelphia were Benjamin Franklin, Robert Morris, James Wilson, and

\textsuperscript{56} Giunta, ed., Emerging Nation, 2:128.

\textsuperscript{57} Journals of Congress, 20 September 1786, 678.
Gouverneur Morris. Wilson and Gouverneur Morris played major roles in the making of the new constitution and spoke more often than any of the other delegates.\textsuperscript{58} Dickinson was a representative for Delaware, and although he had been the primary author of the Articles of Confederation that the Nationalists sought to replace, he had recognized before the Articles even went into effect in March 1781 that they required revision. The financial crisis of the early 1780s strengthened his conviction. Dickinson did not make any significant contributions to the new constitution, but J. H. Powell has argued that the ideas behind the theory of the federal union in the new document had their origins in papers Dickinson wrote in response to British policies between 1765 and 1775.\textsuperscript{59}

Regulation of commerce and the enforcement of treaty obligations were not the only issues involving foreign affairs the delegates discussed. Several of them pointed out the weakness of the Confederation government on national defense. In the new Constitution, the federal


government had the power to raise a national army and supplement it with state militias when called into federal service, and to establish a navy to defend American commerce.\(^6^0\)

One may assume that Robert Morris and Benjamin Franklin were pleased with the result of the federal convention and the powers the national government would exercise over foreign policy and commerce. Morris must have been particularly satisfied that the nation would have a navy to protect the American carrying trade. Franklin, however, seemed to doubt the advantage for a nation even to engage in the carrying trade and questioned whether maintaining a navy to defend it was worth the cost. “Would it not be well to leave all commerce free & open,” he wrote, “without any Duties or Prohibitions?”\(^6^1\) Franklin saw the new powers of the national government apparently as only temporary expediencies “to discharge our public debt occasioned by the late war.” “When we are out of debt we

\(^6^0\) Marks, *Independence on Trial*, 142-144.

\(^6^1\) “Queries Proposed for Discussion of Methods of Trading,” 1787, Labaree, ed., *Papers of Benjamin Franklin*, 45, 347.
may leave our trade free," he wrote, "for our ordinary charges of government will not be great." 62

On 29 September 1787, twelve days after the delegates signed the Constitution; the Pennsylvania Assembly voted forty-five to two, with seventeen members not in attendance, to convene a ratification convention in Philadelphia. It met on 30 November 1787 and James Wilson performed a key role in arguing in favor of the federal constitution. When the delegates voted on 12 December, forty-six were in favor of ratification and twenty-three opposed. 63

In March 1789, the Republicans pushed resolutions through the assembly meant to convince the public that it should agree to the calling of a state constitutional convention. The Constitutionalists argued that their opponents aimed to create a government in which the wealthy would dominate the lower classes. Despite the opposition to the measure, however, assembly finally approved the call for a convention in November 1789. Delegates gathered in

62 17 February 1788, Benjamin Franklin Papers, Reel 12.

63 Catherine Drinker-Bowen, Miracle at Philadelphia: The Story of the Constitutional Convention May to September 1787 (Boston, 1966), 274, 276-77.
Philadelphia later that month. In two sessions in 1790, the convention composed a constitution that provided for a two-chamber legislature and a chief executive in the form of a governor. The long struggle between the Republicans and the Constitutionalists was over.

The Longchamps Affair, climax of the series of clashes between Pennsylvania and French authorities in the state had a dual impact on the Republican/Nationalist goals of constitutional reform in the state and the nation. It was a glaring example of the need for conventions with other nations on the conduct of foreign citizens and diplomats in the United States, and a national government that could enforce such agreements. Conversely, although the Republicans seemed to find themselves on the wrong side of the final ruling in the case, we can only be certain that Dickinson and Wilson, two of the leading Republican-Nationalists, believed that Pennsylvania authorities should have turned Longchamps over to the French. We do not have comment from other Republicans that would provide an indication of their view of the affair. Nevertheless, the outcome still worked to their favor since it supported their arguments for a stronger central government.

Brunhouse, Counter-Revolution, 221-25.
Finally, the Longchamps Affair is another example in which Pennsylvanians, this time the judges of the state supreme court, played the major roles in shaping American foreign relations.
Conclusions

In the resistance to British policies between 1765 and 1775, the attitude of the Pennsylvanians involved was significant in determining the colonial response. Many leaders of the other colonies shared the “Pennsylvania” ideology of those years that postulated that the preservation of the Anglo-American political and commercial relationship was the only means that ensured the continued prosperity of the colonies. Their recognition of the importance of Pennsylvania is evident by the decision in 1774 to convene the Continental Congress in Philadelphia. The leading Pennsylvania delegates at this meeting, Joseph Galloway and John Dickinson, were in a position to influence strongly the political course of the colonies. The other delegates knew that they could not proceed in a direction contrary to the wishes of Pennsylvania. Even with Joseph Galloway’s failure to win acceptance of his plan of colonial union, what the Congress agreed to, the papers drawn up by Dickinson, were to achieve what Pennsylvania sought, reconciliation with Great Britain.

In the Second Continental Congress the following year Pennsylvania delegates adhered to the same conservative
attitude despite the outbreak of war; the publication of Common Sense, the adoption of the Declaration of Independence and the political revolution in Pennsylvania in the summer of 1776, however, changed the policy of the state. Those developments led to the appearance of new ideologies among Pennsylvanians that had important consequences for American foreign relations.

Thomas Paine’s idealistic internationalism seemed to harmonize with the “Pennsylvania” ideology of republican idealism of the Constitutionalists. Benjamin Franklin, leader of that party until his departure for Europe, best reflected the republican, internationalist view of foreign relations, while Robert Morris exemplified best the liberal, realist ideology of the Republicans. Yet, the ideologies of these two men in particular were more complex than historians have recognized. Both exhibited idealistic visions of the possibility of a new world order that included the emergence of free trade emerging from the Revolutionary War, but traditional concepts of balance of power, interests of states, naval power, and mercantilism were also important to their frameworks for American foreign policy. The consistent objective Franklin sought to achieve throughout the Revolution was a world united by
the principles of the Plan of Treaties that resolved its conflicts through diplomacy rather than war. When necessary he accepted the realities of international diplomacy such as when he agreed to the treaty of amity and commerce with France, without the commercial reciprocity that Congress had hoped for, and the treaty of alliance that was not part of the original plan.

Robert Morris's vision after 1776 was of a world in which commerce was as free as air, allowing American merchants to have access to all of the ports of the world without need for treaties, what would later be termed the open door; but did he sincerely believe that free trade could become or should become reality? This study's conclusion is that Morris was not disingenuous when he first wrote in 1777 that all nations that embraced commerce as free as air would benefit from it. The timing of Morris's conversion from mercantilist to commercial liberal and idealistic internationalist in January 1777, in the wake of Paine's Common Sense and the publication of Adam Smith's Wealth of Nations in 1776, a copy of which Morris possessed, means that both could have influenced his thinking. We know that both Robert Morris and Gouverneur Morris agreed with Smith's rejection of the mercantilist
principle that a nation needed to hoard specie in order to ensure its prosperity. Robert Morris also possessed a volume written by Thomas Mortimer, an English political economist who described the relationship between commerce and agriculture that Morris expounded on in 1782 in his Report on Public Credit. There is much we can say for Morris's use of the phrase "free as air" in describing his sentiment on commerce, as it indicates that he envisioned an end to mercantilism and economic barriers and restrictions. Air cannot be regulated; it is a necessity for man and can move anywhere on earth without interference. Nations, he believed, should treat commerce the same way. Morris's concern for the welfare of mankind is one component behind his advisement of free trade. Another, of course, is his desire to advance the nation's interests and his own. Increasing his own and America's wealth was always an ambition throughout his career, and he frequently came under criticism during the Revolution for using his positions of authority to conduct private business.

The political struggle in Pennsylvania in the middle years of the Revolution had as much importance for foreign relations as the actions of individuals involved in
diplomacy such as Franklin and Morris. The “Pennsylvania” ideology that became dominant had the potential to influence the state’s delegation to Congress on foreign relations and the manner in which the state government dealt with foreign commerce and foreign officials and diplomats in the state. Pennsylvania, with its major port and capital of the United States at Philadelphia, was in a position to take the lead in establishing American precedent in these matters.

It is not clear whether the economic policies of the Constitutionalists in any way damaged or threatened to damage the Franco-American alliance, relations with France, or relations with any other foreign nation that engaged in commerce with Pennsylvania. They certainly caused great irritation to the French in Pennsylvania and some merchants may have reconsidered their commercial relationship with the state. We can attribute the continuity of relations between the United States and France to several factors: the state’s abundance of export commodities that were so important to French merchants involved in the Atlantic trade, France’s commitment to the alliance with the United States to defeat Great Britain, and the success of the Republicans in slowly gaining control of the state
government and offering alternative policies that appealed to French merchants.

The Constitutionalist government established a precedent in Pennsylvania for dealing with foreign nationals involved in controversy within the state's jurisdiction. President Reed’s diplomacy with French officials is perfectly understandable when we consider Reed's view of his state as an independent entity united with the other states only to gain independence from Great Britain. All of the states had yet to ratify the Articles of Confederation in 1779, but even when they did, Congress could still not force the states to abide by treaties and conventions with foreign nations.

Robert Morris’s appointment as superintendent of finance in 1781 placed him in an ideal position to apply his “Pennsylvania” ideology toward strengthening the finances of the Confederation and broadening American commerce. Between 1781 and 1784 his successes and failures demonstrated, however, that a thoroughly realist approach to foreign policy was necessary if the nation was to survive and prosper in the international arena of the late eighteenth century. He established his Bank of North America to strengthen the nation’s finances, credit and
commerce, but did not convince all of the states to agree to the impost amendment to the Articles. His did not achieve his goal of adequate naval protection for American commerce, but brought its need to greater attention. His liberal approach to seeking American commercial access to colonial possessions of France and Spain failed because the ideology of mercantilism guided the policy of both nations. Yet, Morris’s commercial liberalism and realism gained momentum by 1784 in Pennsylvania and apparently throughout the nation. Idealistic internationalism, still promoted by Franklin in his diplomacy in Europe until 1785, faded.

In Pennsylvania in the 1780s, the battle between the Constitutionalists and the Republicans was a classic one between the ideologies of republicanism and liberalism. When effectively confronted by those of their Republican opponents, the economic policies of the Constitutionalists ultimately failed to convince the voters of Pennsylvania to continue to support them. Commercial and financial policy played a significant role in the transfer of power from the Constitutionalists to the Republicans by the mid-1780s. The more heavily populated counties of the eastern part of the state, where many men with interests in foreign commerce resided, turned the tide for Republicans and
helped the Nationalist movement for constitutional reform and a realistic foreign policy. The Republicans succeeded despite a setback in the election of 1784 and the mishandling of the Longchamps affair, which ironically strengthened the arguments for a stronger central government that could administer foreign affairs. What would the consequences have been had the Constitutionalists discredited Robert Morris, prevented him from exercising his roles as superintendent of finance and leader of the Republicans and the Nationalists, held power in the state into the late 1780s, sent a delegation of their choosing to the federal convention in 1787, and dominated the ratification convention in Pennsylvania. The conclusion here is that the survival of Morris and the victory of the Republicans in Pennsylvania better served the nation. The creation of a strong central government was vital to the nation’s ability to defend its borders, regulate commerce and collect duties for revenue, restore credit with foreign nations, and enforce the terms of treaties.

In the debate between historians over the dominance of either idealism or realism in the thinking of American leaders about foreign relations during the Revolutionary and Confederation eras, the case of Pennsylvanians
demonstrates that many more adhered to realism, or the “Pennsylvania” ideology of liberal realism, than idealistic internationalism or “Pennsylvania” republican idealism. Even some of those who adhered to the ideas of the Enlightenment and the writings of Thomas Paine recognized by the mid-1780s the necessity to deal with foreign nations in a realistic manner. Yet idealism in American policymakers’ considerations of foreign relations by no means disappeared after 1790 – the Wilsonian ideology of the twentieth century being one example -- and one can still see the presence of idealism in American foreign policy today.

The study of Pennsylvania politics and Pennsylvanians between 1775 and 1790 does not end the debate between historians over the influence of liberalism and republicanism in American attitudes about foreign commerce. Both ideologies were present in the thoughts of Pennsylvanians, especially Benjamin Franklin and Robert Morris. We can say that the change in the political tide in Pennsylvania in 1786 demonstrated that liberalism had more disciples than republicanism, but it was not the end for the influence of the later ideology in Pennsylvania.
The Democratic-Republicans of the 1790s became the heirs of the Constitutionalists.

This study has attempted to determine how ideology and the politics of Pennsylvania influenced the making and conduct of foreign relations during the Revolutionary and Confederation eras. It is now clear that a variety of ideas and motivations guided the Pennsylvania political factions and individuals in handling issues of foreign policy, and if these ways of thinking were common among Americans of the period, than we may find similar attitudes among the leaders of the other states of the early Republic.
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