

**Forgotten Conservatives**  
*in* **American History**



## **James Jackson: Forgotten Founding Father**

James Jackson did not sign the Declaration of Independence or the Constitution. But his heroism in the War of Independence and his exemplary integrity and republican statesmanship in the first days of the U.S. government entitle him to rank with the great men of the founding generation.

Jackson is a fine example of what that generation and several subsequent generations of Americans regarded as republican virtue. Virtue in this connection did not refer to private morals. It referred to the type of character deemed necessary to preserve liberty, a thing of great value to the community and the individual. It had a masculine Roman cast, which is why we have classical capitol buildings and statues of George Washington in a toga.

Republican virtue implied a tough, independent citizen ready to defend his society against foreign threats. Equally important, it was characterized by the wisdom to discern and the courage to oppose threats to liberty from inside society. History has furnished many examples of the undermining of free governments by plausible, designing men ambitious for power and profit. This is why Thomas Jefferson said that eternal vigilance is the price of liberty and that the tree of liberty needs to be watered from time to time with the blood of tyrants and patriots. A virtuous republican had the makings of such a patriot.

A patriot did not seek public fame and fortune. His task was alertness to preserve the principles of free government against all comers. He did not seek power, but if called to public office he took it as a duty to his society, not as an opportunity for self-advancement. His ambition was for his country, not himself. The example here was the Roman hero Cincinnatus, who was called from his farm to lead an army and having won the victory went home and resumed his plowing. Though not always put purely into practice, this ideal was a powerful influence in early American politics. As Forrest

McDonald, the leading historian of the early Union, has pointed out, in New England and the regions it influenced, republican virtue had a slightly more Puritan and less classical aura and included an emphasis on profitable economic activity and community supervision of private morals. Different conceptions of republican virtue would prove to be a rub when James Jackson joined the very first session of the United States Congress.

James Jackson was born in 1757 in Devonshire, England. At the age of fifteen he sailed the Atlantic unaccompanied and landed in 1772 at Savannah, Georgia, where some family friends were living. Despite his youth and his recent arrival from the mother country, Jackson enthusiastically joined the cause of American independence. Throughout the war he was active in military service. After the British capture of Savannah, Jackson escaped, reportedly swam the Savannah River, and arrived barefoot and in tatters to join the South Carolina patriot forces as a private, serving seventeen months with Thomas Sumter's partisans. He took part in most of the fighting in the Southern colonies and in expeditions into Florida and to the Indian frontier. He was wounded at least once and repeatedly cited for gallantry and enterprise. Jackson ended the war as a twenty-four-year-old lieutenant colonel in command of his own battalion and was selected to receive the official surrender of Savannah from the departing British on July 11, 1782.

After the war Jackson established himself as a successful lawyer and planter. Georgia was the smallest of the states in population and settled territory (though already filling fast with new settlers), and it had an exposed frontier. It quickly ratified the proposed Constitution for the United States without the reservations that concerned many and kept North Carolina out of the Union for several more years. In 1788 the Georgia legislature elected Jackson governor. He declined on grounds that he was too inexperienced for the august position. The next year he was elected as one of Georgia's two representatives to the First Congress. Shipwrecked on his way to New York, he arrived too late for the inaugural day but was soon an outspoken member of the House.

Jackson found the House discussing the proper way to address the president, with proposals like "His Excellency," "His Grace," and "His Serene Highness" being offered by those who wanted to endow the new government with dignity and awe. Jackson's republican blood boiled over. He ridiculed such talk and lamented

that some of it was coming from Boston, “a town which, fifteen years ago, would have acknowledged no Lord but the Lord of hosts.” He won his point, though some opponents hinted that the representative from Georgia was too loud and crude. “I have accustomed myself to a blunt integrity of speech,” Jackson told the House, “which I hope the goodness of my intentions will excuse.” The more serious criticisms of the representative from Georgia were uttered in private. It was known that Jackson had more than once taken his stand on the Savannah dueling ground and had always walked away.

When the First Congress convened, there were no party lines and there was a great deal of policy and practice for which precedents needed to be established. In this situation, Treasury Secretary Alexander Hamilton and his friends took the initiative with what would after awhile be revealed as a determined agenda for the future of the Union. The first move came in Hamilton’s proposal to pay off the Continental debt of the Revolution. Everyone agreed that the debt had to be retired, but the devil was in the details. Hamilton’s plan was to pay the holders of the debt in interest-bearing government bonds, thus to create a permanent public debt, which would in turn require tax revenue.

There was an even-more-serious kicker. The debt was to be funded at face value. The debt, aside from loans from European allies, consisted of paper that had been issued by the Continental Congress for soldiers’ pay and bounties and army supplies. Almost all of it was now in the hands of Northern and European capitalists who had acquired it at cents on the dollar when it was “not worth a Continental.” Jackson pointed out that there were not twenty of the original receivers of Continental paper left in Georgia and that soldiers had invariably been forced by necessity to sell their paper at a large discount. Hamilton’s proposal was soon followed by another—the government should assume the remaining debts of the states, now also in the hands of speculators, and fund them in the same way. A proposal in the house to pay some of the proceeds to the original holders was roughly quashed by what was beginning to look like an organized party. Not only that, but, Jackson pointed out, certain money men who obviously had advanced knowledge of Hamilton’s plans had been in Georgia very recently buying up debt certificates.

Mincing no words, Jackson called the speculators in the public debt “rapacious wolves” and “drone bees, sucking honey out of the hive, and affording no aid in its procurement.”

Two types of republicanism and two different visions of the future were at the brink of serious conflict. A Massachusetts spokesman ridiculed the idea of paying off the original rather than the current holders of the debt—it would not give investors trust in “the full faith and credit” of the new government. Jackson replied: “Do not gentlemen think there is some danger on the other side? Will there not be grounds for uneasiness when the soldier and the meritorious citizen are called upon to pay the speculator more than ten times the amount they ever received from him for their securities?”

For Hamilton, allying the capital of the country and the government was a good and necessary move to guarantee stability, promote economic development, and strengthen the U.S. government at home and abroad. To others it looked an awful lot like the British system from which so much had recently been sacrificed to escape. In time Hamilton would propose a tariff to raise taxes from the consumers (incidentally arranging the tax on imported foreign goods so as to grant the internal market to “domestic industry”), a national bank (which was actually a private institution enjoying government powers and privileges), and a tax on whiskey distillers (which was heavy on the backcountry and the South but scarcely touched the Northeast). To a wary republican, the whole package constituted a way to drain wealth from the poor to the rich and from the producers of the South and West to the capitalists of New York and New England.

Jackson was nearly alone in 1790 in discerning and exposing the implications of what was afoot; he was joined only by William Maclay of Pennsylvania in the Senate. As one historian has put it:

The astonishing thing is that the comparatively crude Maclay from the wilds of Pennsylvania and the leather-lunged James Jackson from sparsely settled Georgia should have caught the full significance of it all before it dawned on Jefferson and Madison.

A few years later Thomas Jefferson and James Madison would be organizing an opposition party to oppose Hamilton’s “monarchical” schemes to stretch the “necessary and proper” clause of the Constitution past the breaking point, to replicate the British class and economic system in America, and to make

the whole Union tributary to the capital of the Northeast. Jackson was way ahead of them.

Hamilton's friends pulled out all the stops to defeat Jackson for a second term as representative. His opponent was declared the winner, but Jackson proved that the election was corrupt and the House declared the seat vacant. Two years later Jackson was chosen as U.S. Senator. In the Senate he continued his vigorous fight against Secretary Hamilton's measures as they appeared. The tariff and the internal tax on whiskey would make the Southern States, which lived on exports, the "milch cow" of the Union. Jackson warned the Federalists that they could not milk the cow and ride it too. The whole of the Hamiltonian system was "odious, unequal, unjust, unnecessary" and promised that the "gnawing vulture [of taxation] whose appetite increases daily with what it feeds upon" would become perpetual. Hamilton's program, which was put forth as necessary to strengthen the Union, was actually having the opposite effect—it was alienating the people and raising sectional conflict.

James Jackson's greatest role as virtuous republican came with the Yazoo Claims, the first big financial scandal in America history, which became an international sensation.

A group of Philadelphia speculators, swearing each other to secrecy, formed a cabal with designs on Georgia's vast unsettled western lands—most of what was to become the states of Alabama and Mississippi. (The resulting affair was given the label "Yazoo," after the most valuable of the country in question, the rich lands between the Yazoo and Mississippi rivers.) In 1795 the Georgia legislature sold the Philadelphia conspirators 35 million acres of land for a little more than a penny an acre. This was the richest and most promising large piece of undeveloped real estate within the territory of the United States.

At the time the legislature made the deal, there were a number of men hovering about with pockets full of money to use where persuasion might be needed. These included James Wilson, arch-Federalist Justice of the U.S. Supreme Court, and one "Thomas Walsh," who was subsequently hanged on a different matter. You cannot keep a thing like that quiet, and public outrage in Georgia was loud. Learning of the affair while in Congress, Jackson wrote to a supporter at home: "I consider Georgia as having passed a confiscation act . . . of your Children & mine, & unborn Generations, to supply the rapacious graspings of a few sharks . . . two-thirds of

Georgia will be held & owned by Residents in Philadelphia.” The virtuous republican policy would be to sell the lands at modest prices to genuine settlers, providing a great social good and revenue for the state without taxation.

The public called on Jackson to come home and deal with the situation. He resigned his Senate seat after only two years and was received in Savannah with acclaim while the other Georgia Senator, who was implicated in the swindle, was burned in effigy. An angry new legislature was seated and Jackson managed the repeal of the deal made by the previous legislature. He was governor from 1798 to 1801, and while in that office he acted vigorously to prevent deeds being issued under the repealed 1795 act. In 1801 Jackson rejoined the Senate and served until his death in 1806 at forty-nine, his end probably hastened by the hardships endured as a soldier.

The Yazoo scandal had many complex ramifications and it remained a legislative and judicial issue into the 1830s before a sort of compromise was achieved, in the interest of plaintiffs who had (supposedly innocently) purchased from the original grantees of the lands. In the notorious case of *Fletcher v. Peck* in 1810, the U.S. Supreme Court invalidated Georgia’s repeal of the Yazoo grant on the grounds that it violated the provision of the Constitution forbidding interference with the “sanctity of contracts.” In other words, the Supreme Court ruled that private property rights, even if acquired corruptly, were superior to the will of the people and that state legislatures could be overruled by the federal court. The ruling did not settle the public controversy. John Randolph of Roanoke, another almost forgotten conservative voice of the early Union, continued to condemn the Yazoo corruption and usurpation for some years to come in Congress. Whatever the subject he was discussing, Randolph would pause, point a long bony finger at certain congressmen whom he considered complicit, and scream “Yazoo! Yazoo!”

On the question of immigration, James Jackson took a stand that latter-day conservatives should find sympathetic. When the first naturalization law was before the House, he argued for a long period of residence before the granting of citizenship. An immigrant himself, who had earned his American status the hard way, he did not want “the rank of American citizen” to become the world’s plaything.

It was said that James Jackson left Congress no richer than he entered it. That is a high compliment and well worthy of imitation at any period of history.



There has long been a conventional understanding of American history that the soldiers of the War of Independence fought with the goal of establishing a new nation with a centralized national government. This was certainly true of Alexander Hamilton and John Marshall among others, at least judging by their postwar actions. However, the formulation is seriously misleading. The nationalists had a very hard sell and did not fully achieve their goal until Lincoln made it stick with massive warfare. There was another large group of soldiers who saw the goal of the Revolution as getting rid of the power of a centralized government to rule over Americans. They had a fellow-American *feeling* with comrades in other states for shared sacrifices, and they were willing to entertain a federal (not national) government to handle some of the joint affairs of the states, but they insisted that such a government must be kept within a strictly circumscribed role.

Such men were the real conservatives, for they wanted to preserve the essence of the Union that had emerged from the War of Independence, not transform it into something new. Many of the most important patriots of the Revolution held this view and gathered with Jefferson in support of it. To mention active soldiers of this persuasion, besides James Jackson of Georgia, these included Nicholas Gilman of New Hampshire, John Lansing of New York, Thomas Mifflin of Pennsylvania, John Francis Mercer of Maryland, Nathaniel Macon of North Carolina, Thomas Sumter of South Carolina, and James Monroe, St. George Tucker, and John Taylor of Virginia.