The Louisiana Purchase: Real Estate Deal of the Century?

Was President Thomas Jefferson right to purchase the Louisiana Territory?

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Grade Level: Middle
Duration: Three 50-minute class periods

Overview:
President Thomas Jefferson’s purchase of Louisiana from France in 1803 set the young United States on the path to become a great continental power. It nearly doubled the land area of the nation, secured permanent access to the all-important Mississippi River, and obtained vast natural resources for the economy. But for all the good that the Louisiana Purchase accomplished, the transaction was surrounded by controversy. The Constitution made no provisions for the purchase of foreign territory, and even Jefferson himself, as a strict constructionist, doubted the executive’s power to make such a purchase. He argued, however, that, in this case, the good of the nation outweighed constitutional theories. In this History Lab, students will explore several primary sources to judge for themselves whether Jefferson was right to purchase the Louisiana Territory. This exploration promotes higher-order thinking, allowing students to think and read critically and develop an argument based on varied sources.

History Standards

National History Standards

Era 4: Expansion and Reform (1801-1861)

Standard 1: United States territorial expansion between 1801 and 1861, and how it affected relations with external powers and Native Americans.

Standard 1A: The students understand the international background and consequences of the Louisiana Purchase and the War of 1812 and the Monroe Doctrine.

• Compare the arguments advanced by Democratic Republicans and Federalists regarding the acquisition of Louisiana. [Compare and contrast differing sets of ideas]
• Analyze how the Louisiana Purchase influenced politics, economic development, and the concept of Manifest Destiny. [Evaluate the implementation of a decision]

Historical Thinking Standards

Standard 3: Historical Analysis and Interpretation
• Identify the author or source of the historical document or narrative.
• Reconstruct the literal meaning of a historical passage.
• Identify the central question(s) the historical narrative addresses.
• Consider multiple perspectives.
• Appreciate historical perspectives.
Education materials developed through the Howard County History Labs Program, a partnership between the Howard County Public School System and the UMBC Center for History Education.

Standard 5: Historical Issues-Analysis and Decision-Making
- Identify issues and problems in the past
- Evaluate alternative courses of action
- Formulate a position or course of action on an issue
- Evaluate the implementation of a decision

Common Core Standards for Literacy in History/Social Studies
RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.
RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.
RH.6-8.4 Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.
WHST.6-8.1 Introduce claim(s) about a topic or issue, acknowledge and distinguish the claim(s) from alternate or opposing claims, and organize the reasons and evidence logically.
WHST.6-8.1 Support claim(s) with logical reasoning and relevant, accurate data and evidence that demonstrate an understanding of the topic or text, using credible sources.

College, Career, and Civic Life (C3) Framework for Social Studies Standards
D2.Civ.8.6-8 Analyze ideas and principles contained in the founding documents of the United States, and explain how they influence the social and political system.
D2.His.16.6-8 Organize applicable evidence into a coherent argument about the past.
D3.4.6-8 Develop claims and counterclaims while pointing out the strengths and limitations of both.
D4.1.6-8 Construct arguments using claims and evidence from multiple sources, while acknowledging the strengths and limitations of the arguments.

Purpose
In this History Lab, students will analyze six historical sources to determine whether President Thomas Jefferson was correct in his decision to purchase the Louisiana Territory from the French.

Students will:
- Explore the circumstances surrounding the Louisiana Purchase, as well as the consequences of the land acquisition for the future of the United States.
- Explore the provisions of the United States Constitution regarding the administration of territories.
- Analyze and evaluate primary sources with varied perspectives on the constitutionality of the Louisiana Purchase to draw evidence-based conclusions about the legitimacy of the transaction.
- Gain an understanding of the ambiguity and flexibility of the U.S. Constitution in specific circumstances and the necessary balancing act between political theory and practical considerations.
Lab Objectives

- Students will explore the controversy surrounding Jefferson’s authorization of the Louisiana Purchase as a window into the necessity of weighing practical considerations against constitutional theories, as well as the ambiguity of the U.S. Constitution.
- Students will read varied evidence critically, analyzing, evaluating and synthesizing multiple sources to develop an evidence-based argument as to whether Jefferson was right to purchase.
- Students will deepen their understanding of claims and counterclaims.

Topic Background

A “public official, historian, philosopher, and plantation owner,” Thomas Jefferson’s many accomplishments included writing the Declaration of Independence and the Statute of Virginia for Religious Freedom, serving as the third president of the United States and Governor of Virginia, and securing the purchase of the Louisiana Territory.1 Jefferson most eloquently espoused many of the principles that have defined the United States for generations. But the “man of principle” was not always consistent in the adherence to his own political precepts.

Among Jefferson’s core principles was the belief in a strict interpretation of the powers granted to the federal government by the United States Constitution. This was known at the time as a “constructionalist” position, which insisted that the government could exercise only those powers that were specified in the Constitution. Jefferson had accordingly vehemently opposed previous attempts to “stretch” the Constitution, such as Alexander Hamilton’s establishment of the Bank of the United States. Because the Constitution did not mention the establishment of a central banking system, he insisted, the creation of such a bank was forbidden. Yet many of Jefferson’s contemporaries— as well as some historians since — denounced his authorization of the Louisiana Purchase in 1803 as contrary to his own strict constructionist views. Critics have argued, then and since, that Jefferson acted hypocritically when he decided to purchase Louisiana despite the fact that the Constitution did not grant the federal government express authority to annex parts of foreign territories. Others believe as Jefferson did: that, sometimes, the practical best interests of the country may override constitutional theory and one’s own personal beliefs.

Jefferson did not set out to contradict himself. He was forced to make a difficult decision by unexpected circumstances. In January 1803, he instructed U.S. Minister to France Robert Livingston and James Monroe to negotiate a treaty to purchase only New Orleans and West Florida from France for up to $10 million in order to secure navigation of the lower Mississippi River, critical to the expanding U.S. economy. To their surprise, French Emperor Napoleon, suddenly eager to extricate himself from North America after the revolution in Saint Domingue and the commencement of war with Great Britain, offered instead to sell the entire Louisiana Territory for the bargain price of $15 million, or roughly four cents per acre. Although this offer exceeded their instructions, Livingston and Monroe recognized the extraordinary value of the offer and agreed to the deal.

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Publicly announced on July 4, 1803, the purchase treaty had to be ratified by the Senate by the end of October. Jefferson recognized that the Constitution did not technically authorize the president, or even Congress, to add foreign territories to the U.S. He suggested to his Cabinet that a constitutional amendment might be necessary, but the deadline in the contract would not permit such a lengthy process. Jefferson wanted to ratify the purchase as quickly as possible, lest Napoleon change his mind about the deal. He therefore had to weigh the importance of his adherence to his strict constructionist principles against the practical benefits of the Louisiana Purchase for the United States.

Jefferson had long recognized the importance of western lands and the Mississippi River, in particular. He envisioned the United States as a continental empire populated by small farmers, who would use the Mississippi River as a major highway for commerce. Since 1763, the Louisiana Territory had been controlled by Spain, which had governed the territory loosely and had allowed Americans relatively unrestricted use of the Mississippi and the port of New Orleans for commercial transportation. In 1800, however, Spain transferred control of Louisiana to France. Jefferson feared that the ambitious Napoleon would attempt to assert France’s position in North America by closing the Mississippi to the United States, and soon after the transfer occurred, Americans were indeed informed that they would now be required to pay duties to store their goods in New Orleans. Americans were outraged, and Jefferson feared war with France was looming. It was to avert this brewing conflict that Jefferson had sent Livingston and Monroe to Paris to seek the purchase of New Orleans, only to find that all of the Louisiana Territory was for sale.

The offer was astonishingly tempting. Not only would the acquisition of Louisiana guarantee access to the Mississippi and New Orleans, it would almost double the size of the United States, eventually furnishing the land for all or part of fifteen new states. The region’s vast natural resources – gold, silver, other ores, grasslands, and forests – would greatly enrich the nation’s economy, in addition to providing homes for the expanding and restive U.S. population. Moreover, doubling the size of the young nation would make it more likely for the United States to one day become a world power.

Convinced that the purchase of Louisiana would define the future of the United States, Jefferson accepted his Cabinet’s advice not to seek a Constitutional amendment. Contrary to his own prior strict interpretations of the Constitution, he argued that, rather than weakening the Constitution, the Senate’s approval of the questionable purchase would, in fact, strengthen the Constitution by “more strongly marking out its lines.” The Senate ratified the treaty on October 20, and Congress passed a series of laws over the succeeding months to create the mechanisms for the purchase to take place. Finally, on December 30, 1803, the United States took possession of the Louisiana Territory.

In making the decision to proceed with the Louisiana Purchase despite its dubious constitutionality, Thomas Jefferson had expanded the powers of the federal government, vastly increased the size of the United States, strengthened the nation’s economic future, and assured U.S. dominance in North America. But he also transgressed against his own long-held constitutional principles. How do we evaluate this decision?

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Bibliography:


Vocabulary

Accession – attainment

Acquisition – the act of gaining possession of something

Cede – give up, let go, relinquish

Compact – agreement
Conducting the History Lab

Overarching Question:
Was President Jefferson right to purchase the Louisiana Territory? Why or why not?

Materials:
Teacher Resources:
Document projector and markers
RS#06: ARCH Historical Thinking Skills Rubric

Student Resources:
RS#01: Real Estate Deal of the Century: The Louisiana Purchase
RS#02: The Louisiana Purchase: Was Jefferson’s Authorization Constitutional?
RS#03: Primary Source Document Analysis Chart
RS#04: Primary Source Document Packet
   Source A: Constitution of the United States
   Source B: Thomas Jefferson to John Breckinridge, 12 August 1803
   Source C: Thomas Jefferson to Wilson Cary Nicholas, 7 September 1803
   Source D: Authority Given to the President to Take Possession of the Territory of Louisiana
   Source E: John Quincy Adams to the U.S. Senate, 3 November 1803
   Source F: Speech by Representative Roger Griswold, October 1803
RS#05: Graphic Organizer: The Square Off

Procedures:

I. Initiate the History Lab

   • Engage student interest by having them review and complete RS#01, Real Estate Deal of the Century: The Louisiana Purchase. This “hook” activity is designed to give a geographical and political perspective of the United States during the time of the Louisiana Purchase. Read the paragraph aloud, and have the class analyze the map provided.
• Ask: What can we learn and assume from this map?
• Have the students answer questions 1 -3 independently.
• In a class discussion, review student responses and record on the board. Encourage students to add more to their responses as they discuss.
• Possible responses include:
  ○ Question 1: How could this new land acquisition increase productivity and power for the United States?
    ▪ Industrial Growth = money
    ▪ Agrarian Growth = money
    ▪ Trade increased – possibilities of new routes
    ▪ Control of valuable rivers (Mississippi River)
    ▪ Profitable resources in abundance
    ▪ Expansion of territory
    ▪ Relationships (good and bad) with Native Americans
    ▪ Scientific Discovery
    ▪ Opportunities for people (land, jobs, food etc.)

  ○ Question 2: Make a list of the beliefs Jefferson had before becoming president. Do you think his beliefs could change once he became President of the United States? Explain.
    ▪ Part 1: Some answers could include:
      - Agrarian society
      - Strong States rights
      - Limited Federal government
      - Frugal government – limiting taxes, reducing the size of the Navy
      - Strict interpretation of the Constitution
    ▪ Part 2: Student-based opinion. Have the students share their responses in a class discussion and compare and contrast their varied opinions and reasoning.

  ○ Question 3: The Constitution does not explicitly state whether the federal government may purchase new lands. If you were Jefferson, would you have authorized this purchase? Explain your reasoning.
    ▪ Encourage students to support their opinions using prior knowledge on the Constitution.
    ▪ Some arguments for:
      - Loose Constructionist viewpoint regarding the Constitution
      - Address growth and power for United States – staying stagnant will never allow the country to grow and prosper
      - Flexibility within the Constitution is the only way to support the ever-changing needs of society
    ▪ Some arguments against:
      - Strict Constructionist viewpoint regarding the Constitution
      - The Constitution is a written plan of government, which indicates what can be done, and if one allows too much flexibility the stableness and soundness of the document will falter.
Deviating from the direct verbiage of the Constitution will allow too many actions that may hurt the nation in the long-term.

II. Frame the History Lab

• In this investigation, students will determine whether President Jefferson was right to purchase Louisiana.
• Assess prior knowledge, and review what the students have learned about Jefferson thus far (e.g., Declaration of Independence, political parties, Constitutional beliefs, etc.).
• Read aloud RS#02, Student Background Essay – Was Jefferson’s Authorization Constitutional? Stop when appropriate to check for understanding. Address key vocabulary terms and how they relate to the topic. The purpose of the background essay is to establish a contextual understanding of Jefferson’s constitutional beliefs and how his authorization of the Louisiana Purchase could be considered contradictory. The essay provides information that will provoke students to consider the constitutionality of the Louisiana Purchase itself.
• The students should then answer the background essay questions independently.
• Review the answers to the essay questions as a class.

1. Why did Jefferson send Robert Livingston and James Monroe to France in 1802? They were sent to negotiate a treaty to purchase New Orleans and West Florida.

2. Why was Jefferson’s authorization of the LA purchase controversial? It was deemed controversial because Jefferson was a strict constructionist of the Constitution and the Constitution does not explicitly state that the president or Congress could purchase foreign land. Many thought he was being a hypocrite.

3. When Jefferson said “what is practicable must often control what is pure theory” what do you think he meant by that? Explain. Answers will vary. Student responses should mention that often one must set aside their personal beliefs for the common good. Although Jefferson was a strict constructionist of the Constitution, he realized that the Louisiana Purchase would benefit the nation socially, economically, and politically.

• Introduce the overarching question: Was President Jefferson right to purchase the Louisiana Territory? Why or why not? Explain that students will be exploring a series of primary source documents to answer that question.

III. Model the Historical Process

• Introduce the students to RS#03, Primary Source Document Analysis Chart, and explain what is expected of them while analyzing each source. The chart will help students to source each document and identify claims and counterclaims (an opposing claim).
• Review the concepts of claims, supporting evidence, and counterclaims with students.
• As a class, analyze Source A from RS#04, Primary Source Document Packet and complete the corresponding sections of RS#03 together.
• To deepen understanding, present the following guiding questions:
  o What does Article 4 say about the creation of new states? Is Congress allowed to add new states to the Union?
    Yes, Congress is permitted to add new states to the Union, but only under certain circumstances. New states cannot be created from parts of existing states without special permission from the states.
  o What does Article 4 say about United States territories? Congress can make laws and regulations concerning territories.
  o What does Article 4 say about the acquisition of new territories? Nothing.
  o What is a treaty? A formal agreement between two nations.
  o How does Article 2 relate to the question of Jefferson’s power to buy Louisiana? It grants the president the power to make treaties, and the Louisiana Purchase was arranged through a treaty with France.

IV. Facilitate the History Lab

• Independently, in pairs, or in small groups, have students read and analyze RS#04, Primary Source Document Packet, Sources B-F, to complete RS#03, Primary Source Document Analysis Chart. It is recommended that the teacher checks for understanding and provides necessary supports, as some of the documents can be challenging.
• After students have worked through the sources on their own, facilitate critical reading by posing the following guiding questions to encourage a higher level of analysis:
  o What does Jefferson think of the constitutionality of his purchase of Louisiana? He does not believe the Constitution permits the president to purchase foreign lands. He believes he has acted outside of the Constitution.
  o What does Jefferson believe should be done to correct the situation? He believes that Congress should approve the purchase and amend the Constitution to grant this power to the president.
  o Why does Jefferson believe it was okay for him to act outside the Constitution? He believes that the chance to purchase Louisiana was an opportunity for the United States that was too good to miss.
  o If Jefferson does not believe the federal government has the power to acquire new territories, then why does Article 4 of the Constitutions gives Congress the power to admit new states? Where would these new states come from? From territories already existing within the U.S. borders at the time of the ratification of the Constitution in 1783, i.e. the lands between the western borders of the original states and the Mississippi River.
  o Does John Quincy Adams believe that the Louisiana Purchase was a good decision? Yes.
  o Does John Quincy Adams believe that the Louisiana Purchase was constitutional? No.
  o Why does Federalist Roger Griswold believe that the Louisiana Purchase was a bad decision?
Griswold believes the Purchase was unconstitutional and that the addition of new states would upset the delicate agreement between the original states.

V. Synthesize Information and Interpretations

- Conclude the investigation by synthesizing the varying perspectives and evidence to draw conclusions about whether Jefferson was right to purchase the Louisiana Territory. To facilitate this process, pose the following questions, probing for insightful responses and accepting all reasonable conclusions:
  - Do you believe that an action or decision can be positive for the nation but, at the same time, unconstitutional?
  - If the Constitution does not explicitly mention an action, does that mean it is allowed or not allowed?
  - How flexible should the Constitution be? Should our interpretation of the Constitution vary over time and according to different circumstances?
  - Is it ever okay for a president or Congress to exceed their powers as outlined in the Constitution? If so, when and why?

- To help students develop an argument supported by appropriate textual evidence, you may direct them to complete RS#05, Graphic Organizer: The Square Off.
  - Because constructing the “Square Off” requires rather sophisticated synthesis and corroboration skills, teachers may want to model the process with the class before having students work on their own organizers.
  - If there is not sufficient space in the boxes on RS#05, students may replicate the template on a piece of notebook paper.

- Remind students that a strong argument will be supported by several sub-points (three in a five-paragraph essay) substantiated by textual evidence. The Square-Off organizer will help ensure that students have identified multiple sub-points and have supported each with evidence drawn from the sources.
  - In the “Your Argument” box, students should write a statement making a claim in response to the overarching question: Was Jefferson right to purchase the Louisiana Territory? In other words, they should write their thesis statement.
  - In each of the “Supporting Point” boxes, students should write a different concept drawn from the texts that helps to prove the argument.
  - In each “Textual Evidence” box, students should identify key passages or examples from the texts that substantiate the corresponding “supporting point.” Direct students to draw their evidence from multiple sources.

VI. Assessment

- In this assessment, students will extrapolate from what they have learned about the Louisiana Purchase to develop broader arguments about the following question: Should the president ever violate the Constitution to pursue the best interests of the nation? (Note: Drawing generalizations from this specific historical incident involves higher order thinking skills that may be beyond some students’ abilities. If that is the case, students can
complete the assessment activities below to address the overarching question: Was President Jefferson right to purchase the Louisiana Territory?)

- Teachers may assess student understanding through one of the three assessment vehicles below. For all three assessment assignments, students should develop their work from their Square Off notes and what they have learned about Jefferson’s purchase of Louisiana and the provisions of the Constitution. Although the students will address the scope of the powers of the presidency in general, they should support their arguments with specific details from the Louisiana Purchase and the primary sources they read.

**Brief Constructed Response**
- In a single paragraph, students will present an argument in response to the assessment question: Should the president ever violate the Constitution to pursue the best interests of the nation?
- Students should detail two to three points to support their claim, but the shorter length of the response should limit the amount of evidence they provide.
- Counterclaims need not be addressed.

**Extended Constructed Response**
- In a five-paragraph essay, students will present an argument in response to the assessment question: Should the president ever violate the Constitution to pursue the best interests of the nation?
- Students should fully develop three points to support their claim, citing multiple pieces of evidence for each supporting point.
- Students should address counterclaims.

**Debate**
- Divide the class into six groups, directing three groups to support affirm the ability of the president to violate the Constitution to pursue the nation’s best interests and three groups to refute it.
- Give students one class period to prepare the debate. Be sure to review proper debate procedures.
- Conduct three separate 15 minute debates. When presenting their arguments, require students to offer three points to support their claim, citing multiple pieces of evidence for each supporting point.
- After each debate, have students vote as to which side presented the strongest evidence and won the debate.

- To assist with scoring the assessments, teacher should refer to RS#06, ARCH Historical Thinking Rubric (Corroboration, Claims, Evidence).

**References**

**Historical Sources with Annotations:**

**Source A:** Constitution of the United States

• These excerpts from the United States Constitution outline the federal government’s powers relative to territories and the making of treaties. For the purposes of this Lab, it is important that Article 4 seems to apply onto the governance of existing territories and makes no provisions for the acquisition of new territories.

Source B: Thomas Jefferson to John Breckinridge, 12 August 1803


• In this letter, President Thomas Jefferson states his opinion that the Constitution does not provide for the acquisition of foreign territories. He believes that the opportunity for the United States is so important, however, that Congress must ratify the treaty and then pass a Constitutional amendment authorizing the purchase.

Source C: Thomas Jefferson to Wilson Cary Nicholas [Senator] 7 September 1803


• In this letter, President Jefferson outlines his preference for a strict construction of the U.S. Constitution. He argues that the purchase of foreign territory is not addressed by the Constitution and that the best course is to ask the nation to amend the Constitution to specifically grant the power rather than assume those powers without permission.

Source D: Authority Given to the President to Take Possession of the Territory of Louisiana


• This legislation enabled the purchase of Louisiana after the fact.

Source E: John Quincy Adams to the U.S. Senate, 3 November 1803


• Although, as a Federalist, Senator John Quincy Adams typically opposed the policies of Thomas Jefferson, Adams supported Jefferson’s purchase of Louisiana. In this speech to the U.S. Senate, Adams argues that, in foreign relations, it is quite common for representatives of the president to agree in treaties to terms different from what they had been authorized to promise. Adams suggests that an addition to the Constitution will resolve the problem, and he is confident that public opinion is such that approval by a majority of state legislatures is certain.
Source F: Speech by Representative Roger Griswold, October 1803

- In this speech to the House of Representatives, argues that the incorporation of a foreign territory into the Union would subvert the original compact between the states. In addition, he believes that the vast territory would be ungovernable and that the dispersal of the population throughout the territory would threaten the balance between East and West.