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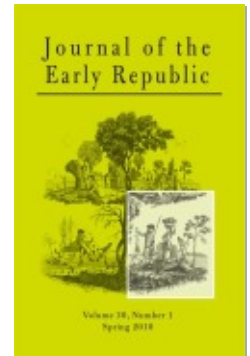
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“Free Trade and Sailors’ Rights”

The Rhetoric of the War of 1812

PAUL A. GILJE

On July 2, 1812, Captain David Porter sailed the United States Frigate *Essex* out of New York harbor. Upon a mast he hoisted a white flag, with these words: “A free trade and sailors rights.” Porter’s cruise was short and incredibly successful. In seventy days he captured ten prizes, including the outgunned HMS *Alert*—the first British warship to surrender to an American vessel during the War of 1812. This achievement was the beginning of a series of spectacular victories won by the American navy during the opening years of the conflict. When Porter returned to the United States, he was greeted with praise as his sailors poured into Philadelphia’s taverns with pockets bulging with prize money. The British, on the other hand, were irate. Porter had disguised the *Essex* as a merchantman and lured the inferior 20-gun *Alert* into range and then opened a devastating broadside. The uneven battle lasted about eight minutes and, along with the deception, made Porter appear ungentlemanly from the British perspective. As a result, Sir James Yeo of the frigate *Southampton* issued a challenge, offering “his compliments to Captain PORTER,” declaring that he “would be glad to have a *tete a tete*” with Porter’s ship, in which “he would have the pleasure to break his own sword over his DAMNED HEAD and put him in

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irons.” Porter, who like other American naval commanders believed in the *code duelo*, responded by returning his compliments to Sir James Yeo, and with tongue in cheek accepted “with pleasure his polite invitation.” Porter pledged “his honor to Sir James that no other vessel shall interrupt their *tete a tete*.” To make it plain he would not disguise the *Essex* this time, Porter declared that his frigate “may be known by a Flag bearing the motto—*Free Trade and Sailors Rights*.”¹

This simple banner with which Porter sought to identify his ship created an important political slogan that encapsulated for many Americans the meaning of the War of 1812. Other mottos from the era have had greater staying power in our history textbooks—phrases like Captain James Lawrence’s “Don’t give up the ship” and Commodore Oliver Hazard Perry’s “We have met the enemy, and they are ours.” These mottos may have been remembered as battle cries trumpeting military heroics for later jingoistic generations. But they did not carry the political potency of “Free Trade and Sailors’ Rights” at the time. Porter’s first voyage and the exchange with Yeo were played out before a national audience because they were reported in newspapers across the United States. For the remainder of the War of 1812 the phrase “Free Trade and Sailors’ Rights” helped define the aims of the Madison administration. More importantly, common people—especially common people attached to the sea—embraced the motto as their own, and the slogan

1. On Porter’s first cruise, see *Poulson’s American Daily Advertiser* (Philadelphia), Sept. 11, 18, 1812; *Gazette* (New York), Sept. 12, 18, 1812. Reports of the challenge were repeated in newspapers across the country. For a sampling of these reports, see *Constitutionalist and Weekly Magazine* (Exeter, NH), July 7, 1812; *National Intelligencer* (Washington, DC), July 8, 1812; *City Gazette and Daily Advertiser* (Charleston, SC), Oct. 1, 1812; *Patriot* (Boston), Sept. 23, 1812; *American Watchman* (Wilmington, DE), Sept. 23, 1812; *Democratic Republican* (Walpole, NH), Sept. 28, 1812; *Register and North Carolina Gazette* (Raleigh), Oct. 2, 1812; *Farmer’s Repository* (Charlestown, VA), Oct. 16, 1812. See also Porter’s account in *Journal of a Cruise Made to the Pacific Ocean by Captain David Porter, in the United States Frigate Essex, in the Years 1812, 1813, and 1814* (2nd ed.; 2 vols.; New York, 1822). For a discussion of ship-to-ship actions as dueling, see Dan Hicks, “Broadships on Land and Sea: A Cultural Reading of the Naval Engagements in the War of 1812,” in *Pirates, Jack Tar, and Memory: New Directions in American Maritime History*, ed. Paul A. Gilje and William Pencak (Mystic, CT, 2007), 135–60.

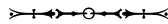
would appear and reappear for decades in many different circumstances and with a variety of different meanings.²

Why, then, did "Free Trade and Sailors' Rights" have such resonance for the American people? The answer lay in how each of the two elements within the phrase—"Free Trade" and "Sailors' Rights"—represented important aspects of the Revolutionary heritage from the eighteenth century and reflected the melding of both high and low cultures in a unique way that rejected the traditional order of the Old World. In short, by joining these two different strains in one phrase, Americans demonstrated the success of their revolution. Herein lies the true meaning of Porter's response to Yeo. On the surface Yeo's challenge was the more offensive and demonstrated an abrasiveness not immediately apparent in Porter's response. After all, Yeo promised not only to defeat Porter, but also "to break his own sword over his DAMNED HEAD and put him in irons." Such treatment would have denied Porter the honors of war owed to an officer and a gentleman. Porter responded with more decorum—at least on the surface—by merely stating that he accepted the challenge and promising that no other ships would interfere. But he also declared that he would have that banner with "Free Trade and Sailors' Rights" emblazoned upon his masthead. Porter thereby declared his intention to defend his honor, the honor of his sailors, and the honor of his nation. More importantly, the *Essex* would be fighting for the Revolutionary ideals that reflected both those on the top and those on the bottom of society.

This essay explores the full cultural meaning of the phrase "Free Trade and Sailors' Rights." We begin by examining the ideological origins of the two elements of the slogan—the ideas of "Free Trade" and "Sailors' Rights." After tracing the two elements of the slogan separately, we will look at how the phrase became a key component of the wartime rhetoric of the Republican Party. Slogans, however, often have a life of their own. "Free Trade and Sailors' Rights" became deeply imbedded in both the American maritime and mainstream cultures. I will therefore

2. Lawrence actually flew a banner with "Free Trade and Sailors' Rights" in his fatal encounter between the *Chesapeake* and the *Shannon*, while Perry named his flagship after the departed Lawrence and used a flag with "Don't give up the ship" during the Battle of Lake Erie.

examine the many uses of the phrase, beginning during the War of 1812 and continuing to the mid nineteenth century. In the process we will gain further insight on how the legacy of the American Revolution and the memory of the War of 1812 brought together ideals from both the high and low cultures, and how a few words of political rhetoric could be freighted with many and varied meanings.



The ideology of free trade challenged the way most nations did their diplomatic business in the eighteenth century. Traditional ideas of foreign policy depended on a theory of a balance of power and faith in what Adam Smith called the mercantile system. Beginning in the late seventeenth century, as Europe moved away from the horrors of religious wars and civil strife, the ideal of the balance of power had a certain attractiveness as each nation state strove to ensure its future sovereignty. Like other components of the intellectual world in the eighteenth century, the balance of power ideal had an appeal because of its supposed symmetry. If the philosophes—philosophers—spoke of balance in nature, some Enlightenment thinkers might argue that there ought to be a balance between states and even empires. These ideas, combined with the perspective of traditional international power politics, helped to convince European leaders to view trade as just another weapon of diplomacy to be wielded in an effort to gain advantage over competitor nations. Tariffs became a stick with which to beat one's opponents and a carrot with which to reward one's allies. War became a means to tilt the balance of power one way or another, and trade was a way of pursuing war by more peaceful means. European nations thus erected trade barriers and sought colonies, restricting commerce in ways to enhance the economic well-being of the metropolis.³

Although the notion of a balance of power reflected one strain of the Enlightenment, other philosophes saw traditional diplomacy as a part of the ancien regime that had best be discarded. For these thinkers, diplomacy had become the art of subterfuge that reflected the corruption of

3. This analysis builds upon the work of Felix Gilbert, *To the Farewell Address: Ideas of Early American Foreign Policy* (1961; repr. Princeton, NJ, 1970). For a different approach, see John E. Crowley, *The Privileges of Independence: Neomercantilism and the American Revolution* (Baltimore, 1993).

the old order. The balance of power as practiced by the sovereigns of Europe led to war and devastation.

This critique of traditional diplomacy encouraged many thinkers in the eighteenth century to advocate more honest relations between nations. Imbedded in the Enlightenment was a faith in nature and reason that shifted the way intellectuals viewed states. For many eighteenth-century philosophes, states no longer were to be identified with a crown or royal family. Instead they were best seen as comprising a people. And if the people were unconstrained by the whims of a sovereign, or so the optimistic philosophes believed, they would naturally and reasonably be peace loving. In short, without the jealousies of monarchs, a new world would emerge—one without war.⁴

As Enlightenment thinkers asserted universal ideals that ran counter to the anachronistic barriers of the past, some even came to attack the barriers created by borders. From this perspective, commerce should not be a diplomatic wedge to drive nations apart; instead commerce should be a universal cement binding nations together. In other words, merchants shared a common interest separate and distinct from the monarch's, one that transcended borders.⁵

Revolutionary Americans picked up on these Enlightened ideas and developed a new republican diplomacy based on free trade. Ideas concerning this concept, however, remained somewhat inchoate and can be viewed in three different categories. In its most extreme form, free trade meant the absence of all trade barriers. In the best of possible worlds, each country could ship its goods without customs duties and for the benefit of mankind. A less severe form of free trade would be with a reciprocal agreement whereby foreign merchants paid only the customs duties charged to the nation's own merchants. Finally, free trade also became associated with neutral rights and the idea that "free vessels made free goods," which meant that during a war no belligerent could interfere with the trade of a neutral power even if that trade was with an enemy nation.⁶

4. Thomas Paine, among others, articulated this vision. See Thomas Paine, *Common Sense*, ed. Isaac Kramnick (1776; repr. New York, 1976), 80–81.

5. Gilbert, *To the Farewell Address*, 57–66.

6. The literature on American Revolutionary diplomacy is large. In addition to Gilbert's *To the Farewell Address*, see Samuel Flagg Bemis, *The Diplomacy of the American Revolution* (Bloomington, IN, 1957); Thomas E. Chavez, *Spain and the Independence of the United States: An Intrinsic Gift* (Albuquerque, NM, 2002);

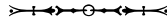
The Continental Congress took the first steps in the direction of free trade in its varied meanings even before the Declaration of Independence by voting on April 6, 1776, to open American ports to foreign vessels. That summer, as the new United States began to contemplate diplomatic relations with the rest of the world, John Adams drafted a model treaty to be sent with Benjamin Franklin on his mission to France. The document—sometimes referred to as the Plan of Treaties—sought to have the French pay the same duties in the United States as Americans, and the Americans pay the same duties as the French in France, creating in practice free trade. On one level, this approach appears incredibly naive. Revolutionary Americans sincerely seemed to believe that European powers would reject their time-tested diplomacy of advantage to gain the benefits of trade with the United States. On another level, the approach is exhilarating in its scope in imagining a new international world order.⁷

Of course, reality came crashing down on these utopian hopes. The revolutionary leaders knew that they needed to get tangible assistance from European nations if they had any hope of defeating the powerful British military machine. In February 1778 Benjamin Franklin and Silas Deane, the American representatives in Paris, signed two treaties with the French. One was a traditional military alliance. The other was a commercial treaty that fell well short of “free trade,” but at least granted both the United States and France most-favored-nation status with each other. Thus, in its first diplomatic initiative, the United States had to temper its ideals with a heavy dose of realpolitik typical of the Old World.⁸

Ronald Hoffman and Peter J. Albert, eds., *Diplomacy and Revolution: The Franco-American Alliance of 1778* (Charlottesville, VA, 1981); Lawrence S. Kaplan, *Entangling Alliances with None: American Foreign Policy in the Age of Jefferson* (Kent, OH, 1987); Paul A. Varg, *Foreign Policies of the Founding Fathers* (1963; repr. Baltimore, 1970).

7. Plan of Treaties (Sept. 17, 1776), *Journals of the Continental Congress, 1774–1789*, ed. Worthington C. Ford et al. (Washington, DC, 1904–37), 5: 768–69.

8. In addition to the general works cited above, see Samuel Flagg Bemis, *The Diplomacy of the American Revolution* (New York, 1935); Jonathan R. Dull, *A Diplomatic History of the American Revolution* (New Haven, CT, 1985); Richard B. Morris, *The Peacemakers: The Great Powers and American Independence* (New York, 1965); Bradford Perkins, *The Cambridge History of American Foreign Relations, Volume 1: The Creation of a Republican Empire, 1776–1865* (Cambridge,



Throughout the 1780s, 1790s, and early 1800s, despite their more realistic approach to diplomacy during the war, Americans still hoped to establish a new revolutionary regime in foreign affairs, whether it be in the free trade of Adam Smith, the reciprocity of the model treaty, or in the ideal of neutral rights of “free ships make free goods.” Unfortunately for the United States, it was a lesson that few other nations were interested in following. The most important trading partners with the United States—France, Spain, and Great Britain—did not accept the ideal of free trade in any form. The French already had the 1778 agreement that did not include neutral trade clauses, the Spanish were reluctant to sign a formal treaty without major concessions from the Americans until 1796, and while the Treaty of Paris of 1783 with Great Britain granted generous terms to the United States—an extended boundary to the Mississippi River, fishing rights to the Grand Banks, and recognition of independence—it excluded any commercial arrangements.⁹

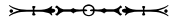
The fact that the United States was not successful in its goal of guaranteeing free trade and neutral rights did not mean that the new nation abandoned Enlightenment ideals concerning foreign affairs. It is only by understanding the tension between revolutionary ideals and the harsh realities of Old World diplomacy that we can comprehend the painful gyrations of American foreign policy between 1783 and 1815. We can see this tension in the effort to use commerce as a diplomatic tool, not to gain territory or some edge in a competition with other nations, but

UK, 1993); Andrew Stockley, *Britain and France at the Birth of America: The European Powers and the Peace Negotiations of 1782–1783* (Exeter, UK, 2001).

9. Besides the works cited in notes 6, 8, and 10, see Samuel Flagg Bemis, *Jay's Treaty: A Study in Commerce and Diplomacy* (New York, 1924); Stanley Elkins and Eric McKittrick, *The Age of Federalism: The Early American Republic, 1788–1800* (New York, 1993); John Lamberton Harper, *American Machiavelli: Alexander Hamilton and the Origins of U.S. Foreign Policy* (Cambridge, UK, 2004); Reginald Horsman, *The Diplomacy of the New Republic, 1776–1815* (Arlington Heights, IL, 1985); Daniel George Lang, *Foreign Policy in the Early Republic: The Law of Nations and the Balance of Power* (Baton Rouge, LA, 1985); Frank T. Reuter, *Trials and Triumphs: George Washington's Foreign Policy* (Fort Worth, TX, 1983); Robert W. Smith, *Keeping the Republic: Ideology and Early American Diplomacy* (DeKalb, IL, 2004).

to pry open markets and convince other nations to accept the Enlightenment ideal of free trade. As Secretary of State Thomas Jefferson wrote, "Instead of embarrassing Commerce under piles of Laws, Duties, and Prohibition," all nations should remove their "shackles" on trade and "every Country be employed in producing that which Nature has best fitted it to produce, and each be free to exchange with others mutual surplusses, for mutual Wants." If such an ideal commerce could be reached, "the greatest mass possible would be then produced of those Things which contribute to human life and human happiness; the numbers of mankind would be increased and their condition bettered." Jefferson believed that the United States should sign an agreement with any nation willing to open its trade. However, in the meantime, "should any Nation" (read here Great Britain), "contrary to our wishes, suppose it may better find its advantage by continuing its System of Prohibitions, Duties and Regulations, it behooves us to protect our Citizens, their Commerce and Navigation, by Counter Prohibitions, Duties and Regulations, also." He concluded, "Free commerce and navigation are not to be given in exchange for Restrictions and Vexations; nor are they likely to produce a relaxation of them." The same thinking lay behind the Embargo, Non-Intercourse and Macon's Bill No. 2, before the War of 1812. Despite the failure of these measures, the one consistent element of American foreign policy up until the outbreak of the War of 1812 remained the desire for "free trade." As far as Captain Porter was concerned, and the sailors aboard the frigate *Essex*, plastering the phrase "Free Trade" upon a banner atop of a mast of their ship was an insult to Sir James Yeo and the British government—an insult that asserted an ideal central to the revolutionary identity of the United States and summarized one of the main reasons why the United States entered the war.¹⁰

10. *The Papers of Thomas Jefferson*, ed. Julian P. Boyd (35 vols., Princeton, NJ, 1950–), 27: 574. For an elaboration on Jefferson's ideas on commerce, see Merrill D. Peterson, "Thomas Jefferson and Commercial Policy, 1783–1793," *William and Mary Quarterly* 22 (Oct. 1965), 584–610; Lawrence S. Kaplan, *Thomas Jefferson: Westward the Course of Empire* (Wilmington, DE, 1999); Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill, NC, 1980); Robert W. Tucker and David C. Hendrickson, *Empire of Liberty: The Statecraft of Thomas Jefferson* (New York, 1990). For the diplomacy leading up to the War of 1812, see Roger H. Brown, *The Republic in Peril: 1812* (New York, 1964); Richard Buel, Jr., *America on the Brink: How the Political Struggle over the War of 1812 Almost Destroyed the Young Republic* (New York,



The "Free Trade" portion of the slogan, however, was just the beginning of its intended affront. If the ideal of free trade traced its roots to the high culture of the Enlightenment and the rarified writings of the philosophes and ruminations of Adam Smith, the declaration for sailors' rights expressed a different strain of the revolutionary heritage tied more directly to the politics of the streets—and of the waterfront—that reflected the democratic nature of the American Revolution. This low-culture message was meant not only to rile aristocratic captains like Sir James but also as a not-too-subtle form of subversion intended to appeal to the common seamen who manned the *Southhampton*. Any banner that included the phrase "Sailors' Rights" proclaimed to the impressed seamen of the British navy that the *Essex* was fighting for the rights of American seamen, and, by extension, the rights of all seamen. Such a statement had revolutionary implications with deep roots in the history of Anglo-American relations.

Like the patrician appeal of "Free Trade," the more plebeian "Sailors' Rights" traced its antecedents to the eighteenth century. The idea of sailors' rights spoke directly to the ability of individual seamen to control their own lives and labor. Impressment—the forced recruitment of men into the navy—threatened this right. Colonial Americans rioted against impressment, and the issue was an important backdrop to the participation of waterfront crowds during the resistance movement. That experience, coupled with the sacrifices sailors made during the Revolutionary War and the early republic—a subject I explore more fully elsewhere—helped to include maritime workers into an expanding definition of citizenship by the opening decade of the nineteenth century.¹¹

Impressment into the British navy threatened the rights of American citizens at sea and therefore threatened the American national identity. The British navy had impressed some American sailors as early 1790,

2005); Reginald Horsman, *The Causes of the War of 1812* (Philadelphia, 1962); Bradford Perkins, *Prologue to War: England and the United States, 1805–1812* (Berkeley, CA, 1968); Burton Spivak, *Jefferson's English Crisis: Commerce, Embargo, and the Republican Revolution* (Charlottesville, VA, 1979).

11. Paul A. Gilje, *Liberty on the Waterfront: American Maritime Culture in the Age of Revolution* (Philadelphia, 2004).

but it was only after Great Britain entered the war with France in 1793 that the practice became commonplace. As the hostilities intensified, the demand for men by the British navy, which was seen as the only bulwark between revolutionary and then Napoleonic France and the British Isles, became insatiable. A naval vessel had to be packed with humanity. A frigate could easily have 250 to 350 men; larger warships might have well over 1,000 men. The number of seamen in the British navy rose from 36,000 in 1792 to approximately 120,000 men by 1805. But the British ships seemed to bleed men. Any time a ship pulled into a port, some men would desert even though punishment for such an action could be hundreds of lashes and even loss of life. Death from battle, amplified by even more fatalities from disease, meant that by 1805 the British needed to recruit an additional 10,000 men a year just to keep their ships manned. Given this situation, captains were often desperate for men and cared little where and how they obtained them.¹²

In the meantime the American merchant marine grew by leaps and bounds. Crews aboard these ships were minimal. A full-sized, three-masted ship might have a crew of eight or ten. Merchant seamen would be divided into two work groups, called watches. Each watch would work four hours on and four hours off, with an overlap dogwatch in the evening to ensure that the time of day that each watch worked would be constantly changing. In each watch of four or five men it might be acceptable to have one or two inexperienced hands, but it was also absolutely essential to have one or two expert seamen who literally had to know the ropes and be able to hand, reef, and steer. To attract such seamen American merchants paid high wages—higher than what could be earned aboard ships from another country, and much higher than what could be earned in the British navy. Every time a British ship came to a North American port, or even within hailing distance of an American ship in any port, some sailors were bound to desert for the high wages and better treatment in the American merchant marine. Given the growth

12. *American State Papers*, 1 *Foreign Affairs* 1: 123–24, 761–66 (hereafter *Am. St. P.*); *Am. St. P.: Foreign Affairs* 2: 126–50, 147–50, 269, 73, 292–94, 471–74, 593–95, 730–31, 737, 776–98; *Am. St. P.: Foreign Affairs* 3: 51, 58, 65, 73, 166, 347–48, 405; Peter Kemp, *The British Sailor: A Social History of the Lower Deck* (London, 1970), 99–103, 162–63; Christopher Lloyd, *The British Seaman 1200–1860: A Social Survey* (London, 1968), 112–93.

of American commerce and the thousands of ships sailing under the American flag by the early 1800s, the skilled seamen from the British navy became an essential part of the American maritime work force. And by the same token, the British sought to replenish the lost manpower by impressing men from American ships. Americans responded by decrying impressment.¹³

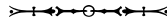
This concern with impressment strengthened the idea that sailors had rights. The Federalist Party, which had a relatively restricted idea of citizenship, took a dramatic step to include Jack Tar—who was generally poor and unpropertied—as a part of the political nation. A Federalist Congress passed a law in 1796 to protect sailors from impressment by issuing each American-born seaman a document attesting to his nationality. These certificates, popularly referred to as protections, could be issued by any magistrate in a court in the United States. Signed by the sailor, a witness, and the magistrate, the protection listed the sailor's name, identifying characteristics—height, complexion, tattoos, scars, and the like—and the location of his birth. Although often ignored by the British navy because the protections were easily forged and sometimes sold by the sailors themselves, the United States government took the documents seriously; between 1796 and 1812 the total number of seamen registered at customs houses was 106,757.¹⁴

Beginning in 1797 the State Department also sent to Congress the names of each sailor impressed by the British navy who reported his condition. These lists fill pages and pages of the *American State Papers* and offer a brief testament to the ordeal experienced by as many as ten thousand American seamen. Moreover, the government of the United States did not remain passive in responding to the impassioned pleas of pressed American seamen. American diplomats lodged official protests for thousands of individual cases and actually obtained the release of many, but not all, of the seamen in the records. Countless others, however, went unreported and remained imprisoned in his majesty's navy. During the opening decade of the nineteenth century, impressment had become an important political issue, which had a tremendous appeal since it had a direct impact on common folk—many Americans knew

13. Gilje, *Liberty on the Waterfront*, 157–62.

14. *Niles' Weekly Register* (Baltimore), Feb. 27, 1813.

or had heard of someone who had been impressed or threatened by impressment.¹⁵



By the beginning of the War of 1812 few Americans questioned whether sailors had rights. As James Madison explained in his war message on June 1, 1812, “thousands of American citizens” (note that there is no question of their citizenship) “under the safeguard of public law and of their national flag” (no doubt of the proper role of the government to protect them) “have been torn from their country, and from every thing dear to them.” To make the case even stronger, Madison described the condition of the impressed seamen in stark terms: These men “have been dragged on board ships of war of a foreign nation; and exposed, under the severities of their discipline, to be exiled to the most distant and deadly climes, to risk their lives in the battles of their oppressors, and to be the melancholy instruments of taking away those of their own brethren.”¹⁶

If the phrase “sailors’ rights” contained special meaning for the American public and the Jack Tars aboard the *Essex*, it also sent a message to those who served in the British navy. By 1812 nearly every British ship had some American seamen on board. These men would of course understand the potency of that phrase. But so, too, would the British-born seamen. Since the Spanish Armada in 1588, and continuing throughout their multiple wars with France, the British people trumpeted their sailors as protectors of the British Isles. As a result, in a development that was both predecessor and parallel to what occurred in the United States during the early republic, the sailor became a national emblem. This sense of patriotism, combined with revolutionary ideas in the 1790s, exploded in the great mutinies at Spithead and the Nore in 1797 for better pay and treatment. The legacy of these mutinies was clear to both the quarterdeck—the officers—and the gundeck—the common seamen: The British tars were the defenders of the nation who had some rights and, as such, they could be pushed only so far. If anyone missed this message, the infamous mutiny of the H.M.S. *Hermione* in September

15. Ira Dye, “The Philadelphia Seamen’s Protection Certificate Applications,” *Prologue: Journal of the National Archives* 18 (1986), 46–55.

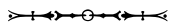
16. *Am. St. P.*, 1, *Foreign Affairs* 3: 405.

1797 lingered in the collective Anglo-American memory. The mutineers threw the abusive Captain Hugh Pigot overboard, sailed the ship to South America, and surrendered it to the Spanish. The men then scattered across the seven seas. For decades the British government hunted the mutineers. When one mutineer was identified in Charleston in 1799, his extradition was debated in the halls of Congress. In other words, simmering beneath the surface in every British ship was an awareness that even those in the British navy had some rights.¹⁷

The subversive nature of Porter's message can be seen in the battle when the British finally captured the *Essex* in Chilean waters in 1814. The British captains, whose ships outnumbered Porter, flew a standard of their own, "God and country, British sailors' best rights; traitors offend both." Porter, who still displayed a flag emblazoned with "Free Trade and Sailors' Rights," believed the British sought to counter his motto "under the erroneous impression that my crew were chiefly Englishmen or to counteract its effect on their own crews." Porter, who wanted the last word, ran up an additional banner in response, with "God, our country, and liberty; tyrants offend them." The spectacular success of the voyage of the *Essex* to the Pacific—Patrick O'Brien used Porter's voyage as a model for his book that was made into the movie "Master and Commander"—and even its defeat by what Americans viewed as perfidy, only added to the fame earned by the American navy during the War of 1812. By the time the *Essex* surrendered on the "far side of the world," the phrase "Free Trade and Sailors Rights" had become deeply imbedded in American political rhetoric.¹⁸

17. Job Sibly, *The Trial of Richard Parker, Complete; President of the Delegates, for Mutiny, &c* (Boston, 1797), 275, 49. See also James Dugan, *The Great Mutiny* (New York, 1965); Dudley Pope, *The Black Ship* (1963; repr. New York, 1998); Joseph P. Moore, III, "'The Greatest Enormity that Prevails': Direct Democracies and Workers' Self-Management in the British Naval Mutinies of 1797," in *Jack Tar in History: Essays in the History of Maritime Life and Labour*, ed. Colin Howell and Richard J. Twomey (Fredericton, New Brunswick, 1991), 11–36, 76–104. On the case of Jonathan Robbins, see Ruth Wedgwood, "The Revolutionary Martyrdom of Jonathan Robbins," *Yale Law Journal* 100 (Nov. 1990), 229–368.

18. For an example of the popular reaction to Porter's battle in Chilean waters, see *Daily National Intelligence* (Washington, DC), July 22, 1814, which declared the battle "the most glorious naval action that has been fought in this war. The article also began with "FREE TRADE AND SAILOR'S RIGHTS!" See also



As we have seen, both high and low cultural threads came together and were woven into the pennant placed aboard the *Essex* as it headed to sea in 1812. From that point forward the political slogan gained a life of its own. Within months politicians were using the phrase “Free Trade and Sailors’ Rights” in speeches in the halls of Congress to summarize the war aims. In early 1813 Henry Clay used the phrase to end a speech defending the war. Clay concluded with a dramatic flourish, “In such a cause, with the aid of Providence, we must come out crowned with success; but if we fail, let us fail like men, lash ourselves to our gallant tars, and expire together in one common struggle, fighting for ‘Seamen’s Rights and Free Trade.’” A year later Congressmen Charles Jared Ingersoll used the phrase during a debate concerning the army bill, declaring that the real reason for the war was to protect maritime rights, which he viewed as “the lineal offspring of those precious birth rights for which are fore fathers invincibly contended.” Ingersoll continued with rhetoric that is difficult to disentangle and conflated a standard with “Free Trade and Sailors’ Rights” with the American flag. Ingersoll proclaimed “The American flag has not been struck. It should never be struck. It never will be removed from the mast, where it floats, the glorious banner of ‘Free Trade and Sailors’ Rights.’” Ingersoll’s confused use of pronouns and shift from the Stars and Stripes to “Free Trade and Sailors’ Rights” suggests that the slogan used by Porter had become associated with national identity. The phrase continued to echo in the halls of Congress. A few months later John C. Calhoun began a speech by tracing the origins of the war “as it had been emphatically and correctly stated, a war for free trade and sailors’ rights.”¹⁹

Daily National Intelligence (Washington, DC), July 13, 14, 1814; *The Historical Register of the United States*, June 1, 1814; *The True American* (Bedford, PA), Aug. 10, 1814; *Salem Gazette* (MA), Aug. 26, 1814.

19. *The Carolina Gazette* (Charleston, SC), December 5, 1812; *New-York Spectator*, Dec. 5, 1812; *Annals of Congress*, 12th Congress, 2nd sess., House of Representatives, Jan. 8, 1813, 676; *Annals of Congress*, 13th Congress, 2nd sess., House of Representatives, Jan. 15, 1814, 1005–1006; *Daily National Intelligencer* (Washington, DC), Jan. 20, 1814; *Annals of Congress*, 13th Congress, 2nd sess., House of Representatives, Apr. 6, 1814, 1962; *Niles’ Weekly Register* (Baltimore), Apr. 23, 1814. For other Congressional speeches that used “Free Trade and Sail-

Even before Clay's oration, the slogan had become ubiquitous and appeared in songs and in toasts at Republican meetings throughout the country. In "Sovereignty of the Ocean," a "new song" that celebrated the victory of the *Constitution* over the *Guerrere*, one stanza had Isaac Hull cry "free trade, seamen's rights, now let every shot tell." On January 11, 1813, the Jeffersonians of Havre de Grace, Maryland, held a dinner to honor the victory of the *Wasp* over the British sloop *Frolic*, and included among their toasts, "The internal prosperity of the U. States, agriculture and the arts; their external glory, free trade and sailors' rights." Republican newspapers even put the phrase atop their endorsements for political tickets.²⁰

"Free Trade and Sailors' Rights" came to epitomize the American maritime dedication to the War of 1812. In a demonstration of that commitment, privateers and American warships proudly displayed standards with the words emblazoned upon them. Repeatedly stories of naval engagements carried some reference to the phrase. Captain James Lawrence flew a flag with "Free Trade and Sailors' Rights" in the fatal encounter between the *Chesapeake* and the *Shannon*. Newspaper stories of the funeral of Lawrence and one of his lieutenants, after their bodies had been returned by the British, began with "MARTYRS IN THE CAUSE OF 'FREE TRADE AND SAILOR'S RIGHTS.'" By the end of the War of 1812 a banner with the slogan flew in proud defiance on a battery protecting the burned ruins of the White House, and intrepid sailors had

ors' Rights," see *The War* (New York), Nov. 21, 1812; *Raleigh Register and North-Carolina Gazette*, Mar. 12, 1813.

20. *Philadelphia Weekly Aurora*, Jan. 26, 1813; *Baltimore Patriot*, Jan. 16, 1813. For political tickets with "Free Trade and Sailors' Rights," see *Centennial of Freedom* (Newark, NJ), Sept. 13, 29, 1813; *New Jersey Journal* (Elizabethtown, NJ), Sept. 14, 1813; *Tickler* (Philadelphia), Sept. 29, 1813. For political articles with this headline see *Columbian* (New York), April 21, 1813; *Republican Star or Eastern Shore General Advertiser* (Easton, MD), May 5, 1813; *Centennial of Freedom* (Newark, NJ), Aug. 31, 1813; *Salem Gazette* (MA), June 14, 1814. For a sample of articles that referred to "Free Trade and Sailors' Rights," see *New-York Gazette*, Mar. 17, 1813; *Essex Register* (Salem, MA), Mar. 13, 1813; *Columbian Phoenix* (Providence, RI), Apr. 17, 1813; *Daily National Intelligence* (Washington, DC), July 8, Oct. 8, 1813. For other political articles, see *Daily National Intelligence* (Washington, DC), Apr. 19, 1813.

written the words across “the star spangled banner” as they raided British commerce in the English channel.²¹

The phrase became so enshrined in the political rhetoric of the day that even members of the Federalist Party used “Free Trade and Sailors’ Rights,” albeit usually in an effort to criticize the war. Early in the conflict some Federalists claimed that they advocated “‘*the liberty of the seas*’ and ‘*free trade and sailor’s rights*’ with as much pertinacity as the most squeamish admirer of the administration,” and reminded anyone who would listen that “to establish the freedom of the seas and protect sailors in their rights” they “earnestly laid the foundation of a navy.” Federalists, however, soon gave up using the phrase in any positive light. “Free Trade and Sailors’ Rights” became so identified with the Republicans that the very words became an anathema to be mocked and ridiculed. In a tacit recognition of how powerful the slogan of “Free Trade and Sailors’ Rights” had become, a few diehard Federalists continued to refer to it after the Treaty of Ghent to expose what they saw as Republican hypocrisy in the final peace agreement. In February 1815 Alexander Contee Hanson ranted against the failure of the Treaty of Ghent to settle any of the issues that had caused the war. He harangued Congress that the issue of impressment “is abandoned by the very authors themselves of the cabalistic words ‘FREE TRADE AND SAILORS’ RIGHTS.’”²²

Regardless of the Federalist fulminations, and the truth of some of their accusations, “Free Trade and Sailors’ Rights” carried special meaning for the sailors who fought in the War of 1812. For the common folk who went to sea during the War of 1812, “Free Trade and Sailors’ Rights” not only summed up the aims of the war but also became a shorthand to remind the rest of the world that sailors, too, were citizens who were central to the identity of the United States. Most sailors rejected the Federalist view of the War of 1812. Marbleheader John Allen went to New York City in 1814 and signed on to a privateer. Before

21. *The Enquirer* (Richmond, VA), Aug. 31, 1813; *Niles’ Weekly Register* (Baltimore), Sept. 18, 1813, Feb. 26, 1814. See also *The Native American* (Norwich, CT), Dec. 9, 1813; Rutland (VT) *Herald*, Mar. 31, 1813; *Alexandria Gazette* (VA), Oct. 26, 1813; *Albany Argus*, Oct. 26, 1813. Interestingly, the White House and English channel reference came from a speech by Alexander Contes Hanson in which he attacked the Treaty of Ghent. *Niles’ Weekly Register*, Feb. 15, 1815.

22. *Maryland Gazette and Political Intelligencer* (Annapolis), Sept. 16, 1813; *Niles’ Weekly Register* (Baltimore), Feb. 15, 1815.

going aboard the vessel, Allen visited with an old shipmate and met a number of other sailors. Allen noted that the men were all Jeffersonian democrats who believed thoroughly in "free trade and sailors' rights." He told them that his "early associations were with the Federalists and the ideas of Alexander Hamilton, but that now he believed that their position was better." When news of the Treaty of Ghent arrived in Dartmoor Prison in England on December 29, 1814, the sailor prisoners-of-war were elated. Charles Andrews wrote that "We were confident that the ground-work of the treaty must be free trade and sailors' rights; and made arrangements to celebrate it in a manner conformable to the rights of the ocean." The prisoners prepared a flag with a white background with the words "FREE TRADE AND SAILORS' RIGHTS" painted on it, which they flew from the top of the prison—much to the chagrin of the British commandant.²³

If sailors understood the political meaning of the phrase, they could also push and pull it in directions all their own that reflected their own self-deprecating humor. We can see this self-mocking usage both during and after the War of 1812. When the American sailors in Dartmoor began to set up shops selling coffee, tobacco, potatoes, butter, bread, and a host of items, one prisoner chortled, "Indeed, we had 'free trade and sailors's rights,'" making fun of this open market in goods by Jack Tars. This ability to mock even what sailors held sacred persisted in the years after the war. A group of sailors recruited for the United States Navy in 1845 objected to having the bar closed to them aboard a steamboat between Amboy and New York. The recruits democratically voted that this action was an outrage, "or as a wag of the party put it" this "aristocratic dram shop" had committed "an infringement on the ever-to-be-respected doctrine of Free Trade and Sailors Rights." With that declaration the sailors broke into the bar and drank without paying a cent.²⁴

23. John Allen, "Biographical Folders: Folder NY and departure of General Armstrong," Jacob Reeves Papers, 1809–1835, Massachusetts Historical Society; Charles Andrews, *The Prisoner's Memoirs, or Dartmoor Prison* (New York, 1815), 73–74; 136–37.

24. Andrews, *The Prisoner's Memoirs*, 73–74; Charles Nordoff, *Man-of-War Life: A Boy's Experience in the United States Navy, During a Voyage around the World in a Ship-of-the-line*, ed. John B. Hattendorf (1855; repr. Annapolis, MD, 1985), 33–34.

Despite this trivialization of “Free Trade and Sailors’ Rights,” and the apparent abandonment of its principles in the Treaty of Ghent, the phrase retained its more serious meaning. When sailors turned to collective action they often used the motto as a rallying cry. In 1837 about one hundred New York “Jacks” paraded the streets to protest the dollar tax for a hospital fund exacted upon every seamen arriving from a foreign port. These men marched under banners proclaiming “free trade and sailors’ rights—no dollar a voyage.” Five years later a cut in wages by twenty percent from the previous year led to a sailors’ strike in New York and a procession of 400 seamen, again with their own band of music, with two banners: One proclaimed “\$15—Live and Let Live”; the other “was inscribed the old sailor’s motto, under which he has shown himself ready to fight in days that are past, when the cause of his country demand it, Free Trade and Sailors Rights.” A report of a meeting of Baltimore seamen, who were also protesting their low wages, appeared under the heading of “Free Trade and Sailors’ Rights.” Two years later, and almost thirty years after the end of the War of 1812, sailors passed out a handbill with the heading “Free Trade and Sailor’s Rights” calling for a meeting to demand an increase of wages.²⁵

The slogan still had uses within the general population of the United States. The phrase popped up in a variety of situations, some patriotic and some not so patriotic. Reports of a supposed impressment in 1820 appeared under the heading of “Free Trade and Sailors’ Rights.” In a somewhat different vein, a New Hampshire newspaper used the same phrase to headline a story about the efforts of some “canal proprietors” to detain boats on the Merrimac River, asserting that if they did “not put a stop to these high-handed measures, the people of New-Hampshire will put a stop to all trade upon the river.” In landlocked Kentucky during the 1820s, the phrase “Free Trade and Sailors’ Rights” was engraved on some bank bills. In the summer of 1839, Philip Martin began his newspaper advertisement for his Guilford, Vermont, “Cheap Cash Store” with the proclamation “NO MONOPOLY—NO COMBINATION!!!” followed with “Free Trade and Sailors’ Rights is the old Republican doctrine.” Occasionally other workers would use the slogan—or at least a version of the slogan—in their protests. Cloth work-

25. *Philadelphia Enquirer*, June 9, 1837; *New Hampshire Gazette* (Portsmouth), Nov. 1842; *Sheet Anchor* (Boston), Mar. 16, 1844, 41–42.

ers in 1828 paraded with a banner proclaiming "Free Trade and Mechanic's Rights" in protest when merchants closed stores in the evening in Dover, New Hampshire. By exchanging the word "sailor" for the word "mechanic," these workers argued that if sailors were to have rights, so should skilled workmen. Their use of Porter's motto centered more on the second part of the slogan than the first. As textile workers, they seemed to have ignored the free trade portion of the equation. Tariffs protecting the manufacturing of cloth—which were an important political issue in 1828—ran counter to the ideal of free trade. But such tariffs would also ensure employment for workers like the strikers. We can only assume that in 1828, more than a decade after the end of the War of 1812, the phrase retained so much resonance among the common folk that it was possible to assert "free trade and mechanics' rights" without fully comprehending the intellectual roots of free trade. Instead, the phrase had become an assertion of fair treatment of common folk, whether they be sailors, mechanics, or whoever.²⁶

If there appeared confusion in applying the slogan, it should not be surprising. By the 1820s politicians who might have known better had begun to marshal the slogan "Free Trade and Sailors' Rights" for a wide variety and often contradictory political purposes. We can see this confusion when protectionists used the phrase in their arguments against free trade. The height of this ridiculousness of mixed messages came at a meeting of manufacturers in Pawtucket, Rhode Island, early in 1828. With Samuel Slater presiding, the assembled gathering honored Henry Clay, who was proclaimed as "the great champion and friend of domestic manufactures." Surrounding a portrait of Clay were several banners, including one that declared that "Commerce and Manufactures are but kindred branches of the wealth of the nation. The one cannot exist without the other." This banner perhaps explains the truly incongruous standard near by which conjoined two seeming opposites without apparent contradiction: "Free Trade and Sailors' Rights and the Home Protecting Policy."²⁷

26. *Hillsboro Telegraph* (Amherst, NH), Mar. 18, 1820; *Eastern Argus* (Portland, ME), Mar. 21, 1820; *New-Hampshire Patriot* (Concord), May 9, 1820; *Saturday Evening Post*, Jan. 25, 1828; *Vermont Phoenix* (Brattleboro), July 26, Aug. 2, 9, 1839; Laurel Thatcher Ulrich, *The Age of Hometown: Objects and Stories in the Creation of an American Myth* (New York, 2001), 391, 476n42.

27. *Patriot* (Baltimore), Jan. 28, 1828.

This confused approach to Porter's motto persisted and may have reached its apex in the election of 1844. Known mostly for the debate over expansionism, the election also saw the re-emergence of "Free Trade and Sailors' Rights" as a political slogan. The Peabody Essex Museum in Salem has a banner that probably dates from this presidential election, while Herman Melville watched a New York parade with flags displaying the slogan. Melville, as a sailor, took special note of the phrase "Free Trade and Sailors' Rights," but there was probably no way for him to tell which political side was marching from the banner alone because all parties claimed allegiance to the now much abused and sacred phrase. The Democratic Party may have had the surest title to the mantle of both "free trade" and "sailors' rights" because it opposed protectionism and claimed to speak for the common man. So it should not be surprising that Democrats like those in Charleston, South Carolina, would include in their parade celebrating James Polk's victory a pendant on a model ship with "We have met the enemy and they are ours" on one side and "Free Trade and Sailors Rights" on the other. The Democratic claim to the slogan did not go uncontested. A Whig Party article headed by "Free Trade and Sailors Rights" lambasted the Democrats for allowing foreign ships to enter the coasting trade and declared "What are Sailors Rights! That our Government should protect our own seamen against all and every foreign Power." The essay also claimed that the defenders of the low tariffs were from the South where slaves took many jobs away from sailors. The author pointed out that Henry Clay had always sought to protect the seamen, citing specifically the provisions of the Treaty of Ghent. Thus the best way to support "Free Trade and Sailors' Rights" was to vote for the tariff-supporting Whigs.²⁸

This confused rhetoric did not stop with the Democrats and Whigs. From Nauvoo, Illinois, Joseph Smith hoped to marshal his legions of Mormons to lead the nation toward a "theodemocracy." In his political manifesto of April 15, 1844, Smith called for a nation "where God and the people hold power to conduct the affairs of men in righteousness; and where liberty, free trade and sailor's rights, and the protection of life and property shall be maintained inviolate, for the benefit of ALL."²⁹

28. Hershel Parker, *Herman Melville: A Biography, Volume I, 1819–1851* (Baltimore, 1996), 334; *Southern Patriot* (Charleston, SC), Nov. 19, 1844; *Albany Journal* (NY), Nov. 1, 1844.

29. *Milwaukee (WI) Sentinel*, June 8, 1844.

By the 1840s the political punch of "Free Trade and Sailors' Rights" had softened. It had become a catchall that was almost divorced from its original meaning. At the beginning of the War of 1812 the phrase had represented a potent mixture of patrician ideas borrowed from the Enlightenment and plebeian ideas derived from the experience of the Age of Revolution. There were many reasons for the War of 1812, but for most Americans a few simple words encapsulated what they were fighting for and served as a powerful retort to any insult issued by an aristocratic Briton. "Free Trade and Sailors' Rights" brought the world of Jack Tar front and center to the American national consciousness. But once the war was over, the many uses of the words weakened their meaning even as they appeared and reappeared in a host of contexts. For the common seamen the phrase continued to have importance, although every sailor could just as easily mock himself by misapplying the term in comic relief. For the rest of the public, the phrase resonated with the legacy of the Revolution and the memory of the War of 1812 and could be twisted and turned to a variety of personal and political uses.

If the phrase "Free Trade and Sailors' Rights" had lost much of its potency for some Americans, for others it retained its deeper meaning. Abolitionists referred to "Free Trade and Sailors' Rights" when they attacked the Negro Seamen's Acts of the South. First passed in South Carolina in 1822 in response to the Denmark Vesey Conspiracy, these state laws sought to limit contact between black seamen and slaves by imprisoning any black sailor who came ashore while in port. By the 1840s similar laws had been passed in North Carolina, Georgia, Florida, Alabama, and Louisiana. The *Emancipator* connected the issue to the great clarion from thirty years before. In December 1842 the newspaper published a letter from Rufus Kinsman, a black seamen from Lisbon, Connecticut, who was imprisoned and forced to work like a slave for having violated the Louisiana Negro Seamen's Act by coming ashore when his ship arrived in New Orleans. The article went on to declare that "this outrage" had been "committed under the name of a slaveholding law, and at the direction of a slaveholding justice, among a people clamorous for free trade and sailor's rights!" A few months later the *Emancipator* printed another article, written by William P. Powell who ran the "house for colored semen in New -York," that explored further the meaning of "Free Trade and Sailors' Rights" in relation to American history and the Negro Seamen's Acts. Powell fabricated a discussion between some sailors on watch at sea. Mr. Spunyarn began by saying,

"Well, shipmates, I will give you a sentiment—'Success to Free Trade and Sailors' Rights.'" To which Jack Halyard responds in exaggerated sailor language "Avast there, Matey; better belay that. 'Free Trade and Sailors' Rights!' what does that mean, Mr. Spunyard?" The perplexed Mr. Spunyard believed the slogan needed no explanation and could only retort "Why Jack, it means—it m-e-a-n-s 'Free Trade and Sailors' Rights,' to be sure." Halyard was not satisfied with this nonanswer, and with some sarcasm expanded on his own understanding of the slogan to his African American shipmates. Free Trade and Sailors' Rights meant that in "the late war with Great Britain, the United States settled the question that her commerce should be *Free*, and her sailors protected in their rights, as American citizens." During that "great struggle . . . the whole nation looked up to our navy, and the hardy sons of the ocean, for protection." In the war "when that beautiful motto 'Free trade and Sailor's rights,' was run up to the MAIN TRUCK of every ship of war, and flowing to the pure breeze of heaven" the "colored seamen . . . entered the service of their country," nobly fighting "by the side of Decatur, Perry, and others." Halyard, then added with biting irony, that black sailors had "sacrificed their lives on their country's altar, and eventually secured to every American citizen, rights, privileges and immunities, which, alas, the colored sailors do not enjoy!" "Tom Handy," one of the other sailors, asked, "But Jack, you do not mean to say we are not American citizens?" Halyard responded that they were not "by no means" citizens since the southern states had passed laws "imprisoning colored seamen when they go into their ports, and that too, when sailing under the Star-Spangled Banner" for "'no color of crime,' but for the 'crime of color!'" Halyard condemned this injustice: "Shame!—Shame!! Shipmates I blush for my country, and am forced to exclaim, Oh Columbia! Columbia!! the pride of the world, the nation's glory. Dost not thou assume pre-eminence with all other nations for magnanimity and honor? . . . Does any high-minded nation imprison and enslave their benefactors—their own fellow citizens for no crime whatever?"³⁰

The phrase also emerged with its more serious meaning in other con-

30. Philip M. Hammer, "Great Britain, the United States, and the Negro Seamen Acts, 1822-1848," *Journal of Southern History* 1 (Feb. 1935), 3-28; W. Jeffrey Bolster, *Black Jacks: African-American Seamen in the Age of Sail* (Cambridge, MA, 1997), 190-214. *Emancipator* (New York), Dec. 1, 1842, Mar. 9, 1843.

texts. Many years after running away to escape slavery, Frederick Douglass finally told the full story of his 1838 escape to freedom on a train from Baltimore to Philadelphia wearing sailor clothing. Perhaps remembering the opposition to the Negro Seamen's Acts, he believed that the sympathy for Jack Tar at the time, especially in relationship to "Free Trade and Sailors' Rights," helped him. Main stream politicians might also remember the ideological content of the phrase. Abraham Lincoln attended a Whig rally in Lexington, Kentucky, on November 13, 1847, to listen to Henry Clay speak. On that day Lincoln heard Clay contrast the Mexican-American War of conquest with the "just war" fought in 1812 in which "the great object, announced at the time, was free trade and sailors' rights against the intolerable and oppressive acts of British power on the ocean." Clay continued. "How totally variant is the present war! This is no war of defense, but one unnecessary and of offensive aggression. It is Mexico that is defending her firesides, her castles, and her altars, not we." Clay's speech carried an important message. As far as Clay's memory was concerned the rhetoric of the War of 1812, encapsulated in the phrase "Free Trade and Sailors' Rights," demonstrated that justified wars were based upon ideals connected to the rights of men—a lesson that was probably not lost on an obscure politician from Illinois.³¹

31. Frederick Douglass, *Life and Times of Frederick Douglass* (rev. ed.; Boston, 1892), 246–47; *Philadelphia North American*, Nov. 23, 1847; Speech in Lexington, KY, Nov. 13, 1847, *The Papers of Henry Clay*, ed. James F. Hopkins (10 vols., Lexington, KY, 1959–1991), 10: 361–77.