

Los primeros tratados internacionales estadunidenses

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EL TRATADO DE ALIANZA DE 1778 ENTRE ESTADOS UNIDOS Y FRANCIA

La guerra de independencia americana ocurrirá en el marco de la rivalidad entre las dos grandes potencias del momento: Inglaterra y Francia.

En Versalles, los emisarios de los colonos insurgentes tendrán una gran responsabilidad, ¿cómo representar a un país en pleno proceso de formación?, ¿cuál es su legitimidad, su estatuto, su función?, ¿a quién representan: a las Trece Colonias autoproclamadas como libres y autónomas, a Trece Colonias en guerra, al Congreso de las colonias ya unidas, a la Confederación?

Estas imprecisiones irán aclarándose, aunque no del todo, cuando la guerra contra el gobierno británico llegue a su fin con la victoria americana de Yorktown en 1781 y, sobre todo, con la paz lograda en 1783 entre las antiguas colonias inglesas, Inglaterra y Francia. En América del Norte, la paz no ha sido suficiente para crear instituciones estables y duraderas. Con el propósito de estabilizar la independencia y organizar la unión de los trece estados, los partidarios de un gobierno central fuerte se lanzan entonces a la batalla para conseguir una Constitución federal. Tardarán en lograr su objetivo. Una vez votada, luego de ser redactada, la Constitución deberá ser ratificada. Después habrá que proceder a la materialización de las instituciones que regulen la vida política del nuevo país.

En ese ámbito bastante complejo, Benjamin Franklin representará en París a un Estado en proceso de formación. Mientras desempeña su tarea diplomática, Francia está a punto de desmoronarse, vislumbrándose ya los síntomas de una profunda crisis de las instituciones del Antiguo Régimen.

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De hecho, Franklin es el pionero de las relaciones diplomáticas entre Estados Unidos y Francia. Con él comenzó la amistad entre los dos países. Por ello ocupa un sitio muy destacado en la historia de las relaciones franco-americanas. Su labor diplomática en Francia representa sin duda un caso excepcional en la historia de las relaciones internacionales por el alcance histórico que tuvo.

Hacia 1776, la Comisión secreta del Congreso y, sobre todo, el Congreso, única instancia gubernamental que podía tomar decisiones en materia de política exterior, recomendó enfáticamente la necesidad de contar con agentes que trabajaran en distintos países europeos a favor de la causa rebelde.

El Congreso resuelve entonces que se reúnan en Francia Arthur Lee –cuyo traslado de Londres a París es inmediato–, Silas Deane y Benjamin Franklin. Este último abandona Filadelfia rumbo a Francia en octubre de 1776.

La responsabilidad de Franklin es enorme: asegurarse de que los franceses tengan éxito con su intervención militar. Si fracasan, es casi seguro que el movimiento de independencia también fracase. Lee, Deane y Franklin son nombrados “comisionados” en Europa. Tienen pleno poder para establecer alianzas y concluir tratados comerciales con Francia y España. Pero “comisionado” significa “enviado”, “mensajero”, “delegado”. En consecuencia, a un “enviado” no le corresponden las atribuciones y poderes de un ministro plenipotenciario o de un embajador.

Deane llega a París antes que Franklin y comienza a negociar en secreto con Beaumarchais, el autor dramático, quien ya estaba en relación con Arthur Lee. Beaumarchais respalda las ideas revolucionarias de los insurgentes americanos. Está decidido a ayudarlos y, por supuesto, a sacar partido de la situación, cosa que al final no le resultará tan provechosa como lo había creído. Obtiene del conde de Vergennes, ministro de Asuntos Exteriores de Luis XVI, la ayuda financiera de Francia y la provisión, disfrazada, de armamento y municiones destinados a los rebeldes al otro lado del Atlántico. La condición que exige el ministro es que todo suceda como si se tratara de una estricta especulación personal y privada. Con tal propósito, Beaumarchais funda la compañía *Roderique Hortalez et Cie*. Ella lleva a cabo las transacciones. Silas Deane organiza y vigila, lo mejor que puede, el transporte de esas mercancías, muchas veces perseguidas por los servicios británicos de inteligencia, bien informados.

Franklin llega París pocos días antes de la Navidad de 1776. Es ya un hombre con suficiente experiencia diplomática. Vergennes se mantiene distante a propósito. Recibe de los emisarios un despacho donde se indica que el Congreso de Estados Unidos de América les ha confiado la tarea de negociar un tratado amistoso y comercial con Francia. Días más tarde, Vergennes accede recibir a los tres, pero no los recibe en calidad de representantes oficiales, sino como gentileshombres a quienes desea ver para testimoniarles simplemente su respeto. Así lidia con Inglaterra.

Por su parte, los tres comisionados están lejos de lograr un buen entendimiento entre sí. Al parecer, Lee, dueño de un temperamento sombrío y unos celos constantes, propicia las rencillas y desacuerdos. Beaumarchais se inquieta; bastante está en juego para él.

A diferencia de Arthur Lee, quien busca siempre hacerse notar, y de Silas Deane, empeñado en ser el intermediario oficial entre el Congreso americano y Beaumarchais, Franklin conserva la prudencia y se mantiene en segundo plano. Mal que bien, intenta restablecer el orden entre los tres delegados. Versalles aprecia su discreción. Gracias a su autoridad natural y a su experiencia, pronto se convertirá en el personaje más confiable y respetado de dicho terceto. Vergennes mantiene comunicación con los americanos a través de uno de los diplomáticos más allegados a él, un americanófilo declarado: Conrad Alexandre Gérard. Habla muy bien el inglés, lo que facilita la relación con Franklin.

Francia no está dispuesta todavía a firmar un tratado comercial con los americanos y menos a proporcionarles abiertamente ayuda militar. Turgot, sabedor del costo de una guerra, se opone a la intervención francesa en la Revolución americana. En el mejor de los casos, todas las peticiones de los insurgentes son rechazadas con cortesía, cuando no son sencillamente ignoradas.

Es obvio que los ingleses no aceptan con buenos ojos la misión de Franklin en Francia. Tienen claro cuáles serían las consecuencias de una alianza franco-americana. Desconfían del talento de Franklin. Puesto que conocen sus aptitudes, se lo toman en serio y lo consideran un agente peligroso para Inglaterra.

En París, al igual que en Londres, nadie apuesta a que las colonias ganen la guerra contra la metrópoli. Las noticias recientes inclinan la balanza a favor de los ingleses. En efecto, los contratiempos durante el verano de 1777 hasta comienzos de agosto presagian un fin desastroso para los insurgentes. Ese periodo resulta significativamente crítico para la Revolución americana. Por ejemplo, en julio, el general Burgoyne recupera el fuerte Ticonderoga, situado en el norte del estado de Nueva York. En septiembre, Washington sufre una derrota en Brandywine, en Pensilvania. Los ingleses ocupan Filadelfia, lo que obliga a huir al Congreso que se había instalado en esa ciudad. El 4 de octubre de 1777, en su intento desesperado por defender Pensilvania, Washington sufre una segunda derrota, esta vez en Germantown.

Mientras tanto, Franklin y sus colegas, inquietos y desmoralizados en Europa, esperan que el curso de los acontecimientos cambie.

Y todo cambia con la derrota inglesa en Saratoga. Los ingleses habían elaborado una buena estrategia militar, pero al final no la siguieron. Su ejército es cercado y obligado a rendirse. El 17 de octubre de 1777, los británicos deponen las armas. Se dirigen a Boston, capítulo conocido como "la rendición de Burgoyne".

Cuando la noticia llega a Passy, un poblado cerca de París, donde él vive, Franklin espera de hecho recibir las malas nuevas sobre la caída de Filadelfia. Enterado del giro sorprendente que ha tomado la Revolución, informa en seguida a Vergennes. Las repercusiones de la victoria americana son inmediatas. La perspectiva realista de la política francesa ha triunfado.

Pocos días después, Luis XVI da a conocer que recibirá con gusto cualquier propuesta americana. El 8 de diciembre de 1777, los comisionados reiteran su interés en celebrar un tratado. Al cabo sólo de dos meses, dos tratados se firmarán, el tiempo que toma a Vergennes proponer, sin éxito, una alianza tripartita con España contra Inglaterra y de precisar los términos de la alianza con los americanos.

Ambos tratados son el resultado de las negociaciones que Franklin y sus colegas han emprendido, a lo largo de cuatro semanas, con el ministerio de Asuntos Exteriores francés. El más conocido es el Tratado de Amistad y Comercio que garantiza a los dos países la cláusula de la nación más favorecida. El segundo, el Tratado de Alianza, por mucho el más importante, implica la alianza militar entre Francia y Estados Unidos. Su entrada en vigor se reserva específicamente en el caso en que Francia e Inglaterra entren en guerra. Los dos se firmaron el 6 de febrero de 1778. Por un lado, están los tres comisionados americanos; por el otro, Conrad Alexandre Gérard. A partir de esa firma, todo se sucede con extraordinaria rapidez, lo que prueba la eficiencia de los representantes.

El 20 de marzo de 1778, el rey de Francia recibe a los tres enviados americanos. En esa misma semana Conrad Alexandre Gérard es nombrado ministro francés en Estados Unidos. Francia minimiza ese conjunto de actos. Le conviene hacerlo. Asegura que, por medio de la alianza que ha establecido con las provincias unidas de América septentrional, reconoce a Estados Unidos *de facto*, no *de jure*. Lo anterior significa que, aun cuando ha procedido a firmar esos tratados, no ha admitido los principios en los que se fundamenta la independencia americana.

El Congreso americano reconoce el mérito que ha tenido Franklin en las negociaciones que han desembocado en el apoyo, ahora abierto, de Francia. En consecuencia, determina reemplazar a la delegación americana por un ministro plenipotenciario único. Elige a Franklin para ese puesto en septiembre de 1778.

Tres meses después de haber firmado los tratados, un incidente tiene lugar entre las fuerzas navales francesa e inglesa cerca de la isla de Ouessant. Desde ese momento, las dos potencias se encuentran en guerra declarada. Los americanos obtienen por fin lo que deseaban: la guerra de independencia se ha convertido en una guerra franco-británica. El tratado de alianza que firmaron en París les garantiza la intervención francesa, lo cual será determinante para lograr sus planes.

Por su parte, Francia, aún resistiéndose a un enfrentamiento directo con Inglaterra, retrasa su intervención en territorio americano. Los acontecimientos que siguen

son ampliamente conocidos. La capitulación del general Cornwallis ocurre el 17 de octubre de 1781, cuatro años después de la “rendición de Burgoyne”. Con ese desastre del ejército inglés finaliza la guerra de independencia. La intervención de la flota francesa ha sido a todas luces decisiva y ha demostrado la importancia que tiene lograr el control marítimo en el campo de la estrategia política. Al final, la derrota de los ingleses conduce a la firma del tratado de paz y del reconocimiento de Estados Unidos como nación libre por parte de Gran Bretaña.

Todos esos acontecimientos produjeron sin duda una gran satisfacción a Franklin. Cuando se analizan sus acciones diplomáticas de ese periodo, resulta fácil darse cuenta hasta qué punto supo comprender a la perfección la lógica de la política internacional de Francia. En el marco de ese delicado juego, captó y aprovechó toda ocasión propicia para favorecer el triunfo de su causa.

TRATADO DE COMPRA DE LA LUISIANA

Uno de los efectos inmediatos de la Revolución americana fue el rompimiento de las redes tradicionales de comercio entre las colonias e Inglaterra, creando una oportunidad excepcional para desarrollar intercambios comerciales con Francia, cuya balanza comercial había estado incrementándose. La insistencia de los americanos en firmar tratados comerciales con las naciones que quisieran obtener la cláusula de trato preferencial obedecía a la esperanza de conseguir rápidos y cuantiosos beneficios. Con ellos podrían pagar las deudas contraídas durante la guerra con distintos países europeos. El asunto era vital. Con respecto a Francia, su deuda era grande, sin tomar en cuenta los saldos insolutos provenientes de los gastos militares, pues los voluntarios franceses que habían intervenido en la guerra de Independencia habían sido eso, voluntarios, lo que no significaba que sus servicios fueran gratuitos. Con el tiempo, los intereses se convierten en una obsesión apremiante. Y a falta de ingreso nacional, quienes dirigen al país cuentan sólo con los excedentes comerciales.

Por ese motivo, Jefferson sostiene en una carta a George Washington escrita desde París el 4 de diciembre de 1788: “decididamente soy de la opinión que no deberíamos participar en las disputas europeas, sino cultivar la paz y el comercio con todos; más aún, ¿quién puede negar que el origen de la guerra se encuentra en la tiranía de aquellas naciones que nos despojan del derecho natural de comerciar con nuestros vecinos?”.

Tras la firma del tratado de amistad y comercio de 1778, se registra un desarrollo de los intercambios comerciales entre Francia y Estados Unidos hasta 1782. Durante ese tiempo, el saldo es favorable a Francia, con algunas fluctuaciones. Después, Francia pierde el beneficio que le rinde la balanza comercial a su favor con

Estados Unidos. Jefferson contribuye a ese hecho. Convencido de que el comercio es un instrumento para la paz y fraternidad entre los países, asume con responsabilidad su tarea y se empeña en que Estados Unidos revierta esa situación desfavorable para su país. Su trabajo, es verdad, exige una competencia técnica profesional. Jefferson sin duda la tiene. Pero también exige identificarse con cierta ideología. Porque para llevar a cabo esa labor, es preciso comulgar con las concepciones modernas del *laissez faire, laissez passer*, así como del libre intercambio, y dejar atrás el proteccionismo imperante de la época. La expresión de esas concepciones se manifiesta concretamente, en el transcurso del siglo XVIII, en la cláusula comercial de reciprocidad o en los acuerdos negociados sobre el derecho mutuo de aduana relativo a un conjunto específico de productos.

Jefferson comprobará que no han sido respetadas todas las cláusulas del tratado de 1778. Se esforzará entonces en conseguir que dicho tratado no se reduzca a ser simple letra muerta. En él se estipulaba, entre otros artículos, que las dos partes involucradas se conferían mutuamente la facultad de tener en sus respectivos puertos vicecónsules, agentes y comisionados, cuyas funciones serían reglamentadas por una convención particular. Franklin había ya propuesto una en 1784; el Congreso la rechazó en ese momento por juzgar que la presencia de cónsules franceses amenazaba la soberanía de Estados Unidos.

Al cabo de largas negociaciones, Jefferson logra que sea aceptada una convención consular, firmándose en Francia en 1788. Él mismo la introducirá en el Congreso, estando ya de vuelta en Estados Unidos en 1789.

Cuando se embarcó rumbo a Francia para sustituir a Franklin, Jefferson había recibido instrucciones precisas del Congreso: negociar tratados comerciales con el mayor número posible de naciones europeas y con cualquier otro país que mostrara interés en hacerlo. Soñó, como punto fundamental de su labor diplomática, conseguir que la deuda política y moral de Estados Unidos hacia los franceses quedara reducida a una simple deuda bancaria. No tuvo éxito.

Los reveses que sufrió Jefferson a lo largo de su misión diplomática en París fueron causados, no por un desempeño deficiente de su parte, sino por un contexto internacional en extremo difícil. Por un lado, se hallaba Estados Unidos, una nación joven e inestable que muy poco tenía que ofrecer en ese momento, salvo su dinamismo potencial; por el otro, una Francia derrotada económica y políticamente por Gran Bretaña, minada en su funcionamiento por el absolutismo, la cual se empeñaba con tenacidad en esconder sus debilidades detrás del prestigio todavía deslumbrante que había gozado el Antiguo Régimen.

Fue una casualidad que Jefferson ocupara el puesto de embajador plenipotenciario en París en el momento en que se desencadenara la Revolución francesa. Fue

sorprendido por ella y estuvo obligado a improvisar. No sólo se hallaba en Francia en vísperas de la Revolución (de 1784 a 1789), sino que fue testigo de las sublevaciones que estallaron en julio y que culminarían con la toma de la Bastilla, también del inicio de *la Grande Peur* y de la noche del 4 de agosto.

Al igual que muchos políticos franceses y extranjeros, Jefferson no vio venir el desmoronamiento de la monarquía. Todo parece indicar que durante su estadía en París no advirtió la dura realidad del pueblo francés, su miseria, su pobreza, su hartazgo de vivir en tales condiciones. Lo mismo había sucedido a Franklin en años anteriores. En este sentido, Jefferson apenas difiere de los aristócratas liberales con los cuales compartía no pocos valores. En el transcurso de sus desplazamientos por Francia, ni Jefferson ni Franklin se topan con los artesanos y obreros, y menos aún con los campesinos miserables que constituyen la mayor parte de la población francesa.

Jefferson se sorprendió con la violencia revolucionaria de 1789. De hecho, lo conmocionó. Cree que la situación puede arreglarse mediante reformas llevadas a cabo en el marco de una monarquía renovada, como sería el caso de una monarquía constitucional. Conoce de sobra la incapacidad y la debilidad de Luis XVI para llevar las riendas del gobierno. Sin embargo, al igual que no pocos contemporáneos suyos, achacan a la reina una buena parte de la responsabilidad de lo que está sucediendo. A quienes piensan así, incluido él, se les escapan las auténticas causas sociales y económicas de la Revolución.

Jefferson asiste en Versalles a los Estados Generales. Es probable que la experiencia le haya recordado el primer y el segundo Congreso Continental de Filadelfia, que habían tenido lugar en 1774 y 1775, respectivamente, y en los cuales había participado. Pero en Francia las cosas son bastante más complicadas. Al día siguiente de la apertura de los Estados Generales, el 6 de mayo, los tres estamentos –nobleza, clero y tercer estado– entran en conflicto durante la verificación de los poderes de los diputados. En esa misma jornada, el tercer estado se rehúsa a constituirse en una cámara aparte, tras lo cual se instala en la sala principal y propone al clero y a la nobleza unírsele. Jefferson ve con buenos ojos la actitud del duque de Orléans y de los líderes patriotas de los Estados Generales, a quienes siguen miembros de la nobleza y del clero para solidarizarse con el tercer estado, tales como La Fayette, La Rochefoucauld y otros muchos.

Los acontecimientos que siguen lo desconciertan por completo: el gesto autoritario del rey al mandar cerrar la sala de los Menus Plaisirs donde mantenía el tercer estado sus sesiones, el juramento del *Jeu de paume*, la formación de la Asamblea Nacional, los días aciagos de julio, la toma de la Bastilla, la abolición de los privilegios y derechos feudales, etcétera.

Los delegados de la Asamblea Nacional surgidos de esa memorable sucesión de acontecimientos comulgan, en su mayoría, con las ideas de los filósofos Montes-

quieu, Rousseau, Voltaire y los demás enciclopedistas. Impulsada por los condes Montmorency y Castellane, la Asamblea resuelve, pese a la oposición de una parte del tercer estado, colocar a la cabeza de la Constitución que está en proceso de ser debatida una exposición de principios generales de los que podrían deducirse los principios de la misma Constitución. Curiosamente, en Estados Unidos, los americanos están discutiendo, con el nombre de *Bill of Rights*, un ejemplo de esos principios generales. Para los partidarios de un cambio en Francia, los sucesos pasados y actuales en América constituyen algo más que una mera ilustración de la doctrina que ellos profesan: son un ejemplo a seguir. Los americanos han proclamado la independencia, han definido un conjunto de derechos, han elegido convenciones, representantes, y han redactado una constitución. Todos esos logros son ampliamente conocidos en Francia. Lo que maravilla a los franceses acerca de los americanos es que éstos han conciliado teoría y práctica política, inventando un modelo de acción en el ámbito de lo social y de lo político. Para los franceses, era inevitable que tuvieran presente la historia inmediata de esa antigua colonia inglesa.

Lo cierto es que la carrera política de Jefferson estaba muy lejos de terminar cuando abandonó su cargo diplomático en París y volvió a Estados Unidos. Sale de la capital francesa el 26 de septiembre de 1789, rumbo a Le Havre. Ya en casa, tendrá un futuro político por demás prestigioso.

Para los gobernantes americanos, en esos años Inglaterra y Francia continúan siendo las piezas claves de la política exterior del país. Jefferson se propone siempre encontrar soluciones negociadas que sirvan para contrarrestar el poder de la facción pro inglesa encabezada por el federalista Alexander Hamilton. Nunca le falta perspicacia e inteligencia. Así como Francia respaldó la independencia de las colonias contra Inglaterra, ahora él respalda la política internacional francesa que tiende a perjudicar a Gran Bretaña. Pero a través de su acción política se cuida mucho de no comprometer la seguridad de Estados Unidos y provocar que se vea obligado a entrar en guerra al lado de los franceses. Tiene especial cuidado en 1793, cuando la Revolución francesa se extiende a las Antillas, donde los revolucionarios luchan contra los ingleses.

No obstante, con pesar para Jefferson, la imagen de Francia en Estados Unidos se deteriora bastante debido a las múltiples torpezas cometidas por el embajador plenipotenciario francés Edmond-Charles Genêt. La gota que colma el vaso ocurre cuando el embajador francés hace un llamado al pueblo contra el presidente George Washington.

En respuesta a tales desatinos, el gobierno federal declara que el tratado de 1778 no impone ya obligación alguna a Estados Unidos. Da a conocer una proclama de neutralidad frente a las naciones beligerantes, proclama destinada evidente-

mente a Francia e Inglaterra. Al hacerlo, Estados Unidos sienta por primera vez las bases de lo que más tarde formulará como la “doctrina Monroe”, la cual establece una diferencia radical entre los asuntos del continente europeo y los del continente americano. A pesar de su indulgencia hacia Francia, Jefferson avala por completo la pertinencia de esa doctrina al expresar que su país no desea inmiscuirse en los asuntos internos de Europa.

En el transcurso de esos años conflictivos, Jefferson permanece en la sombra, maniatado para intervenir en la política exterior de su país. Pero en 1800 sale electo jefe del Poder Ejecutivo. La derrota del Partido Federalista se debe, en parte, a sus vínculos con el ala conservadora inglesa. Con Jefferson en la presidencia, Estados Unidos reanuda un acercamiento con Francia dentro de ciertos límites razonables dictados por la situación internacional.

Un caso ilustrativo fue el asunto de la Luisiana. Tras la firma del tratado de San Ildefonso en octubre de 1800, España cede la Luisiana a Francia. Napoleón sueña con hacer renacer un imperio colonial en América del Norte, intenciones que realmente preocupan a los estadounidenses. Cuando Jefferson se entera que la cesión ha sido ratificada el 21 de marzo de 1801 por el tratado de Madrid, comprende lo mucho que está en juego para la seguridad del país. La proximidad de un vecino con ambiciones imperialistas resulta inadmisibles, además del peligro que significa para el comercio del oeste que el Misisipi y el territorio de la Nueva Orleans caigan en manos francesas. Aun cuando tiene como objetivo estrechar los lazos de cooperación con los franceses, sabe que el día en que Francia se apodere de la Nueva Orleans, Estados Unidos tendrá que aliarse forzosamente con la nación británica, pues un posible bloqueo del Misisipi ahorcaría al país. La situación es de suma gravedad.

Jefferson encarga de inmediato al embajador en París, Robert R. Livingston, que obtenga las garantías comerciales necesarias para la libre navegación en el Misisipi y el tránsito de mercancías y productos en la Nueva Orleans. Al mismo tiempo, envía a James Monroe con la misión de proponer a Francia la compra de la Luisiana y de la Florida occidental. Para ello, Jefferson se vale de viejas amistades. Samuel Dupont de Nemours realiza el primer contacto con Napoleón. El emperador está consciente del enorme gasto que ocasiona la revuelta de los esclavos en Haití. Además, como ya es costumbre, las hostilidades con Inglaterra estallan de nuevo. En consecuencia, Napoleón ya no está tan convencido de sus pretensiones por instaurar un imperio colonial del otro lado del Atlántico. Livingston y Talleyrand negocian la suma que Estados Unidos está dispuesto a pagar por un territorio cuyas fronteras son difusas. La negociación final se pacta con François Barbé-Marbois, a quien Jefferson conocía porque había sido cónsul en Estados Unidos. La Luisiana es adquirida en sesenta millones de francos. El precio comprende la cancelación de

las deudas que aún existían. Algunas de ellas se remontan a la ayuda que el gobierno de Luis XVI había prestado en la guerra de independencia.

Esta operación representa un gran triunfo para Jefferson y la política exterior de su gobierno. Por su valor estratégico, resulta tan crucial para el futuro del país como lo fueron los tratados de amistad y alianza militar que Franklin obtuvo de Vergennes en 1778. Muy poco tiempo después, la expedición de Meriwether Lewis y de William Clark no sólo despeja la ruta hacia el oeste todavía enigmático y lejano, si no que muestra la importancia geográfica, política y económica de la anexión de ese territorio comprado a los franceses.

En efecto, Lewis había recibido de Jefferson mismo el encargo de planear una expedición, la cual tenía el propósito de cartografiar la Luisiana y encontrar un pasaje hasta el Océano Pacífico. Junto con William Clark, organiza entonces el Corps Discovery. De 1804 a 1806, ambos recorren una extensión considerable de los ríos Missouri y Columbia, cruzan las Montañas Rocallosas y llegan hasta el Pacífico. En el transcurso de su viaje coleccionan y describen cientos de plantas y especies animales hasta entonces desconocidas.

La expedición significó el primer contacto de euroamericanos con varias tribus nativas. Pero lo más relevante para Jefferson y sus contemporáneos fue que abrió el camino para el desarrollo de un prolífico y benéfico intercambio comercial, intercambio que acabaría a la postre asegurando la hegemonía de Estados Unidos en ese vastísimo territorio.

La visión de Jefferson acerca de la Luisiana y su importancia estratégica, hay que subrayarlo, fue en verdad notable. Pero ese caso no fue excepcional. En realidad, demostró innumerables veces poseer una notoria perspicacia política. Prueba de ello es que, a lo largo de su mandato, en ningún momento perdió de vista que cualquier acuerdo o desacuerdo con Londres requería primero sopesar la contraoferta o las compensaciones que París estaba en posibilidad de ofrecer.

Mientras que las guerras de Napoleón prosiguen en Europa, Jefferson consigue mantener a Estados Unidos apartado de esa hecatombe, dando preferencia al crecimiento comercial y no a la lucha armada. Gracias a una política exterior hábil, cautelosa, evitó que su país fuera incluido como una pieza más en el juego de rompecabezas napoleónico.

Garantizó de esa manera las condiciones que permitirían a Estados Unidos crecer y consolidarse durante el siglo XIX.

Treaty of Alliance

The most Christian King and the United States of North America, to wit, New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, having this day concluded a Treaty of Amity and Commerce, for the reciprocal advantage of their Subjects and Citizens have thought it necessary to take into consideration the means of strengthening their engagements and of rendering them useful to the safety and tranquillity of the two parties, particularly in case Great Britain in contempt of that Convention and of the good correspondences which in the said Treaty should be kept up, either by direct hostilities, or by hindering her Commerce, and Navigation, in a manner contrary to the Rights of Nations, and the Peace subsisting between the two Crowns, and his Majesty and the said United States having resolved in that Case to join their Armies and efforts against the Enterprises of their common Enemy, the respective Legislatures, and Governors to concert the Measures and to perform the proper to fulfil the said

Traité d'alliance éventuelle et défensive

Le Roi Très Chrétien et les États-Unis de l'Amérique Septentrionale, à savoir New-Hampshire, le Bay de Massachusetts, Rhode Island, Connecticut, New-York, New-Jersey, Pennsylvanie, Delaware, Maryland, Virginie, Caroline Septentrionale, Caroline Méridionale et Géorgie; ayant conclu ce jour d'aujourd'hui un Traité d'Amitié, de bonne intelligence et de Commerce, pour l'avantage réciproque de leurs Sujets, et de leurs Citoyens, ils ont eu devoir prendre en considération les moyens de renforcer leurs liaisons, et de rendre utiles à la sûreté et à la tranquillité des deux Parties, notamment dans le cas où la Grande-Bretagne, en haine de ces mêmes liaisons, et de la bonne correspondance qui forment l'objet du dit Traité, se porterait à rompre, ou à nuire avec la France, soit en l'attaquant et hostilités, soit en troublant son Commerce et sa navigation, d'une manière contraire au droit des gens, et à la paix subsistante entre les deux Couronnes; et la dite

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or sooner if possible.

In faith whereof the respective Plenipotentiaries, on the part of the most Excellent King of France, and on the part of the United States Benjamin Franklin, Deputy to the General Congress from the State of Pennsylvania, and President of the Convention of the same State, John Deane, Deputy from the State of Connecticut, and Arthur Lee, Secretary at Law have signed this and other Articles both in their own and English Languages, which shall be the present Treaty, and concluded in the French Language, and they have hereunto affixed their Seals.

Done at Paris, this sixth Day of February, one thousand seven hundred and seventy eight.

B. Franklin

Si plus tôt, si faire se peut.

Cu fait de quoy les Plenipotentiaires respectifs Levois de la part du Roi (Jean Christian le Sieur Comte, Alexandre Gerard, Intendant royal de la ville de Strasbourg et Secrétaire du Conseil d'Etat de Sa Majesté, et de la part des Etats unis, les Sieurs Benjamin Franklin, Deputé au Congrès général de la part de l'Etat de Pennsylvanie et Président de la Convention du même Etat, John Deane, Cy devant Deputé de l'Etat de Connecticut et Arthur Lee, Secrétaire

à la Loi) ont signé les articles ci dessus, tant en langue française qu'en langue Angloise, déclarant néanmoins que le présent Traité a été originellement rédigé et arrêté en langue française, et ils y ont mis leurs Seaux et cachets.

Fait à Paris le sixième jour du mois de Février, l'an sept cent quatre vingt huit.

Arthur Lee

John Deane

Duplicate.

Original Definitive Treaty
3 Sept. 1783

In the Name of the most
Holy & undivided Trinity.

I having pleased the divine Pro-
vidence to dispose the Hearts of the most
Serene and most Potent Prince George the
Third, by the Grace of God, King of Great
Britain, France & Ireland, Defender of
the Faith, Duke of Brunswick and
Lunenburg, Arch-Treasurer and
Electer of the Holy Roman Empire &c.
and of the United States of America
to forget all past Misunderstandings and
Differences that have unhappily interrup-
ted the good Correspondence and Friend-
ship which they mutually wish to restore,
to establish such a beneficial and satisfac-
tory Interourse between the two Parties
upon the Ground of reciprocal Advantage
and mutual Convenience as may pro-
duce and secure to them a perpetual Peace & Harmony

without Difficulty and without requiring
any Compensation.

Article 10.th

The solemn Ratifications of the
present Treaty expedited in good & due
Form shall be exchanged between the
contracting Parties in the Space of
Six Months or sooner if possible to be
computed from the Day of the Signature
of the present Treaty. In Witness
whereof we the undersigned their Plenipotentiary
have in their Name
and in Virtue of our Full Powers signed
with our Hands the present Defensive
Treaty, and caused the Seals of our Arms
to be affix'd thereto.

Done at Paris, this third Day of September, in
the Year of our Lord one thousand seven hundred & eighty three.

Stanley John Adams

B. Franklin

John Jay





▲ Tratado de compra de la Luisiana (a)

Confidential.

Gentlemen of the Senate and of the House of Representatives.

As the continuance of the Act for establishing trading houses with the Indian tribes will be under the consideration of the legislature at it's present session, I think it my duty to communicate the views which have guided me in the execution of that act; in order that you may decide on the policy of continuing it, in the present or any other form, or to discontinue it altogether if that shall, on the whole, seem most for the public good.

The Indian tribes residing within the limits of the U.S. have for a considerable time been growing more & more uneasy at the constant diminution of the territory they occupy, altho' effected by their own voluntary sales; and the policy has long been gaining strength with them of refusing absolutely all further sale on any conditions. inasmuch that at this time, it hazards their friendship, and excites dangerous jealousies & perturbations in their minds to make any overture for the purchase of the smallest portions of their land. a very few tribes only are not yet obstinately in these dispositions. In order peaceably to counteract this policy of theirs, and to provide an extension of territory which the rapid increase of our numbers will call for, two measures are deemed expedient. First, to encourage them to abandon hunting, to apply to the raising stock, to agriculture and domestic manufacture, and thereby prove to themselves that less land & labour will maintain them in this, better than in their former mode of living. the extensive forests necessary in the hunting life, will then become useless, & they will see advantage in exchanging them for the means of improving their farms, & of increasing their domestic comforts. Secondly to multiply trading houses among them, & place within their reach those things which will contribute more to their domestic comfort than the profusion of extensive, but uncultivated wilds. experience & reflection will demonstrate to them the wisdom of exchanging what they can spare & we want, for what we can spare and they want. in leading them thus to agriculture, to

our nation seems to owe to the same object, as well as to it's own interests, to explore this, the only line of easy communication across the continent, and so directly traversing our own part of it. The interests of commerce place the principal object within the constitutional powers and care of Congress, and that it should incidentally advance, ^{the geographical knowledge of our own continent,} ~~the interests of science~~ cannot but be an additional gratification. The nation claiming the territory, regarding this as a literary pursuit which it is in the habit of permitting within it's dominions, would not be disposed to view it with jealousy, even if the expanding state of it's interests there did not render it a matter of indifference. The appropriation of two thousand five hundred dollars "for the purpose of extending the external commerce of the US", while understood and considered by the Executive as giving the legislative sanction, would cover the undertaking from notice, and prevent the obstructions which interested individuals might otherwise previously prepare in it's way.

Th. Jefferson

Jan. 18. 1803.

Treaty of Alliance Between The United States and France, 1778

The most Christian King and the United States of North America, to wit, New Hampshire, Massachusetts Bay, Rhodes island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, having this Day concluded a Treaty of amity and Commerce, for the reciprocal advantage of their Subjects and Citizens have thought it necessary to take into consideration the means of strengthening those engagements and of rendering them useful to the safety and tranquility of the two parties, particularly in case Great Britain in Resentment of that connection and of the good correspondence which is the object of the said Treaty, should break the Peace with France, either by direct hostilities, or by hindering her commerce and navigation, in a manner contrary to the Rights of Nations, and the Peace subsisting between the two Crowns; and his Majesty and the said united States having resolved in that Case to join their Councils and efforts against the Enterprises of their common Enemy, the respective Plenipotentiaries, empower'd to concert the Clauses & conditions proper to fulfill the said Intentions, have, after the most mature Deliberation, concluded and determined on the following Articles.

ARTICLE 1:

If War should break out between France and Great Britain, during the continuance of the present War between the United States and England, his Majesty and the said united States, shall make it a common cause, and aid each other mutually with their good Offices, their Counsels, and their forces, according to the exigency of Conjunctions as becomes good & faithful Allies.

ARTICLE 2:

The essential and direct End of the present defensive alliance is to maintain effectually the liberty, Sovereignty, and independence absolute and unlimited of the said United States, as well in Matters of Government as of commerce.

ARTICLE 3:

The two contracting Parties shall each on its own Part, and in the manner it may judge most proper, make all the efforts in its Power, against their common Enemy, in order to attain the end proposed.

ARTICLE 4:

The contracting Parties agree that in case either of them should form any particular Enterprise in which the concurrence of the other may be desired, the Party whose concurrence is desired shall readily, and with good faith, join to act in concert for that Purpose, as far as circumstances and its own particular Situation will permit; and in that case, they shall regulate by a particular Convention the quantity and kind of Succor to be furnished, and the Time and manner of its being brought into action, as well as the advantages which are to be its Compensation.

ARTICLE 5:

If the United States should think fit to attempt the Reduction of the British Power remaining in the Northern Parts of America, or the Islands of Bermudas, those Countries or Islands in case of Success, shall be confederated with or dependent upon the said United States.

ARTICLE 6:

The Most Christian King renounces for ever the possession of the Islands of Bermudas as well as of any part of the continent of North America which before the treaty of Paris in 1763 or in virtue of that Treaty, were acknowledged to belong to the Crown of Great Britain, or to the united States heretofore called British Colonies, or which are at this Time or have lately been under the Power of The King and Crown of Great Britain.

ARTICLE 7:

If his Most Christian Majesty shall think proper to attack any of the Islands situated in the Gulph of Mexico, or near that Gulph, which are at present under the Power of Great Britain, all the said Isles, in case of success, shall appertain to the Crown of France.

ARTICLE 8:

Neither of the two Parties shall conclude either Truce or Peace with Great Britain, without the formal consent of the other first obtain'd; and they mutually engage not to lay down their arms, until the Independence of the United States shall have been formally or tacitly assured by the Treaty or Treaties that shall terminate the War.

ARTICLE 9:

The contracting Parties declare, that being resolved to fulfill each on its own Part the clauses and conditions of the present Treaty of alliance, according to its own

power and circumstances, there shall be no after claim of compensation on one side or the other whatever may be the event of the War.

ARTICLE 10:

The Most Christian King and the United States, agree to invite or admit other Powers who may have received injuries from England to make common cause with them, and to accede to the present alliance, under such conditions as shall be freely agreed to and settled between all the Parties.

ARTICLE 11:

The two Parties guarantee mutually from the present time and forever, against all other powers, to wit, the united states to his most Christian Majesty the present Possessions of the Crown of France in America as well as those which it may acquire by the future Treaty of peace: and his most Christian Majesty guarantees on his part to the united states, their liberty, Sovereignty, and Independence absolute, and unlimited, as well in Matters of Government as commerce and also their Possessions, and the additions or conquests that their Confederation may obtain during the war, from any of the Dominions now or heretofore possessed by Great Britain in North America, conformable to the 5th & 6th articles above written, the whole as their Possessions shall be fixed and assured to the said States at the moment of the cessation of their present War with England.

ARTICLE 12:

In order to fix more precisely the sense and application of the preceding article, the Contracting Parties declare, that in case of rupture between France and England, the reciprocal Guarantee declared in the said article shall have its full force and effect the moment such War shall break out and if such rupture shall not take place, the mutual obligations of the said guarantee shall not commence, until the moment of the cessation of the present War between the united states and England shall have ascertained the Possessions.

ARTICLE 13:

The present Treaty shall be ratified on both sides and the Ratifications shall be exchanged in the space of six months, sooner if possible.

In faith where of the respective Plenipotentiaries, to wit on the part of the most Christian King Conrad Alexander Gerard royal *syndic* of the City of Strasbourg & Secretary of his majesties Council of State and on the part of the United States Benjamin Franklin Deputy to the General Congress from the State of Pennsylvania

and President of the Convention of the same state, Silas Deane heretofore Deputy from the State of Connecticut & Arthur Lee Councillor at Law have signed the above Articles both in the French and English Languages declaring Nevertheless that the present Treaty was originally composed and concluded in the French Language, and they have hereunto affixed their Seals

Done at Paris, this sixth Day of February, one thousand seven hundred and seventy eight.

C. A. GERARD
B. FRANKLIN
SILAS DEANE
ARTHUR LEE

Fuente: <http://www.yale.edu/lawweb/avalon/diplomacy/france/fr1788-2.htm>

Treaty of Paris, 1783

Con este tratado se puso fin a la guerra entre Estados Unidos y Gran Bretaña, quien reconoció la independencia de las trece colonias.

Se firmó en el hôtel d'York, ubicado en el 56 de la rue Jacob, en París, el 3 de septiembre de ese año. Fue ratificado posteriormente por el Congreso de Annapolis.

In the name of the most holy and undivided Trinity. It having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George the Third, by the grace of God, king of Great Britain, France, and Ireland, defender of the faith, duke of Brunswick and Lunebourg, arch-treasurer and prince elector of the Holy Roman Empire etc., and of the United States of America, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore, and to establish such a beneficial and satisfactory intercourse, between the two countries upon the ground of reciprocal advantages and mutual convenience as may promote and secure to both perpetual peace and harmony; and having for this desirable end already laid the foundation of peace and reconciliation by the Provisional Articles signed at Paris on the 30th of November 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and constitute the Treaty of Peace proposed to be concluded between the Crown of Great Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great Britain and France and his Britannic Majesty should be ready to conclude such treaty accordingly; and the treaty between Great Britain and France having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the Provisional Articles above mentioned, according to the tenor thereof, have constituted and appointed, that is to say his Britannic Majesty on his part, David Hartley, Esq., member of the Parliament of Great Britain, and the said United States on their part, John Adams, Esq., late a commissioner of the United States of America at the court of Versailles, late delegate in Congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said United States to their high mightiness the States General of the United Netherlands; Benjamin Franklin, Esq., late delegate in Congress from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary from the United States of America at the court of Versailles; John Jay, Esq., late president of Congress and chief justice of the state of

New York, and minister plenipotentiary from the said United States at the court of Madrid; to be plenipotentiaries for the concluding and signing the present definitive treaty; who after having reciprocally communicated their respective full powers have agreed upon and confirmed the following articles.

ARTICLE 1:

His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free sovereign and independent states, that he treats with them as such, and for himself, his heirs, and successors, relinquishes all claims to the government, propriety, and territorial rights of the same and every part thereof.

ARTICLE 2:

And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz.; from the northwest angle of Nova Scotia, viz., that angle which is formed by a line drawn due north from the source of St. Croix River to the highlands; along the said highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut River; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into Lake Ontario; through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into Lake Huron, thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the Isles Royal and Phelipeaux to the Long Lake; thence through the middle of said Long Lake and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most northwesternmost point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude, South, by a line to be drawn due east from the determination of the line last mentioned in the latitude of thirty-one degrees of the equator, to the middle of the

river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint River, thence straight to the head of Saint Mary's River; and thence down along the middle of Saint Mary's River to the Atlantic Ocean; east, by a line to be drawn along the middle of the river Saint Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river Saint Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other shall, respectively, touch the Bay of Fundy and the Atlantic Ocean, excepting such islands as now are or heretofore have been within the limits of the said province of Nova Scotia.

ARTICLE 3:

It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank and on all the other banks of Newfoundland, also in the Gulf of Saint Lawrence and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish. And also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use, (but not to dry or cure the same on that island) and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbors, and creeks of Nova Scotia, Magdalene Islands, and Labrador, so long as the same shall remain unsettled, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement without a previous agreement for that purpose with the inhabitants, proprietors, or possessors of the ground.

ARTICLE 4:

It is agreed that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money of all bona fide debts heretofore contracted.

ARTICLE 5:

It is agreed that Congress shall earnestly recommend it to the legislatures of the respective states to provide for the restitution of all estates, rights, and properties, which have been confiscated belonging to real British subjects; and also of the estates, rights, and properties of persons resident in districts in the possession on his Maj-

esty's arms and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States and therein to remain twelve months unmolested in their endeavors to obtain the restitution of such of their estates, rights, and properties as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent not only with justice and equity but with that spirit of conciliation which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states that the estates, rights, and properties, of such last mentioned persons shall be restored to them, they refunding to any persons who may be now in possession the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights, or properties since the confiscation.

And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

ARTICLE 6:

That there shall be no future confiscations made nor any prosecutions commenced against any person or persons for, or by reason of, the part which he or they may have taken in the present war, and that no person shall on that account suffer any future loss or damage, either in his person, liberty, or property; and that those who may be in confinement on such charges at the time of the ratification of the treaty in America shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

ARTICLE 7:

There shall be a firm and perpetual peace between his Britannic Majesty and the said states, and between the subjects of the one and the citizens of the other, wherefore all hostilities both by sea and land shall from henceforth cease. All prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any Negroes or other property of the American inhabitants, withdraw all his armies, garrisons, and fleets from the said United States, and from every post, place, and harbor within the same; leaving in all fortifications, the American artillery that may be therein; and shall also order and cause all archives, records, deeds, and papers belonging to any of the said states, or their citizens, which in the course of the war may have fallen into

the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

ARTICLE 8:

The navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great Britain and the citizens of the United States.

ARTICLE 9:

In case it should so happen that any place or territory belonging to Great Britain or to the United States should have been conquered by the arms of either from the other before the arrival of the said Provisional Articles in America, it is agreed that the same shall be restored without difficulty and without requiring any compensation.

ARTICLE 10:

The solemn ratifications of the present treaty expedited in good and due form shall be exchanged between the contracting parties in the space of six months or sooner, if possible, to be computed from the day of the signatures of the present treaty. In witness whereof we the undersigned, their ministers plenipotentiary, have in their name and in virtue of our full powers, signed with our hands the present definitive treaty and caused the seals of our arms to be affixed thereto.

Done at Paris, this third day of September in the year of our Lord, one thousand seven hundred and eighty-three.

D. HARTLEY (SEAL)

JOHN ADAMS (SEAL)

B. FRANKLIN (SEAL)

JOHN JAY (SEAL)

Fuente: <http://www.ourdocuments.gov/doc.php?doc=6&page=transcript>

Louisiana Purchase Treaty between The United States of America and The French Republic, 1803

René Robert Cavelier, Sieur de la Salle, navegó río abajo por el Mississippi en 1682 y tomó posesión de ambas orillas en nombre de Francia. Bautizó la región con el nombre de Luisiana, en honor al rey Luis XIV. Como consecuencia de la derrotas sufridas por los franceses en Canadá, lo cual conduciría a la firma del Tratado de París de 1763, Francia tuvo que ceder a Gran Bretaña, además de Canadá, la orilla izquierda del Mississippi. Tiempo después, Francia decide retirarse por completo de América del Norte. En esa ocasión, cede la Luisiana occidental, es decir, la orilla derecha del Mississippi, a España, a través del tratado secreto de Fontainebleau, celebrado el 3 de noviembre de 1762.

Napoleón, al igual que Luis XV, consideraba imposible la defensa de la Luisiana por la inmensidad de su territorio. Resuelve entonces venderla a Estados Unidos. Su adquisición abrió la ruta hacia el oeste que Jefferson mandó explorar con la expedición de Lewis y Clark.

Además del tratado de cesión de la Luisiana, aparecen transcritos al final dos compromisos de pago. Uno, por sesenta millones de francos, precio de la cesión. El otro, por un valor de veinte millones de francos para compensar las demandas hechas por ciudadanos americanos contra la República francesa.

The President of the United States of America and the First Consul of the French Republic in the name of the French People desiring to remove all Source of misunderstanding relative to objects of discussion mentioned in the Second and fifth articles of the Convention of the 8th Vendémiaire an 9 (30 September 1800) relative to the rights claimed by the United States in virtue of the Treaty concluded at Madrid the 27 of October 1795, between His Catholic Majesty & the Said United States, & willing to Strengthen the union and friendship which at the time of the Said Convention was happily reestablished between the two nations have respectively named their Plenipotentiaries to wit The President of the United States, by and with the advice and consent of the Senate of the Said States; Robert R. Livingston Minister Plenipotentiary of the United States and James Monroe Minister Plenipotentiary and Envoy extraordinary of the Said States near the Government of the French Republic; And the First Consul in the name of the French people, Citizen Francis Barbé Marbois Minister of the public treasury who after having respectively exchanged their full powers have agreed to the following Articles.

ARTICLE I:

Whereas by the Article the third of the Treaty concluded at St Ildefonso the 9th Vendémiaire an 9 (1st October) 1800 between the First Consul of the French Republic and his Catholic Majesty it was agreed as follows.

“His Catholic Majesty promises and engages on his part to cede to the French Republic six months after the full and entire execution of the conditions and Stipulations herein relative to his Royal Highness the Duke of Parma, the Colony or Province of Louisiana with the Same extent that it now has in the hand of Spain, & that it had when France possessed it; and Such as it Should be after the Treaties subsequently entered into between Spain and other States.”

And whereas in pursuance of the Treaty and particularly of the third article the French Republic has an incontestable title to the domain and to the possession of the said Territory-The First Consul of the French Republic desiring to give to the United States a strong proof of his friendship doth hereby cede to the United States in the name of the French Republic for ever and in full Sovereignty the said territory with all its rights and appurtenances as fully and in the Same manner as they have been acquired by the French Republic in virtue of the above mentioned Treaty concluded with his Catholic Majesty.

ARTICLE II:

In the cession made by the preceding article are included the adjacent Islands belonging to Louisiana all public lots and Squares, vacant lands and all public buildings, fortifications, barracks and other edifices which are not private property.—The Archives, papers & documents relative to the domain and Sovereignty of Louisiana and its dependences will be left in the possession of the Commissaries of the United States, and copies will be afterwards given in due form to the Magistrates and Municipal officers of such of the said papers and documents as may be necessary to them.

ARTICLE III:

The inhabitants of the ceded territory shall be incorporated in the Union of the United States and admitted as soon as possible according to the principles of the federal Constitution to the enjoyment of all these rights, advantages and immunities of citizens of the United States, and in the mean time they shall be maintained and protected in the free enjoyment of their liberty, property and the Religion which they profess.

ARTICLE IV:

There Shall be Sent by the Government of France a Commissary to Louisiana to the end that he do every act necessary as well to receive from the Officers of his Catholic

Majesty the Said country and its dependences in the name of the French Republic if it has not been already done as to transmit it in the name of the French Republic to the Commissary or agent of the United States.

ARTICLE V:

Immediately after the ratification of the present Treaty by the President of the United States and in case that of the first Consul's shall have been previously obtained, the commissary of the French Republic shall remit all military posts of New Orleans and other parts of the ceded territory to the Commissary or Commissaries named by the President to take possession—the troops whether of France or Spain who may be there shall cease to occupy any military post from the time of taking possession and shall be embarked as soon as possible in the course of three months after the ratification of this treaty.

ARTICLE VI:

The United States promise to execute such treaties and articles as may have been agreed between Spain and the tribes and nations of Indians until by mutual consent of the United States and the said tribes or nations other Suitable articles shall have been agreed upon.

ARTICLE VII:

As it is reciprocally advantageous to the commerce of France and the United States to encourage the communication of both nations for a limited time in the country ceded by the present treaty until general arrangements relative to commerce of both nations may be agreed on; it has been agreed between the contracting parties that the French Ships coming directly from France or any of her colonies loaded only with the produce and manufactures of France or her Said Colonies; and the Ships of Spain coming directly from Spain or any of her colonies loaded only with the produce or manufactures of Spain or her Colonies shall be admitted during the Space of twelve years in the Port of New-Orleans and in all other legal ports-of-entry within the ceded territory in the Same manner as the Ships of the United States coming directly from France or Spain or any of their Colonies without being Subject to any other or greater duty on merchandize or other or greater tonnage than that paid by the citizens of the United States.

During that Space of time above mentioned no other nation Shall have a right to the Same privileges in the Ports of the ceded territory—the twelve years Shall commence three months after the exchange of ratifications if it Shall take place in France or three months after it Shall have been notified at Paris to the French Government

if it Shall take place in the United States; It is however well understood that the object of the above article is to favour the manufactures, Commerce, freight and navigation of France and of Spain So far as relates to the importations that the French and Spanish Shall make into the Said Ports of the United States without in any Sort affecting the regulations that the United States may make concerning the exportation of the produce and merchandize of the United States, or any right they may have to make Such regulations.

ARTICLE VIII:

In future and for ever after the expiration of the twelve years, the Ships of France shall be treated upon the footing of the most favoured nations in the ports above mentioned.

ARTICLE IX:

The particular Convention Signed this day by the respective Ministers, having for its object to provide for the payment of debts due to the Citizens of the United States by the French Republic prior to the 30th Sept. 1800 (8th Vendémiaire an 9) is approved and to have its execution in the Same manner as if it had been inserted in this present treaty, and it Shall be ratified in the same form and in the Same time So that the one Shall not be ratified distinct from the other.

Another particular Convention Signed at the Same date as the present treaty relative to a definitive rule between the contracting parties is in the like manner approved and will be ratified in the Same form, and in the Same time and jointly.

ARTICLE X:

The present treaty Shall be ratified in good and due form and the ratifications Shall be exchanged in the Space of Six months after the date of the Signature by the Ministers Plenipotentiary or Sooner if possible.

In faith whereof the respective Plenipotentiaries have Signed these articles in the French and English languages; declaring nevertheless that the present Treaty was originally agreed to in the French language; and have thereunto affixed their Seals.

Done at Paris the tenth day of Floreal in the eleventh year of the French Republic; and the 30th of April 1803.

ROBT R LIVINGSTON [SEAL]

JAS. MONROE [SEAL]

BARBÉ MARBOIS [SEAL]

* * *

A CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC

The President of the United States of America and the First Consul of the French Republic in the name of the French people, in consequence of the treaty of cession of Louisiana which has been Signed this day; wishing to regulate definitively every thing which has relation to the Said cession have authorized to this effect the Plenipotentiaries, that is to say the President of the United States has, by and with the advice and consent of the Senate of the Said States, nominated for their Plenipotentiaries, Robert R. Livingston, Minister Plenipotentiary of the United States, and James Monroe, Minister Plenipotentiary and Envoy-Extraordinary of the Said United States, near the Government of the French Republic; and the First Consul of the French Republic, in the name of the French people, has named as Plenipotentiary of the Said Republic the citizen Francis Barbé Marbois: who, in virtue of their full powers, which have been exchanged this day, have agreed to the followings articles:

ARTICLE 1:

The Government of the United States engages to pay to the French government in the manner Specified in the following article the sum of Sixty millions of francs independent of the Sum which Shall be fixed by another Convention for the payment of the debts due by France to citizens of the United States.

ARTICLE 2:

For the payment of the Sum of Sixty millions of francs mentioned in the preceding article the United States shall create a Stock of eleven millions, two hundred and fifty thousand Dollars bearing an interest of Six percent per annum payable half yearly in London Amsterdam or Paris amounting by the half year to three hundred and thirty Seven thousand five hundred Dollars, according to the proportions which Shall be determined by the French Government to be paid at either place: The principal of the Said Stock to be reimbursed at the treasury of the United States in annual payments of not less than three millions of Dollars each; of which the first payment Shall commence fifteen years after the date of the exchange of ratifications:—this Stock Shall be transferred to the government of France or to Such person or persons as Shall be authorized to receive it in three months at most after the exchange of ratifications of this treaty and after Louisiana Shall be taken possession of the name of the Government of the United States.

It is further agreed that if the French Government Should be desirous of disposing of the Said Stock to receive the capital in Europe at Shorter terms than its measures for that purpose Shall be taken So as to favour in the greatest degree possible the credit of the United States, and to raise to the highest price the Said Stock.

ARTICLE 3:

It is agreed that the Dollar of the United States Specified in the present Convention shall be fixed at five francs 3333/100000 or five livres eight Sous tournois.

The present Convention Shall be ratified in good and due form and the ratifications Shall be exchanged the Space of Six months to date from this day or sooner if possible.

In faith of which the respective Plenipotentiaries have signed the above articles both in the French and English languages, declaring nevertheless that the present treaty has been originally agreed on and written in the French language; to which they have hereunto affixed their Seals.

Done at Paris the tenth of Floreal eleventh year of the French Republic 30th April 1803.

ROBT R LIVINGSTON [SEAL]

JAS. MONROE [SEAL]

BARBÉ MARBOIS [SEAL]

* * *

A CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE FRENCH REPUBLIC

The President of the United States of America and the First Consul of the French Republic in the name of the French People having by a Treaty of this date terminated all difficulties relative to Louisiana, and established on a Solid foundation the friendship which unites the two nations and being desirous in compliance with the Second and fifth Articles of the Convention of the 8th Vendémiaire ninth year of the French Republic (30th September 1800) to Secure the payment of the Sums due by France to the citizens of the United States have respectively nominated as Plenipotentiaries that is to say The President of the United States of America by and with the advise and consent of their Senate Robert R. Livingston Minister Plenipotentiary and James Monroe Minister Plenipotentiary and Envoy Extraordinary of the Said States near the Government of the French Republic: and the First Consul in the

name of the French People the Citizen Francis Barbé Marbois Minister of the public treasury; who after having exchanged their full powers have agreed to the following articles.

ARTICLE 1:

The debts due by France to citizens of the United States contracted before the 8th Vendémiaire ninth year of the French Republic (30th September 1800) Shall be paid according to the following regulations with interest at Six per Cent; to commence from the period when the accounts and vouchers were presented to the French Government.

ARTICLE 2:

The debts provided for by the preceding Article are those whose result is comprised in the conjectural note annexed to the present Convention and which, with the interest cannot exceed the Sum of twenty millions of Francs. The claims comprised in the Said note which fall within the exceptions of the following articles, Shall not be admitted to the benefit of this provision.

ARTICLE 3:

The principal and interests of the Said debts Shall be discharged by the United States, by orders drawn by their Minister Plenipotentiary on their treasury, these orders Shall be payable Sixty days after the exchange of ratifications of the Treaty and the Conventions Signed this day, and after possession Shall be given of Louisiana by the Commissaries of France to those of the United States.

ARTICLE 4:

It is expressly agreed that the preceding articles Shall comprehend no debts but Such as are due to citizens of the United States who have been and are yet creditors of France for Supplies for embargoes and prizes made at Sea, in which the appeal has been properly lodged within the time mentioned in the Said Convention 8th Vendémiaire ninth year, (30th Sept 1800)

ARTICLE 5:

The preceding Articles Shall apply only, First: to captures of which the council of prizes Shall have ordered restitution, it being well understood that the claimant cannot have recourse to the United States otherwise than he might have had to the Government of the French republic, and only in case of insufficiency of the captors—2d the debts mentioned in the Said fifth Article of the Convention contracted

before the 8th Vendémiaire an 9 (30th September 1800) the payment of which has been heretofore claimed of the actual Government of France and for which the creditors have a right to the protection of the United States;— the Said 5th Article does not comprehend prizes whose condemnation has been or Shall be confirmed: it is the express intention of the contracting parties not to extend the benefit of the present Convention to reclamations of American citizens who Shall have established houses of Commerce in France, England or other countries than the United States in partnership with foreigners, and who by that reason and the nature of their commerce ought to be regarded as domiciliated in the places where Such house exist.—All agreements and bargains concerning merchandize, which Shall not be the property of American citizens, are equally excepted from the benefit of the said Conventions, Saving however to Such persons their claims in like manner as if this Treaty had not been made.

ARTICLE 6:

And that the different questions which may arise under the preceding article may be fairly investigated, the Ministers Plenipotentiary of the United States Shall name three persons, who Shall act from the present and provisionally, and who shall have full power to examine, without removing the documents, all the accounts of the different claims already liquidated by the Bureaus established for this purpose by the French Republic, and to ascertain whether they belong to the classes designated by the present Convention and the principles established in it or if they are not in one of its exceptions and on their Certificate, declaring that the debt is due to an American Citizen or his representative and that it existed before the 8th Vendémiaire 9th year (30 September 1800) the debtor shall be entitled to an order on the Treasury of the United States in the manner prescribed by the 3d Article.

ARTICLE 7:

The Same agents Shall likewise have power, without removing the documents, to examine the claims which are prepared for verification, and to certify those which ought to be admitted by uniting the necessary qualifications, and not being comprised in the exceptions contained in the present Convention.

ARTICLE 8:

The Same agents shall likewise examine the claims which are not prepared for liquidation, and certify in writing those which in their judgment ought to be admitted to liquidation.

ARTICLE 9:

In proportion as the debts mentioned in these articles shall be admitted they Shall be discharged with interest at Six per Cent: by the Treasury of the United States.

ARTICLE 10:

And that no debt shall not have the qualifications above mentioned and that no unjust or exorbitant demand may be admitted, the Commercial agent of the United States at Paris or such other agent as the Minister Plenipotentiary or the United States Shall think proper to nominate shall assist at the operations of the Bureaus and cooperate in the examinations of the claims; and if this agent Shall be of the opinion that any debt is not completely proved, or if he shall judge that it is not comprised in the principles of the fifth article above mentioned, and if notwithstanding his opinion the Bureaus established by the French Government should think that it ought to be liquidated, he shall transmit his observations to the board established by the United States, who, without removing documents, shall make a complete examination of the debt and vouchers which Support it, and report the result to the Minister of the United States.—The Minister of the United States Shall transmit his observations in all Such cases to the Minister of the treasury of the French Republic, on whose report the French Government Shall decide definitively in every case.

The rejection of any claim shall have no other effect than to exempt the United States from the payment of it, the French Government reserving to itself, the right to decide definitively on such claim So far as it concerns itself.

ARTICLE 11:

Every necessary decision shall be made in the course of a year to commence from the exchange of ratifications, and no reclamation shall be admitted afterwards.

ARTICLE 12:

In case of claims for debts contracted by the Government of France with citizens of the United States Since the 8th Vendémiaire 9th year / 30 September 1800 not being comprised in this Convention may be pursued, and the payment demanded in the same manner as if it had not been made.

ARTICLE 13:

The present convention Shall be ratified in good and due form and the ratifications Shall be exchanged in Six months from the date of the Signature of the Ministers Plenipotentiary, or Sooner if possible.

In faith of which, the respective Ministers Plenipotentiary have signed the above Articles both in the French and English languages, declaring nevertheless that the present treaty has been originally agreed on and written in the French language, to which they have hereunto affixed their Seals.

Done at Paris, the tenth of Floreal, eleventh year of the French Republic. 30th April 1803.

ROBT R LIVINGSTON [SEAL]

JAS. MONROE [SEAL]

BARBÉ MARBOIS [SEAL]

Fuente: <http://www.ourdocuments.gov/doc.php?doc=18&page=transcript>

Jefferson's Secret Message to Congress Regarding The Lewis & Clark Expedition 1803

Confidential.

Gentlemen of the Senate, and of the House of Representatives:

As the continuance of the act for establishing trading houses with the Indian tribes will be under the consideration of the Legislature at its present session, I think it my duty to communicate the views which have guided me in the execution of that act, in order that you may decide on the policy of continuing it, in the present or any other form, or discontinue it altogether, if that shall, on the whole, seem most for the public good.

The Indian tribes residing within the limits of the United States, have, for a considerable time, been growing more and more uneasy at the constant diminution of the territory they occupy, although effected by their own voluntary sales: and the policy has long been gaining strength with them, of refusing absolutely all further sale, on any conditions; insomuch that, at this time, it hazards their friendship, and excites dangerous jealousies and perturbations in their minds to make any overture for the purchase of the smallest portions of their land. A very few tribes only are not yet obstinately in these dispositions. In order peaceably to counteract this policy of theirs, and to provide an extension of territory which the rapid increase of our numbers will call for, two measures are deemed expedient. First: to encourage them to abandon hunting, to apply to the raising stock, to agriculture and domestic manufacture, and thereby prove to themselves that less land and labor will maintain them in this, better than in their former mode of living. The extensive forests necessary in the hunting life, will then become useless, and they will see advantage in exchanging them for the means of improving their farms, and of increasing their domestic comforts. Secondly: to multiply trading houses among them, and place within their reach those things which will contribute more to their domestic comfort, than the possession of extensive, but uncultivated wilds. Experience and reflection will develop to them the wisdom of exchanging what they can spare and we want, for what we can spare and they want. In leading them to agriculture, to manufactures, and civilization; in bringing together their and our settlements, and in preparing them ultimately to participate in the benefits of our governments, I trust and believe we are acting for their greatest good. At these trading houses we have pursued the principles of the act of Congress, which directs that the commerce shall be carried on liberally, and requires only that the capital stock shall not be diminished. We consequently undersell private traders, foreign and domestic, drive

them from the competition; and thus, with the good will of the Indians, rid ourselves of a description of men who are constantly endeavoring to excite in the Indian mind suspicions, fears, and irritations towards us. A letter now enclosed, shows the effect of our competition on the operations of the traders, while the Indians, perceiving the advantage of purchasing from us, are soliciting generally, our establishment of trading houses among them. In one quarter this is particularly interesting. The Legislature, reflecting on the late occurrences on the Mississippi, must be sensible how desirable it is to possess a respectable breadth of country on that river, from our Southern limit to the Illinois at least; so that we may present as firm a front on that as on our Eastern border. We possess what is below the Yazoo, and can probably acquire a certain breadth from the Illinois and Wabash to the Ohio; but between the Ohio and Yazoo, the country all belongs to the Chickasaws, the friendliest tribe within our limits, but the most decided against the alienation of lands. The portion of their country most important for us is exactly that which they do not inhabit. Their settlements are not on the Mississippi, but in the interior country. They have lately shown a desire to become agricultural; and this leads to the desire of buying implements and comforts. In the strengthening and gratifying of these wants, I see the only prospect of planting on the Mississippi itself, the means of its own safety. Duty has required me to submit these views to the judgment of the Legislature; but as their disclosure might embarrass and defeat their effect, they are committed to the special confidence of the two Houses.

While the extension of the public commerce among the Indian tribes, may deprive of that source of profit such of our citizens as are engaged in it, it might be worthy the attention of Congress, in their care of individual as well as of the general interest, to point, in another direction, the enterprise of these citizens, as profitably for themselves, and more usefully for the public. The river Missouri, and the Indians inhabiting it, are not as well known as is rendered desirable by their connexion with the Mississippi, and consequently with us. It is, however, understood, that the country on that river is inhabited by numerous tribes, who furnish great supplies of furs and peltry to the trade of another nation, carried on in high latitude, through an infinite number of portages and lakes, shut up by ice through a long season. The commerce on that line could bear no competition with that of the Missouri, traversing a moderate climate, offering according to the best accounts, a continued navigation from its source, and possibly with a single portage, from the Western Ocean, and finding to the Atlantic a choice of channels through the Illinois or Wabash, the lakes and Hudson, through the Ohio and Susquehanna, or Potomac or James rivers, and through the Tennessee and Savannah, rivers. An intelligent officer, with ten or twelve chosen men, fit for the enterprise, and willing to undertake it, taken from our posts,

where they may be spared without inconvenience, might explore the whole line, even to the Western Ocean, have conferences with the natives on the subject of commercial intercourse, get admission among them for our traders, as others are admitted, agree on convenient deposits for an interchange of articles, and return with the information acquired, in the course of two summers. Their arms and accoutrements, some instruments of observation, and light and cheap presents for the Indians, would be all the apparatus they could carry, and with an expectation of a soldier's portion of land on their return, would constitute the whole expense. Their pay would be going on, whether here or there. While other civilized nations have encountered great expense to enlarge the boundaries of knowledge by undertaking voyages of discovery, and for other literary purposes, in various parts and directions, our nation seems to owe to the same object, as well as to its own interests, to explore this, the only line of easy communication across the continent, and so directly traversing our own part of it. The interests of commerce place the principal object within the constitutional powers and care of Congress, and that it should incidentally advance the geographical knowledge of our own continent, cannot be but an additional gratification. The nation claiming the territory, regarding this as a literary pursuit, which is in the habit of permitting within its dominions, would not be disposed to view it with jealousy, even if the expiring state of its interests there did not render it a matter of indifference. The appropriation of two thousand five hundred dollars, "for the purpose of extending the external commerce of the United States," while understood and considered by the Executive as giving the legislative sanction, would cover the undertaking from notice, and prevent the obstructions which interested individuals might otherwise previously prepare in its way.

Fuente: <http://www.ourdocuments.gov/doc.php?doc=17&page=transcript>