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Dueling as Politics: Reinterpreting the Burr-Hamilton Duel

Joanne B. Freeman

ON the evening of July 10, 1804, Alexander Hamilton was a man tormented. At dawn he would duel with Aaron Burr. Hamilton considered himself “strongly opposed to the practice of Duelling,” yet the following morning he would stand opposite Burr on the heights of Weehawken, New Jersey, pistol in hand, awaiting the command to fire.¹

Three weeks earlier, Burr had taken offense at remarks attributed to Hamilton in *The Albany Register*. In the midst of New York’s 1804 gubernatorial campaign, Republicans had published in the newspaper a piece of Federalist correspondence; after noting Hamilton’s opposition to Burr’s candidacy, the writer, Charles D. Cooper, assured his correspondent that he “could detail . . . a still more despicable opinion which General Hamilton has expressed of Mr. Burr.” Though Cooper only hinted at an offensive personal insult, Burr seized on this remark as provocation for an affair of honor and demanded an explanation from Hamilton.²

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¹ Hamilton, “Statement on Impending Duel with Aaron Burr,” [June 28-July 10, 1804], *The Papers of Alexander Hamilton*, ed. Harold C. Syrett, 27 vols. (New York, 1961–1987), 26:278. Internal evidence suggests that Hamilton wrote this statement on July 10, for it explains his decision to withhold his fire, a decision finalized with his second the night before the duel (see below, note 7). Further evidence is contained in Hamilton’s July 10 letter to his wife, explaining that he will withhold his fire owing to “the Scruples of a Christian,” words that echo both his July 10 remarks to his second and the introductory passage of his apology; “Nathaniel Pendleton’s Amendments to the Joint Statement Made by William P. Van Ness and Him on the Duel Between Alexander Hamilton and Aaron Burr,” July 19, 1804, and Hamilton to Elizabeth Hamilton, [July 10, 1804], *ibid.*, 337–39, 308; Charles King to Rufus King, Apr. 7, 1819, and Rufus King to Matthew Clarkson, Aug. 24, 1804, in *The Life and Correspondence of Rufus King . . .*, ed. Charles R. King, 6 vols. (New York, 1897), 4:396, 400–01. Burr seems to have dated Hamilton’s statement July 10 as well; see below, note 112.

² Cooper to Philip Schuyler, Apr. 23, 1804, *Hamilton Papers*, 26:246; *Albany Register*, Apr. 24, 1804. Ironically, Schuyler, Hamilton’s father-in-law, was the recipient of the letter that precipitated Hamilton’s death. For firsthand accounts of the duel’s proceedings see William Coleman, *A Collection of the Facts and Documents, relative to the Death of Major-General Alexander Hamilton* (New York, 1804); Syrett and Jean G. Cooke, eds., *Interview in Weehawken: The Burr-Hamilton Duel as Told in the Original Documents* (Middletown, Conn., 1960); [William P. Van

The logic behind both men's actions has largely eluded historians. What prevented Hamilton from ending the affair with an apology or an explanation? Why did Burr instigate a duel on such dubious grounds? Scholars have attributed these self-destructive decisions to emotional excess, suggesting that Hamilton was suicidal and Burr malicious and murderous.³ Admittedly, Hamilton and Burr were haunted by private demons. Though born at opposite ends of the social spectrum, each spent his adult life challenging the confines of his ancestry—for Hamilton, his illegitimacy; for Burr, the saintly mantle of his famed grandfather, the Reverend Jonathan Edwards. Self-created men of high ambition, each was insecure and touchy, ever ready to prove his worth. Personal insecurities may have made Hamilton and Burr likely duelists but do not explain how they justified the duel to themselves. To understand their mindset, we must reach beyond questions of temperament to examine the duel in its cultural and political context.⁴

Of the two decisions, Hamilton's was the more conflicted. Unlike Burr, Hamilton was not prepared to duel upon commencing negotiations. He was the unsuspecting recipient of a challenge, morally and religiously opposed to dueling yet profoundly protective of his honor and fervently committed to opposing Burr's political career.⁵ Unsure how to proceed upon receiving Burr's initial demand, he consulted "a very moderate and judicious friend," Rufus King, with whom he discussed the propriety of Burr's line of inquiry, ultimately deeming it too "general and undefined" to merit a response. Aware that this decision could provoke Burr, Hamilton also told King that he would accept a challenge if offered—but not necessarily shoot at his challenger. King was stunned. A duelist was justified in preserving his life,

Ness], *A Correct Statement of the Late Melancholy Affair of Honor, Between General Hamilton and Col. Burr* . . . (New York, 1804); and *Hamilton Papers*, 26:235–349. See also Broadus Mitchell, *Alexander Hamilton*, 2 vols. (New York, 1962), 2:527–38, and W. J. Rorabaugh, "The Political Duel in the Early Republic: Burr v. Hamilton," *Journal of the Early Republic*, 15 (1995), 1–23.

³ *Hamilton Papers*, 26:240 headnote; Jacob E. Cooke, *Alexander Hamilton: A Profile* (New York, 1982), 240–43; Milton Lomask, *Aaron Burr: The Years from Princeton to Vice President, 1756–1805*, 2 vols. (New York, 1979), 1:344; Forrest McDonald, *Alexander Hamilton* (New York, 1979), 360; Mitchell, *Alexander Hamilton*, 2:527, 542. Mary-Jo Kline confesses herself "baffled," in *Political Correspondence and Public Papers of Aaron Burr*, 2 vols. (Princeton, 1983), 2:881 (hereafter *Papers of Aaron Burr*).

⁴ On honor and dueling in America see Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the 19th-Century American South* (New York, 1984); Dickson D. Bruce, Jr., *Violence and Culture in the Antebellum South* (Austin, Tex., 1979); Elliott J. Gorn, "Gouge and Bite, Pull Hair and Scratch: The Social Significance of Fighting in the Southern Backcountry," *American Historical Review*, 90 (1985), 18–43; Kenneth S. Greenberg, *Masters and Statesmen: The Political Culture of American Slavery* (Baltimore, 1985), and "The Nose, the Lie, and the Duel in the Antebellum South," *AHR*, 95 (1990), 57–74; Steven M. Stowe, *Intimacy and Power in the Old South: Ritual in the Lives of the Planters* (Baltimore, 1987); and Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York, 1982), and "Honour and American Republicanism: A Neglected Corollary," *Ideology and the Historians*, ed. Ciaran Brady (Dublin, 1991), 49–65.

⁵ Hamilton to [?], Sept. 21, 1792, *Hamilton Papers*, 12:408.

he insisted; Hamilton would be shooting in self-defense. Nathaniel Pendleton, Hamilton's second, made the same argument a few days later, finally eliciting a promise from Hamilton that "he would not decide lightly, but take time to deliberate fully."⁶

On the evening of July 10, the night before the duel, Hamilton made his choice. In the midst of a final planning session, he told Pendleton that he had decided "not to fire at Col. Burr the first time, but to receive his fire, and fire in the air." Pendleton vehemently protested, but Hamilton would not be swayed. His decision, he explained, was "the effect of a religious scruple, and does not admit of reasoning."⁷ Pendleton did not understand. Nor did King. Aware that even his most intimate friends disapproved of his actions, about to risk his life for his reputation, Hamilton felt driven to explain himself. Alone in his study after Pendleton's departure, he took up his pen.⁸

"On my expected interview with Col. Burr, I think it proper to make some remarks explanatory of my conduct, motives, and views."⁹ He then set down his apologia, four pages of lawyerly assertions penned in an uncharacteristically constrained hand. The attorney Hamilton was defending his reputation before the tribunal of posterity, explaining his decision to duel.

Hamilton first solicited his putative jury's sympathy by presenting himself as a law-abiding husband and father. He was "certainly desirous of avoiding this interview," he explained, substantiating his claim with an enumerated list of reasons: the duel violated his religious and moral principles and defied the law, threatened the welfare of his family, put his creditors at risk, and ultimately compelled him to "hazard much, and . . . possibly gain nothing." Nor did he feel any ill-will toward Burr "distinct from political opposition, which . . . proceeded from pure and upright motives." Given these considerations, refusing Burr's challenge seemed the logical choice.

Yet, he next explained, the duel was "impossible . . . to avoid." There were "*intrinsick* difficulties in the thing," because Hamilton had, indeed, made "extremely severe" attacks on Burr's political and private character. Because he had uttered these remarks "with sincerity . . . and for purposes, which might appear to me commendable," he could not apologize for them.

⁶ Hamilton, "Statement on Impending Duel with Aaron Burr," 279; Charles King to Rufus King, Apr. 7, 1819, and Rufus King to Matthew Clarkson, Aug. 24, 1804, *Correspondence of Rufus King*, 4:396, 400-01; "Pendleton's Amendments . . . , July 19, 1804," *Hamilton Papers*, 26:338.

⁷ "Pendleton's Amendments . . . , July 19, 1804," *Hamilton Papers*, 26:338.

⁸ Hamilton's 1804 apologia is extreme but not unique. Burr wrote a (somewhat utilitarian) parting statement to his son-in-law on the night before the duel, as had Hamilton to a friend—9 years earlier—before his anticipated duel with James Nicholson. The 3 statements reveal shared concerns—debts, family, friends—and also display significant differences in tone and content, a reminder of the importance of considerations of temperament, self-conception, and circumstance in studying the duel. Burr to Joseph Alston, July 10, 1804, in *Memoirs of Aaron Burr*, ed. Matthew L. Davis, 2 vols. (New York, 1837), 2:324-26; Hamilton to Robert Troup, July 25, 1795, *Hamilton Papers*, 17:503-07.

⁹ Hamilton, "Statement on Impending Duel with Aaron Burr," 278-81. All quotations in the next 4 paragraphs are from this statement, as are all subheads.

More complicating were "artificial embarrassments" caused by Burr's behavior throughout their negotiations. Hamilton's supposed offense was too "general and indefinite" to explain, "if it had really been proper . . . to submit to be so questioned." Burr's manner was also insulting. In his first letter to Hamilton, Burr had assumed "a tone unnecessarily peremptory and menacing and in the second, positively offensive." Such treatment almost compelled Hamilton to accept Burr's challenge, yet, even in the face of such an affront, he had "wished, as far as might be practicable, to leave a door open to accommodation." He had struggled so diligently to avoid a confrontation that he was unsure whether he "did not go further in the attempt to accommodate, than a pun[c]tilious delicacy will justify." If so, he hoped that his motives would deflect any charges of cowardice.

Hamilton now approached the crux of his defense—his attempt to accommodate the mandates of honor and politics with those of morality, religion, and the law.¹⁰ He had satisfied the code of honor by accepting Burr's challenge, violating the civil law only under duress. He had maintained his political integrity by refusing to apologize for heartfelt political convictions. Now he would uphold his moral and religious principles by withholding his fire. Because of "my general principles and temper in relation to similar affairs," Hamilton explained, "I have resolved, if our interview is conducted in the usual manner, and it pleases God to give me the opportunity, to *reserve and throw away* my first fire." Hamilton's seemingly illogical plan thus comprised four reasoned decisions, each prompted by a separate code of conduct.

Hamilton had ruled out many options, but one remained. Why not simply refuse to participate? Addressing himself to "those, who with me abhorring the practice of Duelling may think that I ought on no account to have added to the number of bad examples," he explained his fundamental reason:

All the considerations which constitute what men of the world denominate honor, impressed on me (as I thought) a peculiar necessity not to decline the call. The ability to be in future useful, whether in resisting mischief or effecting good, in those crises of our public affairs, which seem likely to happen, would probably be inseparable from a conformity with public prejudice in this particular.

Hamilton accepted Burr's challenge in order to preserve his "ability to be in future useful" in political crises. In his mind, the duel was a praiseworthy

¹⁰ On incompatible value systems see Douglass Adair and Marvin Harvey, "Was Alexander Hamilton a Christian Statesman?" *William and Mary Quarterly*, 3d Ser., 12 (1955), 308-29; Andrew Steinmetz, *The Romance of Duelling in All Times and Countries*, 2 vols. (Richmond, Eng., 1971; orig. pub. 1868), 1:5-6; and Gerald Stourzh, *Alexander Hamilton and the Idea of Republican Government* (Stanford, Calif., 1970), 94.

attempt to serve the common good, a public, political act. Yet it was also an intensely personal attempt to preserve his public career and private sense of self—to prove to the world and to himself that he was a man of his word, a man of courage and principle, a leader. And in less sympathetic eyes, the duel could appear to be a politically motivated effort to prevent a rival from bolstering his reputation at Hamilton's expense.¹¹ In his final hours before the duel, compelled to transcribe the conflicted logic of a life-threatening decision, Hamilton gave voice to the complex blend of cultural and political influences that led politicians to duel.

This article examines the political duel in its complexity. It does not study individual duels in isolation or reduce them to the level of historical anecdote.¹² Neither does it neglect the distinctiveness of particular duels; it does not tackle so broad a theme as to lose sight of a duel's significance to its participants. Aiming at a midpoint between broad cultural history and detailed analysis of the political narrative, the article takes the vantage point of a historian-ethnographer, identifying and interpreting patterns of thought and behavior among a select group of political duelists. In doing so, it views early national politics in a new light, disclosing the influence of honor on the period's political events and personalities. Such an exploration reveals the dynamics and disposition of politics in an age predating the emergence of permanent national political parties. It uncovers a ritualized, honor-bound, public-minded, yet personal level of political interaction—a grammar of political combat that politicians recognized and manipulated as a means of conducting politics in the early republic.

By exploring the interplay of culture and politics, this study considers American political history from an unconventional perspective.¹³ It examines the impact of cultural imperatives on political interaction and applies

¹¹ Stourzh argues that, during Hamilton's public career, "'selfishness' and public service merged in a single passion"—the love of fame—a reminder that even self-interest can be multi-dimensional. A public servant could desire fame and power without necessarily being conscious of the difference; Stourzh, *Alexander Hamilton and the Idea of Republican Government*, 105–06. See also Adair, "Fame and the Founding Fathers," in Trevor Colbourn, ed., *Fame and the Founding Fathers* (New York, 1974), 3–26, and Adam Smith, *The Theory of Moral Sentiments*, ed. D. D. Raphael and A. L. Macfie (Indianapolis, 1982; orig. pub. 1759), 126–27.

¹² Anecdotal works include John A. Atkinson, *Duelling Pistols and Some of the Affairs They Settled* (Harrisburg, Pa., 1966); Hamilton Cochran, *Noted American Duels and Hostile Encounters* (Philadelphia, 1963); Virginius Dabney, *Pistols and Pointed Pens: The Dueling Editors of Old Virginia* (Chapel Hill, 1987); Lorenzo Sabine, *Notes on Duels and Duelling, Alphabetically Arranged* . . . (Boston, 1855); Don C. Seitz, *Famous American Duels* . . . (New York, 1929); and Ben C. Truman, *Duelling in America*, ed. Stephen Randolph Wood (San Diego, 1992; reprint of 19th-century edition, n.d.).

¹³ Historians of monarchic and revolutionary France have been using similar methodological techniques. See Norbert Elias, *The Court Society*, trans. Edmund Jephcott (New York, 1983); Lynn Hunt, *Politics, Culture, and Class in the French Revolution* (Berkeley, 1984); and entire issue, *Eighteenth-Century Studies*, 22 (1988–1989). See also David S. Shields and Fredrika J. Teute, "The Republican Court and the Historiography of a Women's Domain in the Public Sphere," paper presented at the annual meeting, Society for Historians of the Early American Republic, July 16, 1994, Boston, Mass.

the insights gleaned to the historical narrative—in the case at hand, to the Burr-Hamilton duel. Burr and Hamilton viewed the world through lenses of a distinctive tint; they shared with their peers a code of conduct, a mutual understanding of limits, demands, expectations, and goals. To make sense of the duel, we must look through their eyes. We must learn for ourselves the meaning of honor among politicians.¹⁴

“What men of the world denominate honor”

Perhaps the most common misunderstanding about the American political duel concerns its purpose. For twentieth-century onlookers far removed from the culture of honor, the duel was a ritual of violence whose purpose was to maim or kill an adversary. But to early national politicians, duels were demonstrations of manner, not marksmanship; they were intricate games of dare and counter-dare, ritualized displays of bravery, military prowess, and, above all, willingness to sacrifice one's life for one's honor. Each man's response to the threat of gunplay bore far more meaning than the exchange of fire itself. Politicians considered themselves engaged in an affair of honor from the first “notice” of an insult to the final acknowledgment of “satisfaction,” a process that sometimes took weeks or even months. Regardless of whether shots were fired, these ritualized negotiations constituted an integral part of a duel.¹⁵

This more precise understanding of the duel reveals that there were more honor disputes in the early republic than previously recognized; for example, Hamilton was involved in eleven affairs of honor during the course of his life.¹⁶ As a partisan leader (and a particularly controversial one at that),

¹⁴ Julian Pitt-Rivers describes honor as “a sentiment, a manifestation of this sentiment in conduct, and the evaluation of this conduct by others. . . . It is both internal to the individual and external to him—a matter of his feelings, his behavior, and the treatment that he receives,” in “Honor,” *International Encyclopedia of the Social Sciences*, vol. 6 (New York, 1968–1979), 503–10. “Character” and “reputation” are components of honor: character is determined by a person's behavior and reputation is a community's evaluation of this behavior. See also Ayers, *Vengeance and Justice in the Old South*, 13; Pitt-Rivers, “Honour and Social Status,” in *Honour and Shame: The Values of Mediterranean Society*, ed. J. G. Peristiany (Chicago, 1965), 21; T. V. Smith, “Honor,” *Encyclopedia of the Social Sciences*, vol. 7 (New York, 1930–1934), 456–58; and Wyatt-Brown, *Southern Honor*, 14 and passim.

¹⁵ The most recent account of the Burr-Hamilton duel summarizes 3 weeks of meticulously reasoned correspondence in two sentences; Rorabaugh, “Political Duel in the Early Republic,” 9. On the importance of negotiations see Stowe, *Intimacy and Power in the Old South*, 30; Bruce, *Violence and Culture in the Antebellum South*, 32; and Greenberg, “The Nose, the Lie, and the Duel in the Antebellum South,” 57. On dueling rules and rituals see Sabine, *Notes on Duels and Duelling*; Steinmetz, *Romance of Duelling in All Times and Countries*; and John Lyde Wilson, *The Code of Honor* (Charleston, 1838).

¹⁶ Hamilton was a principal in 11 affairs of honor, with the Rev. William Gordon (1779), Aedanus Burke (1790), John Francis Mercer (1792–1793), James Nicholson (1795), Maturin Livingston (1795–1796), James Monroe (1797), John Adams (1800), Ebenezer Purdy/George Clinton (1804), and Burr (1804). He claimed to have had one additional honor dispute with Burr; Burr thought that there were two previous incidents. Nathaniel Pendleton to Van Ness, June 26, 1804, in *Hamilton Papers*, 26:270; Burr to Charles Biddle, July 18, 1804, in *Papers of*

Hamilton doubtless attracted more than his share of abuse. Yet his level of involvement in honor disputes was not unique. In New York City, Hamilton's adopted home, there were at least sixteen affairs of honor between 1795 and 1807, most of them heretofore unrecognized because they did not result in a challenge or the exchange of fire.¹⁷ These duels did not result from a sudden flare of temper; politicians timed them strategically, sometimes provoked them deliberately. Often, the two seconds published conflicting newspaper accounts of a duel, each man boasting of his principal's bravery and mocking his opponent's cowardice. Fought to influence a broad public, synchronized with events of the political timetable, political duels conveyed carefully scripted political messages.¹⁸

Politicians manipulated the affair of honor to serve their immediate political needs, but they also shared a profound respect for its personal dimension, its impact on their sense of self. The duel was a subtle blend of the strategic and the sincere, the self-interested and the selfless, the political and the personal, the public and the private. Political duelists were not rapacious politicians deliberately masking evil intentions under the guise of honor. They were men of public duty and private ambition who identified so closely with their public roles that they could not always distinguish between their identity as gentlemen and their status as political leaders. Nowhere do we witness this ambiguity more affectingly than in Hamilton's apology, his testament to the complexities of political leadership among men of honor.

Personal honor was a concern of politicians throughout the nation. North and south, they recognized the need to remain alert to tone, intent, and implications to preserve their status.¹⁹ Dependent on the community-at-

Aaron Burr, 2:887. He also posted (ritualistically published as a liar) Andrew Fraunces, a man he deemed too base to challenge (1793). He played a role in 3 other duels (not counted among his 11 honor disputes), as a second to John Laurens in his duel with General Charles Lee (1779), as a second to legal client John Auldjo in his duel with fellow federal Convention delegate William Pierce (1787), and as an unofficial adviser to his son Philip before the latter's duel with George Eacker (1801). Not counted among Hamilton's disputes is Major John Eustace's failed attempt to provoke a duel with him in defense of General Charles Lee's honor (1779); see Eustace to Lee, Aug. 24, Nov. 28, 1779, "The Lee Papers (1778-1782)," *Collections of the New-York Historical Society for the Year 1873* (1874), 2:362-63, 393-94.

¹⁷ This study is grounded on the analysis of 16 interrelated political duels in New York City between 1795 and 1807. My list is not comprehensive. Because dueling was illegal, politicians often destroyed their correspondence once an affair was resolved. In addition, less controversial duels sometimes received little or no newspaper coverage. For the purposes of this article, the precise number of duels is less important than the persistence of dueling as a form of political combat. Similarly, 1807 does not mark the demise of dueling in New York City; on the contrary, I have discovered additional disputes brewing for several years thereafter. My forthcoming book on political combat in the early republic treats these duels in detail.

¹⁸ The duel's political function was so widely recognized that antidueling tracts regularly suggested ending the practice by "withholding your suffrages from every man whose hands are stained with blood"; Lyman Beecher, "The Remedy for Duelling. A Sermon" (New York, 1809), 4. See also Samuel Spring, "The Sixth Commandment Friendly to Virtue, Honor and Politeness . . ." (Newburyport, Mass., 1804), 24-25.

¹⁹ Colonial and early national studies rarely treat the culture of honor and almost never

large for both personal honor and public career, they had to be acutely sensitive to public opinion, the prevailing tone of a community's conversation.²⁰ Concern with reputation was an axiom of political interaction in the early republic, a fundamental assumption undergirding the nation's constitutional framework. As Hamilton noted in *The Federalist*, only personal responsibility before the eyes of the public—the threat of dishonor before an ever-vigilant audience—could restrain self-serving, ambitious politicians. Concern with reputation was the ultimate check in an intricate system of checks and balances.²¹

The character of politics in the early republic—the prevailing distrust of political parties, the small-scale, localized political realm—magnified this obsession with reputation. Without the anonymity and formal alliances offered by membership in an institutionalized party, political interaction revolved around the identities and aspirations of individual politicians. Factional alliances and personal friendships were often indistinguishable. An attack on a political measure was an attack on an individual, and an attack on an individual demanded a personal defense. A politician's private identity and his public office were thus inseparably linked.²² This blend of the personal, the political, the public, and the private contributed to the volatility of politics in the 1790s. Political combat readily degenerated into battles of "asperities and personalities."²³

Charges against rivals, ranging from accusations of official misconduct to character slurs, usually shared one underlying theme. Politicians accused

accord it any power outside the antebellum South. Yet it was integral to the 18th-century mindset—part of a larger body of pervasive cultural assumptions. Though New England politicians usually avoided the dueling ground, they had fewer qualms about canings, public postings, and other rituals of the honor code. When pressed into a duel, they usually evaded it in conformity with the code of honor. Examples of New England honor disputes include North Carolina Representative Thomas Blount-Massachusetts Representative George Thatcher (1797); Virginia Representative William Branch Giles-Massachusetts Representative Harrison Gray Otis (1798); James Henderson Eliot-William Austin, both from Massachusetts (1806); and Charles Austin-Thomas Selfridge, both from Massachusetts (1806). I will explore the influence of honor in New England—in particular, the Austin-Selfridge dispute—in a future study. See also Everts B. Greene, "The Code of Honor in Colonial and Revolutionary Times, with Special Reference to New England," *Publications of the Colonial Society of Massachusetts*, 26 (1927), 367–88.

²⁰ A common 18th-century conceit depicted public opinion as a mirror enabling men to see themselves. See, for examples, Adam Smith, *Theory of Moral Sentiments*, 110–11, and David Hume, *A Treatise of Human Nature*, ed. L. A. Selby-Bigge (Oxford, 1960; orig. pub. 1739–1740), 365.

²¹ See, for example, *Federalist* Nos. 69 and 70, in Jacob E. Cooke, ed., *The Federalist* (Middletown, Conn., 1961), 470, 477.

²² For discussion of the link between personal identity and public office see Jan Lewis, "The Blessings of Domestic Society: Thomas Jefferson's Family and the Transformation of American Politics," *Jeffersonian Legacies*, ed. Peter S. Onuf (Charlottesville, 1993), 109–46, esp. 116–23; Alan Taylor, "'The Art of Hook and Snivey': Political Culture in Upstate New York during the 1790s," *Journal of American History*, 79 (1993), 1371–96; Robert H. Wiebe, *The Opening of American Society: From the Adoption of the Constitution to the Eve of Disunion* (New York, 1984), 98–104; and David Hackett Fischer, *The Revolution of American Conservatism: The Federalist Party in the Era of Jeffersonian Democracy* (New York, 1965).

²³ David Denniston and James Cheetham to Robert R. Livingston, Mar. 23, 1802, Robert R. Livingston papers (microfilm), New-York Historical Society.

one another of behaving like politicians. They charged one another with the sins of self-interest and private ambition.²⁴ They cried out against corrupt dependencies grounded on the distribution of favors. All around them, they saw what they most feared, the selfish motives and hidden intrigues of faction. Yet, in struggling against these enemies of the republic, politicians created factions of their own. When a politician defended his honor, he was defending his ability to claim power, promoting himself and his "particular friends" in public-minded contests with political opponents. In essence, he was conducting partisan politics.

For politicians of the early republic, honor was thus much more than a vague sense of self-worth; it represented ability to prove oneself a deserving political leader.²⁵ Hamilton was trying to do as much in his final statement. Burr had been compelled by the same logic when he challenged Hamilton. Politicians were simultaneously asserting their concern for the common good and their partisan biases, their selflessness and their private ambitions. These conflicting urges joined to produce an ambiguous form of politics, fueled by public-minded personal disputes couched in the language of honor.

The strictures of honor controlled, channeled, and masked political combat by providing a code of conduct that enforced gentlemanly standards of behavior.²⁶ Men who did not abide by these rules were neither gentlemen nor leaders. As Burr warned Hamilton during their negotiations, "political opposition can never absolve Gentlemen from the necessity of a rigid adherence to the laws of honor and the rules of decorum."²⁷ For Burr, as for Hamilton, the "laws of honor" constituted a standard by which he could gauge himself and his rivals. It enabled him, his peers, and the public at large to "judge of the correctness of the conduct of their representatives"²⁸ and so distinguish those who were worthy of leadership from those who were not. A means of empowering oneself while deposing one's foes, of asserting one's merit while remaining self-righteously defensive, the code of honor was a powerful political tool. It was an indirect form of combat, functionally adapted for a society that feared and condemned open ambition and factional politics.

²⁴ For example, a duel resulted from John Swartwout's assertion that Senator De Witt Clinton was "governed by unworthy motives"; Clinton to Swartwout, July 26, 1802, *New-York Evening Post*, Aug. 2, 1802. Similarly, Clinton and fellow senator Jonathan Dayton almost dueling after Dayton said that Clinton "was in the habit of impeaching in debate the motives of Members"; Robert Wright and Samuel Smith, "Statement of facts in an affair of honor between De Witt Clinton and Jonathan Dayton," Nov. 20, 1803, De Witt Clinton papers, Rare Book and Manuscript Library, Columbia University.

²⁵ For a similar phenomenon among newly promoted Revolutionary War officers see Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775-1783* (Chapel Hill, 1979), 88-95, 207-11.

²⁶ Wyatt-Brown, *Southern Honor*, 61; V. G. Kiernan, *The Duel in European History: Honour and the Reign of Aristocracy* (Oxford, 1986), 97.

²⁷ Burr to Hamilton, June 21, 1804, *Hamilton Papers*, 26:250.

²⁸ [New York] *The People's Friend & Daily Advertiser*, Jan. 24, 1807. The quotation concerns a political duel near Washington, D. C.

"If our interview is conducted in the usual manner"

In planning his course of action on the dueling ground, Hamilton relied on universal recognition of the language of honor. Like other politicians, he had a keen understanding of the honor code, enabling him to pick and choose strategies from a clearly defined spectrum of options, in response to a corresponding spectrum of insults.

In 1797, James Monroe revealed a similar sensitivity to the honor code when considering how to respond to an insult from President John Adams. Consulting his friend James Madison, he reviewed methodically a list of strategies. Ignoring Adams's remark was impossible, for "not to notice it may with many leave an unfavorable impression agnst me." Responding personally with a challenge to a duel was also impossible: "I cannot I presume, as he is an old man & the Presidt." A pamphlet might serve, but Monroe had written one recently and Adams continued to malign him.²⁹ Media such as duels, pamphlets, newspaper diatribes, and letters drafted for private circulation each had a commonly recognized tone, audience, and significance. Each moment of political conflict was a ritualized exchange of thrust and parry. A skilled politician knew well the proper use of his weapons.³⁰

Duels represented one extreme in this grammar of political combat. Most political weapons were designed to refute or substantiate charges of official misconduct. They pitted words against words. Affronts that hit at a politician's "private character" demanded something more. They required a demonstration of honor, bravery, and self-sacrifice that would vindicate his character and justify his claim to leadership. In the same way that a pamphlet discredited accusations with signed correspondence and legal depositions, a duel enabled an aggrieved politician to refute character slurs by acting in accord with the most exacting standards of behavior. A true gentleman was always gracious and calm, even in the face of imminent death.³¹ Attitude was the key to proving oneself a man of honor.

²⁹ Monroe to Madison, June 8, 1798, in *The Papers of James Madison*, 17 vols., ed. Robert Rutland, J.C.A. Stagg, et al., (Charlottesville, 1962-), 17:146. Madison agreed that a duel was "forbidden by the considerations you have glanced at" and advised Monroe to write a temperate, dignified, critical pamphlet with his name attached—a defense pamphlet. Madison to Monroe, June 9, 1798, *ibid.*, 148–49. Both letters refer to Jefferson's involvement in this affair. For more on defense pamphlets see Joanne B. Freeman, "Slander, Poison, Whispers, and Fame: Jefferson's 'Anas' and Political Gossip in the Early Republic," *J. Early Republic*, 15 (1995), 25–57, and Dena Goodman's discussion of the "*mémoire judiciaire*" in revolutionary France, in "The Hume-Rousseau Affair: From Private Querelle to Public Procès," *Eighteenth-Century Studies*, 25 (1991–1992), 171–201.

³⁰ An understanding of honor rituals reveals the logic and implications of seemingly irrational political decisions. For example, Hamilton's notorious "Letter from Alexander Hamilton, Concerning the Public Conduct and Character of John Adams" was actually a "posting" published after he refused to respond to Hamilton's formal letters of inquiry about an insult. Hamilton's contemporaries recognized his dispute with Adams as an affair of honor. See [Van Ness], *Correct Statement on the late Melancholy Affair*, 49 and passim, and "Letter from Alexander Hamilton, Concerning . . . John Adams," [Oct. 24, 1800], *Hamilton Papers*, 25:169–234.

³¹ Smith, *Theory of Moral Sentiments*, sect. 3 passim; Stowe, *Intimacy and Power in the Old South*, 11–12.

Northerners and southerners, frequent duelists and those who never dueled, all understood the strictures and rituals of the code of honor. Politicians were quick to perceive the intentional slap at a man's reputation. They recognized the key words and phrases that signaled the commencement of an honor dispute and the subtleties of meaning contained in the wording and timing of a response. "Coward," "liar," "rascal," "scoundrel," and "puppy" all demanded an immediate challenge.³² Any man who uttered them in a dispute was declaring his intention to engage in an affair of honor. When Representative Aedanus Burke of South Carolina rose to his feet on the floor of the House and announced, "I throw the lie in Colonel Hamilton's face," Senator William Maclay of Pennsylvania noted the remark as "a Violent personal Attack," which "Men of the blade say must produce a duel."³³

Such an attack could set off a wave of reaction that rippled throughout the political community. Often, transmitters of such news attached a clear judgment to their accounts, evaluating the participants' behavior and measuring it against commonly held standards of honor. For example, although James Madison never fought a duel, he recognized the implications of a physical assault. Writing to Thomas Jefferson about the notorious 1798 brawl between Republican representative Matthew Lyon of Vermont and Federalist representative Roger Griswold of Connecticut, Madison held that Griswold dishonored himself by opening the affair to a congressional investigation. Griswold had called Lyon a coward, and Lyon had spat on Griswold. In Madison's view, Griswold should have countered with a challenge: "If Griswold be a man of the sword, he shd. not have permitted the step [of a congressional investigation] to be taken; if not he does not deserve to be avenged by the House. No man ought to reproach another with cowardice, who is not ready to give proof of his own courage."³⁴ Griswold had insulted Lyon without offering him a chance to clear his name. To Madison, only a man of the sword was allowed to engage in such name calling, for an insult offered by a man unwilling to fight was an insult without risk, a cowardly insult. A confrontational man had to be willing to take responsibility for his words—to be consistently ready to duel. Madison's comment implies what Lord Chesterfield asserted as an irrefutable truth: "There are but two alternatives for a gentleman; extreme politeness, or the sword."³⁵

³² These words imply a lack of manliness. The *Oxford English Dictionary* defines a rascal as "a low, mean, unprincipled or dishonest fellow . . . a person of the lowest class." A scoundrel was a "mean rascal," a man lacking moral principles. A puppy was a fop or coxcomb, corresponding to the French *poupée*; the word charges a man with being little more than a woman's plaything or pet. In writing of the southern duel, Greenberg adds "abolitionist" to the list of words that demand a challenge, in *Masters and Statesmen*, 38.

³³ Burke, quoted in *Greenleaf's New York Journal & Patriotic Register*, Apr. 15, 1790, in *Hamilton Papers*, 6:335 n. 2; Maclay, Mar. 31, 1790, *The Diary of William Maclay and Other Notes on Senate Debates*, ed. Kenneth R. Bowling and Helen E. Veit (Baltimore, 1988), 231.

³⁴ Madison to Jefferson, [ca. Feb. 18, 1798], *Madison Papers*, 17:82.

³⁵ J. Hamilton Moore, *The Young Gentleman and Lady's Monitor, and English Teacher's*

Both Hamilton and Monroe were men of the sword. An eyewitness account of a dispute between them captures the precise moment when the two men—each clearly prepared to fight—shifted abruptly from angry quarreling to the rigid and distinctive language of the duel. When newspaper editor James Callender charged Hamilton with misusing Treasury funds, Hamilton was sure that Monroe had provided Callender with incriminating information. On July 11, 1797, he paid Monroe a visit with his brother-in-law John Barker Church in tow. When Monroe denied involvement, Hamilton told him, "This as your representation is totally false"; he indirectly called Monroe a liar. The insult brought both men to their feet. Monroe replied, "Do you say I represented falsely, you are a Scoundrel"; he topped Hamilton's indirect charge with an explicit dare to fight. Hamilton responded as a man of honor, declaring, "I will meet you like a Gentleman." Monroe's reply was also predictable. He told Hamilton that he was ready and asked him to get his pistols. At this point Church and Monroe's friend, David Gelston, shoved between the two men and separated them, pleading for moderation.³⁶

Initial letters of inquiry were warnings that a line had been crossed. Following a set form, phrased in ritualistic words of cool formality, they were easily recognizable and unmistakably threatening. A typical letter began by repeating an offending remark—a means of discouraging unnecessary challenges by ensuring agreement on the meaning and form of an offense. The writer next demanded that the recipient "avow or disavow" the insult, ensuring the propriety of his challenge by allowing the recipient an opportunity to explain himself. Letters usually ended with a demand for an immediate response. Typically, the writer justified his demand by claiming the respect owed a gentleman. Any mention of a man's honor was a clear sign that his honor had been offended. If the letter mentioned a friend—as the bearer of the message or the recipient of a response—a correspondent could be sure that this "friend" was a second, a principal's sole representative throughout all negotiations and his assistant on the field of honor. These key phrases enable modern readers to decode hidden references to wounded reputations and affairs of honor. To the uninitiated, Hamilton's three-sentence note to Monroe might seem like a simple courteous request for a meeting: "Mr. Hamilton requests an interview with Mr. Monroe at any hour tomorrow forenoon which may be convenient to him. Particular reasons will induce him to bring with him a friend to be present at what may pass. Mr. Monroe, if he pleases, may have another."³⁷ An understand-

Assistant . . . (Wilmington, Del., 1797), 213. Chesterfield's letters comprise most of the body of this popular 18th-century schoolbook; "Anti-Duellist" blamed them for the rise of the duel in America, in "On the Increasing Prevalence of Duelling, No. II" (misnumbered "No. III"), *The Balance, and Columbian Repository*, Jan. 18, 1803. On Chesterfield in 18th-century America see Richard L. Bushman, *The Refinement of America: Persons, Houses, Cities* (New York, 1992), 30, 36–37, 84–86, and passim.

³⁶ "David Gelston's Account of an Interview between Alexander Hamilton and James Monroe," July 11, 1797, *Hamilton Papers*, 21:160–61.

³⁷ Hamilton to Monroe, [July 10, 1797], *ibid.*, 157.

ing of the language of the duel reveals the letter's implicit threat. The note is a demand for a meeting of inquiry about an affair of honor; Hamilton is bringing a second and has alerted Monroe to bring one as well.

As implied by the code of honor's precautionary rituals, few men began an affair of honor with the explicit purpose of ultimately exchanging fire. Most conflicts waned during negotiations and concluded when each principal felt his honor had been vindicated. When his son Philip was involved in a duel in 1801, Hamilton assumed that the matter would end without gunplay; by that time, he himself had been involved in eight (of an eventual eleven) affairs of honor without fighting one.³⁸ Learning to his horror that negotiations had ended, he rushed to the home of their family physician, David Hosack, knowing that Philip would choose Hosack as his attending physician. When informed that Philip had indeed requested the doctor's services, Hamilton fainted dead away at the Hosacks' doorstep. Awaking to discover that Philip had been fatally wounded, he rushed to his side and remained with him until Philip died the next day, in great agony.³⁹

A skillful duelist could demonstrate his readiness to fight without touching a pistol. A fair duel was a game of chance that displayed both principals' willingness to die for their honor, not their skill at inflicting pain or death.⁴⁰ As a pamphleteer noted, the "polite" duelist fought "without any design to injure his adversary."⁴¹ By provoking a duel, Burr was thus not necessarily proposing to kill Hamilton; he could redeem his honor without felling his rival. Fatalities in political duels were uncommon. Indeed, killing one's opponent was more of a liability than a display of honor, for it left a duelist open to charges of bloodthirsty cruelty and personal ambition.⁴² By law, a politician who slew his opponent was also guilty of murder, though ironically lawyers and lawgivers were seldom charged.⁴³ They considered

³⁸ See note 16 above for a list of duels.

³⁹ Hosack to John Church Hamilton, Jan. 1, 1833, *Hamilton Papers*, 25:437 n. 1.

⁴⁰ See also Ute Frevert, "Bourgeois Honour: Middle-Class Duellists in Germany from the Late Eighteenth to the Early Twentieth Century," in *The German Bourgeoisie: Essays on the Social History of the German Middle Class from the Late Eighteenth to the Early Twentieth Century*, ed. David Blackbourn and Richard J. Evans (London, 1991), 268.

⁴¹ Spring, "Sixth Commandment," 15. Though Spring distinguished "polite" from "malicious" duellists, he condemned both as murderers—polite duellists were guilty of self-murder.

⁴² For example, see Federalist complaints against New York Republican Brockholst Livingston after he killed New York Federalist James Jones in a duel, in Lewis Morgan to Robert R. Livingston, May 15, 1798, Robert R. Livingston papers (microfilm); [*New York Commercial Advertiser*, May 11, 14, 1798.

⁴³ Of New York City's 4 fatal political duels between 1795 and 1807, only the Burr-Hamilton affair resulted in murder charges. After the 1798 Livingston-Jones duel, a police officer refused to arrest Livingston when urged by Jones's friends, responding that if he did, "seconds & surgeons should be arrested likewise." There were no arrests. Nicholson to Albert Gallatin, May 14, 1798, Albert Gallatin papers (microfilm), N.-Y. Hist. Soc. During the 1805 Burr-Hamilton trial, Robert Swartwout and District Attorney Richard Riker were charged with dueling, two years after their duel—probably an attempt to dispel accusations that the Burr-Hamilton trial was an exceptional and thereby personal attack on Burr; [*New York Spectator*, Jan. 12, 1805. See also the remarkable petition of 11 United States senators to New Jersey governor Joseph Bloomfield,

dueling fatalities unfortunate facts of public life, acceptable if the duel had been fair and the duelists strict adherents to the honor code.⁴⁴ What James Nicholson said of duelist Brockholst Livingston was true of any politician unfortunate enough to kill his adversary: after killing James Jones, Livingston seemed "conscious of having done nothing but what he was compel[le]d to do & at the same time sorry for the Necessity."⁴⁵ Most duels that involved gunplay ended with minor injuries, suggesting a desire to avoid anything more serious. Leg injuries were frequent enough to cast doubt on the power and meaning of the practice; hinting that affairs of honor entailed more pretense than peril, a newspaper editor jeered that one combatant "was said to have received a wound in that fashionable part, *the leg*."⁴⁶

Because a man of the sword was presumably always ready to fight, any principal who attempted to negotiate his way out of a duel dishonored himself. Combatants had to rely on their "particular friends" to settle an affair of honor. During Hamilton's 1797 dispute with Monroe, Monroe's second, David Gelston, made a serious mistake when he turned to Hamilton and suggested a means of settling matters. Gelston noted that Hamilton responded with only "a word or two which I understood as not disapproving the mode I proposed"; Hamilton's grunt of approval was followed by a long awkward silence. Realizing with a shock that he should not have attempted to negotiate with a principal, Gelston turned to John Barker Church, Hamilton's second, and observed that "perhaps my proposition . . . would have been made with more propriety to him than to Colo. H." He then repeated his suggestion to Church, start to finish, and the process of negotiation resumed.⁴⁷

Highly offended principals sometimes insisted on dueling. In such cases, to draw negotiations to a quick but courteous close, the offended party usually demanded an apology too humiliating for the offender to accept. Such

pleading for Burr's prosecution to be discontinued: arguing that "most civilized nations" do not consider dueling fatalities "common murders," they reminded Bloomfield that previous duelists at Weehawken (Livingston-Jones, Eacker-Hamilton) were not only spared judicial proceedings but later received judicial appointments; petition for the discontinuance of charges against Burr, Nov. 24, 1804, in James S. Biddle, ed., *Autobiography of Charles Biddle, Vice-President of the Supreme Executive Council of Pennsylvania, 1745-1821* (Philadelphia, 1883), 306-08.

⁴⁴ See comments on the Burr-Hamilton duel in Gallatin to Nicholson, July 19, 1804, Albert Gallatin papers (microfilm), and the petition for discontinuance of charges against Burr, Nov. 4, 1804, in Biddle, *Autobiography of Charles Biddle*, 306-08, and on the Brockholst Livingston-James Jones duel in Nicholson to Gallatin, May 14, 1798, Albert Gallatin papers (microfilm), and *Commercial Advertiser*, May 14, 1798.

⁴⁵ Nicholson to Gallatin, May 14, 1798, Albert Gallatin papers (microfilm).

⁴⁶ [*New York Morning Chronicle*, Jan. 5, 1804. On the infrequency of deaths and injuries see Greenberg, *Masters and Statesmen*, 31-32, and Steinmetz, *Romance of Duelling*, 1:12, 89-92.

⁴⁷ "David Gelston's Account of an Interview between Alexander Hamilton and James Monroe," July 11, 1797, *Hamilton Papers*, 21:161. The two men continued to warn each other that they were "ready" to fight for over 5 months, each signaling his defiance in the hope that the other would take responsibility for issuing a challenge. Hamilton eventually drafted—but did not send—an acceptance of Monroe's challenge. See Monroe to Hamilton, July 25, 31, 1797, Hamilton to Monroe, Aug. 4, 1797, Monroe to Hamilton Aug. 6, 1797, Monroe to Hamilton, Dec. 2, 1797, and Hamilton to Monroe, [Jan. 1798]; *ibid.*, 184, 193, 200, 204-05, 316-20, 346.

was Hamilton's charge against Burr. As he stated in his apologia, "the disavowal required of me by Col Burr . . . was out of my power, if it had really been proper for me to submit to be so questioned."⁴⁸ New York Republican De Witt Clinton also felt compelled to reject a deliberately humiliating demand for a written apology. Forced to duel against his will, he exclaimed on the dueling ground, "I am compelled to shoot at one whom I do not wish to hurt, but I will sign no paper—I will not dishonor myself."⁴⁹

A duel became inevitable when a challenge had been accepted. From that point on, seconds and principals concentrated on orchestrating their "interview": a date had to be set, a location selected, and rules devised. The duel between Hamilton and Burr followed the conventional script. In a heretofore overlooked account of the trial of Burr's second, William P. Van Ness, for his involvement in the duel, participants described the proceedings in great detail, including practices that were intended to evade the laws against dueling. For example, guns were hidden in a "Portmanteau," enabling the boatmen who rowed the participants to the dueling ground to testify that they "saw no pistols." Many rituals prevented participants from witnessing the actual moment of gunfire—the moment when both principals became guilty of fighting a duel. Under oath, the two boatmen stated that they had stood with their backs to the duelists, and thus they "did not see the firing." Likewise, attending physician Hosack could attest only that he saw the two seconds and Hamilton disappear "into the wood" and "heard the report of 2 firearms soon after." Hearing his name called, he rushed onto the dueling ground and "saw Genl. H . . . and supposed him wounded by a ball through the body." Having rowed across with Hamilton, the doctor could also testify that he had never seen Burr on the field. When Hosack climbed up the embankment to tend to Hamilton's wounds, Van Ness skillfully hid Burr behind an opened umbrella and whisked him off the dueling ground. Hosack testified that he "did not see Col. Burr" and did not learn "that Col. Burr was the other party" until a conversation with Burr's second after the duel.⁵⁰

The rituals of dueling reveal its paradoxical nature. As Van Ness's trial reveals, politicians who engaged in mortal combat to defend their public reputations at the same time protected each other through a shared oath of secrecy. Of course, concealing a duel served everyone's interest, for indictment of one participant could implicate them all. Yet these rituals did more than discourage legal prosecution. By enforcing a uniform code of behavior, insuring equitable competition, and preventing social inferiors from fighting, the code of honor made all participants equal. When a failing politician

⁴⁸ Hamilton, "Statement on Impending Duel with Aaron Burr," 26:279.

⁴⁹ *N-Y Evening Post*, Aug. 6, 1802.

⁵⁰ *William P. Van Ness vs. The People*, [Jan. 1805], *Duel papers*, William P. Van Ness papers, N.-Y. Hist. Soc. This detailed transcript of Van Ness's trial contains invaluable eyewitness accounts of the duel. Quotations in this paragraph are from this transcript.

provoked a duel, he salvaged his reputation by placing himself in an environment of mutual respect, a brotherhood of honor and fair competition—the exact opposite of a competitive political realm that encouraged conflict and rewarded aggressive self-promotion.

*“Political opposition, which . . . has proceeded from
pure and upright motives”*

When Hamilton received Burr's initial letter of inquiry, he sought the advice of Rufus King. Upset by Hamilton's proposal to “be passive,” King did as Hamilton had done. He turned to a friend, Matthew Clarkson, hoping to find a way to prevent the duel. Because Hamilton, by this point, had accepted Burr's challenge, Clarkson regretfully concluded that he and King were powerless to intercede.⁵¹ During the next two weeks, the distraught King mentioned the duel to two more friends, Egbert Benson and John Jay.⁵² Burr, likewise, discussed the imminent duel with close friends, consulting with Matthew Davis and John Swartwout.⁵³

As it passed from friend to friend, news of the impending duel revealed and reinforced a network of political friendships and enmities. Hamilton, King, Clarkson, Benson, and Jay were Federalists. Burr, Davis, and Swartwout were Burrite Republicans. These two chains of friendship were part of a larger network of partisan alliances, made manifest by the selective secrecy of the code of honor. At one time or another, Republicans Monroe, Clinton, Burke, and Nicholson supported each other in an interrelated series of honor disputes. Through Monroe's involvement, even Jefferson and Madison were duel consultants on occasion.⁵⁴ Federalist duelists had a similar network of political support, reinforced by a decade of duels. An individual duel had its own dynamic, but it was only one battle in an ongoing war of honor and makes sense only when examined in the context of a larger pattern of encounters.

Between 1795 and 1800, New York City Federalists fought Republicans on the field of honor. The latter had no single leader who served as a lightning rod; the Federalists had Hamilton, his party's “political thermometer.”⁵⁵ Hamilton was involved in four of the period's six affairs of honor. With Jefferson's election as president in 1800, a new world of political opportunity opened for Republicans who turned against one another in their

⁵¹ Rufus King to Matthew Clarkson, Aug. 24, 1804, in *Correspondence of Rufus King*, 4:400.

⁵² Timothy Pickering to William Coleman, July 1, 1825, in Mitchell, *Alexander Hamilton*, 2:762 n. 41.

⁵³ Lomask, *Aaron Burr*, 1:353; James Parton, *The Life and Times of Aaron Burr* (New York, 1864), 352.

⁵⁴ The two men advised Monroe during his dispute with Hamilton. Monroe to Jefferson, July 12, 1797, cited in *Hamilton Papers*, 21:136–37; Monroe to Madison, Oct. 15, 1797, and Madison to Monroe, Oct. 19, 1797, *Madison Papers*, 17:50–51, 53–54. They also advised Monroe during his later dispute with John Adams; see note 29 above.

⁵⁵ Robert Troup to Rufus King, Aug. 24, 1802, Robert Troup papers, N.-Y. Hist. Soc.

scramble for prestige and power. From 1800 until 1804, Clintonian Republicans competed against Burrish Republicans at the ballot box, in print, and on the dueling ground. There were only three disputes of honor between Federalists and Republicans; all involved Hamilton and were fought to preserve whatever slim chance his political fortunes had for revival. After his death and Burr's consequent fall in 1804, duels once again pitted Republicans against Federalists.

Hamilton, Clinton, and Burr were leaders of great personal charm with widespread political connections, high ambition, and great promise. All three were political "chiefs"—men who could lead their followers to power, position, and prestige. All were supported by groups of "intimate friends."⁵⁶ In exchange for the patronage of their chief, friends defended him in person, in print, and, when necessary, on the field of honor. For a group of supporters, a chief was a political "rallying point"—he was "the cause."⁵⁷

Newspapers issued the call to arms. By 1802, each chief had a newspaper and an editor under his command, pledged to defend his name and "write down" his foes; William Coleman edited the Federalist *New-York Evening Post*, James Cheetham, the Clintonian *American Citizen*, and Peter Irving, the Burrish *Morning Chronicle*.⁵⁸ Newspapers were imperative in a "war of words."⁵⁹ Burr learned this lesson when attempting to refute a Clintonian pamphlet without a sympathetic newspaper. Frustrated that "there seems at present to be no medium of communication," he launched the *Morning Chronicle* three months later.⁶⁰ Newspapers also demonstrated the strength and loyalty of a leader's following. When the *Morning Chronicle* seemed ready to "expire" in 1805, Matthew Davis believed that

the instant the Chronicle ceased to exist, the Burrishes would become "uninfluential atoms," there would be no rallying point;

⁵⁶ The familial nature of many political alliances reflects the small scale and intimacy of the early republic's political community. For example, John and William P. Van Ness and John, Robert, and Samuel Swartwout were Burrishes. Clintonians included a mass of relatives by marriage. Philip Schuyler, Hamilton's father-in-law, and John Barker Church, his brother-in-law, were both devoted Hamiltonians, as were Hamilton's sons. Philip, his eldest, died in a duel defending his father's name. For identical reasons, James, his next eldest, faced two affairs of honor—one of them involving a forged challenge to Burr to duel "where you murdered my father"; James A. Hamilton, *Reminiscences of James A. Hamilton* . . . (New York, 1869), 41, 55–56. See also Fischer, *Revolution of American Conservatism*, 220–21.

⁵⁷ Aaron Hill to William Eustis, Feb. 20, 1803, William Eustis papers, Library of Congress, Washington, D. C.; Jacob Eustis to William Eustis, Feb. 10, 1803, *ibid.*; Robert Troup to Rufus King, Oct. 1, Dec. 31, 1800, Robert Troup papers; Burr to Joseph Alston, July 3, 1802, Aaron Burr papers (microfilm), and Davis, *Memoirs of Aaron Burr*, 2:205.

⁵⁸ The ambiguous social status of newspaper editors made them unsuitable dueling partners for politicians and more fitting victims of legal action or physical violence—in particular, canings. Editors occasionally dueled each other, as did Coleman and Clintonian James Cheetham (1807).

⁵⁹ Robert R. Livingston to De Witt Clinton, Feb. 4, 1803, De Witt Clinton papers.

⁶⁰ Burr to Joseph Alston, July 19, 1802, Aaron Burr papers (microfilm), and Davis, *Memoirs of Aaron Burr*, 2:208–09.

and they would certainly have been considered as abandoning their Chief; as incapable any longer of supporting a press, that could be supposed friendly to him; and of course that their attachment for their leader or their influence with the community had diminished.⁶¹

Combat between these political fighting units consisted of attempts to dishonor an opposing chief, his intimate friends, or his editor. Damage to any one of these three essential elements hurt chief and follower alike. Discredited followers or a failed newspaper dishonored a chief; a dishonored leader could offer his followers neither influence nor status, making him an unfit rallying point.

Politicians considered their own fighting unit a band of friends, all men of honor who promoted the common good. Their opponents saw them as a vicious, self-seeking political faction that threatened the republic. In the *Morning Chronicle*, Burrites depicted Clintonians as greedy “knights” serving a feudal “lord” who ordered his defenders to “lie, fawn, flatter, promise, and betray.”⁶² The *American Citizen*, in turn, portrayed the Burrites as a “sect of new Lights” with a blind religious devotion to their leader and a formal “creed.”⁶³ In many ways, these satirical attacks were accurate. Clintonians and Burrites were groups of loyal followers supporting ambitious leaders. These followers were interested in reaping benefit from their support. New York City’s politicians were engaged in a battle of self-deception. They could not—or would not—recognize in themselves what they condemned in their rivals, the self-serving motives of the factional politician.

The political duelist envisioned himself striking a blow at factional politics in the person of his adversary. For example, in 1803, when Senator Jonathan Dayton of New Jersey rose to his feet in the Senate and accused New York senator Clinton of “impeaching in debate the motives of Members,” he believed that he was reprimanding a reprehensible partisan politician. When Clinton responded by declaring “that Mr. Dayton’s assertion was unfounded and untrue,” he thought that he was defending his reputation and, like Dayton, he assumed that he was assailing a dishonorable politician. Yet Dayton’s attack was neither selfless nor indiscriminate. Clinton and Burr were in the midst of a bitter power struggle in New York City, and Dayton was a Burrite. He insulted Clinton on the day before Clinton’s departure for New York City to accept the mayoralty. His attack was a strategically timed political strike against Clinton’s political standing and personal reputation. Clinton had won an important election, and the Burrites bolstered their ailing status and denounced their foe by instigating an affair of honor.⁶⁴

⁶¹ Davis to Van Ness, Aug. 15, 1805, Matthew L. Davis papers, N.-Y. Hist. Soc.

⁶² “A Clintonian Memorandum for Nine Hours,” *Morning Chronicle*, Jan. 26, 1807.

⁶³ [*New York*] *American Citizen*, Mar. 30, 1804.

⁶⁴ Robert Wright and Samuel Smith, “Statement of facts in an affair of honor between De Witt Clinton and Jonathan Dayton,” Nov. 20, 1803, W. C. Nicholas to Clinton, Oct. 27, 1803, Pierce

Other political duels followed a similar pattern. In 1795, after being pelted with stones during a defense of the Jay Treaty, Hamilton walked down the street and issued two challenges within minutes of each other.⁶⁵ During the second dispute, enraged that Republicans were contending “in a personal Way,” he “threw up his arm & Declared that he was ready to fight the Whole ‘*Detestable faction*’ one by one.” Republican witnesses attributed Hamilton’s behavior to the rally and its mortifying display of Hamilton’s lost influence; his language, they sneered, “would have become a Street Bully.”⁶⁶ But Hamilton considered himself a wounded victim of partisan politics, engaged in battle against a detestable faction.

Taken together, New York City’s affairs of honor evince patterns of conflict. Most disputes occurred in the weeks following an election or a political controversy. Usually, a member of the losing faction—the group dishonored by defeat—provoked a duel with a member of the winning faction. Always, the political community understood that when a supporter duelled, he represented both his faction and his chief.⁶⁷ In 1802, for example, after exchanging five shots with John Swartwout, Clinton declared him a meager substitute for his chief, Burr, stating with an almost palpable sneer, “I dont want to hurt him [Swartwout], but I wish I had the *principal* here—I will meet him when he pleases.”⁶⁸ Most of New York City’s political duels were not the result of an angry politician’s slip of the tongue. They were intentionally provoked partisan battles, couched in the gentility of the code of honor.

To accommodate partisan goals, politicians modified the traditional affair of honor, most strikingly in their use of newspapers as publicity tools.⁶⁹ When a

Butler to Clinton, Oct. 30, 1803, all in De Witt Clinton papers; *N-Y Evening Post*, Nov. 8, 10, 1803; Clinton to [?], Oct. 25, 1803, De Witt Clinton papers, New York Public Library; John Van Ness to William P. Van Ness, Nov. 11, 1803, personal misc. William P. Van Ness, *ibid.* Van Ness suggested that Dayton’s attack was also intended to defeat a pending bill that Clinton supported.

⁶⁵ Scholars have not noticed that Hamilton’s humiliating attempt to defend the Jay Treaty and his two honor disputes were cause and effect, occurring within the space of a few hours. This oversight reveals the problem with conventional assumptions about the personal nature of dueling: neglect of a duel’s political context and implications trivializes the personal and simplifies the political, obscuring the complex, personal nature of politics in the early republic.

⁶⁶ For an account of both disputes—with Nicholson and with Maturin Livingston—see Edward Livingston to Margaret B. Livingston, July 20, 1795, Robert R. Livingston papers (microfilm), quoted in *Hamilton Papers*, 20:42 n. 2. Edward concluded his letter by noting that Maturin had not yet heard from Hamilton, implying that Hamilton was a coward. In Jan. 1796, Hamilton learned of this charge and revived their dispute. Hamilton to Maturin Livingston, [Jan. 18, 1796]; Livingston to Hamilton, [Jan. 20, 1796]; Hamilton to Livingston, [Jan. 21, 1796], *Hamilton Papers*, 20:41, 44–45.

⁶⁷ Viewed in this light, duels between contending factions were a type of feud—a dispute between subgroups of a “politically organized whole.” Initiated on behalf of an “injured” group, they involved intermittent instances of violence over a prolonged period and usually occurred in a delicately balanced society experiencing an unsettling controversy; Leopold Pospisil, “Feud,” *International Encyclopedia of the Social Sciences*, 5:389–93; Harold D. Lasswell, “Feuds,” *Encyclopedia of the Social Sciences*, 6:220–21.

⁶⁸ *N-Y Evening Post*, Aug. 9, 1802. Burrites responded to Clinton’s challenge with their own snide challenge, published in the *Post* the next day.

⁶⁹ See also Kiernan, *The Duel*, 306. American politicians also used handbills for partisan attacks against a duelist. See, for example, an attack on James Jones (a Federalist) on behalf of his opponent, Brockholst Livingston, in *Commercial Advertiser*, May 11, 1798.

duel was particularly controversial—when a duelist died or a chief was involved—politicians capitalized on widespread public interest with contending newspaper accounts, both sides attempting to win public approval while dishonoring their foes. Regardless of his behavior on the field, a duelist's reputation depended on the success or failure of these publicity campaigns. Political duels were won by the faction that better controlled public opinion.

Such publicity campaigns exposed the political motives for dueling. As a writer for the *New-York Evening Post* recognized, "when men take the liberty of appealing to the public about their private quarrels, it can be done with no other view than to influence public opinion in favor of themselves."⁷⁰ A writer in *The Balance* attributed the duel's popularity to these public appeals:

Among the further incentives to dueling *peculiar* to this country, I am constrained to mention with pointed disapprobation the recent practice of publishing, in news-papers, the various particulars of such bloody affrays. . . . There is not another country in christendom—probably not in the world—where the *seconds* in a duel, have the presumption, immediately after the contest, to publish with the signature of their names, a detailed relation of its commencement, progress and catastrophe, together with encomiums on the gallant behaviour of their respective *principals*. Europeans must read such publications with astonishment.⁷¹

To deny their intentions to themselves and to the wider populace, politicians boasted of their nonpartisanship in their written accounts of duels. They avoided declaring themselves victors; to do so would be to display self-interest and violate people's right to draw their own conclusions. Instead, they began their diatribes by professing devotion to the public interest: the people demanded a complete and accurate account of all proceedings.⁷² They augmented these professions of duty with angry attacks on their reprehensible, politically driven foes. Clinton's duel with Swartwout provoked an onslaught of these reproaches. In the *American Citizen*, "An Old Soldier" wrote the following:

MODERN BRAVERY. Write a bombastic account of a duel. . . . threaten your antagonists with death if they [presume] to lisp

⁷⁰ *N-Y Evening Post*, Aug. 11, 1802.

⁷¹ Anti-Duellist, "On the Increasing Prevalence of Duelling, No. II" (misnumbered "No. III") and No. III, [Hudson, N. Y.] *The Balance, and Columbian Repository*, Jan. 18, 25, 1803.

⁷² See, for example, Brockholst Livingston-James Jones, *Commercial Advertiser*, May 14, 1798; George Eacker-Philip Hamilton, *N-Y Evening Post*, Nov. 28, 1801; and John Swartwout-De Witt Clinton, *N-Y Evening Post*, Aug. 2, 1802, and *American Citizen*, Aug. 9, 1802.

any thing different from what your might[iness] has written. MODERN VIRTUE. When a citizen opposes your schemes of aggrandizement . . . when you find your defects too palpable to attempt vindic[ation], rid yourself of such an opposer and such a cit[izen by] pushing forward an humble tool.⁷³

In the *New-York Evening Post*, "A Young Soldier" responded by describing "Modern Humanity":

If your friend differs from you in any political point, take an opportunity in his absence to call him liar, rascal, villain, &c and should he hear of it and justly ask an acknowledgment of your error . . . refuse it in any way but that which you point out yourself, especially if you contemplate being a candidate for a high office. Should your mode of apologizing not prove acceptable, meet him with a pair of good pistols, at ten paces distance.⁷⁴

Clintonians claimed that the ambitious Burr had instigated and orchestrated the entire affair. Burrite William S. Smith, Swartwout's second, replied that "the infamy of attempting to attach to the sacred uphold of private honor, the mean spirit of party rancour, I flatter my self *my* breast will always be a stranger to."⁷⁵ His clever retort accused politicians who hurled charges of "party rancour" of committing that very crime.

Partisan politics in the early republic transformed the traditional affair of honor into something distinctly American. Political duelists were not isolated aristocrats competing for glory and preferment at court. Instead, they constituted a novel hybrid: they were aristocratic democrats, popular politicians who used the traditional etiquette of honor to influence public opinion and win political power. Political duels testified to the blend of deference and equality, courtliness and sincerity, that characterized politics in the early republic.⁷⁶

"I shall hazard much, and can possibly gain nothing"

Hamilton and Burr seemed destined for rivalry. They were close in age, similar in personality. Both were charismatic men of great ambition who moved in the same social circles. They were among New York City's most esteemed lawyers, sometimes serving together on the same case. Each practiced a sharp sort of politics—quick, clever, and bold.

⁷³ "An Old Soldier," *American Citizen*, Aug. 27, 1802.

⁷⁴ "A Young Soldier," *N-Y Evening Post*, Aug. 30, 1802.

⁷⁵ William S. Smith, [untitled article], *ibid.*, Aug. 6, 1802.

⁷⁶ See also Kenneth Cmiel, *Democratic Eloquence: The Fight over Popular Speech in Nineteenth-Century America* (New York, 1990); Jay Fliegelman, *Declaring Independence: Jefferson, Natural Language, and the Culture of Performance* (Stanford, Calif., 1993); and Gordon S. Wood, *The Radicalism of the American Revolution* (New York, 1992).

Hamilton had long distrusted Burr, and his animosity intensified when Burr began to court Federalist support; he feared the consequences of Burr's success—including the possibility that Burr would become New York's chief Federalist, corrupting the Federalist party and destroying Hamilton's influence in the process.⁷⁷ Anxious to discredit Burr, Hamilton attacked his private character, calling him a "profligate" and "a voluptuary in the extreme"—a man who would drag his followers to ruin.⁷⁸

Burr was keenly aware of Hamilton's opposition. He assumed that Hamilton had written several of the venomous pamphlets published against him and reportedly swore to "call out the first man of any respectability concerned in the infamous publications."⁷⁹ From the reports of his friends and from the pages of the Clintonian *American Citizen*, he knew that Hamilton condemned him in private. By January 1804, *American Citizen* editor Cheetham was publicly daring Burr to challenge Hamilton to a duel.⁸⁰

On June 18, 1804, roughly six weeks after he lost the gubernatorial election, Burr wrote to Hamilton regarding a letter that had appeared in the Republican *Albany Register*; the writer, Charles Cooper, referred to a "despicable opinion which General Hamilton has expressed of Mr. Burr."⁸¹ The letter was Burr's first "authentic" evidence of Hamilton's attacks on his private character. Until this point, he had heard only secondhand accounts of ambiguous insults.⁸² After years of abuse, he felt that this concrete evidence made it "impossible that I could consistently with respect again forbear."⁸³ As Van Ness, Burr's second, explained after the duel, Hamilton's abuse was "patiently borne, until resistance became a duty, and silence a crime."⁸⁴

Burr was a man with a wounded reputation, a leader who had suffered personal abuse and the public humiliation of a lost election. A duel with Hamilton would redeem his honor and possibly dishonor Hamilton. Twice

⁷⁷ Hamilton to John Rutledge, Jr., Jan. 4, 1801, and Hamilton to James Bayard, Apr. 6, 1802, *Hamilton Papers*, 25:293–98, 587–89; "Speech at a Meeting of Federalists in Albany," [Feb. 10, 1804], and Hamilton to Rufus King, Feb. 24, 1804, *ibid.*, 26:187–90, 194–96.

⁷⁸ Hamilton to John Rutledge, Jr., Jan. 4, 1801, *ibid.*, 25:295.

⁷⁹ Biddle, *Autobiography of Charles Biddle*, 305. See also Burr to Theodosia Burr Alston, Mar. 8, 1802, Aaron Burr papers (microfilm), and "Thomas Jefferson: Memorandum of a conversation with Burr," Jan. 26, [1804], *Papers of Aaron Burr*, 2:820. Cheetham—not Hamilton—wrote the pamphlets; Mitchell, *Alexander Hamilton*, 2:526.

⁸⁰ *American Citizen*, Jan. 6, 1804. Burr's supporters blamed the duel on Cheetham's newspaper diatribes; [Van Ness], *Correct Statement*, 63–64.

⁸¹ Cooper to Philip Schuyler, Apr. 23, 1804, *Hamilton Papers*, 26:243–46.

⁸² [Van Ness], "A Candid Examination of the Whole affair In a Letter to a Friend. By Lysander," in *Correct Statement*, 51. Burr later explained, Hamilton "had a peculiar habit of saying things improper & offensive in such a Manner as could not well be taken hold of—on two different occasions however, having reason to apprehend that he had gone so far as to afford me fair occasion for [ca]lling on him, he anticipated me by coming forward Voluntarily and making apologies and concessions"; Burr to Charles Biddle, July 18, 1804, *Papers of Aaron Burr*, 2:887.

⁸³ Burr to Charles Biddle, July 18, 1804, *Papers of Aaron Burr*, 2:887.

⁸⁴ [Van Ness], "Candid Examination," 52.

before, Hamilton's remarks about Burr had merited a challenge, and both times Hamilton had forestalled Burr by "coming forward voluntarily and making apologies and concessions."⁸⁵ If Hamilton attempted a similar maneuver a third time, Burr could declare him a coward who "wou[l]d not fight."⁸⁶ More important, if Burr did not receive some sign of respect from Hamilton—either an apology or the satisfaction of a duel—he would lose the support of his followers. As Van Ness explained, if Burr

tamely sat down in silence, and dropped the affair; what must have been the feelings of his friends?—they must have considered him as a man, not possessing sufficient firmness to defend his own character, and consequently unworthy of their support.—While his enemies, with malicious triumph, would, to all the other slanders propagated concerning him, have added the ignominious epithet of coward.⁸⁷

To remain a political chief, Burr had to defend his honor.

As with New York City's other duels, the timing of Burr's challenge was more important than the offense that prompted it. Because Cooper's letter contained no specific insult, Burr later received criticism for challenging a man for an unspecified affront. Hamilton himself objected that Burr's inquiry was too vague for "a direct avowal or disavowal." But Burr felt such a compelling need to prove himself a man of honor and a political leader that he responded to Hamilton's protests by broadening his demands: he demanded an apology for any "rumours derogatory to Col: Burr's honor . . . inferred from any thing he [Hamilton] has said."⁸⁸ In essence, he called on Hamilton to apologize for any personal abuse that Burr had suffered throughout their fifteen-year political rivalry. Burr demanded a humiliating apology in order to force Hamilton to fight.

Hamilton did not want to duel. His reluctance is apparent in his ambivalent and conflicted response to Burr's initial letter of inquiry—a response reflecting Hamilton's struggle to accommodate clashing values. To appease his moral and religious reservations about dueling, he attempted to placate Burr with an elaborate discussion of the "infinite shades" of meaning of the word "despicable"—a grammar lesson that Burr found evasive, manipulative, and offensive. To defend his personal honor and political power, he countered Burr's insultingly vague inquiry by pronouncing it "inadmissible" and declaring himself willing to "abide the consequences" should Burr persist in his present course—a statement that Burr found insufferably arro-

⁸⁵ Burr to Charles Biddle, July 18, 1804, *Papers of Aaron Burr*, 2:887.

⁸⁶ During Monroe's 1797 honor dispute with Hamilton, Burr assured him that Hamilton "woud not fight"; John Dawson to Monroe, Dec. 24, 1797, *Hamilton Papers*, 21:319 n. 1.

⁸⁷ [Van Ness], "Candid Examination," 62–63.

⁸⁸ Hamilton to Burr, June 22, 1804, *Hamilton Papers*, 26:253; Van Ness to Pendleton, [June 26, 1804], *ibid.*, 268.

gant.⁸⁹ Ultimately, it was outrage at Hamilton's seeming lack of respect that drove Burr to broaden his demands and thereby force Hamilton to accept his challenge.⁹⁰

With his acceptance, Hamilton gave the code of honor priority. Burr's second noted that "Gen. Hamilton, subsequent to his acceptance of the challenge, behaved in a proper and becoming manner."⁹¹ Confident that he had saved his reputation, Hamilton could now satisfy his religious and moral "scruples" with a compromise. He decided that he would observe all of the expected dueling rituals on the field, but to avoid shedding Burr's blood, he would withhold his fire. As he explained to his wife, "the Scrup[les of a Christian have deter]mined me to expose my own li[fe] . . . rather than subject my s[elf to the] guilt of taking the life of [another]. . . . But you had rather I should die inno[c]ent than live guilty."⁹²

On the morning of July 11, 1804, Hamilton and Burr fought their duel at Weehawken. Mortally wounded, Hamilton died the following afternoon. In New York City between 1795 and 1807, the Burr-Hamilton duel was the only one between two political chiefs; this singularity alone would have assured public notice. But when one chief killed the other, a duel became a subject of heated public controversy. The duel was common knowledge only hours after it took place.⁹³ Hamilton had been rowed back to New York and carried to a friend's house by 9:00 A.M.; by 10:00, "the rumour of the General's injury had created an alarm in the city."⁹⁴ People were standing on street corners discussing the duel. A bulletin was posted at the Tontine Coffee House, informing people that "General Hamilton was shot by Colonel Burr this morning in a duel. The General is said to be mortally wounded." By the time Gouverneur Morris gave Hamilton's eulogy, on July 14, the city was in a "frenzy." Morris avoided any mention of the duel, hoping to discourage the public from committing some "outrage" against Burr. Later that day, he marveled "how easy would it have been to make them, for a moment, absolutely mad!"⁹⁵

Aware of public interest and anxious to protect their principals' reputations, Hamilton's second, Nathaniel Pendleton, and Burr's second, Van Ness, began to draft an account of the duel almost immediately on Hamilton's death. By July 16, they had sketched out a statement of the

⁸⁹ Hamilton to Burr, June 20, 1804, *ibid.*, 26:247-49. See also Stourzh, *Alexander Hamilton and the Idea of Republican Government*, 94.

⁹⁰ For examples of Burr's outrage at Hamilton's "defiance" see Burr to Hamilton, June 22, 1804; "Aaron Burr's Instructions to William P. Van Ness," [June 22-23, 1804]; and Burr to Van Ness, [June 26, 1804], *Hamilton Papers*, 26:255-56, 256-57, 266-67, and Van Ness's narrative of events as cited in notes throughout the duel correspondence; *ibid.*

⁹¹ [Van Ness], "Candid Examination," 68.

⁹² Hamilton to Elizabeth Hamilton, [July 10, 1804], *Hamilton Papers*, 26:308.

⁹³ Unless otherwise noted, the account in this paragraph is taken from Parton, *The Life and Times of Aaron Burr*, 356-57.

⁹⁴ J. M. Mason to William Coleman, July 18, 1804, in Coleman, *Collection*, 51.

⁹⁵ Gouverneur Morris, diary entry, July 13-14, 1804, *The Diary and Letters of Gouverneur Morris*, 2 vols., ed. Anne Carry Morris (New York, 1888), 2:456-58.

events on the dueling ground, though they did not "precisely agree" on what evidence to present or on the vital question of who fired first: Pendleton claimed that Hamilton had involuntarily discharged his pistol in the air on being shot, whereas Van Ness asserted that Hamilton had taken aim and fired first.⁹⁶ Eager to exploit the public uproar and exalt Hamilton at Burr's expense, Pendleton pressed for immediate publication, but Van Ness demurred; with the coroner's inquest yet undecided and outrage at Burr unabated, he well recognized the advantage of delay. Though Pendleton attempted to address Van Ness's concerns, he ultimately published his statement without Van Ness's approval; it appeared in the *New-York Evening Post* on July 16. Van Ness countered with an account more favorable to Burr, published in the *Morning Chronicle* the next day.

Taking advantage of the controversy, Clintonians and Hamiltonians capitalized on public interest to achieve a political victory over Burr, their common foe. The *American Citizen* and the *New-York Evening Post* joined in high praise of Hamilton and condemned Burr as a murderer. Cheetham charged Burr with violating the code of honor: he had practiced with a target beforehand; he had worn a coat made of silk—a material that was "impenetrable to a ball"; he had known that Hamilton would not shoot, thus killing him in cold blood; he had laughed as he left the dueling ground; he had thrown a party on his return to New York; he was, in fine, a dishonorable man.⁹⁷ Burr was outraged that "thousands of absurd falsehoods are circulated with industry."⁹⁸ But he understood why: "All our intemperate and unprincipled Jacobins who have been for Years reviling H[amilton] as a disgrace to the Country and a pest to Society are now the most Vehement in his praise, and you will readily perceive that their Motive is, not respect to him but, Malice to me."⁹⁹

While public outrage forced Burr to flee the state, his supporters continued to defend his reputation. Rather than justifying Burr's actions, they attacked Clintonians and Hamiltonians for their hypocritical and self-

⁹⁶ See "Joint Statement by William P. Van Ness and Nathaniel Pendleton on the Duel between Alexander Hamilton and Aaron Burr," [July 17, 1804]; "Pendleton's Amendments . . . July 19, 1804"; and "Van Ness's Amendments," [July 21, 1804], all in *Hamilton Papers*, 26:333–36, 337–39, 340–41. See also correspondence between Van Ness and Pendleton between July 11 and 16, 1804, *ibid.*, 311–12, 329–32. In a public statement, attending physician Hosack noted that Hamilton, after regaining consciousness, did not remember discharging his pistol; Hosack to Coleman, Aug. 17, 1804, *ibid.*, 345 (first published in Coleman's *Collection*, 18–22).

⁹⁷ For examples of Cheetham's charges see *American Citizen*, July 23, 26, Aug. 7, 16, 1804. For dueling offenses see Sabine, *Notes on Duels and Duelling*, 37, and Steinmetz, *Romance of Duelling*, 1:passim. Burr allegedly laughed when he came across the following verse on a wax museum's recreation of the duel: "O Burr, O Burr, what hast thou done?/Thou has shooted dead great Hamilton./You hid behind a bunch of thistle,/And shooted him dead with a great hoss pistol"; Parton, *Life and Times of Aaron Burr*, 616.

⁹⁸ Burr to Joseph Alston, July 13, 1804, Aaron Burr papers (microfilm), and Davis, *Memoirs of Aaron Burr*, 2:327.

⁹⁹ Burr to Charles Biddle, July 18, 1804, *Papers of Aaron Burr*, 2:887. Gallatin agreed; Gallatin to Nicholson, July 19, 1804, Albert Gallatin papers (microfilm).

interested newspaper campaign against Burr. Writing as "Vindix," Van Ness lashed out at "officious intermedlers, who have neither the feelings of gentlemen nor the hearts of men." He was outraged at the "mountain of the most detestable fals[e]hood" propagated by writers for the "scurrilous columns of the Evening Post" and the "disgusting pages of the American Citizen." Asserting that silence would prove Burr's friends "worthy of this monstrous and merciless persecution," he pleaded with the public to hear his defense: "I demand it from their justice."¹⁰⁰

After a month of controversy, rumors proved too powerful for a newspaper defense; the two seconds could not keep up with the constantly shifting stream of charges and countercharges. On August 11, 1804, the *Morning Chronicle* noted that a pamphlet was "promised in further persecution of Mr. Burr and his friends, of which hint, I am disposed to avail myself. If therefore this task [defending Burr] is not undertaken by some gentleman of more leisure and superior talents, I will resume this subject in a pamphlet."¹⁰¹ Shortly thereafter, Van Ness published anonymously *A Correct Statement of the Late Melancholy Affair of Honor, Between General Hamilton and Col. Burr. Evening Post* editor Coleman defended Hamilton in *A Collection of the Facts and Documents, relative to the Death of Major-General Alexander Hamilton*.¹⁰²

Because the seconds had agreed publicly on most of the duel's details, differences between the two defenses are subtle—implied with tone, word emphasis, or choice of evidence. For example, Van Ness and Pendleton mismanaged the official delivery of Burr's challenge, leaving Hamilton unsure that he had accepted it. Hamilton attempted to offer Burr a final note of explanation, "if the state of the affair rendered it proper." Coleman—Hamilton's defender—stated that Van Ness had refused to receive the explanation because he considered Burr's challenge accepted. Coleman thus placed blame for the duel on Van Ness for spurning an apology. In his defense of Burr, Van Ness claimed that he had offered to accept the note, but only if it contained "a specific proposition for an accommodation," thereby attributing blame to Hamilton for not offering an explicit apology.¹⁰³ As in other controversial duels, supporters manipulated the truth in the name of honor.

Hamiltonians had an easy task in defending Hamilton. Presenting their leader as a martyred hero, they embellished their account with laudatory

¹⁰⁰ [Van Ness], "Vindix No. I," *Morning Chronicle*, Aug. 6, 1804. See also his "Vindix No. II" and "Vindix No. III," *ibid.*, Aug. 8, 11, 1804.

¹⁰¹ [Van Ness], "Vindix No. III," *ibid.*, Aug. 11, 1804.

¹⁰² Scholars have overlooked Van Ness's pamphlet and thus overlooked the political motives behind Coleman's publication. The pamphlet invites close study; it contains valuable information about the duel, Burr's motivation for fighting, and his response to the resultant public furor. The pamphlet bears careful comparison with Van Ness's original autograph manuscripts detailing the events of the duel, with the account he published in the newspapers; and most important, with the Hamiltonian version of the duel as set out by Pendleton in the newspapers and restated by Coleman in his defense pamphlet.

¹⁰³ Coleman, *Collection*, 14–16; [Van Ness], *Correct Statement*, 22.

eulogies and sermons from around the nation. Burrites had a harder task; they had to justify Burr's actions and vindicate his motives. To accomplish this, Van Ness supplemented his description of the duel with a lengthy appendix to *A Correct Statement* entitled "A Candid Examination of the Whole affair In a Letter to a Friend." Contradictory and defensive, this rare written justification of dueling reveals the mindset of duelists in a period of great ambivalence towards the practice.

Van Ness attempted to grapple with the essay's fundamental contradiction in its first few paragraphs. Proclaiming his opposition to the "evil" of dueling, he stated that the practice had unfortunately received "the sanction of the world" and particularly of "the higher class of society." Because Burr was conforming to public opinion, he should not be blamed. Van Ness next signaled the limits of his investigation. He would answer only three questions: Did Burr have a right to question Hamilton about his comments, and did he do so correctly? Was Hamilton obliged to avow or disavow Burr's charge? Was Burr justified in bringing the dispute to the field of honor? By restricting himself to these three questions about the formalities of the honor code, Van Ness clearly hoped to separate the duel from the duelist.¹⁰⁴

Though Van Ness claimed that his essay would not defend the practice, he hardly could avoid doing so. In presenting Burr as an honorable duelist with a right to protect his reputation, he was validating the affair of honor. His essay contains many of the conventional arguments used to justify dueling. He claimed that the affair of honor prevented slander, malice, and vice from running rampant. He reminded readers that a man's reputation was his most valued possession and that political opposition never warranted an attack on another man's character. He maintained that any man who felt dishonored had "an unalienable right" to demand an explanation; the right to uphold one's honor was "a law of nature."¹⁰⁵ Even in the midst of fierce political strife, forced to justify the killing of a political rival, Van Ness could argue that the code of honor insured an honorable political world.

Despite his supporters's efforts, Burr lost his battle for public approval. A duelist who killed his opponent could erase his crime only by proving himself a man of honor who had conformed with the rituals of the duel. But in seizing on a vague offense and exhibiting uncompromising hostility in his correspondence, Burr left himself open to charges of dishonorable conduct. When Federalists and Clintonian Republicans attacked him as a murderer, he was left without effective defense.

Though he defeated his opponent on the field of honor, Burr thus became a failed duelist, for he was unable to sway public opinion in his favor. His fate demonstrates the power of public opinion. In challenging Hamilton, he had acknowledged his vulnerability to popular sentiment. In accepting his challenge, Hamilton had made the same admission. Hamilton

¹⁰⁴ [Van Ness], "Candid Examination," 47-48.

¹⁰⁵ *Ibid.*, 52, 48, 49.

fought, his second explained after the duel, because "his Sensibility to public opinion was extremely strong, especially in what related to his conduct in Public Office."¹⁰⁶ Compelled by the mandates of politics and honor, dependent on an ill-defined public for political career and private sense of self, Burr and Hamilton duelled because they were afraid not to.

*"I hope the grounds of his proceeding have been such as
ought to satisfy his own conscience"*

Gouverneur Morris and Matthew Clarkson understood why their friend Hamilton had duelled with Burr. Several days after Hamilton died, Morris recorded Clarkson's explanation in his diary:

Clarkson . . . is extremely wounded. He said to me on Thursday, just after our friend had expired: "If we were truly brave we should not accept a challenge; but we are all cowards." The tears rolling down his face gave strong effect to the voice and manner with which he pronounced this sentence. There is no braver man living, and yet I doubt whether he would so far brave the public opinion as to refuse a challenge.¹⁰⁷

Fear, not bravery, had goaded Hamilton to duel. Morris assumed that Clarkson would have done the same thing for the same reason. Dueling was cowardly; Hamilton's honorable sacrifice to the public good was also a surrender to the power of public opinion. The shock of this realization brought tears to Clarkson's eyes. He had pierced the illusion of the duel.

An ambiguous blend of the selfless, the self-interested, the political, and the personal, the affair of honor was a peculiarly powerful yet elusive political tool. Its ambiguities often left politicians conflicted and guilt-ridden, unable to reconcile the competing demands of honor, politics, and morality. Hamilton was a virtual embodiment of this conflict. Recounting the confrontation of the duel, Burr later noted that Hamilton had "looked as if oppressed with the horrors of Conscious Guilt," assuming that Hamilton was ashamed of his political improprieties.¹⁰⁸ But Hamilton's facial expression was his final testimony to the complexities of the affair of honor. Thinking of his status and reputation—anxious to restrain a political rival—convinced that he was acting in the public good—feeling the twinges of religious faith, personal morality, and familial responsibility, Hamilton was a duelist who refused to fire.¹⁰⁹

¹⁰⁶ Nathaniel Pendleton, unsigned draft, [ca. July 1804], "Duel Material," Nathaniel Pendleton papers, N.-Y. Hist. Soc.

¹⁰⁷ Morris, diary entry, July 14, 1804, *Letters of Gouverneur Morris*, 2:458–59.

¹⁰⁸ Burr to Charles Biddle, July 18, 1804, *Papers of Aaron Burr*, 2:887.

¹⁰⁹ In yet another instance of tortured logic, Hamilton decided that he might aim at Burr if they exchanged a second round of fire. This explains his response to Pendleton's query about

For Hamilton, as for others, the affair of honor was a public servant's ultimate self-sacrifice. Even on his deathbed, he attributed his duel with Burr to public-minded motives.¹¹⁰ Yet Burr insisted that Hamilton was the miscreant, the ambitious politician who had violated the laws of honor.¹¹¹ Like other duelists, he saw his behavior as obligatory and community-minded. The charges and countercharges of unworthy motives were not unusual, but the duel's ultimate outcome was. By themselves, the combined efforts of Clintonians, Hamiltonians, and other hostile Federalists and Republicans might have proven strong enough to ensure Burr's political demise. But ultimately, Hamilton's apologia ensured Burr's downfall. Hamilton closed his life with an intimate, heartfelt statement that professed his willingness to die for the public good; he depicted himself as an exemplary duelist, compelled to fight, unwilling to kill, gaining nothing, sacrificing all. There was no more effective way to prove oneself a martyr and to prove one's foe, by default, a fiend.

Burr perceived the ugly political reality underlying Hamilton's statement. He assumed that Hamilton's attempt to portray himself as a selfless public servant was politically driven—a final, brazen attempt to quash a longstanding rival. To his friend Charles Biddle, Burr fumed, “The last hours of Genl. H. (I might include the day pre[ceding] the interview) appear to have been devoted to Malevolence and hypocrisy. . . . The friends of Genl. H. and even his enemies who are still more my enemies, are but too faithful executors of his Malice.” Burr relied on “all Men of honor” to recognize the truth, to “see with disgust the persecutions which are practised against me.”¹¹²

Killing Hamilton drove Burr into physical exile. Condemning Hamilton thrust Burr into intellectual exile, for few men shared his opinion, or at least said so in public. Ultimately, Burr's fate forced him to perceive the truth—to discern the self-interest and political pragmatism underlying the laws of honor. Assuming an attitude of “defiant affectation,” he taunted public men by pricking at their convictions about political honor. With “amazing nonchalance,” his first biographer reported, Burr sometimes spoke of “my friend Hamilton—whom I shot,” a blunt reminder of the duel's viciousness and of the violent nature of American politics.¹¹³

setting his pistol's hair trigger: Hamilton responded, “Not this time”; Hamilton, “Statement on Impending Duel with Aaron Burr,” and “Pendleton's Amendments . . . July 19, 1804,” *Hamilton Papers*, 26:280, 338.

¹¹⁰ On his deathbed, Hamilton told the Rev. J. M. Mason, “I used every expedient to avoid the interview; but I have found, for some time past, that my life *must* be exposed to that man.” Hamilton felt compelled to oppose Burr, a man he considered a threat to the republic, and in doing so, he recognized that he ran a continual risk of inviting a challenge. Mason to William Coleman, July 18, 1804, Coleman, *Collection*, 53.

¹¹¹ “Aaron Burr's Instructions to William P. Van Ness,” [June 22–23, 1804], *Hamilton Papers*, 26:257; Burr to Charles Biddle, July 18, 1804, *Papers of Aaron Burr*, 2:887. On Burr's self-conception as a man of honor see Burr to Joseph Alston, July 10, 1804, in *Memoirs of Aaron Burr*, 2:324–26.

¹¹² Burr to Charles Biddle, July 18, 1804, *Papers of Aaron Burr*, 2:887–88. In this letter, Burr assumes that Hamilton wrote his apologia on “the day pre[ceding]” the duel.

¹¹³ Parton, *Life and Times of Aaron Burr*, 615. Burr's Matthew Davis's *Memoirs of Aaron*

In the long term, Hamilton's statement failed to accomplish what he intended. It did not prove his public-minded motives to posterity. It did not gain him eternal forgiveness for engaging in what he himself deemed an indefensible practice. Yet ultimately, his apologia succeeded in ways that he could not have foreseen. Superficially, it left to later generations the image of Burr, the unprincipled politician, an image that retains its potency even today. On a deeper, less conscious level, it reveals much more; it offers first-hand testimony to the significance of dueling among early national politicians. Convinced that Burr was a threat to the republic, personally invested in his public role to an extraordinary degree, Hamilton perceived the duel as both a public service and a personal sacrifice. It was also a self-serving attempt to preserve his political career and his private sense of self; ambitious, competitive, and suffering from the endemic insecurity of the self-made man, Hamilton could not risk dishonor. Yet, in proving himself a man of honor, he violated his moral principles and afflicted his family, two things close to his heart. By *not* resolving these contradictions, by committing to paper a tangled mix of hopes and fears, Hamilton gave voice to the complexities of political leadership among men of honor. His apologia offers an insider's view of a ritualized, honor-bound, personal level of political interaction that persisted until the anonymity of formal national political parties altered the tone of politics forever.

Burr—published 30 years earlier—was largely an annotated assemblage of Burr's correspondence, compiled with Burr's assistance.