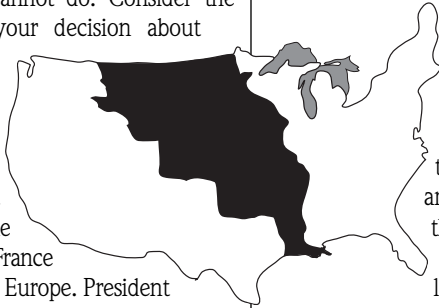# Wanted For Extra-Constitutional Activities:
THOMAS JEFFERSON
In Making The Louisiana Purchase!

Some newspaper editors may have thought this would be a good headline in 1803 when President Thomas Jefferson bought the Louisiana Territory, the largest single amount of land the United States has ever bought or received. Why? The Constitution is the law of our land that says what kind of government we will have and who will have the power to make certain kinds of decisions for our country. "Extra-constitutional" means acting "outside" of the Constitution—doing something that the Constitution neither says you can or cannot do. Consider the following as you make your decision about President Jefferson's actions.

The United States was still a very young country when President Jefferson discovered that France might be interested in selling us the Louisiana Territory because France needed money for its war in Europe. President Jefferson was faced with a very tough decision. He knew that it was extremely important for our new nation to have control of the Louisiana Territory for several reasons: a) whoever owned the Mississippi and Missouri rivers would be in the best position to explore the West, b) it was scary for our new and not very strong nation to have a big powerful country like France so close to its borders, and c) there were a lot of valuable resources in the area. BUT there was nothing in the Constitution that said that a president could buy new lands to add on to our country. AND before Jefferson became president, he had made it very clear that a president could use only the powers given to him by the Constitution and to use other powers would mean that a president was acting like a king.

What did President Jefferson think he might do to solve this problem? He considered going to Congress and asking their permission. The problem was that he knew there were some Representatives and Senators who thought we could not afford the Louisiana Territory and they may not have agreed to the purchase. The president also considered asking the people of the United States to change or amend the Constitution to give him the power to purchase new lands. But amending the Constitution is a long process and President Jefferson felt that he needed to act before France changed its mind or sold it to another country.

As we all know, President Jefferson made the Louisiana Purchase. He explained that it was part of a treaty with France. Since the Constitution gives a president the power to make treaties with foreign countries, President Jefferson claimed that he acted constitutionally.

(By Millie Aulbur, The Missouri Bar Law-Related Education)

Activities:

Grades 4–6: Do you think President Jefferson made the right choice? Should President Jefferson have waited until the Constitution could be changed to give him the power to make the Purchase? Do you think he acted like a king? Look at a map of the United States and look at the area the United States got when President Jefferson made the Louisiana Purchase. (Roughly, all of Arkansas, Missouri, Iowa, North Dakota, South Dakota, Nebraska, Oklahoma, nearly all of Kansas, Minnesota, the portions of Montana, Wyoming, and Colorado east of the Rocky Mountains, and Louisiana west of the Mississippi River but including the city of New Orleans.) How do you think our country would be different today if France or another country still owned those lands?

Grades 7–12: Examine Articles I and II of the Constitution. List the powers given to Congress that they might have relied upon to give the president permission to make the Louisiana Purchase. Make the same list for the powers given to the president that he might have relied upon in making the purchase. Who do you think had more constitutional authority to make the decision—Congress or the President? Did either? Do you agree with President Jefferson's decision? How would our country be different today if President Jefferson had not made the Louisiana Purchase? Does the fact that "all turned out for the best" justify President Jefferson's actions?

(Your Logo)