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'American Emperor' offers a compelling, provocative portrait of Aaron Burr

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In December 1800, Alexander Hamilton warned his fellow Federalists against using a flaw in the Constitution to make Aaron Burr president of the United States.

"Sanguine enough to hope everything, daring enough to attempt everything, wicked enough to scruple nothing," Hamilton wrote. Burr was not the lesser of two (Democratic) evils: As president, Burr would "certainly disturb our institutions to secure himself permanent power."

After 36 ballots, the House of Representatives chose Thomas Jefferson as president and Burr as vice president. Already damaged goods, Burr killed Hamilton in a duel in 1804 and was indicted for murder. When Jefferson ran for re-election, Burr was dropped from the ticket. Undaunted and bent on revenge, he identified an alternate route to wealth, power and glory.

In "American Empire," David O. Stewart, a lawyer practicing in Washington, D.C., and the author of "The Summer of 1787," examines Burr's audacious attempt to form a new empire on the shores of the Gulf of Mexico "that would rival or even dwarf the United States."

A skilled historian and a splendid storyteller, Stewart makes the most of the episode and its compelling cast of characters. Stewart's Burr is an American Satan with feet of clay. A rogue and a rake, he "fouled the punch bowl" rather than revering the Founding Fathers.

As an adventurer, he was, in turn, too cautious and too reckless. Gen. James Wilkinson, the governor of Louisiana "who never won a battle or lost an investigation," was a triple-crosser, taking bribes from Spain, scheming with Burr and then betraying him to American authorities.

John Marshall, the Chief Justice of the Supreme Court, Stewart reveals, used a narrow definition of the term "levy war" at Burr's trial, over which he presided, to taunt and thwart Jefferson, his cousin and political adversary.

Acknowledging that existing sources do not permit him to pinpoint Burr's plans, Stewart speculates that the former vice president improvised, with his forays resembling "the path of a pinball through an arcade machine."

Burr approached Spain, France and Britain, as well as American officials, for assistance. He hoped to use a declaration of war by the United States against Spain as a pretext to launch his expedition, but went ahead when there was no war.

According to Stewart, Burr's protestations that he did not intend to precipitate secession by western territories were a "lawyer's dodge." Burr was a man with the foresight to realize that if New Orleans, the essential trade route for everyone living in the environs of the Mississippi River, fell into his hands, the pressure to leave the Union would be virtually irresistible.

Nonetheless, Stewart provocatively argues that, judged by the standards of the day, Burr was not a traitor.

In 1806, he reminds us, the United States was a fledgling republic, with fluid geographical dimensions (thanks to Jefferson's Louisiana Purchase) and British, French and Spanish rivals on its borders.

Burr was by no means alone in thinking that inhabitants of far-flung parts of the continent might well assert that they could, legitimately, go their own way. Discussed openly, his expedition was less an act of conspiracy than an "act of buccaneering."

In the end, Burr recruited only about 100 men to his private army. As Thomas Jefferson had guessed, his quixotic venture fizzled without having to be smashed by the iron fist of the federal government.

For a few decades, until the sin of slavery could no longer be ignored, Stewart concludes, the bonds of the Union remained strong. And for more than two centuries, Aaron Burr became known only by the crimes he had committed.

American Emperor: Aaron Burr's Challenge to Jefferson's America, by David O. Stewart (387 pages; Simon & Schuster; \$28)

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