

## **Chapter 12- The Second War for Independence and the Upsurge of Nationalism**

### **1812-1824**

#### **A. The So-Called Era of Good Feelings**

1. James Monroe was nominated for presidency in 1816 by the Republicans; they undertook to continue the so-called Virginia dynasty of Washington, Jefferson, and Madison; the fading Federalists ran a candidate for the last time in their history and he was crushed by 183 electoral votes to 34—left the field to the triumphant Republicans and one-party rule
  1. James Monroe straddled two generations: the bygone age of the Founding Fathers and the emergent age of nationalism; he was in intellect and personal force the least distinguished for the first eight presidents (times called for sober administration)
  2. Monroe was an experienced, levelheaded executive with talent for interpreting people
2. Emerging nationalism was further cemented by a goodwill tour Monroe undertook early in 1817, ostensibly to inspect military defense (he received a heartwarming welcome)
3. A Boston newspaper was so far carried away as to announce that an “Era of Good Feelings” had been ushered in—term used to describe the administrations of Monroe
4. The Era of Good Feelings was something of a misnomer; the period was a troubled one
  1. The acute issues of the tariff, the bank, internal improvements and, the sale of public lands was being hotly contested around the United States population
  2. Sectionalism was crystallizing, and the conflict over slavery was beginning to rise

#### **B. The Panic of 1819 and the Curse of Hard Times**

1. Much of the goodness went out of the good feelings in 1819, when a paralyzing economic panic descended; it rough deflation, depression, bankruptcies, bank failures, unemployment, soup kitchens, and overcrowded pesthouses known as debtors’ prisons
2. This was the first national financial panic since President Washington took office

1. Many factors contributed to the catastrophe of 1819, but looming large was overspeculation in frontier lands; the Bank of United States, through its western branches, had become deeply involved in this popular type of outdoor gambling
2. Financial paralysis from the panic, which lasted in some degree for several years, gave a rude setback to the nationalistic ardor; the West was especially hard hit
3. The Bank of the United States forced the speculative (“wildcat”) western banks to the wall and foreclosed mortgages on countless farms, which was legal but unwise
3. The panic of 1819 created backwashes in the political and social world; the poorer classes were severely strapped and in their troubles was sown the seed of Jacksonian democracy
4. Hard times also directed attention to the inhumanity of imprisoning debtors; in extreme cases, often overplayed, mothers were torn from their infants for owing a few dollars
5. Mounting agitation against imprisonment for debt started in remedial legislation in states

#### C. Growing Pains of the West

1. The onward march of the West continued; nine frontier states had joined the original thirteen between 1791 and 1819; with an eye to preserving the North-South sectional balance, most of these commonwealths had been admitted alternately, free of slave
1. In part, it was a continuation of the generations-old westward movement, which had been going on since the colonial days—special appeal to European immigrants
2. Eager newcomers from abroad were beginning to stream down in impressive numbers, especially after the war of boycotts and bullets; land exhaustion in the older tobacco states, where the soil was “mined,” likewise drove people westward
3. Acute economic distress during the embargo years turned many pinched faces toward the setting sun; the crushing of the Indians in the Northwest and South by Generals Harrison and Jackson pacified the frontier and opened up vast virgin tracts of land
4. The building of highways improved the land routes to the Ohio Valley, noteworthy was Cumberland Road, begun in 1811 from Maryland to Illinois; the use of the first steamboat on western waters, in 1811, heralded a new era of upstream navigation

2. But the West, despite the inflow of settlers, was still weak in population and influence; not potent enough politically, it was forced to ally itself with other sections
3. The West demanded cheap acreage and partially achieved its goal in the Land Act of 1820, which authorized a buyer to purchase 80 acres at a minimum of \$1.25 an acre
4. The West also demanded cheap transportation and slowly got the transportation, despite the constitutional qualms of the presidents and the hostility of easterners
5. Finally, the West demanded cheap money, issued by its own “wildcat” banks and fought the powerful Bank of the United States to attain its goal

#### D. Slavery and the Sectional Balance

1. Sectional tensions, involving rivalry between the slave South and the free North over control of the virgin West, were stunningly revealed in 1819 concerning Missouri
  1. The territory of Missouri in 1819 knocked on the doors of Congress for admission as a slave state; the fertile and watered area contained sufficient population for statehood
  2. But the House of Representative stymied the plans of Missourians by passing the incendiary Tallmadge amendment which stipulated that no more slave should be brought into Missouri and provided for the gradual emancipation of children born
2. A roar of anger burst from slave-holding southerners; they were joined by many depression-cursed pioneers who favored unhampered expansion of the West and by many northerners, especially diehard Federalists, who were eager to use the issue to break the back of the “Virginia dynasty”—that concerning the long reign of Virginian presidents
3. Southerners saw in the Tallmadge amendment, which they eventually managed to defeat in the Senate, an ominous threat to sectional balance; with every passing decade, the North was becoming wealthier and also more thickly settled—an advantage reflected in an increasing northern majority in the House of Representatives
4. In the Senate, each state had two votes, regardless of size and with eleven states free and eleven slave, the southerners had maintained equality; there were therefore in a good position to thwart any northern effort to interfere with the expansion of slavery

5. The future of the slave system caused southerners profound concern; Missouri was the first state entirely west of the Mississippi River to be carved out of the Louisiana Purchases, and the Missouri emancipation amendment set a damaging precedent
6. If Congress could abolish the “peculiar institution” in Missouri, might it not attempt to do in the states of the South—he wounds of the Constitutional Convention were opened
7. Burning moral questions also protruded, even though the main issue was political and economic balance; a small but growing group of antislavery agitators in the North seized the occasion to raise an outcry against evils of slavery (determined not for it to spread)

#### E. The Uneasy Missouri Compromise

1. The deadlock in Washington was at length broken in 1820 by the time-honored American solution of compromise—actually a bundle of three compromises
  1. Henry Clay of Kentucky, gifted conciliator, played a leading role; Congress, despite abolitionist pleas, agreed to admit Missouri as a slave state but at the same time, free-soil Main, which until then had been part of Massachusetts, was also admitted
  2. The balance between North and South was thus kept at twelve states each and remained there for fifteen years; although Missouri was permitted to retain slaves, all future bondage was prohibited in the remainder of the Louisiana Purchase north of the line of 36° 30′—the southern boundary of Missouri
2. Though denounced as a “dirty bargain” both North and South yielded and gained
  1. The South won the prize of Missouri as an unrestricted slave state and the North won the concession that Congress could forbid slavery in the remaining territories
  2. More gratifying to many northerners was the fact that the immense area north of 36° 30′, except Missouri, was forever closed to the blight of slavery
  3. Although the restriction on future slavery in the territories was not that offensive to slaveowners, because the northern prairie land did not seem suited to slave labor, a majority of southern congressmen still voted against the compromise
3. Neither North nor South was acutely displeased, although neither was completely happy

1. The Missouri Compromise lasted thirty-four years—a vital formative period in the life of the Republic—and during that time it preserved the shaky compact of the states
2. Yet the embittered dispute over slavery heralded the future breakup of the Union; ever after, the morality of the South's "peculiar institution" was an issue that could not be swept under the rug—The Missouri Compromise only ducked the question
4. The Missouri Compromise and the concurrent panic of 1819 should have dimmed the political start; certainly both unhappy events had a dampening effect on the Era of Good Feelings but James Monroe was so popular and the Federalist opposition was so weak
5. In the presidential election of 1820, he received every electoral vote except one; unanimity was reserved for George Washington; Monroe, on the other hand, was the only president in American history to be reelected after which a major financial panic began

#### F. John Marshall and Judicial Nationalism

1. The upsurging nationalism of the post-Ghent years, despite the ominous setbacks concerning slavery, was further reflected and reinforced by the Supreme Court
  1. The high tribunal continued to be dominated by Chief Justice John Marshall
  2. One group of his decisions bolstered the power of the federal government at the expense of the states; a notable case in this category was *McCulloch v. Maryland* (1819) which involved an attempt by the state of Maryland to destroy a branch of the Bank of the United States by imposing a tax on its notes
  3. John Marshall declared the bank constitutional by invoking the Hamiltonian doctrine of implied powers; at the same time, he strengthened federal authority and slapped at state infringements when he denied the right of Maryland to tax the bank
  4. Chief Justice John Marshall affirmed "that the power to tax involves the power to destroy" and "That a power to create implies a power to preserve"
2. Two years later (1821) the case of *Cohens v. Virginia* gave Marshall one of his greatest opportunities to defend the federal power; the Cohens, found guilty by the Virginia courts of illegally selling lottery tickets, appealed to the highest tribunal

1. Virginia “won,” in the sense that the conviction of the Cohens was upheld
2. In fact Virginia and all the individual states lost, because Marshall asserted the right of the Supreme Court to review the decisions of the state supreme courts in questions involving powers of the federal governments (states’ rights proponents were aghast)
3. Hardly less significant was the celebrated “steamboat case,” *Gibbons v. Ogden* (1824)
  1. The suit grew out of an attempt by the states of New York to grant to a private concern a monopoly of water-borne commerce between New York and New Jersey
  2. Marshall sternly reminded the upstart state that the Constitution conferred on Congress alone the control of interstate commerce and thus struck with one hand another blow at states’ rights, while upholding with the other sovereign powers of the federal government; interstate streams were cleared of this judicial snag

#### G. Judicial Dikes Against Democratic Excesses

1. Another Marshall’s decision bolstered judicial barriers against democratic or demagogic attacks on property rights; the notorious case of *Fletcher v. Peck* (1810) arose when a Georgia legislature, swayed by bribery, granted 35 million acres in the Yazoo River country (Mississippi) to private speculators; the next legislature canceled the transaction
  1. But the Supreme Court, with Marshall presiding, decreed that the legislative grant was a contract and that the Constitution forbids state laws “impairing” contracts
  2. The decision was perhaps most noteworthy as further protecting property rights against popular pressures; it was also one of the earliest clear assertions of the right of the Supreme Court to invalidate state laws conflicting with the federal Constitution
2. A similar principle was upheld in the case of *Dartmouth College v. Woodward* (1819)
  1. Perhaps Marshall’s most remembered decision, the college had been granted a charter by King George III in 1769, but the democratic New Hampshire state legislature had seen fit to change it; Dartmouth appealed the case under alumnus Daniel Webster

2. The “Godlike Daniel” reportedly pulled out all the stops of his tear-inducing eloquence when he declaimed, “It is, sir, as I have said, a small college. And yet there are those who love it.”—Marshall needed no dramatics in the *Dartmouth* case
3. Marshall put the states firmly in their place when he ruled that the original charter must stand; it was a contract—and the Constitution protected contracts against state encroachments; the *Dartmouth* decision had the fortunate effect of safeguarding business enterprise from domination by states’ government (escape public control)
3. If John Marshall was a Molding Father of the Constitution, Daniel Webster was an Expounding Father; time and again he left his seat in the Senate and explained his Federalistic and nationalistic philosophy before the supreme bench
  1. The two men dovetailed strikingly with each other; Webster’s classic speeches in the Senate, challenging states’ rights and nullification, was largely repetitious of the arguments that he had earlier presented before a sympathetic Supreme Court
  2. Marshall’s decisions and his national were the most tenaciously enduring of that era
  3. He buttressed the federal Union and helped to create a stable, nationally uniform environment for business and checked the excesses of popularly elected state legislatures (shaped the Constitution along conservative, centralizing lines)

#### H. Sharing Oregon and Acquiring Florida

1. The robust nationalism of the years after the War of 1812 was likewise reflected in the shaping of foreign policy; to this end, the nationalistic President Monroe teamed with his nationalistic secretary of state, John Quincy Adams, the son of the ex-president
  1. To its credit, the Monroe administration negotiated the much-underrated Treaty of 1818 with Britain which permitted Americans to share the coveted Newfoundland fisheries with their Canadian cousins; the agreement also fixed the vague northern limits of Louisiana along the forty-ninth parallel from the Lake of Woods to Rockies
  2. The treaty further provided for a ten-year joint occupation of the untamed Oregon Country, without a surrender of the rights or claims of either America or Britain

2. To the south lay semitropical Spanish Florida, which many Americans believed geography and providence had destined to become part of the United States
  1. Americans already claimed West Florida, where uninvited American settlers had torn down the Spanish flag in 1810 and Congress ratified this grab in 1812, and during the War of 1812 against Spain's ally, Britain, a small army seized the Mobile region
  2. When an epidemic of revolutions broke out in South America, notably in Argentina (1816), Venezuela (1817), and Chile (1818), Spain was forced to denude Florida of troops to fight the rebels and General Andrew Jackson saw an opportunity
  3. On the pretext that hostile Seminole Indians and fugitive slaves were using Florida as a refuge, Jackson secured a commission to enter Spanish territory, punish the Indians, and recapture the runaways—but he was to respect all posts under Spain
  4. Early in 1818 Jackson swept across the Florida border, hanged two Indian chiefs without ceremony and after hasty military trials, executed two British subjects for assisting the Indians and seized the two most important Spanish posts in the area, St. Marks and then Pensacola, where he deposed the Spanish governor
3. Jackson had clearly exceeded his instructions from Washington and President Monroe, alarmed, consulted his cabinet who were for disavowing or disciplining the overzealous Jackson—all except John Quincy Adams who demanded huge concessions from Spain
4. In the mislabeled Florida Purchase Treaty of 1819, Spain ceded Florida, as well as shadowy Spanish claims to Oregon, in exchange for America's abandonment of equally murky claims to Texas, soon to become part of independent Mexico (western boundary)

#### I. The Menace of Monarchy in America

1. After the Napoleonic nightmare, the rethroned autocrats of Europe banded together in a kind of monarchical protective association and undertook to stamp out the democratic tendencies that had sprouted from soil they considered richly manured by the ideals of the French Revolution—the world must be made safe from democracy
  1. With complete ruthlessness they smothered the embers of rebellion in Italy (1821) and in Spain (1823); it was rumored that they were gazing across the Atlantic



2. Many Americans were alarmed that the European countries would send powerful fleets and armies to restore the colonies of Spanish America; still they cheered when the Latin American republics rose from the ruins of monarchy
2. The southward push of the Russian bear, from the chill region now known as Alaska had already publicized the menace of monarchy to North America; in 1821 the tsar of Russia issued a decree extending Russian jurisdiction down to the line of 51°
3. The fear prevailed that they were planning to cut the Republic off from California, its prospective window on the Pacific (as Russians had reached as far south as now-SF)
4. Great Britain, still Mistress of the Seas, was now beginning to play a lone-hand role on the complicated international stage; it recoiled from joining hands with the continental European powers in crushing the newly won liberties of the Spanish-Americans
5. These revolutionists had thrown open their monopoly-bound ports to outside trade, and British shippers, as well as Americans, had found the profits sweet
6. Accordingly, in August 1823, George Canning, the haughty British foreign secretary, approached the American minister in London with a startling proposition; would not the United States combine with Britain in a joint declaration renouncing any interest in acquiring Latin America territory and specifically warning the European despots

#### J. Monroe and His Doctrine

1. The tenacious nationalist, Secretary Adams, asked why should the lordly British, with the mightiest navy afloat, need America as an ally—an America that had neither naval nor military strength—such a union, argued Adams, was undignified
2. Adams ever alert, thought that he detected the joker in the Canning proposal; the British feared that the aggressive Yankees would one day seize Spanish territory in the Americas which would jeopardize Britain's possessions in the Caribbean—If Canning could seduce the United States into joining him, America's own hand would be morally tied
3. A self-denying alliance with Britain would not only hamper American expansion, concluded Adams, but it was unnecessary—he suspected that the European powers had not hatched

any definite plans for invading the Americas and in any event the British navy would prevent the approach of hostile fleets because of the South American markets

4. The Monroe Doctrine was born late in 1823, when the nationalistic Adams won the nationalistic Monroe over to his way of thinking and the president in his annual message to Congress on December 2, 1823, incorporated a stern warning to the European powers
  1. Its two basic features were noncolonization and nonintervention
  2. Monroe first directed his verbal volley primarily at the lumbering Russian bear in the Northwest; he proclaimed that the era of colonization in America had ended
  3. Monroe trumpeted a warning against foreign intervention; he was clearly concerned with regions to the south, where fears were felt from the fledgling Spanish-American republics—Monroe directed the crowned heads of Europe to keep their hated monarchical systems out of this hemisphere (US would not intervene in Greece)

#### K. Monroe's Doctrine Appraised

1. The monarchs of Europe were angered at Monroe's doctrine; having resented the incendiary American experiment from the beginning, they were now deeply offended by Monroe's high-flown pronouncement—all the more so because of the gulf between America's loud pretensions and its soft military strength (British fleet blocked America)
2. Monroe's solemn warning, made little splash in the newborn republics to the south; anyone could see that they were only secondarily concerned about his neighbors, because he was primarily concerned by defending himself against future invasion
3. Americas applauded it and then forgot it; not until 1845 did President Polk revive it
4. Even before Monroe's stiff message, the tsar had decided to retreat; this he formally did in the Russo-American Treaty of 1824, which fixed his southern-most limits at the line of 54° 40"—the present southern tip of the Alaska panhandle
5. The Monroe Doctrine might more accurately have been called the Self-defense Doctrine; President Monroe was concerned basically with the security of his own country—not of Latin America (the doctrine was just as big as the nation's armed forces and no bigger)

6. The Monroe Doctrine has had a long career of ups and downs; it was never law—domestic or international and it was not a pledge or an agreement but rather merely a simple, personalized statement of the policy of President Monroe
7. But the Monroe Doctrine in 1823 was largely an expression of the post-1812 nationalism energizing the United States; the doctrine proved to be the most famous of all the long-lived offspring of that nationalism (deepened the illusion of that nationalism)