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Andrew Jackson: from Frontier regionalism to Presidential Nationalism

Introduction

Jackson was the oldest president the US had had since the ratification of the Constitution. He was a bit over 60 in 1828. He had lived through the revolution – the last president to do so – and he saw his mother and brother die in the struggle.

He was the first one to have made his career on the frontier, south of the river Ohio, which became the state of Tennessee. Like the Virginians before him, he was a slave owner. Unlike them except George Washington, he had fought Native Americans and burned down villages, killed many Natives, and betrayed those who had supported, and even saved, him. In 1814, Jackson became Major General of the Army for the South and later continued the regional consolidation started during the war. He enjoyed a rising national fame and progressively became more influential in national affairs until his first bid at the presidency in 1824 and his election to the highest office four years later.

This double allegiance to regional and national interests is the source of my remarks in this talk today. I will focus on his defense of federalism as the ideal model of republican freedom. If his nationalism was first embodied in his regional experience and defenses of states' rights, his coming to power in Washington revealed a man attached to the integrity of the Union but also to the limits to federal power necessary to preserve the states from federal tyranny. I will argue here that his political vision of the federation as a "perpetual union" of states implied both national cohesion that precluded secession and a strong defense of states' rights in the face of federal encroachment. My first part will look at his frontier experience of nation building and ethnic cleansing while the second part will explore the ambiguities of his nationalism during the presidential years. I will end with a reflection on the Nullification Crisis as an illustration of his own brand of federalist thought.

1. Frontier nation building and ethnic cleansing

This first part looks at how Jackson defined a regional policy of territorial conquest and the establishment of slave interests in the Western districts of the coastal states.

A. Nation Building

1780 is the date when Virginia planter John Donelson took mostly women, children and slaves as well and his whole family to the Western District of North Carolina and settled in Middle TN, in the Mero District, named after the Spanish governor of Louisiana, Esteban Rodrigues Miro, whom the new settlers were trying to accommodate¹. The small community fought years of guerilla warfare against local Native tribes, until the 1790s. Andrew Jackson, a young lawyer just over 20 years of age, arrived in the Nashville area and joined the Donelson station, a fortified farm, in 1788. As a newly appointed prosecuting attorney, he mixed with the land owning element of the small community against local debtors and rapidly rose in social, political and economic influence. He received pay in lands. He speculated, bought a plantation, acquired slaves and set up a retail business, and married into Tennessee's founding family. He worked hard at reaching planter status and adopted the pose of the southern elite, including of course slave holding and horse racing².

But with his limited education and his rising status, Jackson was no backwoodsman. By 1795, he was an elected member to the Constitutional convention that led to Tennessee's inclusion into the Union a year later and was appointed as the first representative of the state in the nation's capital. He became a senator the next year. He thus spent time in Philadelphia, then the capital of the country, and met politicians from all states. He also frequently bought goods from the capital's merchants for his retailing business. A few years later, he was elected militia commander, which also shows the high standing he enjoyed in Tennessee society.

His privileged condition had been obtained in great part through his connections. First in North Carolina where he met John McNairy, a young lawyer appointed at the Mero District Superior Court through his family's influence, who appointed Jackson as prosecutor. The young lawyers soon joined a clique of powerful young men led by William Blount, a speculator who managed to get appointed territorial Governor by George Washington when the area became the Territory South of the River Ohio in 1790. Blount, who was also

¹ See "Journal of a voyage, intended by God's Permission, in the good Boat Adventure, from Fort Patrick Henry on Holston river to the French Salt Springs on Cumberland River, kept by John Donaldson." Decem. 22 1779, <https://tsla.tnsosfiles.com/digital/teva/transcripts/33635.pdf>, (December 20, 2021).

²See Mark R. Cheatham, *Andrew Jackson Southerner*, Baton Rouge, Louisiana State University Press, 2013.

the Indian Agent for the area, rewarded the loyalty of his aides well and land speculation made them all rich³.

In those years, Jackson helped the Southern frontier morph into southern culture; he benefitted from political networks and family connections ; Tennessee experienced a transfer of wealth and influence from the coastal state of North Carolina inland; land speculation was rampant; nation building favoring white immigration on the steep rise. These were the elements of Jackson's rise to power and fortune. Such a reliance on networks of people was common to all wealthy circles and he knew how to make his way to the top. At the approach of the war of 1812, his military status made his shaping of regional policy much easier and central to the agricultural and socio-political future of the Gulf area.

Ethnic cleansing

A second aspect of frontier life was of course relations to Native Americans, particularly what we call today ethnic cleansing. The Region South of the River Ohio or Old Southwest was a contested space: Native nations occupied most of the area with the Muscogee to the South, Cherokee to the East, Chickasaw and Choctaw to the West. The Spanish occupied the South (East Florida), and the British in the Bahamas sent out agitators to the American frontier.

Within the larger scheme of the conflict with Great Britain in the 1810s, conflicts among Muscogee people between so-called accommodationists and traditionalists led to internal strife. It is also a time when the Shawnee leader Tecumseh (1811), through his connections with the Creeks, toured the South to convince first colonists to back off, and then Native nations, or at least parts of these nations, to rise against the US and its settlers.

National policy had been one of conciliation and appeasement since George Washington. Jackson and regional leaders wanted action against the nations. The mobilization of troops by the President in 1812 against the British meant that something could be done to change the game in the region. The play of alliances led the US to support a Muscogee-Creek faction against another and Jackson led an offensive against the

³ Harold D. Moser, "Andrew Jackson," <https://tennesseencyclopedia.net/entries/andrew-jackson/>; Charles A. Sherrill, "Mero District," *Tennessee Encyclopedia*, 1998, <https://tennesseencyclopedia.net/entries/mero-district/> (October 15, 2021).

traditionalists Red Sticks until the bloody battle of Tohopeka in 1814, which left 800 dead Muscogee Creeks on the ground⁴.

A major treaty at Fort Jackson was then forced upon the Muscogee and the US Native American Allies like the Cherokee : 23 million acres (*10 million hectares*) were acquired by Jackson for the US in August 1814. Chunks of Tennessee, Alabama and Georgia had just been opened to colonization. In the following years, more land cession treaties were signed with all major tribes in the area.

As a Major General in charge of the South after the war, Jackson saw the combination of Indian and European nations as a danger to the frontier, as the War of 1812 had shown. He therefore advocated the territorial acquisition of Spanish Florida, the removal of Native nations and a rapid white colonization of the Mississippi valley as the solutions to security, economic development and Euro-American cultural hegemony. In a long correspondence with James Monroe, who was first secretary of war at the end of the War of 1812 then president in 1816, Jackson outlined long term plans.

To him, Native tribes could no longer claim sovereign status after the defeats and land cessions after 1814. Here is what he wrote Monroe in 1817:

I have long viewed treaties with the Indians an absurdity not to be reconciled to the principles of our Government. The Indians are the subjects of the United States, inhabiting its territory and acknowledging its sovereignty, then is it not absurd for the sovereign to negotiate by treaty with the subject-I have always thought, that Congress had as much right to regulate by acts of Legislation all Indian concerns as they had of Territories⁵

(to Monroe, March 4, 1817, 95).

In an 1819 letter to Indian agent to the Chickasaw John McKee, Jackson referred to the "benefit and happiness" the Chickasaw Nation would get from their removal to a place beyond the Mississippi river where a part of the tribe had already removed (to John McKee, April 2, 1819, AJP 288). Yet, the amount of land still held by Native Americans after 1814

⁴ Kathryn E. Holland Braund (ed.). *Tohopeka Rethinking the Creek War and the War of 1812*, University of Alabama Press, 2012; Ethan Moore, "Spring 1814: The Battle of Horseshoe Bend," NPS, <https://www.nps.gov/articles/behind-the-sharp-knife.htm>.

⁵ Harold D. Moser, David R. Hoth, and George H. Hoemann (ed.) *The Papers of Andrew Jackson: Volume IV, 1816-1820*, The University of Tennessee Press, 1994.

was impressive (Alabama was mostly Indian territory until 1814 ; Georgia remained partly under Indian sovereignty until 1835). In the sale of Native land Jackson a regal power of national interest imposed on the dominated by the dominant power (Natives were « subjects » not citizens). If indigenous lands were necessary to the security of the US, they should be seized.

His continental vision of the expansion of the republic akin to The Manifest Destiny defined by O'Sullivan a generation later excluded Indian presence as well as Spanish and British interests in the region. The notion of national security and national interest resonated early in his letters to the Monroe Administration, mixing state needs for security and development and federal interest in conquering territories still under Native title.

Links between Indian land cessions and slavery

In Southern leaders' minds, the spread of cotton cultivation and slavery was directly linked to the dispossession of Native American nations in the Southeast. The forced migration of slaves from the coastal states to the new territories is often called the "Second Middle Passage", the domestic slave trade well delineated in Adam Rothman' *Slave Country: American Expansion and the Origins of the Deep South* (2005). Historian Walter Johnson says 1 million slaves were forced to move from the upper to the lower South in the 80 years between the Washington and Lincoln presidencies⁶. After 1814, it took Alabama only three years to double its population to 60,000 people, the number required for admission into the Union. The Mississippi Territory (including the future states of Alabama and Mississippi) had been set up in 1798 and was made of mostly sovereign Indian lands until then.

According to the *Encyclopedia of Alabama*, "Between 1810 and 1860, the enslaved population of the Tennessee River Valley grew from about 20 percent of the total population to almost 53 percent⁷".

The Georgia Gold fever in 1828 increased pressure on Cherokee territory and proved that Cherokee appropriation of Euro-American institutions, way of life, agriculture,

⁶ Henry Louis Gates, Jr., What Was the Second Middle Passage? PBS <https://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/what-was-the-2nd-middle-passage/> ; gates refers to Walter Johnson, *Soul by Soul: Life Inside the Antebellum Slave Market*, Cambridge: Harvard University Press, 2000.

⁷ "Cotton" Encyclopedia of Alabama, <http://encyclopediaofalabama.org/article/h-1491>.

alphabet, newspaper, even slavery for a few, did not include them into Euro-American society⁸. As historian and anthropologist Patrick Wolfe, in *Settler Colonialism and the Transformation of Anthropology*, 1999 explained, the settler-state pushed "its logic of elimination" and the fact that "invasion is a structure, not an event" to its limits: removal (1830). In this case, federal intervention was an expedient which would act in favor of state development and would back up a general policy of conquest and settlement in the new territories. Jackson favored states' rights and the use of federal military backup in the taking over of Native lands east of the river.

2. Presidential Nationalism: the ambiguities of federalism

From regional leader, Jackson rose to the rank of First Magistrate. He had to balance his strong nationalist feelings with his no less strong belief that the US government should keep to its "reserved powers" and not go beyond what he saw as its constitutional mandate. To Jackson, if the 1810s required strong federal involvement to help secure the southwestern frontier (military, diplomatic, economic support), the 1830s required strong limits to the developing powers of the federal government, whether this meant internal improvements called for by individual states or the national Bank of the US. I will look more closely here at the tariffs issue as this had been one of the most central points in the national conversation since the 1790s.

From the tariffs to States' rights : or from the economy to issues of federalism

There had been an early consensus in the US that tariffs would provide much needed funding to the federal government. It was its main source of revenue in the context of no income tax (until 1913). However, tariffs became associated closely to federalist thought (Alexander Hamilton in particular). An early tariffs push occurred after the War of 1812 in order to protect American manufactures against British imports⁹. The Panic of 1819 struck the country as American products (cotton) were less needed in Europe. The Bank of the United States shrank access to credit and criticism against federal involvement in local economies was sharp.

⁸ "How the Gold Rush pushed Native Americans out west," Georgia Public Broadcasting, 2020, https://www.youtube.com/watch?v=uP-Cy4-ILSc&ab_channel=GPBEducation, Accessed Dec 20, 2021.

⁹ since the Embargo Act of 1807. Clay for the West and Calhoun for the South cooperated on the legislation (1816). For this issue, see <http://www.taxhistory.org/www/website.nsf/Web/THM1816?OpenDocument>.

The issue of tariffs arose again in the 1820s when Northern and Western entrepreneurs from the Ohio Valley needed fiscal protection from English competitors. The industrializing North supported tariffs while southern planters (and Boston merchants) supported transnational free trade. The rising northern population led to stronger support of tariffs in Congress. In 1828, The 50% tax on imported goods (1828) helped northern manufactures, but their prices skyrocketed and hurt southerners. In 1832, another law, meant to appease tensions, lowered tariffs rates except on manufactured cloth and iron.

The Nullification Crisis, 1832

The debate between protectionists and free-traders never really ended and would resurface periodically. In the 1830s, regional oppositions due to differences in economic interests and focus led to political arguments on the ability of the federal government to regulate and legislate on such divisive issues. If the whole country did not benefit, opponents to tariffs and government regulation argued that the states should be allowed their own policies.

The economic dispute led to a political tension over the issue of States' rights, the States righters arguing, relying on the anti-federalist views popular after the American Revolution, that Congress should pass only laws that benefitted the whole country and should leave the rest to the states (mentioned in the 10th amendment under the "reserved rights" doctrine). For them the national tariff was violating the freedom of the States to make their own economic decisions and was seen as unconstitutional¹⁰. The rising northern abolition movement of the 1830s generated southern fears that the federal government one day might side with them on this issue making federal intervention in states' affairs more than preoccupying. That's the reason why VP John Calhoun left the government to return to the Senate in 1832¹¹.

John C. Calhoun can be considered as what Bayard McLeod calls a "confederatationist"¹² who expressed his views in *South Carolina Exposition and Protest*

¹⁰ Robert Y. Hayne, Remarks in Congress on the "Tariff of Abominations" 1830,

<https://teachingamericanhistory.org/document/remarks-in-congress-on-the-tariff-of-abominations/>

¹¹ The Tariff of Abominations: The Effects, House of Representatives, <https://history.house.gov/Historical-Highlights/1800-1850/The-Tariff-of-Abominations/>

¹² McLeod, Bayard, "John C. Calhoun: A States'-Rights Nationalist" (2009). Student Theses, Papers and Projects (History). 2008., <https://digitalcommons.wou.edu/his/208>

(published anonymously in 1828). He argued that the states were sovereign (as was the case in *the Articles of Confederation*, the first US constitution before 1787); and he saw the Tariffs law as an abuse of states' rights considered as foundational in the creation of the Constitution. This view would prove a founding stone of the defense of slavery for the next 20 years. In 1837, Calhoun's defense of slavery¹³ opened on the fact that federal power was dangerous and that if the "spirit of abolition" rose in the North, it would lead to the control of the government and eventually the use of deadly force to suppress the institution. In other words, he considered federal power and capacity for violence as a danger to the sovereign rights of the states, among them the institution of slavery. In 1832, the South Carolina legislature passed the Nullification Ordinance to protest the tariffs law of 1828 and the new bill in preparation in Congress. The law was detrimental to state interests, so it could be voided by that sovereign state, or so the nullification doctrine went. Nullification was just a step away from secession, and Andrew Jackson saw the state's decision as an act of treason.

3.The Nullification Crisis, late 1832

As a regional leader, Jackson understood the fix the South was in. He himself was concerned by the tariffs hitting his cotton operations. But, as a national leader and a nationalist one, he could not accept the defiance of South Carolina (even if he had opposed the Tariffs of 1819 as a Tennessean). The defiance threatened the authority of the government. As a military man, he saw defiance as a dangerous attitude towards authority.

Jackson responded within a month to South Carolina through his *Proclamation Regarding Nullification*, on 10 December 1832. As they are summarized on the University of Richmond's website, his arguments were that

- the Constitution gave Congress the "discretionary power" to raise revenue by taxation

¹³ See the full text at <https://teachingamericanhistory.org/document/slavery-a-positive-good/>.

- states had accepted that "in becoming parts of a nation...they surrender many of their essential parts of sovereignty." (what is now known as "residual sovereignty")
- Therefore, secession was wholly unconstitutional because it is an affront to national authority and is not a right authorized by the Constitution
- any action of "disunion, by force, is treason."¹⁴

In a very challenging article published in 2011, political scientist Matthew S. Brogdon contends that Jackson articulated a very unique view of federalism in his Proclamation. In it, the political scientist sees in that speech strong similarities with Chief Justice John Marshall's own brand of federalist politics and suggests Abraham Lincoln's apparent use of Jackson's speech in his first inaugural speech rebuking SC's attack on Fort Sumter. Brogdon argues that "there is no necessary tension between a strong union and meaningful limits on federal legislative power."¹⁵ He demonstrates that Jackson saw the Constitution as ensuring the "perpetual union" of the states, barring states from breaking the constitutional pact embodied by the people. He referred to "old Federalist doctrines of popular ratification, perpetuity, and judicial finality to defend the Union" (3)

To Daniel Webster, the Supremacy Clause and Article III that extends the judicial power "to all cases arising under the Constitution and laws of the United States," forbid any interpretation of state sovereignty (Brogdon 8). Brogdon argues that this view does not preclude the belief in the unlimited power of the state. On the contrary, Brogdon follows Webster's argument that both state and federal power is limited by the sovereignty of the people, that's the whole point of the checks and balances

In Brogdon's analysis, Jackson does not see the Union as a pre-existing "nation" but as the result of "connected" colonies bound by "common interest" (13), not a league of sovereign states, but linked by a contract. Jackson insists on the Constitution as the embodiment of the perpetual union, first expressed in the Articles of Confederation during

¹⁴ See "Nullification Proclamation: Primary Documents in American History," Library of Congress, <https://guides.loc.gov/nullification-proclamation>; also, see President Jackson Responds to Nullification, <https://historyengine.richmond.edu/episodes/view/4142>.

¹⁵ Matthew S. Brogdon, "Defending the Union: Andrew Jackson's Nullification Proclamation and American Federalism," *The Review of Politics* 73 (2011), 1–29. # University of Notre Dame doi:10.1017/S0034670511000064, accessed on Nov. 17, 2021.

the War of Independence, and reaffirmed in the claim for a “more perfect union” than the former (cited by Brogdon, 16). Beyond interpretation and the search for origins, Union is the key to his understanding of the country’s existence (not unlike Lincoln’s interpretation, Brogdon argues), and it establishes a direct link between the Constitution and the citizens beyond the reach of the states. However, he makes a distinction between that sacred union between the Constitution and the people, and the form of government which is a “a mixture of national and federal elements” (14) (= *McCulloch v. Maryland*¹⁶)

Brogdon also insists on Jackson’s emphasis on the executive branch of the federal government as “a decisive institutional factor” in the ability to enforce federal laws, bearing directly on US citizens (16) whereas the “compact theory” posits that the Constitution is a product of an agreement between sovereign states which can deny the ability of the executive branch to enforce an unconstitutional law. Brogdon aptly summarizes this position expressed in 1789 by Jefferson and taken up by Calhoun later, “The guiding principle of constitutional construction must be the preservation of self-rule by the states” (cited by Brogdon 20). Jackson opposes that and probably inspiring Lincoln later, states that nullifying a law is a revolutionary act, not a constitutional right justified by the origins of the Constitution.

Conclusion

Much has been made about Jackson’s passions and bad temper as well as battles of egos between the president, John Calhoun or BUS president Nicholas Biddle. This presentation has rather followed interpretations which suggest that political thought also characterized the politics of the 1830s. In particular, the emphasis has been laid on the on-going battle between proponents of a federal domination over the states and those who thought that issues never affect all states equally and should therefore require local treatment by sovereign states. The bank issue derives from the same questions, whether the BUS was constitutionally allowed to interfere with regional banking and local economies, particularly in terms of credit crunching, at a time of wild economic expansion, frenzied land speculation and general indebtedness.

¹⁶ *McCulloch v. Maryland* (1819), <https://www.oyez.org/cases/1789-1850/17US316>, accessed Dec. 20, 2021.

Federalism also included the treatment of national expansion, with new states west of the Mississippi river entering the Union (Ark 1836 and MO 1837), new territories wrested from Native nations moving to statehood (Wisconsin 1836 and Iowa 1838). In the South-West, Texas, populated and governed by Tennesseans, became an independent slaveholding republic in its drive out of the Mexican orbit. It would enter the Union in the year of Jackson's death, the same year that journalist John O'Sullivan published his celebrated article on Manifest Destiny. This Western expansion was fed by nationalist concerns, but it also reinforced the old opposition between federal domination and states' rights which was going to take center stage in the national debate over slavery. As much as it became a more and more sectional issue, Andrew Jackson's delicate balancing of the future of the "perpetual union" and the rightful place of the states in the Union became more and more difficult to uphold.