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Distinctly American: The Roots of Secessionism and Nullification in the United States

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Thesis Abstract

The late 1700s saw the birth of a new nation, one guided by the principles of liberty and freedom. A group of thirteen independent colonies chose to form a close union in an attempt to rid themselves of the tyranny associated with monarchical rule. Once these colonies had obtained their autonomy with the signing of the Treaty of Paris in 1783, this new country entered into the era of constitution writing and compromise. The process of unification however, proved to be a task perhaps just as daunting for Americans as the Revolution itself. Even with guidance from statesmen who are now placed within the pantheon of American history, less than 100 years later the United States saw civil war rage across the continent. By the time the most cataclysmic event in the history of the Western Hemisphere had concluded, 620,000 Americans had perished.[1] How did a country who was founded in the principles of compromise, find itself on the brink of ruin and disunion in the 1860s? As historian Elizabeth R. Varon argued, "The era of constitution making bequeathed to the young nation not only a legacy of compromise and indecision on slavery, but also the beginnings of a discourse in which politicians summoned images of disunion to advance their own regional and partisan agendas."[2]

The technique of threatening secession is not a uniquely American idea however, as Roman politicians politicized and used the threat of secession five separate times between 494 BC and 287 BC (these events were deemed the Secessio Plebis).[3] American statesmen during the 18th and 19th century were often trained in the Roman classics, and the concept of secession was not as foreign an idea as perhaps previously thought. What did distinguish the American concept of secessionism and make it markedly different from previous (and even future) interpretations were the constant changing and reshaping of the ideology itself. By this notion, politicians (both North and South) had attached their

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[1] Keegan, John. *The American Civil War.* Knopf Doubleday Publishing Group, 2009.

[2] Varon, Elizabeth R. *Disunion: The Coming of the American Civil War, 1789-1859.* The University of North Carolina Press, 2008. Pg. 32.

[3] Loewenstein, K. *The Governance of Rome.* Springer Science & Business Media, 1973. Pg. 22.

own spins on the idea of secession to further advance their own political end goals. From its inception the United States has flirted with secessionist theory, and while Southern states like South Carolina take the brunt of criticism for such ideologies, that interpretation of events is somewhat lacking. Decades before the American Civil War men like Thomas Jefferson, James Madison, Timothy Pickering and Aaron Burr engaged in political dealings that were just as incendiary as their mid-19th century Southern brethren.

In recent years, Senator John C. Calhoun of South Carolina has often times been synonymous with secession (see works like Robert Elder's *John C. Calhoun: American Heretic*), himself seen as the primary influence for secessionist thought leading up to the American Civil War. This viewpoint, however, is only partly correct. While Calhoun and his now legendary constitutional dissections were obviously some of the more prevalent antebellum anti-unionist doctrine, the root of secessionist thought does not begin nor end with the "South's Favorite Son". While the South's decision to secede is by far the most notable example of true secessionism in American history, it is not the first, nor is secession a distinctly Southern idea.

To fully grasp how the United States found itself embroiled in a conflict with itself in the 1860s, one must first account for the constitutional theory presented by Calhoun's predecessors. With the North's victory, secession and nullification took on the designation of being "anti-American" ideals pinned to the Confederate movement. In actuality, Thomas Jefferson and James Madison first explored the topic in the late 18th century after confessing their displeasure with the Adams administration. Their *Resolutions* each respectively propelled the states' rights argument to the forefront of the American consciousness. Their writings begged the question; is the United States a unified country, or a collection of states working in harmony that can choose to leave the Union if that harmony is ever threatened?

At the same time that the Virginia dynasty first flirted with disunion, a group of disaffected men from the Northeastern seaboard considered the prospect of establishing a new union formed out of

New England. This collection of rhetoric spewing and at times volatile men, became known as the Essex Junto. In the coming years, Federalists like Timothy Pickering, George Cabot and Harrison Gray Otis in New England considered the possibility of secession during the War of 1812. Federalists pursued politics that were distinctly anglophile and focused heavily on international trade, and the outbreak of war seriously threatened both their political ideals and economic standing. Americans expected a quick victory, but numerous military setbacks soon evaporated the idea of a quick war. Shipping across New England virtually stopped, and the economies of New England coastal cities suffered greatly. In response, Federalists (and their more extreme Essex Junto counterparts) organized the Hartford Convention, which was held in Connecticut. Federalist leaders met there to discuss what their response to war should be, and while secession was perhaps never explicitly mentioned, it has become a point of contention among historians as to how close the Northeastern states actually came to exiting the Union.

The decision by the framers of the Constitution to not explicitly state what the nature of the American Union was, directly led to the issues that arose in the mid-1800s. Never was the question answered as to whether our nation was one and indivisible, or whether our arrangement was but a confederacy of individual states who operated more like a partnership. If the later interpretation was ascribed to, then it was no wonder as to why states' felt they had the right to secede if they believed the union no longer benefited them. To not truly define how your country is organized at the very beginning, was without a doubt quite the oversight by the early founders of this nation.

The purpose of this paper is two-fold; to both trace the seeds of secessionist thought back to the late 18th century, and by doing so prove that it is not a strictly 19th century Southern concept, as well as to convey how John C. Calhoun was influenced by earlier American statesmen and not the original architect of the political ideology. Additionally, this paper's aim is to identify early American secessionist movements in an attempt to dispel the myth that secessionist theory in the 1860s was novel. To fully realize the role that secessionism played in early American politics, the tracing of said

ideologies must be made as far back as the late 1700s. Early statemen and constitution writers from this period like Jefferson, Madison and Pickering served (as this thesis describes), as the primary influencers of later American politicians. Nullification and Secession have continuously been used as political tools throughout the history of the United States, and as such, they should not be attributed solely to mid-19th century Southerners.

Contents:

Chapter One: The Kentucky and Virginia Resolutions

Even during its infancy, the United States flirted with the notion of disunion. By 1790, the early nation already found itself embroiled in political affairs that would require a compromise. The American Revolution had taken its toll on the Northeastern United States, and wartime debts had risen to an alarming level. New Englanders pushed for a policy of assumption (federal government assumes debt held by states) to be the official stance of the newly established government. Southerners, however, had already paid off their wartime debts and viewed the plan as biased to the North.[4] Alexander Hamilton was in favor of assumption and took a special interest in obtaining government aid for his constituents in New England.

Thomas Jefferson and James Madison were the voices of the South, as both men hailed from the State of Virginia. Jefferson was of the mind that Northerners viewed assumption as a "sine qua non of a continuance of the Union", and that a compromise was surely needed.[5] Seeing assumption as something vital to the continuance of the union itself seems extreme, and it certainly was. Using this threat however, gave Northerners the upper hand in political disagreements, as not many in the fledgling United States were interested in war. At this juncture, disunion was but a whisper on the lips of American statesmen, not the feverous shout that it would later become in the 19th century. The threat, however, was still present and a compromise was eventually reached. A policy of assumption was undertaken by the United States, in exchange for a relocation of the capital to Virginia.

After this early crisis had passed, Jefferson had already noted how the threat of disunion could sway political issues. Writing on what had transpired, Jefferson stated, "It was unjust, in itself oppressive to the states, and was acquiesced in merely from a fear of disunion, while our government

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[4]Ellis, Joseph J. *Founding Brothers: The Revolutionary Generation.* Knopf Doubleday Publishing, 2003. Pg. 55.
[5] Varon, Pg. 32.

was still in its most infant state. It enabled Hamilton so to strengthen himself by corrupt services to many that he could afterwards carry his bank scheme."[6] Jefferson realized that Hamilton (and Federalists alike) had used the whispers of disunion as an effective tool in deciding the outcome of the assumption crisis.

This episode was just the first of the many political battles that took place between Federalists and Republicans during the early days of the Union. George Washington was alarmed by the emergence of regional interests and called for a stronger devotion to the Union. Washington called upon his fellow Americans in hopes that, "Local sentiments be replaced by a sacred attachment to the Union and the Constitution."[7] Despite Washington's best efforts to remedy the growing situation and his sanguine outlook in regards to the future of the United States, the "American Experiment" was tested again only two years after his farewell address. Once again, Thomas Jefferson found himself at the center of the growing disunionist movement, even if he himself was by no means an advocate of true disunion.

In 1796, John Adams secured the presidency after a close race with former Secretary of State Thomas Jefferson. Adams was part of the Federalist Party, a party that identified and wanted to align themselves with England rather than France. Federalists also preferred a strong central government, manufacturing and banks. Adams's presidency proved to be nothing short of tumultuous, and by 1797 the United States had found itself in a political stalemate with France. Federalist doctrine maintained the want for a strong centralized government, and the recent revolution in France in 1789 caused anti-Franco sentiment to grow throughout the Federalist ranks.[8] This culminated in first, the XYZ Affair, in which French officials refused to meet with an American diplomatic envoy composed of John Marshall, Charles Pickney and Elbridge Gerry, unless certain monetary bribes were made.[9] The United

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[6]Library of Congress, The Thomas Jefferson Papers Series 2. General Correspondence. 1651-1827
[7]Garrity, Patrick J. *A Sacred Union of Citizens: George Washington's Farewell Address and the American Character.* Rowman & Littlefield, 1996. Pg. 85.
[8]Neely, Sylvia. *A Concise History of the French Revolution.* Rowman & Littlefield, 2008. Pg. 100.
[9]Ferling, John. *John Adams: A Life.* Knoxville, Tennessee. University of Tennessee Press, 1992. Pg. 363.

States refused, and a Quasi-War (or Half-War as John Adams refereed to it) broke out between the two countries.[10] Anti-French feeling was rapidly growing, and Thomas Jefferson as well his Republican constituents were accused of supporting the enemy. Federalists even charged Republicans with inciting rural farmers to rise up against a strong government, in conjunction with ideas spread during the French Revolution. Federalists truly believed that Republicans would stop nothing short of disunion in their attempt to disrupt and belittle the Federalist agenda. The topic of disunion was once again at the forefront of American political discourse and ideological thought, even though the country itself was less than a quarter-century old.

By May of 1798, party tension had reached a fever pitch. Federalists and Republicans began to battle not only in the political arena, but in the streets of major cities as well. Philadelphia was one such city that experienced the violence associated with political rivalry. A popular printer named Benjamin Franklin Bache was known for his anti-Federalist rhetoric that he routinely included in his paper the *Aurora.* The critiques were deemed serious enough by administration supporters, that on May 9th a large group of Federalists marched on Bache's home with intent to burn his home to the ground. Although the mob was unsuccessful, the event nonetheless influenced future Adams administration policies.[11] Most notably, in an attempt to silence their Republican critics, the Federalists and John Adams issued the Alien and Sedition Acts.

The Alien and Sedition Acts were a set of four laws that were catered towards disrupting anti-administration actions in the United States. The first act known as the Naturalization Act increased the residency requirement to become a citizen from five years to fourteen years. This in effect, also gave the federal government full control in all citizenship affairs, with individual states being forced to relinquish that right. The Alien Friends Act (which was deemed as the most heinous of the new laws) allowed President John Adams to jail or deport any foreigners that were suspected of "anti-American"

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[10]McCullough, David. *John Adams.* Simon and Shuster, 2008. Pg. 178.
[11]Halperin, Terri Diane. *The Alien and Sedition Acts of 1798: Testing the Constitution.* JHU Press, 2016. PG. 2.

activities. The Alien Enemies Act expanded upon the Alien Friends Act, but would only be in effect if the United States formally declared war. These acts not only granted President Adams with somewhat unchecked power, but also denied immigrants the right to a fair trial.[12]

All three of these new laws were directed at foreigners, but the Sedition Act was directly aimed at United States citizens. The Sedition Act made it illegal for citizens to speak or write in opposition to the Adams administration, virtually revoking Habeas Corpus.[13] While in modern times this decision would be immediately deemed as unconstitutional, in 1798 a crisis such as this one had not yet occurred and therefore, no precedent existed. The Alien and Sedition Acts were supported by a number of politicians and political groups, mostly due to the malicious literature being printed in regards to the Adams administration. For example, in the same year that the Alien and Sedition Acts were passed George Washington wrote a letter to Timothy Pickering (his former Secretary of State) detailing his negative opinions on anti-Adams papers, "But more the views of those who are opposed to the measures of our Government are developed, the less surprised I am at the attempt and the means, cowardly, illiberal and assassin [sic] like, which are used to subvert it; and to destroy all confidence in those who are entrusted with the Administration thereof."[14]

Supporters of the Acts often justified their stance by claiming that no harm could come from silencing writings that were nothing but lies. This sentiment was shared by Connecticut Congressman John Allen (a prominent Federalist and ardent supporter of the Adams Administration) who argued that the Alien and Sedition Acts were constitutional because they would only affect those found guilty of slander, "Am I free to falsely call you a thief, a murderer, a person who does not believe in God? The freedom of press and opinions was never understood to give the right of printing lies and slanders, nor

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[12] Halperin, Pg. 6.
[13] Robertson, Andrew W. "'Look on This Picture... And on This!" Nationalism, Localism, and Partisan Images of Otherness in the United States, 1787-1820." *The American Historical Review*, vol. 106, no. 4, 2001, Pg. 1263–1280. *JSTOR*, www.jstor.org/stable/2692948.
[14] Washington to Timothy Pickering. Library of Congress. Feb. 6th, 1798.

of calling for revolution and slaughter."[15] These arguments (even though they were made by influential politicians) fell on deaf ears when presented to their Republican rivals. The backlash to the Alien and Sedition Acts was severe, as Republicans accused Federalists of disregarding the Constitution in an attempt to discredit their political opponents. Albert Gallatin (who in 1798 was a member of the House of Representatives) was a noted Republican and vocal critic of the "unconstitutional" practices being enabled by the second President. In response to the acts, Gallatin spoke before congress and claimed that,

> This bill makes anyone speaking or writing against the present Administration an enemy of the Constitution. If you put the press under any such restraint, you thus deprive the people of the means of getting the facts about their government and make the right of free elections worthless. This bill must be considered only as a weapon to be used by the party in power in order to keep their authority and present place.[16]

Even the American public responded with defiance to the Adams Administration. As historian Douglas Bradburn states, "On the same day, Adams was hanged and burned in effigy in front of the meeting house in North Stamford, Connecticut, deep in the Federalist heartland."[17] In areas where Federalism was the dominant political movement, citizens were still taken aback by the Acts. James Madison and Thomas Jefferson were both equally as appalled by the new set of laws put into effect by the Adams Administration. Both statesmen quickly wrote each other to determine in what way they could obstruct the passing of the Alien and Sedition Acts. In a letter to James Madison from June 7th, 1798, Jefferson outlines his fears and summarizes why the new Acts were inherently unconstitutional. The third president was alarmed that the Acts would "place aliens not protected by treaties under absolute government." This fear of an unchecked federal government caused political tensions not only at this time, but also in the years leading up to the American Civil War as well.[18] The letter to Madison

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[15]Annals of Congress, 5th Congress, 2nd Session, Pg. 2097-2098.
[16]Annals of Congress, 5th Congress, 2nd Session, p. 2110.
[17] Bradburn, Douglas. "A Clamor in the Public Mind: Opposition to the Alien and Sedition Acts." *The William and Mary Quarterly*, vol. 65, no. 3, 2008, pp. 565–600.
[18]Jefferson to Madison. Library of Congress. June 7th, 1798.

also makes it a point to highlight how the Sedition Bill was not only an abuse of power, but how it bypassed rights already guaranteed in the Constitution, like that of freedom of speech. Jefferson personally believed that the Alien and Sedition Acts were, "both so palpably in the teeth of the Constitution as to shew they mean to pay no respect to it." This sentiment of challenging the federal government when their implied powers overstretch their boundaries is one that future secessionists would cite during the 1850s and 1860s.

In direct response to the Alien and Sedition Acts, Thomas Jefferson drafted the Kentucky Resolution. This paper provided the groundwork for later secessionist thought. While perhaps not as drastic as true secession, here was a future President of the United States essentially diminishing the power of the federal government. The Kentucky Resolution served as a direct rebuttal to the contents of the Alien and Sedition Acts. Jefferson and Madison both believed that the newly established Acts exceeded the clearly defined powers given to the president and Congress in the Constitution. By October of 1798, Jefferson had finished his first draft of the legendary document, and its contents would provide a foothold for future nullifiers like John C. Calhoun (even if this was not explicitly Jefferson's intention).[19]

To fully understand the impact that the Kentucky Resolution had on later American statesmen, one must survey and study the constitutional theory presented throughout the document. Explicitly stated in the first line of the document, Jefferson certainly does not mince his words when he wrote that, "Resolved, that the several states composing the United States of America, are not united on the principle of unlimited submission to their General Government." This theme of disallowing the federal government access to unchecked power is one of the recurring issues examined by Jefferson, and later Madison. The fear of early American statesmen was that states' rights would be trampled by the federal government, if the latter were left unrestrained. There was at this time, no true precedent to handle

[19]Warfield, Ethelbert Dudley. *The Kentucky Resolution of 1798: A Historical Study.* G.P. Putnam's Sons, University of California Davis. 1887. Pg, 163.

situations such as this, and political leaders such as Jefferson had to essentially develop their own constitutional theory. Although the Resolutions were essentially disregarded when they were written, they still presented ideas that were, and still are, worthy of study. As historian William J. Watkins Jr. stated, "the Resolutions cogent reasoning won acceptance in the marketplace of ideas."[20]

The Resolution continued by claiming that when the general government assumed powers not explicitly stated in the Constitution, that state governments had the right to announce their acts as null and void.[21] Not only were the acts deemed as void, but the ability of Congress to create, punish, or define crimes was also in question, since this power was not fully discussed in the Constitution. Jefferson's language throughout the first part of the Kentucky Resolution is notable due partly to his choice of words. Instead of referring to the United States as one entity or country, he solely addressed the country using the term "co-states". This differentiation is crucial; interpreting the government of the United States as a confederacy or compact of independent autonomous states gives each individual state the perceived right to both nullify federal law (if they are in disagreement) or in extreme cases, choose to leave the "union" formed with the other states.

Part three of the Kentucky Resolution examines the right of free speech, and how the Adams Administration was infringing upon one of the essential American virtues. In response to the Sedition Act Jefferson wrote, "Resolved that it is true as a general principle and is also expressly declared by one of the amendments to the constitution that the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people."[22] This was yet another strong backing of states' rights by Jefferson and this particular line would reappear numerous times throughout the Kentucky Resolution. If this sentiment were to have been true, then

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[20]Watkins Jr., William J. *Reclaiming the American Revolutions: The Kentucky and Virginia Resolutions and their Legacy.* Palgrave Macmillan. New York, 2004. Pg. 117.

[21] Bird, Wendell. "Reassessing Responses to the Virginia and Kentucky Resolutions: New Evidence from the Tennessee and Georgia Resolutions and from Other States." *Journal of the Early Republic*, vol. 35, no. 4, 2015.

[22] Jefferson, Thomas. *The Papers of Thomas Jefferson Volume 30: January 1, 1798 to January 31, 1799.* Princeton University Press, 2003.

that means that the federal government would virtually have had no implied powers. Jefferson and his Republican followers were strict constitutionalists, meaning that if something was not explicitly mentioned in the Constitution that they were to disregard it. This extremely strict understanding of the Constitution and anti-centralization of power (things that Jefferson himself would ignore during the purchase of Louisiana) influenced statesmen for generations to come, such as John Randolph of Roanoke and of course, John C. Calhoun.[23] In general, Republicans were conservative in their interpretation of the Constitution, and the ideas presented in the years leading up to the "Revolution of 1800", remained central to Republican thought throughout the first half of the 19th century.

Thomas Jefferson was certainly more explicit in his attack on the administration than other Republicans, and his somewhat "extreme" ideas were not shared by all of his constituents. To fully grasp Jefferson's viewpoint, his draft of the Kentucky Resolution should be examined more carefully than the final edit, because perhaps it was the more important of the two documents. By part eight of the Kentucky Resolution, one cannot but notice the contrast between his draft and the final copy. The draft examines in more detail, the idea of a compact and the concept of nullification. In regard to once again identifying the United States as not a centralized government but a compact, Jefferson wrote,

> That a committee of conference and correspondence be appointed, who shall have in charge to communicate the preceding resolutions to the legislatures of the several States; to assure them that this commonwealth continues in the same esteem of their friendship and union which it has manifested from that moment at which a common danger first suggested a common union: that it considers union, for specified national purposes, and particularly to those specified in their late federal compact, to be friendly to the peace, happiness and prosperity of all the States: that faithful to that compact, according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation.[24]

Let us not forget, Jefferson and Madison were among the leaders of the Revolution, a war that came about in response to the perceived tyranny of Great Britain. John Adams ascribed to British upper-class sensibilities in many ways, and wanted the presidency to follow precedents (in regard to status, not

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[23] Carson, David A. "That Ground Called Quiddism: John Randolph's War with the Jefferson Administration. *"Journal of American Studies*, vol. 20, no. 1, 1986, pp. 71–92.
[24]Jefferson, Thomas. *The Writings of Thomas Jefferson: 1795-1801.* G.P. Putnam's Sons. 1896. Pg. 470.

governmental function) set by the British crown. It cannot be much of a surprise then, that Adams was challenged the same way King George III was decades before. This draft yet again made it clear that the United States (to Jefferson), was a group of autonomous governments that came together in an attempt to dispel a "common danger". This time however, the common danger arose within the country itself and threatened to put on a halt on the American experiment. Jefferson went on to write that a union developed to protect national interests should be preserved for the common peace.

Jefferson may not have been openly advocating a true secessionist movement, but his wording at certain points in the Kentucky Resolution were at the very least open to interpretation. Following his call for a "preservation" of the union, the future president immediately thereafter presented the concept of nullification. After taking aim at the administration and claiming that the Alien and Sedition Acts were not for the peace or prosperity of the union, Jefferson took his argument a step further. In a section of the Kentucky Resolution that was omitted from the final version, Jefferson wrote,

> That it does also believe, that to take from the States all the powers of self-government and transfer them to a general and consolidated government, without regard to the special delegations and reservations solemnly agreed to in that compact, is not for the peace, happiness or prosperity of these States; and that therefore this commonwealth is determined, as it doubts not its co-States are, to submit to undelegated, and consequently unlimited powers in no man, or body of men on earth: that in cases of an abuse of the delegated powers, the members of the General Government, being chosen by the people, a change by the people would be the constitutional remedy; but, where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy: that every State has a natural right in cases not within the compact, (*casus non foederis*) to nullify of their own authority all assumptions of power by others within their limits: that without this right, they would be under the dominion, absolute and unlimited, of whosoever might exercise this right of judgment for them.[25]

This is undoubtedly the most crucial section of the draft, for it explicitly mentions the theory of nullification. It is here that Jefferson's ideas were almost too extreme for even his closest constituents, including James Madison. According to historian Jeff Broadwater, "Jefferson's words put Madison on the defensive. In a letter to Nicholas Trist, he tried to explain Jefferson's more radical ideas as an

[25]Jefferson, Thomas. *Jefferson's Draft: The Papers of Thomas Jefferson, Volume 30: 1 January 1798 to 31 January 1799.* Princeton University Press. 2003.

example of his friend's tendency to overstate his case."[26] Madison (who later sponsored and wrote the Virginia Resolution) still found his friend's wording to be too strong.

Jefferson never advocated secession as a political strategy, yet he is the one who brought the concept of nullification to the forefront of American political thought. Fear of a consolidated unchecked government forced the hand of Jefferson into writing such an intriguing, yet, "overstated" piece. In still another attempt to defend his political ally, Madison claimed that the Kentucky Resolution did not prescribe nullification as a constitutional right, but as a natural law.[27] Regardless of Jefferson's original intent, this section of the Kentucky Resolution was later used as doctrine for nullifiers in the 1830s. In his speech in support of nullification, Robert Y. Hayne (one of John C. Calhoun's main followers) for example wrote, "Sir, South Carolina has not gone one step further than Mr. Jefferson himself was disposed to go in relation to the present subject of our present complaints."[28] This simple line in Hayne's speech illustrated how Jefferson's early writings on nullification later influenced Southern "Fire-Eaters".

The Kentucky Resolution finished with a more concise statement of its main objectives. The Resolution was written in defense of states' rights and that (presumably) states, "…will each take measures of its own for providing that neither these acts nor any others of the general government not plainly and intentionally authorized by the constitution shall be exercised within their respective territories."[29] Most historians have come to the consensus that the Kentucky Resolution failed in its aim to unite the states against the Alien and Sedition Acts. States like Delaware, Maryland and Vermont chose not to discuss the validity of the Alien and Sedition Acts; they strictly reviewed whether state law could supersede federal law. Each of those states determined that at this juncture of American history,

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[26]Broadwater, Jeff. *James Madison: A Son of Virginia and a Founder of the Nation.* UNC Press Books. 2012. Pg. 204.
[27]Broadwater, Pg. 205.
[28] Brewer, David Josiah. *World's Best Orations from the Earliest Period to Present Time: Volume 7.* Kaiser Publishing. 1900. PG. 2446.
[29]Jefferson, Thomas. *Resolutions Adopted by the Kentucky General Assembly: The Papers of Thomas Jefferson, Volume 30: 1 January 1798 to 31 January 1799.* Princeton University Press. 2003.

states' rights should be held in check. Vermont went as far as to declare that the Resolutions were not only unconstitutional, but also dangerous to the nature of the Union. Historian Stanley Elkins summed up the states' reaction to the Resolutions, stating that ten states outright condemned them, while four (Georgia, Tennessee, North Carolina, South Carolina) chose not to respond.[30] Adrienne Koch for example, wrote that the Kentucky Resolution, "...appeared on the surface to be nothing more than two impersonal messages from two apparently eloquent Southern assemblies, asking for corroboration from their several sister states. With no exceptions, the immediate comment was hostile."[31] Koch believed that although the Resolution may have technically failed in its attempt to garner support from other states in the union, "As political propaganda, however, the Resolutions were tremendously effective, frightening the Federalist ranks, and uniting, as Hamilton feared they might, the Republicans into a determined party with body and solidity."

This same sentiment is not shared by all historians however, as some perceive Jefferson's writings to have been more successful than originally thought. Historian Wendell Bird believed the consensus that all states outright rejected the Resolution may not be true. According to him, the only states that immediate declined were the "New England and some middle states."[32] As for the Southern states, Bird believes that the reaction was not hostile to the resolutions at all. In fact, he declares the exact opposite. Georgia and Tennessee are believed to have explicitly rejected the Sedition Acts, and asked for their repeal.

In Tennessee, Governor John Sevier brought the Resolutions to the legislature with haste; Federalism had little presence in Tennessee and the Republican legislature immediately condemned the Alien and Sedition Acts. Republican newspapers across the country were overjoyed to report that the Acts proposed by the Adams Administration had met the same fate in Tennessee as they did in

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[30] Elkins, Stanley. *The Age of Federalism.* Oxford University Press. 1995. Pg. 200.
[31] Koch, Adrienne, and Harry Ammon. "The Virginia and Kentucky Resolutions: An Episode in Jefferson's and Madison's Defense of Civil Liberties. *"The William and Mary Quarterly*, vol. 5, no. 2, 1948, pp. 145–176.
[32] Bird, 523.

Kentucky and Virginia. After Tennessee held a joint committee to discuss the Kentucky Resolution, the Volunteer State passed its own resolutions in concert with Jefferson's writings. The Tennessee Resolution read as follows,

> Resolved, that it shall be and hereby is enjoined an instruction to the Senators and Representatives of the State of Tennessee in the Congress of the United States to use their best effort in their respective powers, to procure at the present session of Congress, a repeal of an act of Congress of the United States, entitled, "An act concerning aliens," passed on the twenty second of June, in the year one thousand seven hundred and ninety eight, and also a repeal of one other act of the Congress of the United States, entitled, "An act, in addition to an act for the punishment of certain crimes against the United States, passed on the 14th day of July, in the year 1798, upon the ground that the said acts are in several parts opposed to the constitution, and are impolitic, oppressive, and unnecessary.[33]

Although there is contention among historians in regard to state response to the Kentucky Resolution, the response from Tennessee illustrates that Jefferson's writings had their desired effects on certain parts of the country. The Tennessee legislature made it explicitly known that their response was indeed, directly influenced by the Kentucky Resolution. Shortly after, Georgia followed suit and drafted their own resolutions in regard to the Alien and Sedition Acts. The Georgian committee, "hoped that they (the Alien and Sedition Acts) will be repealed without a necessity for the legislature of Georgia to enter into violent resolutions against them."[34] This wording invoked a spirit of armed resistance, and many political leaders in Georgia were wary that the language was simply too strong for the occasion.

The next day, the committee voted to remove that section of their resolution, in an attempt to produce a more conciliatory document. Nonetheless, these early records of the proceedings show the underlying theme behind most of the deliberations; Federal laws that encroach on civil liberty (if not properly addressed) can be met with violent dissent. This is not to say that Civil War was imminent, but it does illustrate how the concept of secession was always lingering. As aforementioned however, the final Georgia Resolution discarded much of the hostile language from the first draft,

> That to advise an approbation of those acts, as some states seem to have done,

[33] "Tennessee Senate Journal #189" (Jan. 4, 1799).
[34] *Journal of the Senate,* 18 (Nov. 22nd, 1799)

> would be to speak a language foreign to their hearts; but the committee hopes that they will be repealed without the interposition of the state legislature; they cannot, however, forbear expressing their sentiments on them, so far as to declare, that if the American government had no greater hold on the people's allegiance and fidelity, than those acts, it would not rest on that firm foundation which the committee hope and trust it does and ever will, on the affection of the citizens over whom it presides; riveted by the acts of a wise and virtuous administration.

While the Georgia and Tennessee Resolutions were certainly more conciliatory than their counterparts, they still addressed some of the questions regarding the role of the Constitution in the infancy of the United States. Less than 20 years after the conclusion of the American Revolution, the questions of secession and union versus confederacy had already entered the realm of American political discourse. The four states who first explored this realm of constitutional theory were all similar in one way; they were all Southern. Secessionism is generally identified as a Southern concept, especially in the years surrounding the American Civil War. This categorization of the South as the original and only proponents of secession is only partly true. While the Civil War was fought over geographical lines, the concept of exiting the union has never been a North versus South issue. New England is often viewed as the hotbed of American patriotism, yet in the early parts of the 19th century, secessionism crept into the consciousness of Northern Americans decades before the Civil War.

Chapter Two: The Rise of the Essex Junto and the Role of Aaron Burr

By the start of the 19th century, the United States was still but an infant nation looking to make its mark on the world stage. In the early years after the American Revolution, two major political parties came to fruition, the Federalists and the Republicans. The Federalist Party was headed by Alexander Hamilton and placed an emphasis on a strong central government, a Constitution that could be left to interpretation, a focus on manufacturing and the development of pro-British sentiment to ensure the United States a role in international trade. Federalism, according to historian James M. Banner Jr.,

> Offered a social ideal which emphasized stability, tradition, dependence, and the common good. It fed upon provincial illusions and fears and expressed a powerful regional culture. To a people resentful of their state's loss of influence and of their own standing within society, frightened by the specter of an unappalled revolution abroad, provoked by the domestic hostility of religious dissenters, factional adversaries, and men on the make, frustrated by the failure of their own revolution to bear out its promise, and simply unable to understand change. To these people the Federalist Party gave a powerful voice and held great appeal.[35]

Federalism was synonymous with New England as a way of thinking, before it was ever consolidated into a political party. New Englanders of every station found themselves attracted to the conservative ideology of Federalism. Compared with other early states, Massachusetts experienced relative homogeneity amongst its citizens.[36] Those who resided in the "Bay Colony" often traced their lineage back to the scores of revolutionary figures that presided there during the 18th century. Men like John Hancock, John Adams and Sam Adams embraced the concepts of revolution and political consolidation. Not only were those in Massachusetts linked by their predecessors, but also through religion and culture. In the 1790's, a dominating portion of New Englanders were of English descent, and were of the Protestant faith.[37]

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[35] Banner Jr., James. *To the Hartford Convention: The Federalists and the Origins of Party Politics in Massachusetts. 1789-1815.* Knopf Publishing. New York, 1970. Pg. 7.
[36] Anson, Ely Morse. *The Federalist Party in Massachusetts to the Year 1800.* University Library, 1909. Pg. 7-10
[37] Anson, Pg. 10-11

While New England experienced relative homogeneity in regard to their political theory, one faction in particular pushed the limit of both the Constitution and the union itself. These men, who grew more and more disaffected with the general government, were known as the Essex Junto (Essex County, Massachusetts served as their namesake). The Essex Junto was a wing of Federalism whose radical interpretation of the Constitution undoubtedly effected later secessionist movements. Generally, John Adams is credited with the identification and naming of this short-lived yet incendiary branch of American political thought. However, the Essex Junto was actually first mentioned by John Hancock during the era of establishing state governments. As early as 1778, those extremists linked to Essex County were identified due to their displeasure directed at the prospect of Massachusetts establishing a "weak" centralized government. To those men that strove to take the governing power away from the people and place it in the hands of elected officials, the title of Essex Junto was attributed.

The Essex Junto's voice was truly first heard, during the vigorous debates over the proposed treaty with Great Britain in 1795.[38] Known as Jay's Treaty, this political event assisted in shaping and defining what Federalism ideology truly was. In the years following the American Revolution, Europe found itself embroiled in yet another war. This time it featured the classic rivals France and Britain. For a new nation like the United States, this spelled disaster. Americans were caught between two warring superpowers and public opinion was either pro-French or pro-British.

As an infant nation the United States at times struggled to bolster its economy. To make matters worse, Great Britain imposed a one-way tariff; British goods (which were often times cheaper than their American counterparts) could still be sold in the United States, while American exports were restricted by tariffs. Other pertinent issues included American grievances over impressment of American sailors, seizure of American ship's goods, and Great Britain's refusal to vacate forts in North

[38] Estes, Todd. *The Jay Treaty Debate, Public Opinion, and the Evolution of Early American Political Culture.* University of Massachusetts Press, 2006.

America.[39] The politician heading the negotiations was John Jay, who was personally selected by George Washington. This was, however, much to the dismay of the Essex Junto. They instead, had pushed for Alexander Hamilton to be the politician to head the negotiations with Great Britain. Washington was told that such a move was unwise by many of his constituents due to Hamilton's overtly pro-British disposition. Washington's Secretary of State Edmund Randolph advocated against Hamilton, and John Jay was chosen.[40]

Jay's career was long and distinguished; he served as an early anti-slavery voice, attended both the first and second Continental Congress meetings, and Chief Justice of the United States (a position he took after turning down Secretary of State).[41] When war with Great Britain was becoming more and more of a reality in the mid-1790s, Jay's experience seemingly made him the logical choice. His Federalist ties and preference of Great Britain over France made him indispensable to the deliberations. The United States wanted to remain neutral when it came to European wars, and John Jay was prepared to use his calling card. The idea was for Jay to threaten Great Britain into making concessions by claiming that the United States would join other neutral European powers and defend their goods with force if necessary.

Alexander Hamilton was closely following the negotiations and decided to take matters into his own hands. Hamilton disclosed to the British that this was only a scare tactic. With no more serious bargaining chips, Jay was forced to accept a treaty that was rather unpopular throughout the United States. When the treaty reached the Senate, it passed with a vote of 20 to 10. Jay's Treaty truly only garnered two concessions for Americans; the British had to abandon their forts in the Northwest (which was already supposed to happen) and the United States was given "favored nation status." This new "status" allowed Americans to trade more freely with Great Britain, but the West Indies were still

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[39] Hickey, Donald R. *The War of 1812: A Forgotten Conflict.* University of Illinois Press, 2012. Pg. 14.
[40] Hamilton, John R. *Life od Alexander Hamilton: A History of the Republic of the United States of America, As Traced in His Writings and in Those of His Contemporaries, Volume V.* Read Books, 2008. Pg. 532.
[41] Stahr, Walter. *John Jay: Founding Father.* Diversion Publishing Corporation, 2012. Pg. 61.

restricted. The treaty failed to discuss most, if not all, of the more pressing matters between Great Britain and her former colonies. Impressment, Native American relations, the Canadian-Maine boundary and the seizure of American ships were not directly addressed in the deliberations. Jay's Treaty, therefore, was met with outrage by most non-Federalists throughout the United States. Although the Essex Junto failed in their attempt to let Hamilton handle negotiations, Federalists nonetheless rejoiced; they had secured their partnership with Great Britain at the expense of France. The fear of a French-style Revolution occurring in American was a talking point among Federalists and for the moment, their concerns had been mediated. Federalism was always linked to Great Britain from the early days of its inception as a political party, which is what made the upcoming war even more of a strain on the once strong Federalist Party.

Even by the 1790s, many citizens in New England had grown disaffected with the Federal government. The Virginia dynasty was alive and well, and three of the first four presidents called the "Old Dominion" their home. Massachusetts always considered herself to be the other most influential state in the Union, yet many Federalists still felt that their concerns and ideals were not being given enough attention on the national stage. This feeling of being isolated only increased the homogeneity discussed earlier between New Englanders. New England had always seemingly operated on its own accord, and as one historian describes,

> Experience had demonstrated the need for a bond between government and citizen, but was not this government too distant? A government must hold the confidence of the people, but were New Englanders to respect a government with which they had only minimal contact and which was exposed to influence from the South and West? Such questions, joined with fears for the stability of the republic, gave rise as early as Washington's first term to a concern that no government outside New England could retain the region's loyalty and esteem.[42]

As esteemed Federalist leader Fisher Ames put it, "the government is too far off to gain the affections

[42] Banner. Pg. 47.

of the people."[43] Jay's Treaty united Federalists as they tried to defeat their Francophile Republican opponents. The prospect of Jefferson as president was appalling to those with Junto leanings. To them, if Jefferson ever became president it would upset the balance of power between the Northeast and the South. As early as 1796, a "split" in the union was already being discussed. Newspapers and authors alike, sowed the seeds of disunion by claiming that the Northern states were more than equipped to survive on their own. Some went as far as to claim that disunion was not only a possibility, but that it was confirmed. Invoking such images united early Federalists, even those that were not yet ready to delve completely into extremism. This united front resulted in the election of John Adams, who was the first and only Federalist politician to be elected president.

John Adams's presidency was and still is considered an abject failure in many respects. His inaction on many issues lead to not only issues with rival political party, but divisiveness among Federalists themselves. However, for the purpose of discussing the influence of the Essex Junto, a singular event from Adams's term must be discussed. In the aftermath of Jay's Treaty, the United States' other potential ally France was more than displeased. John Adams, therefore, dispatched a commission to handle the proceedings in France and quell passions that were quickly rising on both sides. Adams's selected committee was made up of politicians that had no real ties and no inclinations to support France (Marshall, Gerry, Pickney). The Essex Junto had already disapproved of the administration (they felt Adams was not extreme enough in his pursuance of Federalist theory), and their leaders used this as an opportunity to go on the attack.

At the time, Hamilton argued that men with connections to France should be included in the envoy, men like Thomas Jefferson and James Madison. "To be useful it is important that a man agreeable to the French should go. Either Mr. Jefferson or Mr. Madison should be on the committee, but neither should go alone."[44] An interesting admission by a Federalist leader, and the administration's

[43] Fisher, Ames. *Ames to George R. Minot.* Ames Works, 1792.
[44] Brown, Charles Raymond. *The Northern Confederacy: According to the Plans of the Essex Junto, 1796-1814.* Princeton

refusal to send pro-France politicians to the negotiations drew the ire of the Essex Junto. Hamilton's advice proved to be prudent; the negotiations never truly started let alone finished. Upon their arrival, the American diplomats were refused a meeting with anyone of note from the French government. Instead, they were met by unofficial Frenchmen using the pseudonyms X, Y, and Z. Essentially, X, Y, Z served more as extortioners than politicians.[45] The French "commissioners" demanded a bribe in exchange for a meeting with actual French leaders, and after their refusal to do so, the American envoy ended negotiations. Adams decision to disregard Hamilton's advice directly led to failure, and the Federalist Party was cracking.

Public sentiment in New England became increasingly anti-French, and the prospect of war between America and their ally from the Revolution seemed more and more likely. When the idea of sending another envoy to France to settle their differences arose, the Essex Junto condemned any efforts to compromise. Federalists emboldened by the rash language of the Junto, fractured with John Adams over this issue. Adams knew that the nation was simply too young and unprepared to wage war with a European power, and consequentially drew the ire of high-ranking Federalists who disagreed with his peaceful approach.

The reaction by the Essex Junto sent tremors though Adams's cabinet; a mixture of resignations and dismissals left most of the cabinet positions vacated. Timothy Pickering (a favorite amongst the Junto) was dismissed from his post as Secretary of State and proceeded to attack the Adams administration for not upholding true Federalist doctrine. After his dismissal, Pickering wrote Hamilton voicing his displeasure and his desire to belittle the administration, "I have been contemplating the importance of a bold and frank exposure of Adams; perhaps I may have it in my power to furnish some facts."[46] Hamilton certainly agreed, and in 1800 published *The Public Conduct and Character of John Adams, Esq., President of the United States.* The papers proved to be scathing; accusing Adams of

[45] Helperin. Pg. 46.
[46] Brown. Pg. 18.

lacking the necessary morality and of course, conspiring with France.[47] Hamilton succeeded in turning Adams's own party against him, and further solidified the Essex Junto's position in the Federalist Party. John Adams took note of the Essex Junto's obsession with anti-French rhetoric in the waning days of his presidency,

> They could not, or would not, distinguish between Jacobinism and neutrality. Everything with them was Jacobinism, except a war with France and an alliance with Great Britain. They all panted for a war between the United States and France as sincerely, though not as ardently, as Alexander Hamilton.[48]

Fanaticism repeatedly leads to fissure within countries and even at this early juncture Adams identified that the Essex Junto's political stances were capable of inciting treachery, or even starting a war. In the coming years, those Federalists with links to Essex County confirmed Adam's prediction.

When John Adams's tenure as President was abruptly over after just one term, the Republicans sponsored two candidates: Thomas Jefferson and Aaron Burr. Jefferson was seemingly the favorite, but the Essex Junto supported Burr in an effort to impede the growth of Jeffersonian Republicanism. The Federalist's plan (since they knew John Adams was effectively out of the running), was to entice Burr to challenge Jefferson in return for Federalist support. Those who knew Aaron Burr were aware of his ambition, and his penchant for siding with whoever could help him elevate to new heights. High-ranking Federalists knew that Burr would never truly encapsulate their political ideology; supporting Burr was simply another way to sow discontent in the Republican party. The Junto's attempts at disrupting political dealings was noted by Hamilton, and he himself actually supported Jefferson. Jefferson held the favor of public sentiment and Hamilton realized that if the Junto elevated Burr to the presidency instead of the people's choice it would be disastrous. The former Secretary of the Treasury's influence cannot be understated, and after numerous ballots, Thomas Jefferson received the majority

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[47] Hamilton, Alexander. *Letters from Alexander Hamilton, concerning the Public Conduct and Character of John Adams, Esq. President of the United States.* October 24th, 1800. https://founders.archives.gov/documents/Hamilton/01-25-02-0110-0002

[48] Adams, John. *The Works of John Adams Vol. 9.* 1799-1811. Pg. 149.

and was elected president. For the time being, the Essex Junto's plan to disrupt democracy was halted.

Once Jefferson was president, the Essex Junto realized that Hamilton was not a reliable leader and his favor waned in the more fervent sects of Federalism. Fisher Ames (a Federalist known for his oratory) voiced the displeasure with Hamilton that many in the Essex Junto were feeling, "The Federalists are already stigmatized as an oligarchy, as a British faction. Hamilton is obnoxious and persecuted by popular clamors, in which Federalists, to their shame, join."[49] Extremist Federalists now had two enemies, both Jefferson and their former leader Hamilton. The issue of territorial expansion always drew ire in New England, as they believed it belittled the Northeast's power and scope. Members of the Junto went as far as to suggest a constitutional amendment aimed at dissuading the acquisition of territory as it would have upset the balance of power in the United States. The issue of slave representation was hotly contested; it is interesting to note that the first geographical area to call for disunion was not the South, but the Northeast.

The Junto's plans have always been somewhat understudied, however that is not for a lack of sources. The Junto preferred secrecy regarding their dealings, however, most people (even publicly) were aware of their deliberations. While the public knew the Essex Junto existed and rumors swirled across the Northeast, the true extent to which Federalists were flirting with disunion was never explicitly known. Newspapers in the Northeast who had at least some insight into their dealings, openly commented on the Junto, including this close to the chest support from the *Connecticut Courant,*

> Although our National Government must fall a sacrifice to the folly of Democracy, and to the fraud and violence of Jacobinism, yet if our state governments can be preserved, tranquility may yet be lengthened out. The observations are made in full view made in full view of the most deplorable event, the fall of the National Government. But, I hope our state governments may yet be preserved from the claws of Jacobinism.[50]

As their flirtation with secession became more public, so to, did the criticism levied upon the Essex

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[49] Ames, Fisher. *Works of Fisher Ames: With a Selection from His Speeches and Correspondence Volume 1.* Little Brown Publishing, 1854. Pg. 289.
[50] *The Connecticut Courant*, March 8th, 1802.

Junto. Republicans saw what was happening in New England, and the Thomas Jefferson felt compelled to speak on the situation at this juncture as well, "The Essex Junto alone desire separation. The majority of the Federalists do not aim at separation. Monarchy and separation are the policy of the Essex Federalists."[51] Regardless of their intentions, here we see the first time that secessioniost doctrine shifts in its focus. Instead of being solely a states' rights issue, the emergence of sectionalism perpetuated by the Essex Junto assisted in changing how secessionist techniques were applied.

The Junto edged closer to outright dissent once the extremists disposed of Hamilton as their leader, and Timothy Pickering effectively took on that role. Pickering was much more extremist than Hamilton and was not afraid to perpetuate the concept of secession. The former Secretary of State (even in the early 1800s, pre-Hartford Convention) was rather candid in his discussing regarding the American compact. While this early plan never fully came to fruition, the surviving correspondences are definitive examples of damning evidence that haunted Pickering's future career. In a letter to George Cabot, Pickering did not mince his words,

> The last refuge of Federalism is New England, and immediate exertion, perhaps, its only hope. It must begin in Massachusetts. The proposition would be welcomed in Connecticut; and we doubt of New Hampshire? But New York must be associated; and how is her concurrence to be obtained? She must be made the center of the confederacy. Vermont and New Jersey would follow, of course, and Rhode Island of necessity.[52]

The plot proposed by Pickering also placed the focus on British controlled Canada, an area that Americans believed would be easy to persuade. Note the vernacular used by Pickering here, the head of the Essex Junto literally mentions the concept of a separate confederacy years before the South had any similar plans. To ensure New York's role in the proposed confederacy, the Junto enlisted the help of who other than Aaron Burr. According to some of his constituents, the former presidential runner-up

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[51] Dude, Jeremy. *If this Be Treason: The American Rogues and Rebels Who Walked the Line Between Dissent and Betrayal.* Lyons Press, 2016. Pg. 47.
[52] Chaitkin, Anton. *Treason in America: From Aaron Burr to Averell Harriman.* Executive Intelligence Review, 1999. Pg. 103.

often spoke freely about dissention (even claiming that separation will not take place, but that it is necessary).[53] In order to gain the favor of New York, the Junto decidedly pushed for Aaron Burr to become the next governor of New York.

To carry out their plan, the Junto still knew that they had to garner the favor of public opinion as well. Federalist newspapers continued to attack the Jefferson with ads questioning the constitutionality of some of the administration's decisions. Most notably of course, being the Louisiana Purchase. To members of the Essex Junto, this was yet another consolidation of power made by the so-called "Virginia Dynasty". The added territory did nothing to dissipate the growing fears in New England of a slave-state controlled union. Using this looming threat as justification, Burr met with Federalist leaders to discuss a possible alliance.

The Essex Junto believed Burr was the perfect choice to carry out their bidding because as his record showed, he was both a man of opportunity and ambition. Pickering and Cabot certainly had faith that once given their support, Burr would fall in line. Roger Griswold (member of the House of Representatives from Connecticut) was tasked with meeting the former presidential nominee and obtaining his commitment. Burr's general disposition proved to be agreeable, and Griswold said this of the encounter,

> He (Burr) speaks in the most bitter terms of the Virginia faction, and of the necessity of a Union at the Northward to resist it; and it may be presumed that the support given to him by Federal men would tend to reconcile the feeling of those Democrats who are becoming dissatisfied with their Southern masters.[54]

The Essex Junto now had their preferred candidate, but many Federalists condemned the plan as it would have promoted the dissolution of the United States. Yet again, Alexander Hamilton appeared to fan the flames and foil the extremist plans conjured up by the Junto. Hamilton (who was always at odds with Burr) levied his influence and wrote a pamphlet entitled *Reasons Why it is Desirable that Mr.*

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[53] Raymond, Pg. 31.
[54] Adams, John Quincy. *Documents Relating to New England Federalism.* Columbia University, 1905. Pg. 354.

Lansing, rather than Colonel Burr, Should Succeed.[55]

Hamilton's work accused Burr of only using the Federalist Party to further his own goals, and that his true political leaning was Democratic. Not only were Burr's political choices put into to question, but his morals as well. Hamilton believed that Burr was not going to hold true to the promises he had made to the Essex Junto. Interestingly enough and in congruence with the purpose of this thesis, at this point the Junto's plans were relatively well-known. This fact makes the later omission of blame in regard to secessionist theory advanced by the North even more glaring. Placing the blame solely on the South, as if interposition was a novel concept to mid-19th century Americans below the Mason-Dixon, is a disservice to historical study. Even Thomas Jefferson himself was privy to their scheme and had this to say, "The object of the Federalists is to divide the Republicans, join the majority and barter with them for the cloak of their name…the price is simple…The idea is clearly to form a basis of a separation of the Union."[56] In any event, Hamilton's strong stance against Burr certainly hurt him, and the governorship of New York proved to be just outside of his opportunistic grasp. At this juncture the union was saved, however the plan to create a Northern confederacy was still in motion behind the scenes.

[55] Parton, James. *The Life and Times of Aaron Burr: Lieutenant-colonel in the Army of the Revolution, United States Senator, Vice-president of the United States, Etc.* University of Chicago, 1858. Pg. 334.
[56] Raymond, Pg. 43.

Chapter 3: A Coming War and the Junto Plot of 1807

The Essex Junto's first true flirtation with secession had ended unceremoniously and without conflict. However, over the next decade two more plans created by the Federalists associated with Essex County envisioned a Northern Confederacy. With the plans to make Burr the next president all but dead, the Essex Junto was left without a clear way to achieve their goals. The introduction of an embargo aimed to protect the United States' neutral rights once again stoked the fires of disunion in New England. Their economy which relied heavily on foreign trade was to suffer, and Timothy Pickering and the Essex Junto were at the forefront of those attempting to combat the "oppressive" new mandates.

Thomas Jefferson differed from Federalist politicians on nearly every issue; Democratic-Republicans promoted an agrarian economy, a working relationship with France, and furthered the case for states; rights. These stances undoubtedly already displeased Federalists, but when war broke out between Britain and France in 1803, actions carried out by the administration further angered their political rivals.

By 1807, both Britain and France deemed it illegal for neutral parties to trade with their respective enemies. The United States was caught between two world superpowers and effectively had no say in the deliberations. Jay's Treaty never truly handled the issue of impressment 12 years earlier, and Great Britain began to seize American ships yet again. The goal of Great Britain was to find British Navy deserters, but by this point, close to 10,000 Americans had been unjustly forced into British service against their will. This whole series of events culminated on June22nd, 1807 during what historians have dubbed the Chesapeake Affair.

The *USS Chesapeake* was a Navy frigate that featured 38 guns and cost the young United States over $220,000 to construct in 1795. After active service during the Barbary Wars, the USS *Chesapeake* was instructed to sail to the Mediterranean for patrol to relieve the now-legendary USS *Constitution.* Setting sail from Norfolk, Virginia on the morning of June 22nd, those aboard expected nothing more

than an ordinary voyage. At 3:30 pm that day in Lynnhaven Bay, the *Chesapeake* was approached by the HMS *Leopard,* a fifty-two-gun British cruiser. In their dispatch, the British proclaimed that they wished to see the matter handled without any problems.[57] The Americans rejected the *Leopard's* call for a search, and Commodore Baron realized that the British were clearing the decks for battle. Less than ten minutes later, the *HMS Leopard* opened fire.[58] One well-placed shot destroyed the main mast on the *Chesapeake*, leaving the ship all but immobile. For 20 minutes the *Leopard* attacked the American vessel, killing two and injuring 18. Throughout the course of the exchange, the Americans were only able to muster one shot of return fire.[59] With the fighting subsided, the British boarded the *Chesapeake* and began to search for deserters. The search concluded after the British discovered four sailors that fit their categorization of deserter (three were now Americans who had formerly served in the British Navy, and one was an actual runaway named Jenkin Ratford who had been using a fake name). After obtaining their prize, the *Leopard* sailed off and left the American frigate in shambles. That night around 8 p.m., the badly damaged *Chesapeake* set her course back for Virginia to relay the humiliation they had suffered at the hands of Great Britain. In New England, the Essex Junto watched with dismay as their beloved Great Britain, became the focus of American hostility.

In the weeks after the *Chesapeake* incident, the American public voiced their displeasure with the conduct displayed by the Royal Navy. Republicans across the country shouted for war, headed by Kentuckian Henry Clay who earned themselves the nickname "war hawks" in the years leading up to the War of 1812. Other Kentuckians shared his perspective and as Daniel Bradford wrote in the *Kentucky Gazette*, "Young men of America! Rally around the standard of your country, and prepare yourselves…to overwhelm with irresistible energy the violation of rights."[60] The West and the South

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[57] *The Proceedings of the General Court Martial Convened for the Trial of Commodore James Barron, Captain Charles Gordon, Mr. William Hook, and Captain John Hall of the United States' Ship Chesapeake, in the Month of January, 1808* (Published by the Order of the Navy Department, 1822)
[58] Broussard, James H. *The Southern Federalists, 1800-1816.* LSU Press, 1999. Pg. 74.
[59] *London Times,* Entry, Captain's Logbook of the *Leopard*, Admiralty Papers. Public Records Office, London. 1807.
[60] *Kentucky Gazette and General Advertiser,* July 28th, 1808.

were both united at this time in their condemnation of Great Britain. Surprisingly enough, even many Federalists realized that the actions of the Royal Navy were injurious to the character of the United States. To no surprise however, the Federalists that did advocate for war with Great Britain were in no way associated with the Junto. Timothy Pickering and his constituents still maintained a peaceful approach to relations with England. Republicans and (only some) Federalists alike discarded their prior disagreements, as the country's sentiment became increasingly anti-British. As the *Virginia Argus* stated,

> The outrage committed by the British…roused all the patriotic feelings of the people, and seems to have buried in oblivion all party spirit. Federalists and Republicans are united in expressing their abhorrence of the conduct of the perfidious nation, and in the resolution of encountering them in War to revenge the unparalleled insults and injuries which they have inflicted on our country.[61]

Cities and towns across the United States protested the despicable acts carried out by the British off the coast of Virginia. In New York for example, Governor DeWitt Clinton organized thousands of protesters to line the streets of New York City.[62] Southerners (especially in Virginia) were fearful that a full-scale British invasion was coming next. Acting without presidential approval, Governor William H. Cabell of Virginia began assembling a militia to bolster the defenses of the "Old Dominion".[63] By July 6th, 1807 tensions had reached a fever pitch; citizens in Virginia believed that the British were going to attack Norfolk over the course of the next few days.

Meanwhile in Massachusetts, Federalist politicians were plotting on how to use the coming situation to discredit the Republican administration and gain voters. The Essex Junto (namely George Cabot and Fisher Ames), urged for patience and cool tempers, classic Federalist values. Federalist leaders had taken note that even in their New England home states, Republicans were gaining significant support. This changing of the guard included the Republican Governor of Massachusetts,

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[61] *Virginia Argus*, July 1st, 1807.
[62] *New York Herald*, July 1st, 1807.
[63] William H. Cabell to Brigadier General Thomas Matthews, June 25th, 1807.

James Sullivan. Timothy Pickering along with other Federalists in Massachusetts, urged that a sensible resolution should be achieved, deeming another war with England unnecessary. As historian Gerald H. Clarfield states, "It might not be an ideal situation, but Pickering had concluded that living within the constraints established by a British blockade, was a more attractive option than war and the total destruction of America's foreign trade."[64] Federalists continued to admonish the "Anglo-phobic" policy set in place by the Jefferson Administration, as many believed that the only defense against the tyrant Napoleon was Great Britain. For the next few months, the majority of Americans believed that a declaration of war was coming. Armed conflict never came however, as the Jefferson administration decided to wage economic warfare instead.

On December 22nd, 1807 the United States passed an embargo on all foreign trade, which included both England and France. The embargo was in direct response to both England's Order in Council and France's Berlin Decree. Jefferson believed that European powers would be forced to realize the importance of American trade, and would accordingly adjust their naval activities. Convincing the rest of Europe of the effectiveness of the embargo proved almost as difficult a task as convincing American citizens to abide by it, especially those in the Northeast.

The embargo inevitably backfired; this new policy proved disastrous on the American economy. In 1808 (one year after the embargo passed), treasury statistics show that exports declined by almost 80%, while imports declined by 58.86% in the United States. This drop-off translated to exports garnering just $22,431, down from $103,343.[65] These are just the limited findings, as the Treasury did not track the economy to its fullest extent in the early 1800s. Most notably omitted from this report is the meteoric rise of smuggling during this period. By the time the disastrous effects of the embargo were realized, American merchants had already decided to disregard Jefferson's wishes and

[64] Clarfield. George H. *Timothy Pickering and the American Republic.* University of Pittsburgh Press, 1980. Pg.230.
[65] Frankel, Jeffrey A. *The 1807 Embargo Against Great Britain.* Journal of Economic History, 1982.

continued to smuggle goods out of the United States.

No single area in the United States was more at odds with the introduction of the Embargo of 1807 than New England. Federalists rallied their constituents, calling the embargo unconstitutional and a threat to the union. The Northeastern United States (whose economies were based rather heavily on foreign trade) in most cases outright rejected the validity of said embargo. One key feature of Jefferson's embargo was that it required American merchants and shipowners to comply with its provisions, otherwise it would not be effective and American neutral rights would be dismissed yet again by European powers. An embargo set in place by a Democratic-Republican majority expectedly faced much opposition in Federalist New England. By this point, the Federalist Party was already weakening on the national stage, and the enforcement of an embargo that clearly unevenly affected New England was seen as an inexcusable act carried out by the Jefferson administration. The Essex and Timothy Pickering took this blunder (and the shift in public opinion) as the time to strike out against the administration and hopefully restore some power to the Federalist Party. This restoration of power to the Essex Junto, however, did not have to exist in the confines of the union. Evidence of congressional opposition, party opposition, as well as state petitions for the repeal of the embargo and scattered reports of smuggling illustrate that the embargo was not only resisted, but even mocked.[66]

New England was the hotbed of resistance during the years leading up to the American Revolution and this tradition carried into this scenario as well; this time however, it was no longer the British Crown but the Federal Government that was the enemy. Just as they had prior, the Essex Junto once again spoke freely about the possibilities of disunion. From the outset, the Massachusetts State Court never convicted any embargo violators, while the federal courts did. This is again one of the most prominent issues that faced the early United States, a lack of synergy between federal and state governments. The Republican majority in Congress did not listen to these early grievances however,

[66] Perkins, Bradford. *Prologue to War: England and the United States,* 1805-1812. University of Berkley, 1961. Pg. 162.

and the Jefferson Administration's resolve only grew. In a letter to the Secretary of the Treasury Albert Gallatin, Jefferson stated that unless European powers agreed to giving the United States neutral rights, the embargo would continue.[67] The plan to more strictly enforce the embargo was simple; fines ranging from $1000 to $2000 and the seizure of merchant ships were threatened by the administration.[68] In another later addition to the original embargo, the Jefferson Administration also mandated that Navy ships were authorized to search and seize any ship suspected of smuggling. Now not only were Federalists in the Northeast dealing with British impressment, but now effectively the same thing was being perpetrated by the Federal Government. The "Enforcement Act" as it was dubbed, was met with the expected outrage in New England, with whispers of dissention becoming more and more prevalent.

Federalists were appalled at the effects of the embargo on their home states and called for its repeal. On February 16th, 1808, Timothy Pickering authored an incendiary letter that charged the Jefferson Administration with being influenced by the French dictator Napoleon. "Has the French Emperor declared that he will have no neutrals? Has he required that our ports, like those of his vassal states in Europe, be shut against British commerce? Is the Embargo a substitute, a milder form of compliance with that harsh demand?"[69] Federalists believed that Jefferson's recent communications with John Armstrong (the American Minister to France) proved that the administration was being influenced by the French government. To many Federalists this was unforgivable, and the same feeling from a few years earlier began to resurface in New England. The Essex Junto and Timothy Pickering had refueled their plot for secession at this juncture, and this time their plan was carried out in even more secrecy than before.

Timothy Pickering took the pen, and essentially accused Jefferson of withholding information

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[67] Thomas Jefferson to Albert Gallatin. *The Writings of Thomas Jefferson.* August 11th, 1808.
[68] Gallatin, Albert. *Albert Gallatin to Thomas Jefferson*. The Writings of Albert Gallatin. February 29th, 1808.
[69] Pickering, Timothy. *Letters Addressed to the People of the United States of America, On the Conduct of the Pat and Present Administrations of the American Government, Towards Great Britain and France.* The British Library, 1808.

that clearly would have made France the true enemy, not Great Britain. Pickering devised the perfect strategy as to how to release the letter; instead of sending it directly to the administration, he sent it to Republican Governor James Sullivan.[70] Sullivan reviewed the letter and refused to publish it, much to the delight of the Federalists. Their first plan had worked; now they could publish the contents of the letter themselves and charge that the Jefferson administration had attempted to suppress them. The question still arises however, where could such an outlandish claim have originally come from? John Quincy Adams (a Federalist who had many Republican tendencies) claimed in a letter to Thomas Jefferson, that he had been made aware of correspondence from the Governor of Nova Scotia in which he stated that many in Great Britain believed that France was pulling the strings.[71]

The Federalist Party in New England worked tirelessly to distribute the contents of Pickering's letter across the United States in an attempt to highlight the downfalls of the Republican administration. Leaders in the Democratic-Republican Party took the accusation seriously; Attorney General Levi Lincoln even stated that, "So extensive sudden and rapid its spread that there was scarcely time or the means of a general counteraction."[72] Republicans in turn, charged Pickering's letter with advocating secession. Anti-Federalist papers across the country published articles attacking Pickering and the Federalist Party as a whole. One article even stated that Pickering's letter, "had been designed to touch the train which had been secretly laid to blow up our Republic."[73] Governor Sullivan was not as cryptic in his attacks on the Federalists. Sullivan posed the question; why would Pickering appeal to the power of a state over the Federal Government, if not "to disunite, divide and dissolve the nation."[74]

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[70] Clarfield. pg.234.
[71] Adams, John Quincy. *Correspondence Between John Quincy Adams, esquire, President of the United States, and Several Citizens of Massachusetts Concerning the Charge of a Design to Dissolve the Union Alleged to have Existed in that State.* Boston Daily Advertiser, 1829. Pg. 7-40
[72] Wills, Garry. *Negro President: Jefferson and the Slave Power.* Houghton Mifflin Harcourt. Boston, Massachusetts. 2005. Pg. 163.
[73] Carfield. Pg. 235.
[74] Cates, Cynthia L. *Splitting the Atom of Sovereignty: Term Limits, Including Conflicting Views of Popular Autonomy in a Federal Republic.* Vol. 26, No 3, The State of American Federalism. Oxford University Press, 1996.

To bolster their grievances against the Federalists, Republicans also charged Pickering with colluding with the British envoy George Rose. Pickering and Rose had spent much time together while the latter was in the United States, and right when Pickering's letter was released, Rose pulled out of negotiations over the USS *Chesapeake.* Many across the country believed that Rose's decision to halt negotiations had come after spending an evening in secret talks with Federalist leaders. Based on the timing of the whole incident, there appears to be some truth behind these claims. Whether it was true or not, there was enough evidence for Republicans to rally behind the accusations. Republican Benjamin Crownfield stated that Pickering, "Would sell his country for fewer pieces of silver than Judas did his Master."[75]

Fighting the embargo was never the main goal of the Essex Junto, but simply a part of a much larger strategy. Now that Pickering's letter had sewed doubt in the administration, extremist Federalists had another chance to regain their former glory. By 1808, the Federalist party had lost much of its influence on the national stage. Just like with Burr years before, the Essex Junto knew that if they had any chance to win, Federalists had to nominate someone with more national appeal (not a Federalist). The plan once again involved New York, but this time it was George Clinton (who was running for vice-president as a Republican) who the Federalist threw their support behind. Clinton was surprisingly vocal in his displeasure regarding the embargo, making him the perfect candidate for the Essex Junto to rally behind. Federalism as a whole, we must remember, was not strictly a "Northern" party. After holding what was essentially the first nominating convention, Southern Federalists disagreed with their counterparts in the Essex Junto, and instead nominated Charles Cotesworth Pinckney of South Carolina.

Jefferson's embargo was never lifted during his time in office, and to no surprise James Madison was made President of the United states in 1808 after defeating Pinckney and a fractured

[75] Clarfield. Pg. 236.

Federalist Party. The Federalists had achieved their goal however, as the embargo itself was facing fierce criticism not only from the general American public, but from certain Republicans as well. In response, the Madison Administration passed the Nonintercourse Act.[76] This officially ended the embargo, however, it was not an outright victory for the Federalists. The Nonintercourse Act not only denied the British American exports, but also denied them access to the American market. This could prove even more disastrous to England than the embargo, which seemingly had a more negative effect on the United States than its intended target.

The fiery rhetoric advanced by pro-secessionists in the Northeast only increased in frequency. The Essex Junto originally hoped that their second attempt at disunion would be more secretive than their first attempt, but involving so many different figures and factions makes it rather difficult to cover your tracks. By the time of Madison's inauguration, the 1807 attempt was basically spoken about freely. One Mr. James Russell for example, published multiple articles in the *Columbian Centinel*, a Boston-based newspaper. In his articles, Russell discusses the prospect of disunion and what role New England would have played in a newly constructed confederacy. Russell goes on to write,

> The Policy of Virginia demands nothing less than the sacrifice of greater interests of New England as the only condition on which she will adhere to the Union. She must and will govern us, with a policy that will forever cripple and destroy us, or separate from us and leave us to pursue our own systems, supported by our own resources. These I have attempted to estimate to assist the people of New England in forming their judgment of the consequences of such an event.[77]

Again, there is a special emphasis placed on the "Virginia Dynasty", but the true importance of this article is that now we see that even public newspapers in the Northeast felt emboldened enough to freely mention disunion. At this point secrecy was out the window, but another loose end (Clinton) confirmed officially, the Junto's plan. The man whom Pickering and other Federalists had hoped would save their party, instead freely discussed the plan proposed to him by the Essex Junto. "It is perhaps known to few, that the project

[76] Davidson, William M. *A History of the United States.* Harvard University Press, 1902. Pg. 273-274.
[77] Brown, Pg. 66.

of a dismemberment of this Union is not a novel plan, growing out of the recent measures of the Government, as has been pretended. It has been cherished by a number of individuals for a series of years."[78] Not only were private citizens publicly discussing disunion, but now elected officials as well.

James Madison (a decided disciple of Jefferson and the current Secretary of State), took note of the situation in New England and instead of urging compromise, worked with Congress to issue the Force Bill in January of 1809. The Force Bill cracked down on the embargo; officials were now to be stationed at major American ports to ensure the administration's latest act was upheld. To no surprise, the Force Bill only added fuel to the fire in the Northeastern states. Civil War was on the horizon and to ensure that the Union was to be preserved, Congress repealed the embargo in March of 1809. In place of an embargo, the Non-intercourse law still banned trade with France and Britain, but opened up American ports to all other foreign trade.

While the Federalists had technically accomplished their goal of repealing the embargo, these intrigues into disunion did not go unnoticed. Even after the repeal of the embargo, Great Britain still had faith that their friends in New England would leave the Union. Simultaneously as the embargo was being argued in the American political system, a plan was carried out by the Governor General of British Canada J. H. Craig. In what is now dubbed as the "Henry Mission", J.H. Craig sent instructions to one John Henry to essentially tour the Northeastern United States and determine the public's sentiment towards Great Britain. Craig's instructions read as follows,

> The principal object which I commend to your attention, is the endeavor to obtain the most accurate information of the true state of affairs in that part of the Union, which, from its wealth, the number of inhabitants, and the known intelligence and ability of several of its leading men, must naturally possess a very considerable influence over, and will indeed, probably lead, the other Eastern States of America, in the part that they may take at this important crisis. The Federalists, as I Understand, have, at all times, discovered a leaning to this disposition, and their being under its peculiar influence at this moment is the more to be expected, from

[78] Samuel, Bunford. *Secession and Constitutional Liberty: In Which is Shown the Right of a Nation to Secede from a Compact of Federation and that Such Right is Necessary to Constitutional Liberty and Surety of Union Vol. 2.* University of Michigan, 1920. Pg. 284.

> their having ill-founded ground for their hopes of being nearer the attainment of their object than they have been for some years past. It has been supposed that if the Federalists of the Eastern States should be successful in obtaining that decided influence which may enable them to direct the public opinion, it is not impossible that, rather than submit to a continuance of the difficulties and distress to which they are now subject, they will exert that influence to bring about a separation from the general Union.[79]

The Governor General makes it known that Britain has taken notice of the Junto's dealings, and his sending of Henry on this envoy was to ensure that the rumors coming from New England were indeed true. Henry was instructed to travel to Boston, in hopes of meeting some of the New England's leaders. In all of his correspondence with Craig, Henry never divulges any of the names of the men he spoke with in Massachusetts. However, once can be sure that he dealt with leaders of the Essex Junto. While he was in the United States, Henry claimed that leaders in the Massachusetts were ready to form their own independent confederacy (essentially affirming that he was meeting with members of the Junto).

When the embargo was lifted, Craig's interest in New England suddenly faded and Henry was instructed to return to British Canada. That, however, is not the end of this particular side plot.

[79] Brown. Pgs. 68-69.

Chapter 4: The War of 1812 and a Convention in Hartford, Connecticut

During the next three years the situation remained a stalemate, with the whispers of war on the tongues of almost every American. The Federalists had achieved a modest revival, winning more seats after the failure of the Republican embargo. Most of their gains took place in the already staunchly Federalist Northeast, and their National influence was still waning. Their moves towards secessionist rhetoric had assisted in avoiding war with Great Britain, and their advocation of such techniques was excused, at least for the time being.

Two more events however, and the United States found itself at war yet again with its old rival Great Britain. In a situation similar to the USS *Chesapeake* incident, the *Little Belt* affair of 1811 proved to be final straw regarding American and British relations.[80] Impressment was still continued by the British (even after the United States had made her feelings on the subject explicitly known) and in response to a recent case off the coast of North Carolina, President Madison sent the USS *President* to patrol the coast. During its patrol, the American ship spotted the small HMS *Little Belt* and immediately gave chase. When the two ships were within hailing distance, neither captain would answer what country they sailed for. At this exact moment, a shot was fired from one of the ships (those present could not tell who shot first). The USS *President* easily overwhelmed the *Little Belt,* killing 9 and injuring 23 British sailors.[81] The American Captain John Rodgers repeatedly stated that the British sloop had fired the first shot and even offered the *Little Belt* port in any American harbor, which she denied. American and British officials argued about the incident for an extended period, culminating in the British Navy awarding the captain of the *Little Belt* with a promotion.

The *Little Belt* incident saw with it, an increase in tensions between the two countries that could

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[80] Emmerson, John Cloyd. *The Chesapeake Affair of 1807: An Objective Account of the Attack by HMS Leopard Upon the US Frigate Chesapeake off Cape Henry, Va, June 22, 1807 and its Repercussions.* The University of Wisconsin-Madison, 1954.

[81] Toll, Ian. *Six Frigates: The Epic History of the Founding of the US Navy*. W.W. Norton. New York, 2006. Pg. 322.

seemingly only be resolved through war. War with Britain was the last thing that the Essex Junto wanted, and in New England Federalist leaders urged patience and reconciliation. As the United States deliberated on the events that occurred on the high seas, the Canadian John Henry's role was not quite over yet. The gentleman was evidently owed some form of compensation for his services to the crown, compensation that Governor General Craig refused to pay. Once the embargo was lifted, British officials' (including Craig) interest in the prospect of American disunion waned for the moment. John Henry took his case as far as the English Ministry, but to no avail.

In a move that obviously shocked the Essex Junto, Henry proceeded to reveal his plan to the Americans (in hopes that someone would pay him for his time in New England). Madison received the correspondences written between Henry and Craig, and the President had this to say in regards to the Junto's role in the plot, "These documents furnish proof to the plot for resisting laws, destroying the Union, and forming a political connection between the Eastern States and Great Britain."[82] With this information, why were the conspirators in New England not charged for their dissent? Although the papers were turned over to the American government, there were still no specific names used in the correspondence. Henry refused to divulge that specific information, but the consensus even back then was that Timothy Pickering and his group of radicals were secretly communicating with the British crown.

At this point, Madison was still on the fence whether to declare war or pursue a policy of mediation with the British. Speaker of the House Henry Clay delivered a speech pushing for war that many of his contemporaries considered to be his finest oratory performance. Unfortunately, there is no existing transcript of the speech, but its effect cannot be understated; on June 18th, 1812 the United States formally declared war on Great Britain. The declaration of war passed narrowly, with the Senate voting 19 to 13 and the House voting 79 to 49.[83] Henry Clay boasted that he could personally conquer

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[82] Brown. Pg. 74.
[83] Morison, Samuel Eliot. *Our Most Unpopular War: Proceedings of the Massachusetts Historical Society, Third Series, Vol.*

Canada with nothing more than the Kentucky militia. Even former President Thomas Jefferson said that the conquest of Canada would just be a matter of marching. Those in New England however, had a much gloomier outlook, suspension of trade and financial ruin. Even though the Federalist majority in New England pushed against the war, the Northeastern states actually raised the most militia regiments out of any section of the country. This is of note, but as the war progressed so did anti-administration feeling. Federalists in the Southern States (which included Chief Justice John Marshall) agreed with their Northern counterparts; that a war with Great Britain would prove disastrous to the Union. Marshall's biographer claims that even outside of New England, Federalists were united in their opposition to the administration's policies.[84]

The backlash against the war soon found itself on the floors of most of the lower houses in New England, with the Massachusetts General Court stating, "Organize a peace party throughout your Country, and let all other part distinctions vanish." The front against the war became more and more united, with New England shipping having ground to a halt in late June. The unimaginable increasingly became a possible reality; if the war began to take a turn for the worse, would states in the Northeast consider secession? The administration's war slogan "Free Trade and Sailors" meant less to New Englanders who were actually turning out higher profits during neutral trade.[85] Through July, Federalists adopted a policy of doing as little as they could to support the war. This applied to everything from organizing militias to appropriating the necessary funds for defense.

The United States had begun to mobilize their plan to capture swiftly British-held Canada using three separate invasion forces. Governor Strong had refused to supply a militia in spite of federal requests to do so, leaving the defense of New England in the hands of the Army regulars stationed on the coasts. When the plan to invade Canada finally came to fruition however, these Army regulars

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80. Massachusetts Historical Society, 1968.

[84] Beveridge, Albert J. *The Life of John Marshall: The Scholar's Choice Edition.* Creative Media Publishing, 2015. PG. 31-40.

[85] Morison. Pg.39.

were called upon to assist in the expedition. This left the coasts of New England virtually undefended for a short period of time (save for local militias). Massachusetts refused replacement troops since New England militias elected their own officers and did not want to be placed under the command of federal troops.[86] Republican newspapers claimed that a five-star, five-stripe flag was being flown in some New England towns like Newburyport, Massachusetts.

On the larger stage the war was not going according to plan, or at least the plan that war hawks had convinced the American people of; that this would be a short, easy war. The three-pronged attack into Canada ran into serious problems at almost every juncture. The first group was under the command of General William Hull and they were instructed to enter Canada by way of Detroit. Hull had earned recognition during the American Revolution and was subsequently appointed the Governor of Detroit. Prior to the War of 1812, he was seen as a capable if not cautious military leader.

Once the War of 1812 got underway however, this judgement of Hull swiftly changed. Hull and a force of 2,000 intended to cross the border and lay siege to the Canadian fort, Fort Malden. Unfortunately for the Americans, before Hull realized that war had officially been declared he sent the small *Cuyahoga Packet* to Detroit with official papers and supplies. British troops in the area captured the schooner and soon learned of the Americans' plans. To make matters worse, volunteers from Ohio under Hull's command refused to cross into Canada as they felt it was outside of their duties as militiamen. Nevertheless, Hull began his invasion of Canada on July 12th, 1812 and his force was quickly repelled, forcing a retreat back across the border to Fort Detroit.[87] It was here that British commander Sir Isaac Brock (along with his Native American allies serving Tecumseh) tricked the American forces into thinking they were vastly outnumbered, which ultimately forced Hull to surrender. Hull was later court-martialed and sentenced to death for his negligence and cowardice,

[86] Morison. Pg. 40.
[87] Laxer, James. *Tecumseh and Brock: The War of 1812.* House of Anansi Press. 2012. Pg. 131-132.

although President Madison intervened on account of his distinguished Revolutionary War record.[88]

Federalists and the Essex Junto in New England were appalled at the disaster; and the news that came from the two other expeditions into Canada validated their concerns. Both Stephen Van Rensselaer and Henry Dearborn's New York militiamen under their command refused to cross into Canada. The question was whether or not militias from a certain state were obligated to fight outside of their home states. Once again, illustrating the asynchrony between the federal and state governments. Now, with lacking reinforcements and numerous setbacks coupled with inaction, the other phases of the Canadian invasion plan either failed or never started in the first place.

The financial strain and military failures proved to be too much for some New Englanders whose lives had been severely impacted by the war. Republican papers like Baltimore's *Niles Weekly Register* had predicted that with the war "political atmosphere will be purged, a greater degree of harmony will exist, and the regenerated spirit of freedom will teach us to love, to cherish, and support our unparalleled system of government, as with the mind of one man."[89] Federalists shared a much different opinion rooted in economic, religious and political reasons. Pastors with Federalist ties preached to their parishioners that wars were a result of God's displeasure. Wars (according to them), were responsible for taking once Christian men and making them immoral. Men who once worked virtuous daily jobs were now forced to pick up arms, and most indulged in all of the "vices" available to them at army camps.[90]

Life in an army camp according to Federalists could lead to life full of debauchery and lacking prayer. Pastors warned that a lust for war had destroyed nations before, and that the United States had to adhere to God's teachings to avoid such destruction. Not only were the soldiers negatively affected, but returning home with these new ungodly habits would wreak havoc across New England. An

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[88] Hannings, Bud. *The War of 1812: A Complete Chronology with Biographies of 63 General Officers.* McFarland Publishing. 2012. Pg. 52.
[89] *Niles Weekly Register.* May 30th, 1812.
[90] Cress, Lawrence Delbert. *"Cool and Serious Reflection": Federalist Attitudes Toward War in 1812.* University of Pennsylvania Press, 1987.

expected rise of profanity, theft and drunkenness is what Federalists envisioned once the war was underway. According to historian Lawrence Cress, "Reports from the Ohio River Valley during the first year of hostilities indicating that the army's presence had brought vice to villages heretofore unspoiled and blasphemous speech to public inns once safe for the most pious soul confirmed the Federalists' worst fears.[91] Not only was this war a Republican construct, but their disregard for both morality and Christianity was thought to have had the potential to hurl the young United States into the throws of Revolution like her French counterpart.

According to Federalists, the war would see with it a large spike of immorality across the United States. Immorality included civil disobedience, as smugglers across New England still traded with Great Britain which obviously directly disobeyed the federal government. A general decline in public virtue was expected to occur while wars were being fought. Some American sailors found new opportunities and enlisted as privateers. Privateers sanctioned by the federal government were instructed to harass British ships and hopefully prove to be a detriment to Great Britain's financial stability. Privateers, however, were always considered to be nothing more than pirates. Federalists condemned piracy; clergymen in New England would be shocked to see the widespread romanticism of pirates today. The problem, however, was that privateering was not enough to offset the losses that came from halted trade.

Federalists also cited the threat of anarchy as one of the main reasons why the war should be ended (or rather, why it should have never started in the first place). Even before the war, Federalists were appalled by the horrors of the French Revolution. The French had, according to them, plunged themselves deep into the recesses of anarchy. At the time however, many Republicans believed that the French had followed their American example of revolution. Even after witnessing the horrors of the French Revolution, Republican leaders like Thomas Jefferson believed,

> Was ever such a prize won with so little innocent blood? My own

[91] Cress, pg. 127.

> affections have been deeply wounded by some of the martyrs to this cause, but rather than it should have failed. I would have seen half the Earth desolated. Were there but an Adam and Eve left in every country, left free, it would be better than it now is.[92]

In retirement, Thomas Jefferson did not change his tune, "This ball of liberty, I believe most piously, is now so well in motion that it will roll round the globe, at least the enlightened part of it, for light and liberty go together. It is our glory that we first put it into motion."[93]

This Francophile outlook on what was happening in France was vehemently condemned by Federalists throughout the United States (not just the Northeast). Federalism as an ideology had always recommended that its constituents remain in the station they currently were, meaning that if the authority is just, you should adhere to it. This partly explains why this particular political party supported Great Britain, a country who promoted monarchial rule. Respecting those in power and remaining "happy" in one's current situation were both two of the main aspects of Federalism. One should not strive for more; let those who you entrusted to be part of the elite speak and work on your behalf. The fact that Federalists had this viewpoint is somewhat ironic (as they were the product of a revolution themselves), but nonetheless this ideology exacerbated the fear of what was happening in France.

Regardless, Federalists decided collectively that the fledgling United States was still too young to engage in warfare. This is especially true, when the chosen opponent happened to be the most powerful military in the world at the time. An untrusted and untried union was one that could have very likely failed. Federalist clergymen across the country invoked images of a destroyed country in hopes to dissuade their followers from supporting the war. Even since their inception, Americans have seemingly always been of the mindset that any war they enter, they will win. As one clergyman told his followers, "We have imagined ourselves secure from the dangers and disasters of other nations; and

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[92] Jefferson, Thomas. *Thomas Jefferson to William Short.* The Writings of Thomas Jefferson. January 3, 1793.
[93] Jefferson, Thomas. The Writings of Thomas Jefferson. June 1, 1795

have refused to take warning from the fallen republics of ancient and modern times."[94]

Others believed that not only were Americans ignorant, but their unrighteousness over the last twenty years had earned God's wrath. A lack of religious piety (according to many Federalists) must be why the country found itself embroiled in yet another war so early into its creation. To many Federalists, a country that actively seeks war is one that has turned its back on God, and any such nation who had turned its back on God is one that undoubtedly would face ruin. The Madison administration had been directly influenced by War Hawks in the House, and (according to Federalists) until the administration could properly identify the transgressions committed by Britain the United States should not entertain war. Those who stood idly by as their country took part in an unjust war were deemed just as guilty as those who pushed for war themselves. As David Osgood (a Federalist clergyman) stated during one of his speeches,

> Each man who volunteers his services in such a cause, or loans his money for its support, or by his conversation, his writings, or any other mode of influence, encourages its prosecution…loads his conscience with the blackest of crimes, brings the guilt of blood upon his soul, and in the sight of God and his law, is a murderer.[95]

Federalist leader John Lowell doubled down on this sentiment, stating that common law did not even excuse a slave from the crime of murder. How then, could Americans commit such "atrocities" as it would place them right in league with those they kept in bondage?

Interestingly enough, a pursuit of worldly goods is one example of what Federalists deemed as "ungodly".[96] For a political party that focused very heavily on merchant activities and trade, this idea does not seem congruent with the rest of their beliefs. Either way, it was used as justification yet again, for Federalists to consider taking action against the federal government.

As mentioned above, the effects of the war were not limited to religious immorality, as the

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[94] Cress, Pg. 129.
[95] Osgood, David. *A Solemn Protest Against the Late Declaration of War.* Cambridge, Massachusetts. 1812.
[96] Banner. Pg. 44.

economy in New England plummeted shortly after the declaration of war. Firstly, the call to militia was not only dangerous, but with a lack of able hands the economy was bound to suffer. Fewer farmers meant fewer crops, and less workers meant less manufacturing. One pastor in New England evoked images of financial ruin when he spoke to his congregation, "Many who are now in affluent circumstances will be reduced to poverty."[97] With many of New England's young men being shipped to different areas of North America, who was to defend the coastlines of the Northeast? Coupling this thought with the fact that Britain had the most powerful navy in the world seriously worried many Federalist leaders.

Some Federalist planters however, faced a separate problem. Federalist ranks did reach the Deep South, and slaveholders there were desperately trying to control their slaves. If word of the Americans' lackluster battle record reached the ears of blacks in the South, the promise of British emancipation could have proven irresistible. Slaveholding Federalists imagined widespread revolts. The Haitian Revolution had recently shocked the Western world, and Southerners continually cited the situation there when discussing their fears of uprisings. In reference to his slaves one Federalist in the South noted that they were, "restless in their bondage, and easily excited to arms."[98]

In perhaps a more realistic view of the situation, some Federalists condemned the war due solely to the fact the United States was not ready for war. Ill-prepared would be an understatement; the young country only had a standing army of about 7,000 at the start of the war.[99] By contrast, Great Britain had been engaged in the Napoleonic Wars for years and had bolstered their standing army to around 250,000 regulars. Americans who supported the war had hoped that Britain was too involved in their European ventures to dedicate the majority of their troops to North America. Regardless, the disparity between the two militaries was certainly indicative of the lack of preparations taken by the

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[97] Abercrombie, James. *Two Sermons*: *The First, Preached on Thursday, July 30; The Second, Preached on Thursday, August 20, 1812; Being Days of Fasting, Huliation, and by Public Authority.* Forgotten Books, 2018.
[98] Cress, Pg. 127.
[99] Stagg, J.C.A. *The War of 1812: Conflict of a Continent.* Oxford University Press. 2012. Pg. 149.

United States. The Connecticut General Assembly for example states that the United States was, "without fleets, without armies, with an impoverished treasury and with a frontier by sea and land extending many hundred miles, feebly defended."[100] The United States' Navy at the beginning of the war, only had 16 ships ready for battle. The British on the other hand, had closer to 120 ships of line as well as 600 frigates. This disparity invoked fears that the British would easily be able to blockade the Eastern Seaboard, as well as take control of the Great Lakes.

All of these factors compounded in a political divisiveness that had the potential to fracture the nation. George Washington had warned against political parties, and many believed that partisanship was what would finally tear the country apart. In response to all the charges brought up by Federalists, Republican newspapers charged the party with being anti-democratic and supporters of monarchy. Preluded by similar issues during the Adams' administration, the Republican Press did their best to discount Federalist claims of ruin, effectively silencing them in Republican-controlled areas.[101]

As discussed earlier in this paper in chapter two, the Adams Administration's decision to suspend habeas corpus is one of the main reasons why the current president James Madison had written his Virginia Resolution in the first place. Federalists were obviously aware of both the Resolutions, and used them as the political ideology to back their flirtation with secession.

As the Republican newspapers continued to levy their charges against Federalists as a whole, a feeling of dissent grew among their ranks. Even while all this was happening, Federalists still adhered to their political ideology of respectful adherence to the federal government (save for the Essex Junto). Leaders across New England and the South instructed their constituents to follow a policy of cool and reasonable dissent. If there was one thing that Federalists feared more than a war with Great Britain, it was widespread anarchy. Noted Federalist William Ellery Channing agreed with this sentiment stating,

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[100] *Declaration of the Connecticut General Assembly.* August 25, 1812.
[101] Mayo-Bobee, Dina. "Understanding the Essex Junto: Fear, Dissent, and Propaganda in the Early Republic." *The New England Quarterly*, vol. 88, no. 4, 2015, pp. 623–656., www.jstor.org/stable/24718883. Accessed 6 Apr. 2021.

"Resistance of established power is so great an evil, civil commotion excites such destructive passions, the result is so tremendously uncertain, that every milder method of relief should first be tried, and fairly tried."[102] Opposition to the war was tolerated only if it fell within the confines of the Constitution; if a government proved unjust one must change it using acceptable Republican concepts.

Federalists around the country adhered to this call, and held public meetings widespread to discuss their grievances with the Madison Administration. Antiwar representatives were elected to head the Federalist Party and this in turn, angered their political opposition. Noted antiwar Federalist Rufus King of Massachusetts for example, "Regarded the war, as a war of party and not of country."[103] This is the sentiment that Federalist's like John Lowell and Nathan Dane also subscribed to, that the war was purely a Republican scheme that was going to prove ruinous to the United States. Lowell for example stated that, "Making peace with our enemy and opening once more our commerce with world, would be a wise and manly course." Many Republicans who became aware of these meetings charged their attendees with treason.[104] Federalist leaders however, still maintained that everything they were doing was within the acceptable confines of the Constitution.

Changing the outlook of the nation and restoring peace had to come through the use of elections; Federalists believed they had every right to pursue this style of dissent. Even the legendary orator Daniel Webster weighed in on the issue when he stated, "By the exercise of our constitutional right of suffrage, by the peaceable remedy of election, we shall seek to restore wisdom to our Councils, and peace to our Country."[105] The warning that Federalists gave to their followers was that even in times of dissent, partisan feelings must be expelled. Nonetheless, the charges against them raised by Republicans continued to grow more numerous by the day. This constant levying of accusations wore thin; by the later stages of the war some Federalists began to wonder what the benefits of remaining in

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[102] Channing, William Ellery. *Stone, Danger and Duty: A Sermon.* Albany, New York. 1812.
[103] Fritz, Harry William. *The Collapse of Party: President, Congress, and the Decline of Party Action, 1807-1817.* Washington University, 1971. Pg. 16
[104] Adams, Henry. *History of the United States of America: Volume 8.* University of California, 1911. Pg. 289-294.
[105] Ellis, James H. *A Ruinous and Unhappy War: New England and the War of 1812.* Algora Publishing. 2009. Pg. 16.

the Union truly were.

The New England states began to question what their place was in a compact of states that seemingly disregarded their needs. Many Federalists resigned themselves to the fact that the Union could crumble, and that New England would be forced to leave. Some Federalists, namely Pickering, actually anticipated a departure; New England would be able to take more efficient care of itself because the Northeastern states (in many cases) shared the same economic and political beliefs. Federalists believed that they were destined to carry on the "republican experiment", and many welcomed a dissolution of the United States with open arms.[106] Here we see the shouts for dissolution reach a fever pitch for the first time, before its eventual climax in the 1860s. New England was to be the new birth of democracy, away from the American West which Federalists despised so much.

Federalists had an apathetic viewpoint in regard to the West; many had disagreed with Thomas Jefferson's decision to approve the Louisiana Purchase. Obviously, this was another example of Federalist versus Republican politics, but New England's dislike of the West was deeper than that. At this time, many Federalists developed an inherent distrust of those living in the new territories. Many believed that it was a land of lawlessness, one that simply could not coincide with a democratic nation. Samuel Taggart (a Presbyterian minister and representative from Massachusetts), had this to say about the west during one of his orations to his congregation,

> In a territory so extensive as the United States, comprising within its limits, perhaps, nearly all the varieties of the human species, to be found in the civilized world, peoples whose sentiments, habits, manners, and prejudices, are very different, and whose local interests and attachments various, it is not strange that the seed of division should exist.[107]

This particular speech captured the Federalists' sentiment at the time. How could a nation that was not only so different geographically, but also culturally, hope to remain intact? Caleb Strong (another

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[106] Hormell, Orren Chalmer. *The Attitude of the Federalist Party Toward the War of 1812.* Indiana University, 1905. Pg. 49-55.
[107] Taggart, Samuel. *Oration…at Conway.* July 4th, 1804.

prominent Federalist) also foresaw the coming of disunion believing that, “the territory of the U.S. is so extensive as to forbid us to indulge the expectation that we shall remain many years united.”[108]

John Lowell Jr. (a notable Federalist and lawyer) urged that the original union remain intact, arguing that a country that included the West was far too large. Democratic government and the republican experiment worked perfectly in the original 13 colonies, so why expand the United States any larger than that? Federalists acknowledged that the Louisiana Purchase was illegal, but also that it endangered the original compact between the 13 states. Many Federalists believed that it was impossible for one country to rule a territory so vast, and that the mountains that bordered the Eastern states acted as a barrier created by God to protect their republic.[109] Lowell believed that both the West and East would benefit from a split. The South he thought, should rejoin the North in exchange for New England allowing the Three-Fifths Compromise to remain in effect.

Timothy Pickering and his Essex Junto constituents agreed with the sentiment of a North-South "re-approachment" plan and surmised that raising taxes on the west to unfair levels would convince them to leave the Union. “Entertaining this opinion, I cannot think of course, that a separation at this time would be an evil; on the contrary, I believe an immediate separation would be a real blessing to the good old thirteen states, as Jon Randolph once called them.”[110] Many New Englanders began to see disunion as conditional and Federalist newspapers began to share the same feeling, “It is an event we do not desire, not because we have derived advantages from the compact, but because we can foresee or limit the dangers or effects of revolution.”[111] Here we see the first time that those outside of the elite Essex Junto group openly pronounced that disunion was acceptable according to American law. Essentially, this paved the way for mid-19th century Southerners to share the same sentiment decades later. This thought became commonplace throughout the Federalist ranks. In 1813 for example, a

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[108] Strong, Caleb. *Strong to Pickering*. February 7th, 1815.
[109] Banner, pg. 113.
[110] Chaitkin, Anton. *Treason In America: From Aaron Burr to Averell Harriman.* Executive Intelligence Review, 1999. Pg. 134.
[111] *Centeniel,* January 13, 1813.

Newburyport editor wrote, "We have always been led to believe that a separation of the States would be a great evil. We still think it an evil. But rather than prosecute the present war, which will eventuate in the ruin of the Northern and Eastern States…we think it by far the least of the two evils."[112] Ironically, Jefferson and Madison's *Resolutions* became integrated into Federalist political theory as a justification for their secessionist ideas. Since the states came together and formed a confederation, it was in the states' hands to determine what their individual obligations to it were. With multiple states conjointly working together, Federalists looked to the concept of interposition to achieve their goals. A unified voice against the administration soon found itself quarrelling amongst itself, due to disagreements over what strategy they should take.

Politicians in New England continued to urge a policy of simply rejecting the war, on the grounds that the Northeast had no stake in the conflict. Elijah Parker (a preacher from Massachusetts) gave a fiery speech to his parishioners in which he told his followers to,

> …proclaim an honourable neutrality; let the southern heroes fight their own battles, and guard against the vengeance of their lacerated slaves. Break those chains, under which you have sullenly murmured, during the long, long reign of democracy; and once more breathe that free, commercial air of New England which your fathers always enjoyed…Protest did I say, protest? *Forbid this war to proceed in New-England.*[113]

Governor Caleb Strong shared this sentiment and encouraged the public to decry against the war throughout Massachusetts. With high-ranking Federalists (in league with the Essex Junto) stoking the fires of political outrage, New Englanders began to follow suit.

Inflammatory language became a staple of Federalist doctrine; newspapers preached that Federalists had to resist the Federal Government. The Essex County *Centennial* for example, had this to say on the matter, "Our common interests, liberties, and safety, are now more injured, oppressed and

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[112] Labaree, Benjamin Woods. *Patriots and Partisans: The Merchants of Newburyport, 1764-1815.* Norton Publishing, 1975. Pg. 185.
[113] Parish, Elijah. *A Protest Against the War. A Discourse Delivered at Byfield, Fast Day.* July 23, 1812.

endangered, by the doings of our own National Government, than they were when in 1775 we took arms to protect and defend them against the measures of the government of Great-Britain."[114] Invoking the language of the American Revolution and applying it to the current state of affairs in the United States was certainly a powerful comparison. Distinguished Federalists Thomas Dawes and Noah Webster frequently wrote each other, and together they brainstormed a way for Federalists to finally be heard.

Taking direction from what had occurred in 1808, the idea of a unified convention resurfaced. "There is but one way left to save us from the yoke of Bonaparte and Virginia," Thomas Dawes wrote to Noah Webster, "…the rising of the New England people. I mean nothing illegal or unconstitutional; I do not mean a Whiskey rebellion or anything like that. You know what I mean. And tho' late, I think with you, it is not too late."[115] The plan was not to come to fruition just yet however, as the promise of another chance at a successful presidential candidate proved more attractive than interposition. Federalists knew that their chances of holding a convention at this moment were rather small; the Massachusetts senate was controlled by the Republicans.

The election in October was seemingly their only chance to have their voices heard, and in an effort to defeat Madison the Federalists nominated DeWitt Clinton. The former New York governor accepted the nomination and after a brief convention in New York, Clinton was the Federalist candidate. Federalists voted in greater number than they had before; Federalist leaders had continually preached how interposition was the proper political discourse. With a united front, Federalists came undeniably close to victory. Clinton however, lost by a mere 19 electoral votes to Madison. Once again, the Federalists and the Essex Junto had been defeated, a blow that seemingly came at the worst possible time. Perhaps further discussions on disunion could have been avoided had Federalists won the election, but without a legislative channel to obtain their goals, the Essex Junto's influence became

[114] *Centennial.* June27, 1812.
[115] Banner Jr. Pg. 308.

stronger than ever.

Madison's introduction of another restrictive trade tariff yet again fanned the flames of Federalist dissent. Legislative measures were evidently of no use, and Federalists around the country were fearful that their voices had no chance of being heard. Some Federalists in Middlesex County argued that, "Instead of wishing to withdraw from the Union, we fear that the government has withdrawn from us."[116] In December of Madison's first year as president, Hampshire County Federalists brought forth to the General Assembly that a convention was perhaps necessary in this instance. Noah Webster proposed a plan for a multiple-state convention at the General Assembly, and drafted a letter issuing the grievances that plagued Federalists around the country.

Still displeased by the role that slaves played in representation, assertions that the Three-Fifths Compromise was unjust was one of the main problems facing Federalists. Webster claimed that when the Northern states agreed to the compromise, it inherently meant their maritime industry be protected as well.[117] The Northern states hoped for an actual amendment to the Constitution that could be used to protect their influence across the nation. The push for a convention between the commercial states of the North and South gained more and more traction, as Hampshire County took their grievances to the larger courts.

Leaders in Boston such as Harrison Gray Otis maintained that the convention arose in rural parts of New England, perhaps in an attempt to distance themselves from the somewhat secessionist ideology ramping up through the countryside. "We at Boston played only second fiddle to our country friends…My impression is that the Country of Hampshire was always foremost in these matters, and that if I had been hanged as a ringleader, you and your friends would have been bound in honor to maintain my family."[118] Whether this admission was later used to simply deflect his place in the

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[116] Banner. Pg. 313.
[117] Webster, Noah. *A Letter of Noah Webster to Daniel Webster.* The American Historical Review, 1903.
[118] Otis, Harrison Gray. *A Letter to Noah Webster.* May 6th, 1840.

convention, or whether the Boston elites truly had no hand in the early push for a convention, is relegated to conjecture. However, in retrospect the rise of anti-unionist feeling was certainly propelled not by those in Hampshire County, but those connected to Essex County.

Towns across New England continued to follow suit in support of a convention, with cries of being enslaved by a despotic regime. A regime, that even after Federalists made their grievances known, still chose to ignore them. Radicalism began to spread like wildfire, and Federalist leaders were tasked with remaining moderate in an attempt to inhibit any unjustified behavior. Harrison Gray Otis and fellow moderates were successful in delaying the convention yet again at this time, but the Senator's comments on secession are noteworthy. Otis defended the right of secession, but claimed that, "we were not yet ready to proceed to those extremities."[119]

This admission was crucial, as Otis was one of the first high-ranking Federalists to openly speak about the prospect of disunion. A consensus was reached among Federalists; now was the time to start to plan a multi-state convention. This first report considered the embargo void, therefore it did not require to be nullified. To make the sweeping changes to the Constitution that Federalists longed for, they first decided to seek public approval from their supporters. Upcoming elections were the perfect way for Federalist leaders to test public sentiment in regard to a convention. Caleb Strong (the tried and true Federalist candidate) was once again nominated for the role of Massachusetts Governor. Republicans nominated Samuel Dexter, who in truth was actually a Federalist. Republicans chose Dexter simply because he took a moderate approach most issues, and he strongly opposed the proposed of a convention.

Strong carried 55 percent of the vote and the Federalists gained control of the lower house by a margin of 204. With Federalist control of the legislatures, averting a convention now seemed improbable. The year of 1814 saw the war expand across United States, and American opposition to the

[119] Morrison. Pg. 89.

war steadily grew. The invasion of Maine's coastal shores and the burning of Washington in August, agitated Federalists to the point of discussions that involved a separate peace commission.[120] In the midst of all of these American military blunders, Governor Strong still refused to send militias to Maine, as he believed that it was the responsibility of the national government. Disconnect between state governments and the Federal Government, yet again led to issues. Rumblings of more radical Federalists taking matters into their own hands, finally forced the leaders of the party to carry out what they had been so reluctant to do. In September, Governor Strong called for a meeting of the General Court to call for a convention of Northeastern states.[121]

With the public growing increasingly hostile towards the administration, Federalist officials knew that many of their Essex Junto constituents' more radical ideas had to be considered. Harrison Gray Otis conceded to this point when he wrote that the public was, "high toned and menacing."[122] To satisfy their demands, the adoption of nullification strategies was needed. In an attempt to avoid even more extreme measures (most of which proposed by the general public), was to officially hold a convention with party leaders. Many Federalist leaders were moderates, so was the agreement to hold a convention an actual move towards nullification, or was it strictly to quell public outcry? This point is often contended by historians and is used to downplay the Hartford Convention's effect on later Southerners. In any event, even moving towards convention opened the door for future secessionist and nullification strategies. Southerners like John C. Calhoun can point to the calling of a convention of Northeastern states as an inspiration for secession, in the same way Federalists cited Jefferson and Madison's *Resolutions* as their inspiration.

Harrison Gray Otis was now one of the leading voices that pushed for a convention. A man of incredible wealth even by today's standards, Otis embodied the Federalist elite-ism so prevalent in the

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[120] Pitch, Anthony S. *The Burning of Washington: The British Invasion of 1814.* Naval Institute Press, 2013.
[121] Banner. Pg. 320.
[122] Otis, Harrison Gray. *Otis to Noah Webster.* May 6th, 1840.

early 19th century. Serving as both the Attorney General and President of the Senate of Massachusetts, Otis was a well-connected and highly respected member of the Boston community (leading to his eventual mayorship from 1829 to 1832). His stance was still moderate however, even against the wishes of more radical party members like Francis Blake. A report (known as "Otis Report") was written by the special committee and among its contents voiced concern over the need for constitutional amendments to protect the interests of New England. The committee formally acknowledged the need for a multiple state convention and pushed for one to be held. The report also focused on amending the unjust (according to New Englanders) practice of counting slaves towards a state's representation, as well as a limit to the president's ability to institute embargos.

The house voted to approve the Otis Report by a vote of 260 to 90, and the Senate approved the report by a vote of 22 to 12.[123] The vote confirmed that letters of invitation be sent to all of the other Northeastern states, and the search for 12 delegates began. Unsurprisingly, Republican politicians absented themselves, allowing the Federalists to handpick their delegates. Yet again, a moderate stance prevailed. Federalist Party leaders chose men who held a more thoughtful temperament, men like George Cabot, Joseph Lyman and Nathan Dane. This moderate grouping of party leaders was actually well received by Federalists of any sect, including the more radical ones. Even Timothy Pickering approved of the delegates that were chosen and assured that they had, "more wisdom, virtue and real patriotism than it would be easy to bring together elsewhere in the United States."[124]

While the men were noted as being virtuous, their timid and moderate leanings were called into question by many. Regardless, Connecticut and Rhode Island each respectively voted to answer the call to convention. New Hampshire declined the invitation, and many leading Federalists there (including Daniel Webster) were not in favor of such a bold strategy. Later in life when pressed on the issue of whether or not Webster was in attendance he wrote,

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[123] Banner. Pg. 324.
[124] Pickering, Timothy. *Pickering to James Hillhouse.* Jan. 14, 1815.

> I have read your letter and cheerfully answer its inquiry. I was not a member of the Hartford Convention and had no agency in it, nor any correspondence with any of its members. If you will refer to the Journal of Congress, and to the dates of the proceedings relative to that Convention, you will find, My Dear Sir, that I was in my seat in the House of Representatives in Congress, which was before any proposition to hold such a Convention was brought forward, and that I remained in the seat, until after the Convention had met and dissolved.[125]

A couple decades later, those who had any connection to the Hartford Convention were accused of secessionist plots and many of the politicians associated with it (Timothy Pickering, Harrison Gray Otis, and Caleb Strong for example), never recovered.

With the delegates chosen, the last task was to make sure that the goal of the Convention would truly address the problems brought to light by New England's citizens. While many citizens called for extreme action, as noted, the Federalist leaders carried forth with an abundance of caution. Some Federalist controlled states were reluctant to partake in the convention; New Hampshire and Vermont chose their delegates independently from the state legislature. Caution was abundant in the weeks leading up to the convention, and Federalist radicals like Timothy Pickering chose not to attend and did not offer any stand-ins. In a later to Pickering, John Lowell confessed that he did not have much faith in the convention and that men like Otis were, "naturally timid and frequently wavering."[126]

This lack of fiery discourse only exacerbated the extremist views of Essex Junto who were displeased with how the Convention was shaping up. John Lowell, Jr. and Gouverneur Morris (Founding Father and author of the Preamble) both pushed for an autonomous New England if their grievances were not addressed. Southern Federalists were in support of many of the referendums that Northern Federalists advocated, and they were led by the boisterous and eccentric John Randolph of Roanoke. A former Democratic-Republican, Randolph's ideology began conflicting with Thomas Jefferson's in the early 1800s causing a fracture in the party. While he was no supporter of Jefferson or

[125] Ardent Media. *The Letters of Daniel Webster*. Hungary, 1851.
[126] Morison. Pg. 116.

Madison (who was seen as an extension of Jefferson), Randolph still warned against "rash counsels" claiming that they were almost always unwise.[127] Randolph's sentiment was shared by many statesmen at the time, including "reformed" Federalist and future President John Quincy Adams. Adams believed that the Hartford Convention solely existed to fan the fires of secession, and that it was being used as a tool to support radical Federalist ideologies. A conflict of temperaments and outlooks in regard to the Convention is why the actual purpose of it is still contested today.

Harrison Gray Otis was at the forefront of the conception of a Convention, and he continually explained that the purpose of it was simply to extinguish the flames of secession. This was the stance taken by many leading Federalists, that the Convention was, "intended, by those who voted for it, as a safety valve by which the steam arising from the fermentation of the time might escape, not as a boiler in which it should be generated."[128] This sentiment was shared by fellow Federalist Nathan Dane, another moderate who was worried that the Convention could lead to a fracture. At the conclusion of the Convention, Dane wrote,

> The fact was, moderate men saw the excitement was going too far and it was leading to evils far greater than the war itself…This convention, as intended, moderated and checked an inflamed, growing opposition to the administration of federal affairs which might, in the then violence of party spirit, have in time embarrassed and shaken the Union.[129]

Moderates wholly disregarded more serious moves towards secession throughout the deliberations, and focused more heavily on the defenses of New England. That is not to say however, that other attendees were not yet radicalized. Lawyer and known extremist Timothy Bigelow was present and while his concerns were heard, he was one of the only men at the Convention who could have been considered "radical". As historian Donald Hickey states, "The convention, dominated by moderates, had perhaps as many as three radicals. The only known radical, Bigelow, was given no

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[127] Bruce, William Cabell. *John Randolph of Roanoke, 1773-1833: A Biography.* G.P. Putnam's Sons, 1922.
[128] Randall, Henry Stevens. *The Life of Thomas Jefferson: Volume 3.* J.B. Lippincott, 1888. Pg. 418.
[129] Banner. pg. 332.

committee assignments and apparently did not play a major role in the proceedings. Nor was there any sign of disunion."[130]

Those with cool heads made sure that the proceedings would not get out of hand; Otis vehemently opposed adding any amendments to the Constitution in the final Convention report. Only after internal rumblings were amendments (which focused on wartime power, the creation of embargoes and the admission of new states), added to the official report. These proposed amendments proved to be enough to placate those who were interested in secession as an option. The final pamphlet that included the proposed amendments was approved unanimously by those in attendance. The "cool heads" of New England Federalism prevailed again; citizens were always instructed to only oppose the government if all other options have been extinguished. That line of thinking is exactly what moderate Federalists preached to their constituents during the deliberations of the Convention. The Convention invoked the same political discourse contained in Jefferson and Madison's writings, but Federalists were still rather reluctant to make these ideologies mainstream. Instead of looking for ways to actively separate, the largest part of the Convention report focused on how national harmony could be restored.

Federalists blamed the nation's "ruin" on a variety of factors including the introduction of new states, unqualified public officials, naturalized foreigners, anti-British sentiment and Virginia's grip on the presidency. Seven amendments were formally accepted at the Convention, all of which dealt with the aforementioned "transgressions". Voting based solely off of the white population, a 2/3 voting requirement for the admission of new states, a 60 day limit to all embargos, a 2/3 vote to approve an embargo, a 2/3 vote to go to war where the United States was the aggressor, a mandate that naturalized citizens could not hold public office, and a mandate stating that the president could not succeed himself as well as outlawing the election of a president from the same state consecutively were all included in the report.[131]

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[130] Hickey. Prologue.
[131] Vile, John R. *Encyclopedia of Constitutional Amendments. Proposed Amendments, and Amending Issues, 1789-2002.*

New Englanders never explicitly pushed for secession during their deliberations, but the ideological concept of threatening secession for political gain was certainly used. While there is still contention as to what was truly discussed during the Hartford Convention (as there is no written record), the mere utilization of these tactics paved the way for future Americans to include nullification and secession in their political discourses. Whether the rumors of secession were only the ideals of a handful of extremists, or if the majority of Federalists agreed with stronger measures, is not as important as simply presenting the concept of secession in the political sphere. Just how Federalists cited the Virginia and Kentucky Resolutions as examples of how the threat of separation could be used a tool, their deliberations at Hartford were the next step in the ideological argument.

The question now arises, why did high-ranking Federalists never use their political trump card? The answer is rather simple; the fear of disrupting their future political careers and economic standing. The possibilities that came with disunion were a New England civil war, economic struggles or even a Federalist versus Democratic-Republican civil war. While these outcomes seem outlandish now, during the early years of the Constitution the prospect of danger and ruin were much higher. However, the main reason as to why the Hartford Convention fell short of its more radical proposals was that by January of 1815 the war with Great Britain was all but over. Public opinion had changed from discouraged, to a revitalized patriotism as Americans felt they had won the war. Andrew Jackson's victory over Sir Edward Pakenham in New Orleans was the main reason for this shift in sentiment (and this renewed patriotism propelled Jackson to the presidency just over a decade later).

By the time Federalists had appointed an envoy to make New England's grievances known in Congress, the Federal Government already voted to federalize state forces. The envoy which was headed by Otis received no instruction in regard to the amendments proposed during the Convention. Perhaps party leaders realized the national mood and chose not to include the amendments to avoid being associated with a "secessionist plot". By the time Otis reached Washington, his prospects of success were rapidly diminishing. The administration heard their arguments, but nothing came of them

and the New Englanders returned home. In the end, the Hartford Convention proved to be pointless, but its promotion of interposition on the national stage was certainly notable. The leaders of the Essex Junto, men like Pickering, were relegated to political ruin after their secessionist doctrine was made public.

Chapter 5: The Antebellum South, John C. Calhoun and the Doctrine of Nullification

The political ideology presented at the Hartford Convention and the decision its members made to explore the doctrine of nullification invented by Jefferson, opened the door for later Americans to justify their secessionist tendencies. Federalists cited Jefferson and Madison as the true conceivers of nullification, showcasing how the ideology itself transcended both party lines and personal grudges. By the mid-1800s, mounting pressure had forced Southerners to believe that their way of life was being threatened, especially when it came to the "peculiar institution". The voice that continually defended Southern interest was the highly educated and vehemently sectionalist John C. Calhoun of South Carolina. Calhoun has long been condemned as the main advocate of Southern secessionism, yet during his early political career was notably nationalistic.

This nationalistic outlook dissipated and became instead, a dual focus on not just South Carolina, but the entire American South. The question remains, why did John C. Calhoun's rhetoric shift from nationalism to sectionalism? In a rapidly changing union where each individual state protected their own interests, sectionalism was not uncommon, but certainly not to the degree in which Calhoun advocated for disunion in the mid-19th century. The easy answer is to label Calhoun as a political extremist who pushed for the nullification of federal law and in part, set the wheels in motion for the American Civil War. However, that diminishes the influence that earlier statesmen had on "the South's favorite son" when it came to secessionist ideology.

During the 19th century, nullification was advocated by Thomas Jefferson, James Madison and a collective of New England's elite. Nullification and secessionism were not the extremist ideas of a Southerner obsessed with sectionalism, but viable political tools that other American politicians had used in the past. At this point in American history the question always arose; is the United states a unified country, or a collection of states joined together by a confederacy. Those who ascribed to the latter interpretation of the "American experiment" contended that a state should only remain in the Union if their best interests were protected. John C. Calhoun adopted this ideological point and used it

to (in his mind) protect South Carolina's interests. The Constitution and the American peoples generally accepted interpretation of the governmental structure of the United States is what spurred on the American Civil War, not the acts of one Southern intellectual.

To fully understand Calhoun's shift from nationalism to sectionalism, his early years are of the same importance as his time in public office. Born in 1782 in lowland South Carolina, Calhoun learned from a young age that hard work and an observance to the Almighty is what made a man (much like Federalists in New England). The future vice-president's cool demeanor can be attributed to his father. Patrick Calhoun was a notable planter and surveyor who was chosen by his peers to represent South Carolina's backcountry in Charleston. From a young age, John C. Calhoun was surrounded by not only political dealings, but America's "peculiar institution". His father owned a large farm that housed over 30 slaves, making the Calhoun family one of the largest slave-owning families outside of Charleston.[132] At a young age John C. Calhoun was conditioned to accept, and even be an advocate for slavery; a young boy in the backcountry of South Carolina could not have helped but notice the prestige and community standing that came with the ownership of African slaves. The young man often found himself working side by side with his fathers' slaves, and was taught that only those with the highest moral ability could own another human.

In the political sphere, Patrick Calhoun was a staunch supporter of his home state of South Carolina and prescribed to 18th century Republicanism. The elder Calhoun was known for his conservatism and almost puritanical lifestyle, and this undoubtedly shaped his son's demeanor as well. Republican virtue was adhered to in the Calhoun family, and historian Irving Bartlett states that John, "...remembered his father telling him that a good government protected society while preserving maximum liberty for the individual."[133] This statement is evidence enough to explain Calhoun's later views of the construct of the American government as a whole. The elder Calhoun believed that the

[132] Bartlett, Irving H. *John C. Calhoun: A Biography.* W.W. Norton, 1993.
[133] Bartlett. Pg. 33.

executive had too much power, and that no citizen should be indiscriminately ruled by men hundreds of miles away. Young John C. Calhoun learned that local representatives and the state itself should in most cases, be the final authority on political matters.

When Patrick Calhoun passed in 1796, he left his sons with a thriving estate and a large collection of slaves.[134] Perhaps his father's death is what propelled John C. Calhoun to take a more serious "cast-iron" approach to the world, as his childhood evolved into manhood rather quickly. Told from a young age that only those with the highest moral character and observance to God were worthy of being slave owners, Calhoun quickly adapted to his new life as head of the household. His time in the fields was character building, but even from a young age, his talents for the arts were noted. Out of all of Patrick Calhoun's sons, John was tasked with carrying on his father's political legacy. Notably smart and dogmatic, John C. Calhoun's interest in politics may have started well before he entered the political sphere. A well-marked copy of the *South Carolina Gazette* reporting the proceedings of Congress in 1798 suggests that Calhoun was already dissecting political documents at 16 years old.[135]

John C. Calhoun stayed home to maintain the farm his father had built until the day his siblings came to him with a proposition; they offered to watch the estate and provide him a stipend to receive a formal education, as he was the most intellectually talented in the family. Thus far, it is clear that Calhoun was raised in a household that was both pro-slavery and pro-Republican; this tie to Jefferson's republicanism laid the groundwork for Calhoun's later use of the *Virginia Resolution* to bolster his own political rhetoric. Notably, the majority of Calhoun's education took place in the Northern United States, an area that was becoming increasingly more hostile towards slavery and the Southern "way of life". Calhoun chose to attend Yale University in 1802 and save from his roommate Christopher Edwards Gadsden (who hailed from Charleston), most of his classmates at Yale were markedly different from his friends in the South Carolina backcountry. Not only was the scenery dissimilar, but

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[134] Armstrong, Zella. *Notable Southern Families: Volume 1.* Harvard University Press, 1918. Pg. 53.
[135] Bartlett, pg. 40.

this son of a Republican politician now found himself in Federalist territory. While the puritanical lifestyle attended to by many Federalists may have appealed to Calhoun, their political differences were obviously notable. Nonetheless, Calhoun disregarded personal political stances in hopes to obtain the most prestigious education he could.[136]

Calhoun's hopes of receiving an education without running into troubles due to his Republican inclinations did not last long however, as he was one of the few students who supported Thomas Jefferson. His first political run-in came with the President of Yale himself, Timothy Dwight. Dwight was a staunch Federalist who disagreed strongly with the concepts of Republicanism, and always looked for ways to discredit the "vile" Thomas Jefferson.[137] This oratorical challenge was the first true test of Calhoun's ability to verbally spar.

The topic was immigration, with Dwight subscribing to John Adams's view that immigrants were nothing but a nuisance for the United States (Adams supported anti-immigration policies throughout his single term as President). While many of his fellow classmates agreed with this Federalist sentiment, Calhoun openly challenged the President of Yale in his own classroom. Calhoun was not only the son of a Republican, but his family immigrated from Scotland to South Carolina in the 1700s. He argued that immigrants were mostly the middle-class, and that they were beneficial to the American economy. Before he concluded his point, he was cut off by Dwight who exclaimed that he was, "...decidedly against the importation of foreigners. No men leave their country (with a very moderate exception) except worthless characters!"[138] This was Calhoun's first taste of political battle, and the young South Carolinian handled himself surprisingly well. Seeing the dogmatic way in which Dwight defended his argument, undoubtedly spurred Calhoun to realize that to convert a listener, an argument must have tangible backing.

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[136] Brands, H.W. *Heirs of the Founders: The Epic Rivalry of Henry Clay, John C. Calhoun and Daniel Webster, the Second Generation of American Giants.* Knopf Doubleday Publishing, 2018.
[137] Hicks, Paul DeForest. *The Litchfield Law School: Guiding the New Nation.* Easton Studio Press, 2019. Chapter 3.
[138] Pierpont, John. *Notes from Disputes, November 2, 1803, Yale College.* Morgan Library, New York City.

Later that same year, Dwight once again went out of his way to challenge his top student when he asked his classroom, "What's the legitimate source of power?" Federalists were amongst the most God-fearing Americans, and the answer to this question in their minds was of course, God. Calhoun drew on Jefferson to claim that true power actually came from the people. Dwight acknowledged Calhoun's intellectual prowess (even at a young age), and claimed that he had the potential, "to be President of the United States."[139]

The importance of Calhoun's time at Yale was twofold; his time spent in a Federalist dominated area allowed him to become more acquainted with their ideologies, and the realization hit that as a Jeffersonian he was an outcast of sorts in the Northeast. After achieving higher education at Yale, the young intellectual was ready to pursue law. Calhoun believed law to be the most noble of pursuits,

> Upon what greater honour attend, than upon accurate and comprehensive knowledge of law? But why is this honour attendant on legal knowledge? Surely because it demands, a strong and comprehensive mind…Were the law so simple and concise as to be attainable by everyone, with moderate application and abilities, where would be the honour of its acquisition?[140]

Federalist Yale had taught Calhoun to equate honor with triumphs of the mind and triumphs in oratory. This concept of honor in the mind of Calhoun, led to his defense of Southern "honor" in the years to come. At this point of his life however, nationalism had a hold on the cast-iron mind of the future Senator. Not yet had his political love affair with slavery and Southern rights started, and many of his writings expressed disdain for the debauchery of Southern port cities like Charleston. Upon returning to South Carolina to study law, Calhoun took note of the way daily life was conducted on the coast. To Calhoun, those who lived in Charleston were, "so extremely corrupt and particularly so inattentive to every call of religion…Surely no people ever so much needed a reform as those in the parishes near Charleston." Quite the statement from the future defender of Southern rights.

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[139] Calhoun, John C. *Life of John C. Calhoun: Presenting a Condensed History of Political Events from 1811 to 1843 Largely Written by Himself. Together with a Selection from His Speeches, Reports, and Other Writings, etc. With a Portrait.* Hardpress Publishing, 2019.
[140] Calhoun, John C. *Letter to Andrew Pickens, Jr.* January 21, 1803.

In any event, studying law opened Calhoun's eyes to the true economic and social importance of slavery in the American South. Slaves were expensive, and cases involving manumission were exceedingly common. The true reason as to why Calhoun was dissatisfied with South Carolinians in Charleston was not solely their lack of morals, but their large slave population combined with that lack of morality. Morality, law and slaveholding were the three main sources of "honor" in the Calhoun family, and John prescribed to this method. Calhoun believed that in a city like Charleston where slaves outnumbered whites and made up the majority of the population, morality had to be held in the utmost regard.[141]

This "morality" however, did not mean an exclusive aversion to vices to promote a more virtuous community. What it truly meant was that if slave masters were unruly, then how could the citizens of Charleston feel reassured that they were keeping their slaves in line? This is a distinct difference; morality was an attribute connected to slavery due to fear of insurrection, not common good. Calhoun was rooted in the "Southern way of life" from a young age, so it is no surprise that his later arguments were passionately pro-slavery. Republicanism was rooted in agriculture, and agrarianism in the United States went hand and hand with slavery.[142]

In any event, John C. Calhoun was now one of the most educated men in South Carolina, both in the arts and law. Jefferson's influence on Calhoun was telling, especially in the case of the USS Chesapeake mentioned earlier. Calhoun's first step into the public eye was during Charleston's deliberations following the unjust British attack. Republicans were distinctly Francophile and held considerable disdain for Great Britain. After being named to the courthouse committee, Calhoun wrote resolutions that were both inflammatory and decidedly anti-British.

To defend America's honor Calhoun suggested war, and continued to suggest war, up until it

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[141] McInnis, Maurie Dee. *The Politics of Taste in Antebellum Charleston.* University of North Carolina Press, 2005.
[142] Finkelman, Paul. *Defending Slavery: Pro-slavery Thought in the Old South, a Brief History with Documents.* Bedford/St. Martins Publishing, 2019.

was formally declared in 1812. In league with Henry Clay, the two became the de facto leaders of the American War Hawks (pro-war politicians). Those that longed for war in many cases, did so in an effort to prove that the second generation of American statesmen were just as honorable as their predecessors. With war came honor, and into the 1820s Calhoun's ideology was still nationalistic, even with Jefferson's concept of states' rights engrained into his mind.

To further understand Calhoun's early nationalistic sentiment, many of his now-legendary oratories illustrate his pre-secessionist political theory. The most telling of these speeches that cements the young Calhoun as an anti-disunionist was his 1816 speech in support of the Dallas Tariff. In the years following the War of 1812, many Americans worried that war with Great Britain was bound to happen again as the two nations continued to expand. In an attempt to protect the manufacturing interests of the North, then Secretary of the Treasury Alexander Dallas proposed to levy a tariff on British imported goods.[143] This was the first tariff of its kind; prior tariffs were focused more on government revenue than protecting American industry. In a break with more established Democratic-Republican leaders like John Randolph of Roanoke, Calhoun spoke in favor of the tariff.

The United States had just proven that the second generation of American statesmen could challenge Great Britain in terms of warfare, and the country itself was entering into the period known as The Era of Good Feelings.[144] Even Calhoun, who later vehemently argued against protective tariffs, was swept up by the growing tide of nationalism in early 19th century America. Calhoun realized that the American economy relied on three main factors; agriculture, manufacturing and commerce all had to be protected. In 1816 Calhoun made note of this when he stated,

> If the mere statement of facts did not carry conviction to every mind, as he conceives it is calculated to do, additional arguments might be drawn from the general nature of wealth. Neither agriculture, manufactures, nor commerce, taken separately, is the cause of wealth; it flows from the three combined, and cannot exist without each. The wealth of any single nation or an individual, it is true, may not immediately depend on the three, but such wealth always presupposes their existence. He viewed the words in the most enlarged sense.

[143] Thompson, Robert Ellis. *Social Science and National Economy.* Porter and Coates, 1875. Pg. 366-368.
[144] Dangerfield, George. *The Era of Good Feelings.* Harcourt, Brace & World, 1963.

> Without commerce, industry would have no stimulus; without manufactures, it would be without the means of production; and without agriculture, neither of the others can subsist. When separated entirely and permanently, they perish. War in this country produces, to a great extent, that effect; and hence the great embarrassment which follows in its train. The failure of the wealth and resources of the nation necessarily involved the ruin of its finances and its currency. It is admitted by the most strenuous advocates, on the other side, that no country ought to be dependent on another for its means of defence; that, at least, our musket and bayonet, our cannon and ball, ought to be of domestic manufacture. But what, he asked, is more necessary to the defence of a country than its currency and finance? Circumstanced as our country is, can these stand the shock of war?[145]

Here Calhoun clearly defends the Northern manufacturing states at the expense of his own home state of South Carolina, as well as the surrounding Southern states. Many Southerners relied heavily on imported goods from Great Britain (homespun was deemed unfashionable by many), and a tariff was in many ways, taking money out of the hands of Southerners to help bolster the Northern economy.[146] Calhoun's support for the tariff is rather shocking in retrospect, as a tariff less than 20 years later assisted in his constitutional theory shifting dramatically.

Calhoun's decision to support the manufacturing sector as emphatically as he did, was certainly a break from more traditional Republican thinking. Those who knew about Calhoun's support of internal improvements and tariffs pre-1830 could not have possibly predicted how his political ideology shifted in the coming decades. At this point, his political career was skyrocketing, but his politics were distinctly non-Jeffersonian in many aspects. Jeffersonian thought was based on an agrarian economy, advocation of a small federal government, and states' rights. At this point and time, it would be fair to say that Calhoun's political leaning could be interpreted as more Whiggish than Republican. As his stature grew however, his lust for the presidency continued to put him at odds with many fellow politicians.

In the election of 1824, John C. Calhoun campaigned for the presidency in a crowded field that

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[145] Calhoun, John Caldwell. *The Works of John C. Calhoun: Speeches Delivered in the House of Representatives and in the Senate of the United States.* University of Chicago, 1864. Pg. 166.
[146] Rothman, Adam. *Slave Country: American Expansion and the Origins of the Deep South.* Harvard University, 2005.

included William H. Crawford, Andrew Jackson, John Quincy Adams and Andrew Jackson. With his chances for success plummeting, Calhoun instead pursued the vice presidency (a somewhat symbolic role at the time, but a political steppingstone nonetheless.) John Quincy Adams, with the help of Henry Clay (who supported Adams in exchange for a cabinet position in what is now deemed the Corrupt Bargain) won the election and became the 6th President of the United States. His presidency was marred by inaction and an inability to garner support for Clay's "American System" policies.[147] Calhoun however, seemingly remained out of the public eye and carried out his duties faithfully. This, as well as his nationalistic approach to politics all changed, however, when the results of the next election were revealed.

So, the question arises, when did Calhoun make the shift from nationalism to sectionalism? It was not necessarily a single cataclysmic event, but the results of a friendship turned lifelong rivalry with Andrew Jackson. The seventh president was the most polarizing figure in the United States for approximately thirty years, and any who dared to cross him felt the wrath of "Old Hickory". Calhoun's first interaction with Jackson actually came before the general had even entered the political sphere. In 1818 during the Seminole Wars, Andrew Jackson was tasked with defending American land around Florida while Spain deliberated on what to do with the territory. The United States' main goal was to absorb Florida into the Union, and many Americans felt that if Spain could not properly defend the territory, they should relinquish it. An unclear letter from President Monroe to Jackson, who was patrolling the area surrounding Spanish Florida, accelerated the tension between the two nations even further. In his letter to Jackson, Monroe provided little instruction and essentially deferred the decision making to the general.

Acting in "defense of the United States", Jackson invaded Spanish Florida and captured Pensacola from a small contingent of Spanish soldiers. When asked by his peers and enemies to defend

[147] Unger, Harlow Giles. *Henry Clay: America's Greatest Statesman.* Hachette Books, 2015.

his actions, Jackson made it clear that he only invaded the territory as a defense measure against hostile Native Americans. While the whole situation became a moot point (Florida ceded Spain to the United States in 1819), Jackson was still heavily condemned by politicians for acting on his own accord. In response, his soon-to-become lifelong enemy Henry Clay advocated for a censorship of Jackson's actions in Spanish Florida. This motion was seconded by none other than Jackson's future Vice President, John C. Calhoun.

Jackson never explicitly learned that Calhoun sided with Clay and considered the South Carolinian one of his closest political allies. When John Quincy Adams was defeated by Jackson in the 1828 election, while Calhoun kept his position as Vice President. Both men were known for their fiery demeanor, but not even Jackson could have surmised that one of the catalysts to the fracture in their relationship came curtesy of Calhoun's wife Floride. In a historical episode now dubbed the "Petticoat Affair", Calhoun and Jackson officially parted ways, and Calhoun began to shift away from his more nationalistic ideology and flirt with sectionalism.[148]

Peggy O'Neill was the daughter of a successful innkeeper in Washington, D.C. and was known as being especially flirtatious and talkative for an early 1800s American woman. At a young age she married John B. Timberlake (a member of the Navy), much to the dismay of her many potential suitors. Unfortunately, during an expedition in the Mediterranean Timberlake succumbed to pneumonia, leaving Peggy O'Neill widowed. The couple's close friend and Secretary of War John Eaton, swiftly courted O'Neill and the two were married in less than nine months. In an American society still influenced heavily by Puritanical doctrine, one can surmise that this could be the reason that the Eatons were the subject of much criticism in Washington.

The criticism was taken to new levels by the Vice President's wife, Floride. Floride Calhoun was conservative even by 19th century standards, and she conspired against Peggy with the other

[148] Marszalek, John F. *The Petticoat Affair: Manners, Mutiny, and Sex in Andrew Jackson's Whitehouse.* LSU Press, 2000.

cabinet members' wives. Not only was the mourning period in between marriages deemed unsatisfactory, but rumors of infidelity before Timberlake's death ran rampant. Perhaps the most heinous charge against Peggy O'Neill was that her husband committed suicide while at sea after learning about his wife and John Eaton. Historians have agreed that there is no way to prove the validity of these claims, but their consequences were tremendous. John C. Calhoun and the majority of the cabinet sided against Eaton; Jackson and Van Buren sided with the couple in question.

Historians attribute Jackson's adamant defense of Peggy O'Neill to the early death of his wife Rachel. When Jackson was running for president in 1828, pro-Adams newspapers ran stories claiming that Rachel married Andrew before her first marriage was officially annulled. Changing state lines and distance played a part; Rachel Jackson was dubbed as an adulterer and as a woman with low morals. The negative stories written about her caused her to be depressed and when she died of a heart attack in 1828, Jackson accused the malicious actions of his political rivals as causing the death of his beloved Rachel. At her funeral the 8th president stated as such, "May God Almighty forgive her murderers, I never can."[149] When Peggy O'Neil and her husband John Eaton faced the same backlash for their relationship, Old Hickory to no surprise took their side. His political ally Martin Van Buren was a bachelor, as well as a resourceful political tactician, and he knew his best chance at the presidency came with supporting the most popular man in America.[150] The scene was set; Jackson and Van Buren versus the Calhouns.

Three major events caused the division in Jackson's cabinet; Jackson being censured during the Seminole War, the Petticoat Affair, and John C. Calhoun's reaction to protective tariffs. Simultaneously while the Petticoat Affair was the gossip of America, the question of a new protective tariff provided even more speculation into the future of Jackson's cabinet. The fallout following the Tariff of 1828 is

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[149] Boller, Paul F. *Presidential Campaigns: From George Washington to George W. Bush.* Oxford University Press, 2004. Pg. 46.
[150] Widmer, Ted. *Martin Van Buren The American Presidents Series: The 8th President. 1837-1841.* Henry Holt and Company, 2005.

where Calhoun's venture into sectionalism first came to light. While earlier attempts at protective tariffs were supported by Calhoun, the general view of tariffs in the American South were negative. By the early to mid-1800s, the American South was rapidly developing its own economy and culture. Anything that came close to threatening the "Southern way of life" was immediately opposed. The "Tariff of Abominations" as it was dubbed, was no exception. Robert Y. Hayne and William C. Preston (two politicians that worked closely with Calhoun), asked the vice-president to prepare a report on the problems associated with the tariff. During the intermediary period between John Quincy Adams's and Andrew Jackson's presidency, John C. Calhoun (at the urging from his constituents in South Carolina) authored the *South Carolina Exposition and Protest.*

The *South Carolina Exposition and Protest* highlighted the issues and concerns Southerners felt in regard to the tariff in question. In this relatively short piece, Calhoun's penchant for political theory was on display. Calhoun's reach did not permeate the Northern states, and the former vice-president realized that to win any sort of political battle he had to rely heavily on his Southern constituents. This is why Calhoun agreed to write this work in the first place, to make sure that his base voters would support him in upcoming elections. Essentially going against what the president, he was serving under, essentially confirmed that Calhoun was aligning with Southern interest at the expense of Northern or even Western votes. In the *South Carolina Exposition and Protest*, Calhoun opens by arguing that protecting one section at the expense of the another is not only wrong, but oppressive and unconstitutional. Strong words from the current Vice-President of the United States.

As a Republican, Calhoun was obviously familiar with Jeffersonian thought, and invoked the former president's ideology throughout the *Exposition*. In a nod to Jefferson's earlier writings, Calhoun discusses the role that "implied powers" had in levying a tariff. Just like his intellectual predecessor, Calhoun claimed that the authors of the tariff had provided no such justification confirming that the tariff was indeed, constitutional. Furthermore, Congress was only explicitly authorized to establish a tariff as a tax for revenue, not as protectionist measure. Calhoun calls this distinction an attack not on

the letter of the Constitution, but on the meaning. The vice-president made these stances clear when he wrote,

> The Constitution grants to Congress the power of imposing a duty on imports for revenue, which power is abused by being converted into an instrument of rearing up the industry of one section of the country on the ruins of another. The violation, then, consists in using a power granted for one object to advance another, and that by the sacrifice of the original object. It is, in a word, a violation by perversion, the most dangerous of all because the most insidious and difficult to resist.[151]

Clearly in accordance with Jefferson, the strict Constitutionalism attributed to early Republican leaders is rampant throughout the *Exposition*. Calhoun believed that if the power was not explicitly granted, that it should not exist. Just as New Englanders began to hear the rumblings of secession in the 1810s, so did Southerners in the 1830s. Just like his political rivals in Hartford had down twenty plus years early, Calhoun never does more than hint at the prospect of secession. However, Calhoun flirts with the concept openly, something that the Federalists never dared to do.

> On entering on this branch of the subject [the inequality and oppression of the Tariff system], the committee feel the painful character of the duty which they must perform. They would desire never to speak of our country, as far as the action of the General Government is concerned, but as one great whole, having a common interest, which all the parts ought zealously to promote. Previously to the adoption of the Tariff system, such was the unanimous feeling of this State; but in speaking of its operation, it will be impossible to avoid the discussion of sectional interest, and the use of sectional language. On its authors, and not on us, who are compelled to adopt this course in self-defence, by injustice and oppression, be the censure.[152]

The United States in itself, has always been sectional to some degree. Jefferson and Madison's *Resolutions* were the first works to openly condemn an act taken up by the federal government. Their precedent emboldened Calhoun: if the founding fathers deemed nullification as a viable political tool then so should Americans in the 1830s.

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[151] Calhoun, John C. *The Works of John C. Calhoun (ed. By RK Cralle)*. Oxford University, 2006.
[152] Calhoun, Pg 4.

In Hartford, Federalists complained that a war with Great Britain was injurious to the entire American Northeast. Calhoun invoked the same sectional feelings pushed by the Essex Junto, and applied them to the situation in the American South. In an effort to conjure emotion from his constituents, the vice-president spoke of the glorious sun, fields and providence that God had given to the Southern states. If a tariff were to pass, Calhoun claimed that the South would, "languish in poverty and sink into decay".[153] Those that did not have the benefit of being Southern, were going to steal the property for themselves at the cost of widespread ruin below the Mason-Dixon line. The South would have been forced to cease its agrarian way of life according to Calhoun; agrarianism was not only an economic staple, but an important part of Southern culture. Calhoun framed the tariff as not only an attack on your business, but as an attack on your way of life as well. The Essex Junto and other Federalists used the same political technique during the years leading up to the War of 1812, when they invoked images of halted commerce and financial ruin.

Calhoun became the voice of the South throughout the later years of his political service; his advocation of states' rights turned his nationalistic approach to politics into a sectionalist one. This was in part, due to Jefferson's assertion that the United States was but a collection of individual states, not a singular country. Calhoun found his allegiance rested not with the country as a whole, but with South Carolina, a state that he watched his father serve when he was just a child.[154] In his opinion, he was elected by the South Carolina legislature and therefore, it was his duty above all else, to protect the interests of his home state. On this platform, Calhoun continued in his *Exposition* by stating that the interests of the North did not line up with the South in any way. This is nothing but incendiary doctrine; purposefully used to create a stronger aversion to the tariff in question. In many ways, it's the same sectional feeling invoked by Pickering and the Essex Junto in the early 19th century.

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[153] Calhoun, John Caldwell. *The Works of John C. Calhoun: Reports and Public Letters.* Pennsylvania State University, 1856. Pg. 10.
[154] Bartlett, pg. 23.

Calhoun made it his goal to protect the minority from an "absolute majority"; the minority being his constituents in the South. Channeling Federalists decades earlier, Calhoun cast his support behind a section of the country that felt their voices were not being heard. Towards the end of his *Exposition*, the issue of country versus confederation yet again arises. Calhoun believed that since the states and federal government were technically two separate entities (Jeffersonian-style republicanism), that neither could encroach upon the other without it being deemed as unconstitutional.

> Our system, then, consists of two distinct and independent Governments. The general powers, expressly delegated to the General Government, are subject to its sole and separate control; and the States cannot, without violating the constitutional compact, interpose their authority to check, or in any manner to counteract its movements, so long as they are confined to the proper sphere. So, also, the peculiar and local powers reserved to the States are subject to their exclusive control; nor can the General Government interfere, in any manner, with them, without violating the Constitution.[155]

Again, this solidifies the clear effect that the doctrine of Jefferson and Madison had on Calhoun; strong states-rights, a protection of the minority and a strict view of the Constitution.

To justify his support of states "checking" the power of the federal government, Calhoun offered this solution, "Is there danger, growing out of this division, that the State Legislatures may encroach on the powers of the general government? The authority of the Supreme Court is adequate to check such encroachments." Using this system of checks and balances between the multiple "layers" of government in and of it itself is a positive idea, however Calhoun's non-compromising application of this ideology is what was troublesome. His conclusion at the end of the *South Carolina Exposition and Protest* came to the same realization that Jefferson did in his *Resolution*; individual states have the right to interpose the federal government if such a drastic action was deemed appropriate.[156]

The tension between the president and vice-president reached a boiling point, as the two men were on opposite sides of the spectrum on all of the issues in question. To Calhoun, government existed by the consent of the governed, and his home state was certainly not interested in self-damaging legislation. To fully grasp Calhoun's political ideology and how it was further inspired by prior nullifiers (as well as to finally understand

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[155] Calhoun, Pg 6.
[156] Calhoun, Pg. 54.

the final division between Jackson and Calhoun), two more significant speeches made by the vice-president must be considered. As South Carolina considered the notion of nullifying the "Tariff of Abominations", John C. Calhoun doubled down on his states' rights ideology in an address that he wrote at his Fort Hill plantation. Already famous for his oratorical talents, this piece solidified that his penchant for writing was just as impressive.

While many Americans considered Constitutional theory as a topic best discussed in the Supreme Court, Calhoun believed ideological Constitutional discussion should be part of everyday political discourse.[157] In his *Address On the Relation Which the States and General Government Bear to Each Other,* Calhoun fully expands on his interpretation and application of the United States' Constitution. Calhoun testified at the beginning of this work that the concept in question (how the state and general government bear to each other), had not been solved yet, nor had it been solved at the nation's conception. Even with the danger presented by the Essex Junto years earlier, there was still no answer as to what exactly the relationship was between the different levels of government. The Essex Junto came up short of their final goal (possible disunion), so the entire issue was essentially considered a moot point. Jefferson laid the groundwork, the Essex Junto propagated the ideas and eventually, Calhoun carried them out. Within the first two pages of the Fort Hill Address (as it was alternatively dubbed), the vice-president solidified the thought that he shifted from a nationalist view to a more sectionalist one. When writing as to why some of his constituents in the South had their reservations about his public service record, he confirms his own shift in political thinking. "Nearly half of my life has been passed in the service of the Union, and whatever public reputation I have acquired in indissolubly identified with. To be too national has, indeed, been considered by many, even my friends, my greatest political fault."[158] Here, Calhoun addressed his nationalistic past and clearly tries to separate himself from that earlier connotation. Shortly after this address, Calhoun and Jackson finally formally split and the Vice-President resigned from his post. The hope was that his staunch support of Southern rights could propel him to the presidency.

The Great Triumvirate (Calhoun, Clay and Webster) always faced criticism in reference to their

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[157] Alecusan, George. *The Political Philosophy of John C. Calhoun: An Argument Worth Refuting.* Ashbrook Statesmanship, 2010.
[158] Calhoun, John C. The Fort Hill Address of John C. Calhoun, July 26th, 1831. The Ohio State University, 1967.

overwhelming ambition, and how it in many cases, clouded their judgement.[159] Was Calhoun putting his faith solely in his Southern constituents in hopes of securing a voter base for upcoming elections? The answer is unequivocally yes, however his family ties and father's political stances suggest that his reasons for advocating nullification were indeed two-fold. Federalist leaders in the early 1800s also tried to consolidate power by targeting a marginalized group, and essentially the South served Calhoun the way New England served Pickering and Cabot. By the 1830s, Calhoun had become the "heir apparent" to the school of Jeffersonian thought. While many consider the Constitution to be a living, breathing document, the strict unwavering constitutional theory of Republicanism in the mid-19th century seems outlandish by today's standards. By that notion, Calhoun made a claim in the early stages of his work that the doctrine of nullification was indeed, the cornerstone of the American government. This same argument was advanced by Jefferson and Madison, when they affirmed nullification's place in American political doctrine.

Placing so much stock in one political ideology had two effects; below the Mason-Dixon line many Americans threw their support behind their fellow Southerner, and elsewhere the accusation of being an extremist was levied by his detractors. The parallels between this admonishment of the South, and the way Federalists were treated post-Hartford Convention are of note. When explicitly discussing nullification, Calhoun wrote,

> I solemnly believe it to be the only solid foundation of our system, and of the Union itself; and that the opposite doctrine, which denies to the States the right of protecting their reserved powers, and which would vest in the General Government (it matters not through what department) the right of determining, exclusively and finally, the powers delegated to it, is incompatible with the sovereignty of the States, and of the Constitution itself, considered as the basis of a Federal Union. As strong as this language is, it is not stronger than that used by the illustrious Jefferson, who said, to give to the General Government the final and exclusive right to judge of its powers, is to make "its discretion and not the Constitution, the measure of its powers;" and that, "in all cases of compact between parties having no common judge, each party has an equal right to judge for itself, as well of the infraction as of the mode and measure of redress." Language cannot be more explicit, nor can higher authority be adduced.[160]

This excerpt is most telling in regard to Calhoun's personal viewpoint on the functionality of the

[159] Remini, Robert V. *Daniel Webster: The Man and His Time.* W.W. Norton & Company, 1997.
[160] Calhoun, pg. 4.

United States Constitution. Not only does he acknowledge that nullification is indeed a part of the American political experiment, he claims that it is solely the most important part of our government's structure. The protection of states' rights to Calhoun, should have been at the forefront of American thought. To further back up his claim, Thomas Jefferson is yet again cited as being the true author of this doctrine. Jefferson was the perfect politician to constantly cite, as he was given almost god-like status by some of his constituents. This is clearly evidence in and of itself, that the concept of interposition that Jefferson used forty years prior to disrupt John Adams's presidency, had longer lasting effects than perhaps even he was aware of. Jefferson advanced this concept to belittle John Adams, yet the third president was clearly a unionist. Calhoun claimed that Jefferson was indeed the highest authority when discussing constitutional theory (expected claim from a staunch Republican), and that nullification must obviously be constitutional if Jefferson himself backed it.[161]

Trained in classical history and literature as all early American statesmen were, Calhoun compared the current state of the North and South to the city-states of Sparta and Athens. By this notion, Calhoun attempted to explain how in all societies there exists a variety of opinions. These differing opinions (when channeled correctly) should be used as a system of checks and balances. Retrospectively, Calhoun should have paid closer attention; Sparta and Athens took up arms to settle their issues, a fate that the union faced less than thirty years after this address. However, just how Sparta and Athens both had their own geographical pros (one being a naval power, the other a land power) so to, did the United States. Differing interests over such a large physical area (shipping, farming, manufacturing) in the United States is what led to contest, exactly like in Ancient Greece. If the city-states of classical Greece had separate governments, the United States should as well. Calhoun made this comparative analysis between the two "countries" known when he wrote,

> So numerous and diversified are the interests of our country, that they could not be fairly represented in a single government, organized so as to

[161] Taliaferro-Hunter, Robert Mercer. *Life of John C. Calhoun: Presenting a Condensed History of Political Events from 1811 to 1843.* Harper & Brothers, 2006. Pg 42.

> give to each great and leading interest a separate and distinct voice, as in governments to which I have referred. A plan was adopted better suited to our situation, but perfectly novel in its character. The powers of government were divided, not, as heretofore, in reference to classes, but geographically. One General Government was formed for the whole, to which were delegated all the powers supposed to be necessary to regulate the interests common to all the States, leaving others subject to the separate control of the States, being, from their local and peculiar character, such that they could not be subject to the will of a majority of the whole Union, without the certain hazard of injustice and oppression.[162]

The emphasis placed on geography is similar to the issues voiced by Federalists and the Essex Junto during the Hartford Convention. Could a country survive with such a diverse set of goals and cultures? The fact that Calhoun studied at Yale, and was exposed to New England's Federalist doctrine, one can surmise that he was at least familiar with the more extremist ideologies presented by the Essex Junto. One of their main reasons for pushing a secessionist agenda was their problem with how large the United States had grown. The one caveat that existed from the start of the "American experiment", were the problems that existed due to trying to govern a nation as sizable as the United States. The Essex Junto disliked both the West and the South, and this sectionalist attitude was adopted by Calhoun.[163]

Jefferson and other early leaders advocated for state governments to maintain order across the whole of North America. Calhoun once gain channels his predecessors by essentially stating that states are almost too unique to be homogenously organized under any one specific umbrella. In a unified nation, portions of the country that are negatively affected by legislation must rely on the democratic nature of the American government (voting) to ensure certain trespasses will not happen again. This sentiment is shared with how New Englanders and the Essex Junto felt thirty years prior. On the reverse and as Calhoun advocated for, if each state were given their own "veto" power, then the voice of the minority would always be protected. Calhoun believed that democratic choice should be extended to

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[162] Calhoun, Pg. 10.
[163] Banner, Pg. 65

those who need it, regardless of if their policies were defeating using the proper and necessary channels.

To defend his claim that it is truly the states that hold the power over the Federal government Calhoun wrote,

> So far from extreme danger, I hold that there never was a free State in which this great conservative principle, indispensable to all, was ever so safely lodged. In others, when the co-estates representing the dissimilar and conflicting interests of the community came into contact, the only alternative was compromise, submission, or force. Not so in ours. Should the General Government and a State come into conflict, we have a higher remedy: the power which called the General Government into existence, which gave it all its authority, and can enlarge, contract, or abolish its powers at its pleasure, may be invoked. The States themselves may be appealed to,- -three fourths of which, in fact, form a power, whose decrees are the Constitution itself, and whose voice can silence all discontent. The utmost extent, then, of the power is, that a State, acting in its sovereign capacity as one of the parties to the constitutional compact, may compel the Government, created by that compact, to submit a question touching its infraction, to the parties who created it; to avoid the supposed dangers of which, it is proposed to resort to the novel, the hazardous, and, I must add, fatal project of giving to the General Government the sole and final right of interpreting the Constitution;--thereby reversing the whole system, making that instrument the creature of its will, instead of a rule of action impressed on it at its creation, and annihilating, in fact, the authority which imposed it, and from which the Government itself derives its existence.[164]

In many ways, this view of the governmental structure of the United States is virtually taking the "last resort" option of nullification advocated by Jefferson and applying it to the general government as a normal and expected political weapon. Even in the early 1800s this ideology was deemed at best troublesome, and at worst extremist. Nonetheless, the fact remains that it was still a crucial part of American democracy, even if public sentiment was negative.

John C. Calhoun's political career reached new heights in the 1830s and 1840s, but the Executive's Office continued to elude his grasp. From 1832 to 1843, Calhoun served in the United States Senate and remained relatively independent (preferring instead to focus his attention on South Carolina). The first year of his tenure in the Senate, yet another sectionalist quarrel broke out between

[164] Foster, Roger. *Commentaries on the Constitution of the United States, Historical and Judicial.* Boston Book Company, 1895. Pg. 217.wzeA. Pg. 127.

the North and South. In what is now dubbed as the "Nullification Crisis", Southerners fought back against what they deemed to be an unjust tariff (much like the Tariff of 1828). Calhoun's decision to relinquish the Vice Presidency and become a Senator of South Carolina gave him the opportunity to speak freely in defense of his home state.

While the Tariff of 1832 was more widely accepted (even in parts of the South), South Carolina still strongly opposed its implementation. A convention was held in which delegates from South Carolina channeled the points made in Calhoun's *South Carolina Exposition and Protest* and put them to use. On November 24th, 1832 the convention (headed by Calhoun and Robert Y. Hayne), voted 136 to 26 to adopt the measures of nullification. The Ordinance of Nullification claimed that the recently implemented tariff was "null, void, and no law, nor binding upon this State, its officers or citizens."[165] Furthermore, the Ordinance essentially claimed that even if force were used, South Carolina would not back down, "We will not submit to the application of force, on the part of the Federal Government, to reduce this State to obedience."[166] The similarities between the Ordinance of Nullification, and the Kentucky and Virginia Resolutions, are undeniable. An executive order was once again being challenged by a state, and the Federal Government's power was once again in question.

This time however, the executive took a much stronger stance than John Adams did in the late 18th century. Already a devoted enemy of Calhoun, Andrew Jackson was a staunch unionist, and what was happening in South Carolina undoubtedly made "Old Hickory's" blood boil. Less than a month after the start of the Nullification Crisis, Jackson issued a warning to the people of South Carolina that asserted the power of the Federal Government, warning that "disunion by armed force, is treason".[167] With armed conflict seemingly about to erupt, compromise or war were the only two options. At this juncture, Calhoun chose the route of compromise and worked with Senator Henry Clay to construct the

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[165] *Journal of the Senate of the State of Ohio: Volume 32.* Ohio State University, 1833. Pg. 350-353.
[166] *Journal of the Senate of the State of Ohio: Volume 32.* Pg. 352.
[167] Draper, John William. *History of the American Civil War: Containing the Causes of the War, and the Events Prepatory to it, Up to the Close of President Buchanan's Administration.* University of Iowa, 1867. Pg. 374.

Compromise Tariff of 1833 (the new tariff promised a slow decrease in taxes over the next decade). On the same day that the Compromise Tariff was proposed, Jackson issued the Force Bill, a bill that gave him the authority to send the military into South Carolina if they did not comply with the federally mandated tariff. Luckily the Compromise Tariff was accepted, and military intervention was avoided, but again this was simply another quick compromise that did not settle the issue of who had ultimate authority in the United States. South Carolina still believed themselves to be autonomous, and actually nullified the Force Bill out of principle (although they did not have to since a compromise was already reached).[168]

His departure from the cabinet and his role in the nullification crisis caused Calhoun's popularity across the United States (save for South Carolina and parts of the South) to plummet. While other anti-Jackson politicians banded together to form the Whig Party, but Calhoun's stance on nullification alienated him from Whig elites. In a last-ditch effort to hopefully reach the coveted executive office, Calhoun supported President Van Buren's plan for an independent treasury. Jackson had killed the National Bank, and this alternative was proposed by Democrats after the Panic of 1837. Calhoun had now positioned himself between both the Whig and Democratic Party, and in 1843 he decided to push for the Democratic nomination. The problem was that Calhoun (like today), was associated with one singular goal, possible secession. With no support anywhere outside of his home state of South Carolina, Calhoun withdrew from the race.[169]

The former senator did not have to wait long for another opportunity for political glory; he was named John Tyler's Secretary of State in 1844 following Abel S. Upshur's death at the hands of a malfunctioning cannon on the *USS Princeton.*[170] Following the *USS Princeton* tragedy, the nation was still clamoring for answers in regard to the "Texas Question". Americans were split as to whether they

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[168] Cutler, Henry Gardner. *History of South Carolina: Volume 2.* Harvard University, 1920. Pg. 593-594.
[169] Bicknell, John. *America 1844: Religious Fervor, Westward Expansion, and the Presidential Election that Transformed the Nation.* Chicago Review Press, Incorporated, 2012. Pg. 39-59.
[170] May, Gary. *John Tyler: The American President Series.* Henry Holt and Company, 2008. Pg. 109-110

wanted to annex Texas and incorporate it into the union. President John Tyler was a notable nationalist, and attributed his want for Texas to American nationalism. Calhoun on the other hand, viewed the Texas situation in a much more sectional fashion. If slavery had come to Texas, slave states would have had an advantage in the United States government. Americans knew the risk proposed by a possible extension of slavery, and the Senate rejected Tyler's attempt to annex Texas. Many at the time, were wary of Calhoun's role in the deliberations. Calhoun had communicated to the British that slavery would exist in Texas, and there was nothing they could do about it. Americans knew that his views were not congruent with a unified nation. In many ways, Calhoun faced the same criticism that Timothy Pickering did years before. Both men were synonymous with being anti-unionist and in many ways, became the main example of secession for most Americans.[171]

John Tyler's attempt to annex Texas may have failed, but with the election of James K. Polk (who Calhoun identified as pro-slavery and openly supported), the process of annexation was renewed. Texas was officially annexed December 29th, 1845 and shortly after, Calhoun found himself at odds with the same man he had just supported, James K. Polk. Mexico were the rightful owners of Texas and after the United States annexed the area, war broke out. Polk was an expansionist and saw the Mexican-American War as another opportunity to gain territory, a sentiment that Calhoun felt was incompatible with republicanism.[172]

Here is perhaps one of the few examples where Calhoun's political leanings did not follow his predecessors. Even those who prescribed to sectionalist ideology before him (Jefferson, Madison, Pickering), were proponents of expansionism, whether it be the American west or the whole of Canada. This divergence is of note, but Calhoun could not halt the coming war and with the singing of the Treaty of Guadalupe Hidalgo, The United States now had access to thousands of acres of unsettled

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[171] Stark, James Henry. *The Loyalists of Massachusetts and the Other Side of the American Revolution.* Good Press Publishing, 2019.
[172] Niven, John. *John C. Calhoun and the Price of Union: A Biography.* LSU Press, 1993. Pg. 269-285.

land. California, Arizona, Utah, Colorado, Nevada and parts of New Mexico were now under the jurisdiction of the United States, and the issue of slavery in new territories arose yet again.

Southerners and Northerners realized that the only way to avoid armed conflict was compromise. An omnibus bill chiefly authored by Henry Clay was proposed, and became known as the Compromise of 1850. The provisions contained in the compromise were that California was to be admitted as a free state, the New Mexico and Utah territories were to be organized, the introduction of the fugitive slave act, Texas dropped its claim to New Mexico in exchange for 10 million dollars, and the slave trade was abolished in the District of Columbia. Slavery advocates found the bill to be inadequate, and many turned to Calhoun for an answer.[173]

In response to the proposed Compromise of 1850, Calhoun channeled his predecessors yet gain, and organized a convention to discuss the measures. Dubbed the Nashville Convention, delegates from 9 slave states met in Tennessee to discuss the possibility of secession if slavery was not properly protected.[174] The Nashville Convention followed path very similar to the earlier Hartford Convention. Some of the attendees were rather extremist, pushing for secession and pinning the blame on the Northerner's distaste for their "peculiar institution". Like the Hartford Convention however, moderate voices prevailed, and drastic action was never taken. Calhoun warned his constituents that the balance of power had shifted, but his pleas fell on deaf ears. The similarities between Calhoun's role at the Nashville Convention and the Essex Junto's role at the Hartford Convention are undeniably profound. At this juncture however, Calhoun was a sick with tuberculosis and could not deliver his own speeches on the matter. In retrospect, perhaps if he were healthy and had the full array of his oratorical talents on display, the American Civil War may have occurred earlier.

The Compromise of 1850 was eventually passed, and Calhoun died due to complications from

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[173] Maizlish, Stephen. *A Strife of Tongues: The Compromise of 1850 and the Ideological Foundations of the Civil War.* University of Virginia Press, 2018.
[174] Nivens. Pg. 338.

tuberculosis shortly after. His physical death did not mark the true end of Calhoun's influence however, as his secessionist ideologies (which he procured from earlier statesmen), were passed down to Southern politicians. Calhoun was successful in passing on the idea that secession was a protected right under the Constitution. As historian William Barney put it, "appealing to Southerners concerned with preserving slavery. ...Southern radicals known as 'Fire-eaters' pushed the doctrine of states' rights to its logical extreme by upholding the constitutional right of the state to secede".[175]

[175] Barney, William L. *The Oxford Encyclopedia of the Civil War.* Oxford University Press, 2011. Pg. 304.

Conclusion: A Retrospective Look at Nullification, Interposition and Secession

Once again, Calhoun is many times seen as solely responsible for bringing secessionist ideology to mainstream American politics. Evidence shows that while he may have been the main voice of interposition, he was not solely responsible for the feelings shared by Southerners leading up to the Civil War. Calhoun's leanings became inherently sectional in the 1830s, and this was only three decades after Jefferson and Madison first advocated for nullification. These early attempts by Jefferson and Madison were still fresh in the minds of American politicians. If there was no mention of said ideologies until Calhoun's rise to national prominence, then a case could be made that he was its sole proponent. This is not the case however, as multiple secessionist plots were undertaken numerous times during that time period. Burr, Pickering and the Essex Junto's plots clearly show that Calhoun's ideologies were not as unique as perhaps some are inclined to believe.

All of the plots shared many things in common, distinctly, a defense of the minority against the "tyranny" of the majority. Whether it was in response to unfair presidential decrees, an unwanted war, or an infringement on a group's "way of life", secessionism and nullification have been concepts in American politics since the very beginning. The argument could even be made that the United States was originally formed from Great Britain using many of the concepts above. While markedly different in certain ways, the colonists were again, a minority group choosing to disregard the government they lived under in an attempt to gain more true control of their political dealings. The same ideologies pushed by secessionists in the 19th century were seen as patriotic less than a century before during the American Revolution. In the case of the Essex Junto and the Hartford Convention, they came about in the original hotbed of patriotism (New England), and took many cues from their forefathers, yet were viewed negatively by their contemporaries.

While the Virginia and Kentucky Resolutions respectively laid the groundwork for Calhoun's later political discourse, the plots proposed by the Essex Junto is what truly brought secessionism to the forefront. The similarities between the political ideology of those present at the Hartford Convention

and John C. Calhoun can not be overstated. Both parties believed their way of life was being threatened (global trade and slavery), and both used the shield of religion to justify their wants. Federalist clergymen advocated for secession the same way that Southern preachers defended slavery to the bitter end. Even further, New Englanders and Southerners both went as far as to have separate conventions whose proceedings teetered close to disunion.

So where does the disconnect occur, regarding Calhoun's placement in history as the true author of secessionism? At times, Calhoun even referred to Jefferson as the true "Father of Nullification". Again, this paper is in no way a defense of Calhoun's role in perpetuating slavery and spurring the Civil War, but it would be a historical disservice to simplify interposition's role in American history. With the abolition of slavery and the South's defeat, Northerners placed the blame for the Civil War on their neighbors below the Mason-Dixon Line. In this vein, Northerners accused the South (and Calhoun) as being the major architects behind secession, as if it were a unique idea.

The truth behind the secessionist ideology that exists in the United States, is that it is a direct result of early politicians' decision to not fully identify the true nature of the union. Founders like Madison and Jefferson themselves never took a hard stance; both served as President of the United States, yet both still advocated for nullification. It took a civil war to determine that our compact is indivisible, and not a loose collection of autonomous states who could choose to leave the Union if they saw fit. Calhoun was undoubtedly the focal voice for secessionism in the mid-1800s, but his rhetoric never reaches the levels it did without the indecision exhibited by the Constitution's original framers.

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