Chapter 9: OUR FEDERAL UNION & Indian Removal
Objectives:

• We will examine the nullification crisis between John Calhoun and Andrew Jackson and the growing tension between the Federal Government and States rights.
• We will examine the actions of the Federal Government in their forcible removal of Indians from their lands against their will.
• We will examine how certain tribes responded to the removal efforts by the American government.
“Thou shalt not defraud thy neighbour, neither rob him: the wages of him that is hired shall not abide with thee all night until the morning.” Leviticus 19:13
• Jackson’s commitment to extending power beyond entrenched elites led him to want to reduce the functions of the federal government.

• The concentration of power in Washington, he believed, restricted opportunity only to people with political connections.
• But Jackson believed in forceful presidential leadership and was strongly committed to the preservation of the Union.
• Thus at the same time that Jackson was promoting an economic program to reduce the power of the national government, he was asserting the supremacy of the Union in the face of a potent challenge.
• For no sooner he entered office that his own Vice President John C. Calhoun advocated a controversial theory: nullification.
• Jackson believed nullification was dangerous.
Calhoun and Nullification:

- In the late 1820s, many South Carolinians blamed tariffs were responsible for the state’s bad economy when in reality it was the state’s exhaustion of farm land.
- Some were so frustrated that they sought secession.
- Calhoun had eyes on the presidency.
Calhoun and Nullification:

• Calhoun sought to develop a moderate alternative to secession: the theory of nullification.

• Drawing from the ideas of Madison and Jefferson and their Virginia and Kentucky Resolutions of 1798-1799 and citing the Tenth Amendment to the Constitution;

• Calhoun argued that since the federal government was a creation of states, the state not the courts or congress were the final arbiters of the constitutionality of federal laws.
Calhoun and Nullification:

- If a state concluded that Congress had passed an unconstitutional law, than it could hold a special convention and declare the federal law null and void within the state.

- The nullification doctrine and the idea of using it to nullify the 1828 tariff quickly attracted broad support in South Carolina.

- But it did nothing to help Calhoun’s standing within the new administration.
The Rise of Van Buren:

- Martin Van Buren was the same age of Calhoun and a former governor of New York.
- He was Jackson’s Secretary of State.
- He was a member of both Jackson’s cabinet and his unofficial circle of political allies called the “kitchen cabinet.”
- Van Buren’s influence with the president was unmatched and grew stronger still as a result of a quarrel over etiquette that drove a wedge between the president and Calhoun.
The Rise of Van Buren:

- John H. Eaton was a friend of Jackson from their days as senator.
- There were rumors that he had an affair with Peggy O’Neale who after her husband died, married Eaton.
- Eaton was appointed Secretary of War but the cabinet wives led by Mrs. Calhoun refused to accept her socially.
The Rise of Van Buren:

- Jackson remembering the public slander against his late wife was empathetic to the Eatons and demanded that Mrs. Eaton be accepted by the Cabinet wives.
- Calhoun under pressure from his wife refused.
- Van Buren, a widower befriended the Eaton’s and Jackson chose him to succeed him in the White House and Calhoun dream for the presidency was no more.
The Webster Hayne Debate:

- In January 1830, the U.S. Senate had another sectional controversy.
- A senator from Connecticut suggested that all land sales and surveys in the West be temporarily discontinued so as to slow the growth of slavery.
- Robert Y. Hayne charged that slowing down the growth of the West was a way for the East to retain power and hinted that the two regions might combine to defend themselves against the tyranny.
The Webster Hayne Debate:

- Daniel Webster, now a senator from Massachusetts and nationalistic Whig, attacked Hayne the next day.
- By attacking Hayne, Webster was attacking Calhoun who he considered their challenge to the integrity of the Union.
- Webster gave two full afternoons delivering what is known as his “Second Reply to Hayne” a speech that Northerners quoted and revered for years to come.
- He concluded with an appeal: “Liberty and Union, now and forever, one and inseparable!”
The Webster Hayne Debate:

- During an annual Democratic Party banquet to honor Thomas Jefferson, the President Jackson toasted, “Our Federal Union, it must be preserved.”
- While he spoke, he looked directly at Calhoun.
The Nullification Crisis:

- In 1832, a tariff bill passed that offered South Carolina no relief from the “tariff of abominations.”
- The South Carolina legislature summoned state conventions and voted to nullify the tariffs of 1828 and 1832 and to forbid the collection of duties within the state.
- At the same time South Carolina elected Hayne to serve as governor and Calhoun resigned as Vice President and took Hayne’s place as senator.
The Nullification Crisis:

- Jackson saw nullification as treason and he strengthened the federal forts of South Carolina and ordered a warship to Charleston.
- When Congress convened early in 1833, Jackson proposed a force bill authorizing the president to use the military to see that acts of Congress be obeyed.
- Violence seemed like a real possibility.
The Nullification Crisis:

- Calhoun faced a predicament as he took his place in the senate.
- Not a single state supported South Carolina and the state itself was divided.
The Nullification Crisis:

- Henry Clay newly elected to the Senate averted the crisis.
- Clay devised a compromise by which the tariff would be lowered gradually so that by 1842, it would reach approximately the same level as in 1816.
- The compromise and the force bill were passed on the same day.
- March 1, 1833, Jackson signed them both.
The Nullification Crisis:

- In South Carolina, the convention reassembled and repealed its nullification of the tariffs.
- Calhoun and his followers claimed victory but the episode made clear that no state could defy the federal government alone.
THE REMOVAL OF INDIANS

- Andrew Jackson made no secret that he desired to move Indians west beyond the Mississippi, out of the way of expanding White settlement.

- Jackson’s antipathy toward Native Americans can be traced to his military campaign against tribes in the Southern border.
The Black Hawk War:

- When a thousand Sauk and Fox Indians led by Black Hawk refused to recognize a treaty, a rival signed a treaty in Illinois and returned to resettle the lands.
- White settlers thought of it as an invasion and the Illinois State Militia and Federal Troops sought to repel this invasion.
- The Whites were extremely vicious as they allied with the Sioux and sought to exterminate Blackhawk’s tribe and nearly slaughtered most of them even though they attempted to surrender.
- This was called the Black Hawk War.
The Black Hawk War:

- The U.S. captured Blackhawk and sent him on a tour out east where Andrew Jackson was one of many curious whites who arranged to meet him.
- Abraham Lincoln served as a captain in the militia but saw no action and Jefferson Davis was in the regular army as a lieutenant.
The Five Civilized Tribes:

- Tribes living in the South in Western Georgia, Alabama, Mississippi, and Florida lived.
- They consisted of the Cherokee, Creek, Seminole, Chickasaw, and Choctaw most of whom had established agricultural societies with successful economies.
The Five Civilized Tribes:

- Cherokees in Georgia formed a very stable and sophisticated culture.
- Their own written language and a formal constitution adopted in 1827 that created an independent Cherokee nation.
- They were more closely tied to their lands than many nomadic tribes.
The Five Civilized Tribes:

- Even some Whites argued that the Cherokee should be allowed to retain their lands since they became such a civilized society and under the pressure of missionaries and government agents gave up their traditional ways.
- The Men gave up hunting for farming while women gave up farming for domestic tasks.
The Five Civilized Tribes:

- The Federal Government worked steadily to negotiate treaties to move them out west.
- But the negotiations were not fast enough for whites.
- The Individual States took the initiative and tried to move them on their own.
- They received assistance in these efforts from Congress, which in 1830 passed the Removal Act with Jackson’s approval.
- This allocated money to finance federal negotiations with the Southern tribes to relocate them.
The Five Civilized Tribes:

- The president quickly dispatched federal officials to negotiate nearly a hundred new treaties with the remaining tribes.
- Thus the Southern tribes faced a combination of pressures from both the state and federal governments.
- Most tribes were too weak to resist.
- Some did.
The Five Civilized Tribes:

- In Georgia, Cherokees appealed to the Supreme Court.
- *Cherokee Nation v. Georgia* and *Worchester v. Georgia*, seemed at least partially to vindicate the tribe.
- But Jackson with hostility towards the Indians and eager to retain political support from White Southerners and Westerners in the increasing partisan battles responded: “John Marshall made his decision, now let him enforce it.”
The Five Civilized Tribes:

- In 1835, the Federal Government extracted a treaty from a minority faction of the Cherokees, none of them a chosen representative of the Cherokee Nation.
- The treaty ceded the tribe’s land to Georgia in return for $5 million and a reservation west of the Mississippi.
The Five Civilized Tribes:

- The great majority of the 17,000 Cherokees did not recognize the treaty as legitimate and refused to leave their homes.
- But Jackson would not be thwarted.
- He sent an army of 7,000 under General Winfield Scott to round them up and drive them Westward at bayonet point.
Trails of Tears:

- About 1,000 Cherokees fled across the state line to North Carolina, where the federal government eventually provided a small reservation for them in the Smoky Mountains, which survives today.

- But most of them made the long, forced trek to “Indian Territory” which later became Oklahoma beginning in the winter of 1838.
Trails of Tears:

- Thousands perhaps an eighth or more perished before or soon after reaching their unwanted destinations.

- Along with the Cherokee between 1830 to 1838, virtually all the Five Civilized tribes were expelled from the Southern states and forced to relocate in the new Indian territory which Congress created the Indian Intercourse Act of 1834.
Trails of Tears:

- The government thought that Indian Territory was safely distant from existing white settlements and consisted of land that most whites found undesirable and labeled by white explorers as the “Great American Desert.”
- Land unfit for habitation.
- Whites, they thought would stay away from this territory.
Seminole War

- Only the Seminoles in Florida managed to resist the pressures to relocate and even their success was limited.

- Like other tribes, the Seminoles agreed under pressure to cede lands to the government and agreed to move to Indian territory within three years.
Seminole War

- Most did move west, but a substantial minority under the leadership of the chieftain Osceola, refused to leave and staged an uprising beginning in 1835 to defend their lands.
- Joining the tribe were a group of runaway black slaves who had been living with the tribe.
Seminole War

- The Seminole War dragged on for years. Jackson sent troops to Florida.
- But the tribe was masters of guerrilla warfare in the jungle everglades.
- Even after Osceola had been treacherously captured by white troops while under a flag of truce and had died in prison, the tribe continued to resist.
- Although white troops had engaged in a systematic campaign of extermination against the Indians and their black allies, they could not defeat them.
Seminole War

- 1,500 white soldiers died and the Federal Government spent $20 million on the struggle and by 1842 the government abandoned the war.
- By then many of the Seminoles had been either killed or moved westward but the relocation of the Seminoles unlike the relocation of most of the other tribes was never complete.
The Meaning of the Removal:

- By the end of the 1830s, almost all Indian societies east of the Mississippi had been removed to the West.
- The tribes ceded over 100 million acres of eastern land to the federal government.
- They had received in return about $68 million and 32 million acres in the far less hospitable lands.
- Eventually these territories would be encroached by White settlers.
Was there other options to removal?

- There were examples of white settlers and native tribes living side by side and creating a shared if not necessarily equal world.
- The Pueblos of New Mexico, fur trading posts in the Pacific Northwest in parts of Texas and California, settlers from Mexico, Canada and the U.S. created societies in which Indians and whites were in intimate contact with each other.
Was there other options to removal?

- Even the Lewis and Clark Expedition, White explorers had lived with western Indians on terms of such intimacy that many of them contracted venereal diseases from Indian sexual partners.
- Sometimes this close contact was beneficial to both sides even reasonably equal.
- Sometimes they were cruel and exploitive.
- But the early multiracial societies of the West did not separate Whites and Indians.
- They demonstrated ways in which the two cultures could interact, each shaping the other.
Was there other options to removal?

- By the mid-nineteenth century, white Americans had adopted a different model as they contemplated westward expansion.
- Plantations were in theory excluded Native Americans.
- So the Western-Moving whites of later years came to imagine the territories they were entering as virgin land with no preexisting civilization,
- Native Americans they believed could not be partners either equal or subordinate in creation of new societies in the West.
Was there other options to removal?

- They were obstacles to be removed and as far as possible isolated.
- By dismissing Native American cultures in that way White America justified to themselves a series of harsh policies that they believed (incorrectly) would make the West theirs alone.