THE NULLIFICATION CRISIS: CONSTITUTIONAL BATTLE OR PERSONAL FEUD?

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Thesis Statement:

Despite federalism serving as a guiding doctrine for relations between states and the federal government since the founding of the United States, federalism played a relatively minor role during the Nullification Crisis of 1830 to 1833 proving less relevant than the overbearing political tensions and personal animosities existing between two key American political figures, Andrew Jackson and John C. Calhoun.

Summary:

In an era wrought with sly partisan maneuvering and bombastic personalities competing for popularity in a changing American political landscape, it is easy to overlook constitutional conflicts rooted in niche ideological differences. This was the reality of the Jacksonian era. Such controversies oftentimes paled in comparison to the sweeping legislation enacted under populist President Andrew Jackson. The Nullification Crisis of 1830 to 1833 was one such conflict that manifested into national strife between President Jackson and his administration, versus the state of South Carolina and other states and individuals sympathetic to nullification. This crisis pitted the federal and state governments against one another, challenging the concept of federalism and increasing sectional division. Despite its unassuming nature centuries later, the crisis was one of the crucial precursors that escalated the division between the states and the federal government, ultimately culminating into secession and the Civil War. Monumental figures, such as President Andrew Jackson, Vice President John C. Calhoun, New York Senator Martin Van Buren, Massachusetts Senator Daniel Webster, South Carolina Governor Robert Hayne, and Secretary of State Henry Clay, each cast sweeping shadows tinted in partisan views and personal misgivings laced throughout the nullification crisis, causing it to transcend mere ideological debate on policy, and adopt a more ominous meaning.

Nullification, whether a state can make void a congressional law, dates back to the foundations of the United States. In relation to federalism, nullification alters the balance between the federal and state governments and shifts the subordinate power of the states and allows them to adopt a power reserved to the federal government. The crisis originated from a conflict caused by the Tariff of 1828, and grew into national strife, pitting the federal government against South Carolina and the president against the vice president. Since the crisis appears to be rooted in political ideology and was seemingly "resolved" with the Compromise Tariff of 1833, its significance is easily downplayed. Yet, the crisis reveals a nation affected by 19th century concerns unimagined or purposely ignored by the founders, and reflected increasing sectionalism between the North, the South, and the West. Deeply rooted and intertwined in this policy conundrum are speeches instigating the crisis's perpetuation. The mounting tensions between President Jackson and John C. Calhoun, the champions of anti-nullification and nullification respectively, and key events led to a climax and eventually "resolution" of the issue.

Historical Framework:

A brief timeline of events that led to the culmination of the crisis include: the adoption of the protective Tariff of 1824; the subsequent Tariff of 1828, also known as the Tariff of

Abominations; the Eaton Affair (1829); the South Carolina Exposition and Protest (1828); the Tariff of 1832; President Jackson's proclamation against nullification and Robert Hayne's counter proclamation (1832); the Force Bill of 1833; Henry Clay's Compromise Tariff of1833; and South Carolina's repeal of nullification (1833). While these events give context to the evolution of the crisis, a simple timeline fails to expose the personal maneuverings and private agendas nestled within each of the events. Not only does what happened prior to the crisis matter, but so too do the players of specific parts and who endorsed which platform.

The animosity between Jackson and Calhoun had reached new heights by April 1830 at the Jefferson Birthday Dinner. The President and Vice President were thus pitted against each other with their opposing views exposed and on display for a host of others to see. The affair was meant to celebrate and commemorate the life and principles espoused by Thomas Jefferson, late champion of the Democratic-Republicans. Some of the guests at the dinner included: Andrew Jackson, John C. Calhoun, Martin Van Buren, Robert Hayne, and Daniel Webster. The dinner's proceedings reached a dramatic climax as Andrew Jackson rose to deliver his toast. The audience sat, ears primed to hear what Jackson, supposed friend of the states, had to say. Martin Van Buren, whose short stature prohibited him from viewing the president, climbed atop his chair to watch the scene unfold.[1] Jackson stood and proclaimed, "Our Federal Union, it must be preserved." Heads turned to Calhoun, expecting a response from the vice president. Calhoun, taking Jackson's words as a direct affront against South Carolina, raised his glass and declared, "The Union- next to our liberty the most dear. May we all remember that it can only be preserved by respecting the rights of the state and distributing equally the benefit and burden of the Union."[2] Historian Richard Sternberg offers a theory of Jackson's motives as devaluing his political opponent, making the rhetoric exchanged at the Jefferson Birthday Dinner have less to do with ideological differences and much more to do with personal animosity and ambition.

Amid the debacle of the nullification crisis, the Supreme Court under Chief Justice John Marshall, faced another constitutional conundrum in *Worcester v. Georgia* (1832).[3] This case related to federalism and questioned whether Georgia had the authority to regulate laws in relation to a Native American tribe. Marshall ruled in favor of the plaintiff, Samuel Worcester, and agreed with the federal government's supremacy in the conflict. Despite the decision, Georgia refused to release Worcester from prison. Jackson cast his sympathies with Georgia and the state's attempt to assert authority over the Cherokee Nation. He did not take action to force Georgia to rescind its unconstitutional law. Instead, Jackson reportedly said, "John Marshall has made his decision; let him enforce it now if he can."[4] This remark symbolizes the president's pejorative disposition towards the Supreme Court and Federalist, John Marshall. *Worcester v. Georgia* had massive implications to the nation's Native American policy, resulting in the Native American Removal Act which legitimized the Trail of Tears.

To understand Jackson and Calhoun, it is essential to review their individual, and at times contradictory, political philosophies. Jackson's personal ideology was fluid and dependent on the mood of the people and his personal mood. Jackson viewed the presidency as, "an instrument of the people against the combined interests of the rich and the incumbent;" this mindset designated the holder of authority in the executive branch as a hero of the majority and the

[1] Jon Meacham, *American Lion*, New York, NY: Random House Publishing Group, 2008, 135.
[2] H. W. Brands, *Heirs of the Founders,* New York: NY, Penguin Random House LLC, 2018, 180.
[3] *Worcester v. Georgia,* 31 US 515, (1832).
[4] John Ehle. *Trail of Tears: The Rise and Fall of the Cherokee Nation,* Bantam Doubleday Dell, Publishing Group, Inc, 1988, 255.

"defender of the liberties of the people."[5] Calhoun, as an emerging congressman during the years of James Madison's presidency, played a monumental role in arguing for America to engage in war in 1812 with Great Britain. His actions during this time indicated an apparent proclivity towards unionism, the seemingly anthesis to nullification.

In Jackson's first year, Calhoun's faith in the president began to decline and morphed into personal distrust and utter contempt. The "Eaton Affair" pitted Jackson and Calhoun against each other in a moral and social context. Cabinet members and their wives, including the Calhouns, believed that John Eaton, one of Jackson's closet friends and freshly appointed Secretary of War, and his wife, Peggy, consummated a relationship born out of adultery and began to shun Peggy. As a friend of the Eatons, Jackson viewed the affair as a personal affront, thus dividing the cabinet and resulting in mass resignation of his cabinet. The situation strongly reminded Jackson of the adultery charges labelled against his late wife, Rachel, who died shortly after his election, and Jackson never forgave his political rivals for the emotional stress this caused her, insisting her premature death was a result of this distress. The affair deepened the already existing rift between the president and vice president.

Initially, the political buzz around Washington wagered Jackson to be a one-term president. Calhoun accepted the position of vice president with the hopes that the office would serve as a stepping stool to the presidency. However, Van Buren proved himself indispensable to Jackson during the Eaton Affair, thus earning the president's trust and good favor. Jackson understood that he must place personal opinions aside to appeal to multiple regions and had to use caution to secure the North's support come re-election.[6] Like Jackson, Calhoun, too, recognized the need to appeal to a wider audience in order to secure power.[7]

Conclusion:

The Nullification Crisis was ultimately averted and Calhoun was left as the perfect picture of a "political monomaniac," scheming to bring ruin on the president, revive the crushed principle of nullification, and disband the Union once and for all.[8] It also led to Calhoun's resignation as vice president and return to the Senate where he believed he was better poised to continue the fight. A concerned Jackson wrote in a letter that, "the tariff was only pretext, and disunion and Southern confederacy the real object. The next pretext will be the negro, or slavery question."[9] Neither man lived to see Jackson's worries come to fruition. The strained relationship between Calhoun and Jackson never mended, as their rivalry continued in the political and personal sphere. Following Van Buren's succession as president, Jackson reportedly declared, "My only two regrets in life are that I did not shoot Henry Clay and hang John C. Calhoun." Overbearing regional and partisan political tensions, private ambitions, and personal animosities that existed between and among key American political figures of the era had a drastic influence on the outcome. Partisan views and personal misgivings jettisoned a niche political theory into a national crisis that almost destroyed the nation. This perplexing episode from America's political past, when viewed through the lens of history takes on a more ominous character as the nation approached civil war.

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[5] Meacham, *American Lion,* 120.
[6] Richard R. Stenberg, "The Jefferson Birthday Dinner, 1830," The Journal of South History, vol. 4, no. 3, Aug. 1938. 335.
[7] Irving H. Barlett, *John C. Calhoun: A Biography*, New York: NY, W.W. Norton & Company, Inc., 1993, 142.
[8] Barlett, *John C. Calhoun: A Biography,* 202.
[9] Meacham, *American Lion,* 247.

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