

The Spoils System 1829

After coming to office in 1829, Jackson began to fire high-ranking, long-serving government officials—Washington bureau chiefs, land and customs officers, and federal marshals and attorneys. Jackson claimed to be purging the corruption, laxity, and arrogance that came with long tenure, and restoring the opportunity for government service to the citizenry at large through "rotation in office." Under the guise of reform, many offices were doled out as rewards for political services.

Jackson denied that political criteria motivated his appointments, claiming honesty and efficiency as his only goals. A Jackson senator from New York, William L. Marcy, defended Jackson's removals by proclaiming frankly in 1832 that in politics as in war, "to the victor belong the spoils of the enemy." Jackson was never so candid—or so cynical. Creating the "spoils system" of partisan manipulation of the patronage was not his conscious intention. Still, it was his doing.

The Indian Removal Act 1830

Jackson's views regarding American Indians also challenged the law. Indian nations had been largely erased or removed from the northeastern United States by the time Jackson became President. But in the southwest, the Cherokees, Chickasaws, Choctaws, and Creeks still occupied large portions of Georgia, Alabama, Mississippi, and Tennessee. Treaties were and continue to be legal agreements among sovereign nations. However, Jackson refused to believe that Native American tribes were sovereign and thus viewed Indian treaties as an absurdity. Jackson did not hate Indians as a race. He was friendly with many individual Indians and had taken home an Indian orphan from the Creek campaign to raise in his household as a companion to his adopted son. But Jackson did believe that Indian civilization was lower than that of whites, and that for their own survival, tribes who were pressed by white settlement must assimilate as individuals or be removed to the west out of harm's way.

The inherent conflict between tribal and state authority came to a head just as Jackson assumed office. The Cherokee nation had acquired many of the attributes of white civilization, including a written language, a newspaper, and a constitution of government. Under its treaties with the federal government, the tribe claimed sovereign authority over its territory in Georgia and adjoining states. Georgia, Alabama, and Mississippi countered by asserting state jurisdiction over their Indian domains. Jackson backed the states. He maintained that the federal government had no right to defend the Cherokees against Georgia's encroachments. If the Indians wished to maintain their tribal government and landownership, they must remove beyond the existing states. To facilitate the removal, Jackson induced Congress in 1830 to pass a bill empowering him to lay off new Indian homelands west of the Mississippi, exchange them for current tribal holdings, purchase the Indians' capital improvements, and pay the costs of their westward transportation. This Indian Removal Act was the only major piece of legislation passed at Jackson's behest in his eight years as President.

Jackson gave the Indians a simple alternative: submit to state authority or emigrate beyond the Mississippi. In *Worcester v. Georgia* (1832), the Supreme Court upheld the tribes' independence from state authority. Jackson allegedly defied the Supreme Court over *Worcester v. Georgia* (1832), announcing, "John Marshall has made his decision now let him enforce it." Encouraged by Jackson, Georgia ignored the rulings. Jackson cultivated a minority faction within the tribe, and signed a removal treaty with them in 1835. Though the vast majority of Cherokees rejected the treaty, those who refused to remove under its terms were finally rounded up and transplanted westward by military force in 1838, under Jackson's successor Martin Van Buren. The Cherokees' sufferings in this forced exodus became notorious as the "Trail of Tears."

The Second Bank of the United States – Veto 1832

The Second Bank of the United States was the second federally authorized Hamiltonian National Bank in the United States. Instituted in 1816 under the Presidency of James Madison, the Bank's constitutionality was challenged in 1819. The Supreme Court ruled in *McCulloch v. Maryland* that the Bank was constitutional under the necessary and proper clause. When the Bank's charter came up for renewal in 1832, President Jackson confronted the Bank with the belief that it was a corrupt fiscal monster threatening the nation's economic security. In 1832, Jackson vetoed the Bank's charter. In his famous Bank Veto of 1832, Jackson juxtaposed "the rich and powerful" against "the humble members of society—the farmers, mechanics, and laborers," and lamented that the former "too often bend the acts of government to their selfish purposes." No president before and few since have spoken so bluntly of economic antagonisms between Americans. He not only vetoed the Bank's recharter, which was within his right as chief executive, but went a step further by removing federal deposits even after Congress had deemed them safe. Jackson transferred one secretary of the treasury and fired another in order to secure the deposit removals. His actions were questionable, if not completely illegal, and the Senate censured him by making a notation in their journal. They didn't attempt impeachment for lack of support.

Jackson's Bank Veto was so riveting, and so provocative, that in the ensuing presidential election both sides distributed it as a campaign document. Foes of bankers, corporations, Wall Street, and "the rich" have turned to it ever since. Populists and other agrarian insurgents in the nineteenth century, and New Deal Democrats in the twentieth, claimed it as their birthright. Writing in the wake of the Great Depression and the New Deal, Arthur Schlesinger Jr. made the Bank Veto the centerpiece of *The Age of Jackson* (1945), the foundational work of modern Jacksonian scholarship.

The Nullification Crisis 1832

In 1828 Congress passed a high protective tariff on imported, primarily manufactured, goods. The South, being predominantly agricultural and reliant on the North and foreign countries for manufactured goods, saw this tariff as an affront to their economy. Vice President John C. Calhoun called it a “tariff of abominations” meant to favor the North. South Carolina declared that Congress was overstepping its power by offering such support of the North’s manufacturing industries. The confrontation quickly spun into a debate over the power of the federal government to decide the rights of states.

In 1832, after the passage of another tariff, South Carolina declared the tariffs null and void, and threatened to leave the Union in the Ordinance of Nullification. Drawing on the arguments in the VA and KY Resolutions of 1798, Calhoun insisted that the national government had been created as an agreement among sovereign states each of which retained the right to refuse to enforce laws they felt were passed outside of Congressional authority

Although he was himself a southerner, no great friend of the tariff, and a South Carolina native, Jackson boldly faced down the nullifiers. He first confronted nullification’s mastermind (and his own vice president), John C. Calhoun, with a ringing public declaration: “Our Federal Union—It must be preserved.” He then responded officially to South Carolina’s action with a blistering presidential proclamation, in which he warned that nullification would inexorably lead to secession (formal withdrawal of a state from the United States), and secession meant civil war. “Be not deceived by names. Disunion by armed force is *treason*. Are you really ready to incur its guilt?” He asked Congress for the power to use military force to ensure that states adhered to federal law. Bloodshed was averted when Congress passed a compromise tariff that South Carolina accepted and Jackson approved. In the end, the North and South compromised, but not without revealing how fragile the relationship was. The Nullification Crisis foreshadowed the eventual secession of the South in 1860–1861.