

COMMENCEMENT-LEVEL



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Cover Photo: Mount Rushmore National Memorial is located in the Black Hills of southwestern South Dakota. Sculptures approximately 18 m (60 ft) high of the heads of U.S. presidents George Washington, Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt have been carved from Mount Rushmore's granite outcropping. The four presidents were chosen to represent, respectively, the nation's founding, philosophy, unity, and expansion. Gutzon Borglum designed and oversaw construction (1927-1941) of the monument. The project was funded primarily by the federal government. ©PhotoDisc cover photo.

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1800

LOUISIANA PURCHASE [1803]
MARBURY V. MADISON [1803]

1810

WAR OF 1812 [1812-1814]

★ LESSON

3

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CONSTITUTIONAL CONFLICTS

1820

MISSOURI COMPROMISE [1820]

1830

TARIFF CONFLICT [1828-1833]
ABOLITIONIST CRUSADE
[1830-1860]

1840

MEXICAN WAR [1846-1848]

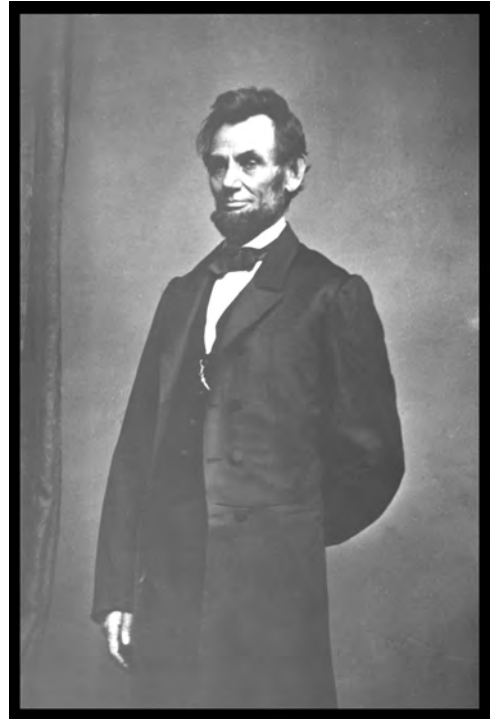
1850

COMPROMISE OF 1850 [1850]

DRED SCOTT DECISION [1857]

1860

CIVIL WAR [1861-1865]



President Abraham Lincoln
Civil War CD, Digital Stock ©1995

CONSTITUTIONAL CONFLICTS

THE NEW REPUBLIC (1789-1865)

In 1789, a new government based on a federal union began operation. The actions of the early Presidents and other governmental figures set precedents (initial actions that become patterns of future procedures) still in effect today. Taken together, these precedents make up a body of procedures called the “unwritten constitution.”

DOMESTIC PRECEDENTS DURING THE EARLY PRESIDENTIAL ADMINISTRATIONS

THE CABINET

In 1789, Congress created three executive departments to assist President Washington – State, Treasury, and War. President Washington consulted with the secretaries (heads of the departments) together as a **Cabinet** (an advisory group) when making difficult executive decisions. All subsequent presidents have followed the precedent of having a cabinet, but the degree to which they have used it as their chief advisory group has varied.

CURRENT DEPARTMENTS OF THE EXECUTIVE BRANCH

- 1 State - 1789
- 2 Treasury - 1789
- 3 Justice (Attorney Gen.) - 1789
- 4 Interior (federal lands) - 1849
- 5 Agriculture - 1889
- 6 Commerce - 1903
- 7 Labor - 1913
- 8 Defense - 1947
- 9 Housing/Urban Develop. - 1965
- 10 Transportation - 1966
- 11 Energy - 1977
- 12 Health & Human Services - 1977
- 13 Education - 1979
- 14 Veterans Affairs - 1989
- 15 Homeland Security - 2002

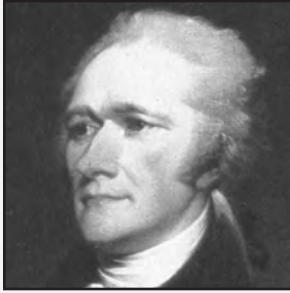
POLITICAL PARTIES

The writers of the Constitution had a distaste for party politics, yet political groups formed during Washington’s Administration. The first two parties were the **Federalists**, led by Alexander Hamilton and John Adams, and the **Democratic Republicans**, led by Thomas Jefferson and James Madison. Once the precedent was set, parties evolved to influence Congress, and eventually they determined who candidates would be for political offices at every level of government.

COMPARISON OF THE FEDERALISTS AND THE DEMOCRATIC-REPUBLICANS

THE FEDERALISTS

Leaders:



Alexander Hamilton



John Adams

Supported:

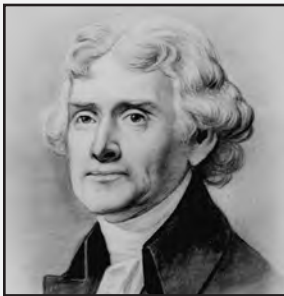
- loose construction of the *Constitution of the United States*
- stronger central government
- central control of economic affairs, pro-national bank and protective tariffs

Supporters: Wealthy and propertied groups – merchants and manufacturers

Foreign Affairs: pro-British

THE DEMOCRATIC-REPUBLICANS*

Leaders:



Thomas Jefferson



James Madison

Supported:

- strict construction of the *Constitution of the United States*
- stronger state government
- less central control of economic affairs; against a national bank and high tariffs

Supporters: "Common People" - small farmers, city labor, frontier people

Foreign Affairs: pro-French

*For a while after 1800, the group was called "Republicans," but it is no relation to the modern Republican Party which formed in the 1850s. By the 1830s, the group took the permanent name of "Democrats."

LAW ENFORCEMENT

In 1794, western Pennsylvania distillers and farmers seized the federal marshals who were charging them with evading the new excise tax. Washington ordered federal authorities to use a large armed force to suppress resistance to the federal laws. This **Whiskey Rebellion** episode set a precedent for law enforcement not clearly defined in the Constitution's list of executive branch powers.

JUDICIAL REVIEW

Judicial review, the power of the Supreme Court to determine if local, state, or federal statutes and governmental actions violate the Constitution, grew out of the decision in *Marbury v. Madison* (1803). In the decision, Chief Justice **John Marshall** overturned part of a Congressional law – the *Judiciary Act of 1789*. By assuming the power of judicial review, the Court strengthened its power considerably. To this day, judicial review remains the Supreme Court's most important and most controversial power.

EXECUTIVE AND CONGRESSIONAL SEPARATION

In the early days, many observers assumed that presidents would merely act at the disposal of Congress as the British Prime Minister acts at the disposal of Parliament. Washington altered that assumption. He set his own rules for dealing with Congress. He limited how often his cabinet officers appeared to testify before Congress. This **executive privilege** precedent underlined the independence and separation of the executive branch.

SIGNIFICANT DECISIONS OF THE SUPREME COURT UNDER CHIEF JUSTICE MARSHALL

YEARS	DECISIONS	SIGNIFICANCE
1810	<i>Fletcher v. Peck</i>	Supreme Court established its power to review state laws.
1819	<i>Dartmouth College v. Woodward</i>	Set precedent that states may not pass laws impairing private contracts.
1819	<i>McCulloch v. Maryland</i>	Upheld the constitutionality of the Bank of the United States by denying the state of Maryland's attempt to tax a federal institution.
1824	<i>Gibbons v. Ogden</i>	Established broad interpretation of the federal government's authority over interstate commerce.

LOBBYING

In any government, groups and individuals pressure officials to see their side of an issue. From the early days, it became customary for these individuals and groups to approach Congressional representatives in the entrances of the Capitol. Hence, the name “lobbyists” emerged.

Lobbyists currently represent every major business, economic group, foreign nation, and other special interest. Many members of Congress believe that lobbyists present vital information they would not be able to obtain otherwise. Opponents of the influence of lobbyists say the information is always biased, and that lobbyists even lean toward unethical behavior (bribes) to get their way. Today, laws force lobbyists to register with the federal government and publicly report their financial activities.

HAMILTON’S FINANCIAL PLAN – KEY PRECEDENT IN DOMESTIC STABILITY

Washington appointed Alexander Hamilton as Secretary of the Treasury. Hamilton wanted to establish the credit of the United States among other nations and provide a sound currency, strengthen the central government, and secure the support of the propertied classes. To do this, Hamilton proposed five key actions, most of which were approved by Congress.

- repay the foreign debt
- assume debts still unpaid by states from the Revolutionary War
- raise revenue through excise taxes on luxury items (liquor and jewelry) and tariffs
- impose a protective tariff to encourage domestic industries
- create a Bank of the United States to coordinate public and private financial activities

Thomas Jefferson and others opposed the Bank, claiming that the Constitution did not delegate such powers to Congress. However, Hamilton successfully argued that the “elastic clause” allowed the Bank because it was “necessary and proper.” The establishment of the Bank of the United States became one of the first uses of the elastic clause and legitimized the doctrine of the implied powers by Congress.

EARLY PRECEDENTS IN FOREIGN POLICY

Early presidential administrations also set precedents in foreign affairs. In regard to foreign wars, trade, and territorial expansion, many of these policies guided America’s behavior in the world into the 20th century.

NEUTRALITY

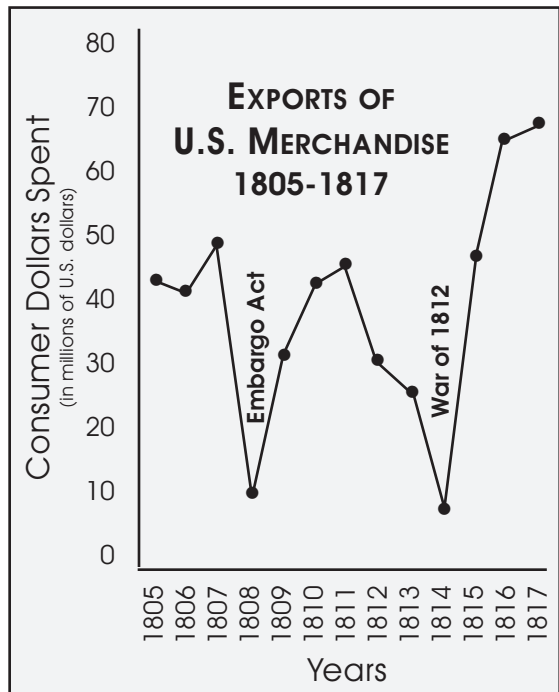
Realizing that the new nation was militarily and economically weak, President Washington adopted policies which kept the United States out of unstable European politics. While the Atlantic Ocean provided realistic protection in a time of slow-moving transportation, the United States was still surrounded by British and Spanish possessions. President Washington wanted to keep the United States neutral, and avoid being drawn into the conflicts between Britain and France. To this end, he issued the *Proclamation of Neutrality* in 1793. Later, he counseled his fellow citizens to “steer clear of permanent alliances” in his *Farewell Address* in 1796. This advice became a cornerstone of a long-standing American isolationist tradition.

ECONOMIC PRESSURES OF NEUTRALITY

In this early period, the country’s economic needs often determined the path Presidents took in foreign affairs. **Jay’s Treaty** (1795) with Britain led to the removal of the remaining British troops from the western regions of the U.S., and improved trade between the two countries. **Pinckney’s Treaty** (1795) with Spain gave western farmers the right of deposit to transship goods through the Spanish port of New Orleans safely. Thomas Jefferson in 1807 asked Congress to pass the *Embargo Act* in response to the impressment (the act or policy of seizing people or property for public service or use) of American sailors by Britain and France. The *Embargo Act* forbade all U.S. foreign trade. This was extremely unpopular with trading interests, and was repealed in favor of a law which restricted trade only with warring Britain and France.

THE WAR OF 1812

President James Madison (term: 1809-1817) inherited the foreign problems from Jefferson. He failed at diplomatic efforts to keep the United States from being drawn into the European conflicts of the Napoleonic Era. British naval blockades and continuing impressment threatened America’s economy. A group in Congress, called the “War Hawks,” pressured Madison into asking Congress for a declaration of war against Britain. Congress declared war in June, 1812.



Several attempts by the United States to invade British controlled Canada failed. Although American ships had some success in naval battles with the British, the British blockade of the American coasts ruined American trade. In 1814, British troops marched into Washington D.C. and burned most of the public buildings. In January 1815, General Andrew Jackson won a final victory at New Orleans, but by then Napoleon had been defeated and a peace agreement had already been signed with Britain. The *Treaty of Ghent* (1814) acknowledged the War as a draw. Although none of the causes of the War were addressed, relations with Britain improved throughout the next decade.

TERRITORIAL EXPANSION

In 1800, the vast Louisiana Territory west of the Mississippi was ceded by the Spanish government to France. President Jefferson grew alarmed at the prospects of dealing with the much more powerful French, and the possibility of a new French Empire in the Americas. Westerners worried that the previously negotiated right of deposit would end. Jefferson wanted to buy New Orleans from Napoleon, but was offered all of Louisiana for \$15 million. Not expecting to be offered the entire terri-

★ CAPSULE – TERRITORIAL EXPANSION

The Louisiana Purchase doubled the size of the United States, and extended the western boundary of the nation to the Rocky Mountains. Shortly after the Purchase, **Meriwether Lewis** and **William Clark** led an expedition into the new territory. Along the way they were given valuable assistance by **Sacajawea**, a Shoshone Native American. Stories of the trip helped spark added interest in western lands, although large scale settlement was still decades away. The interest in western lands did spur road and canal building however.

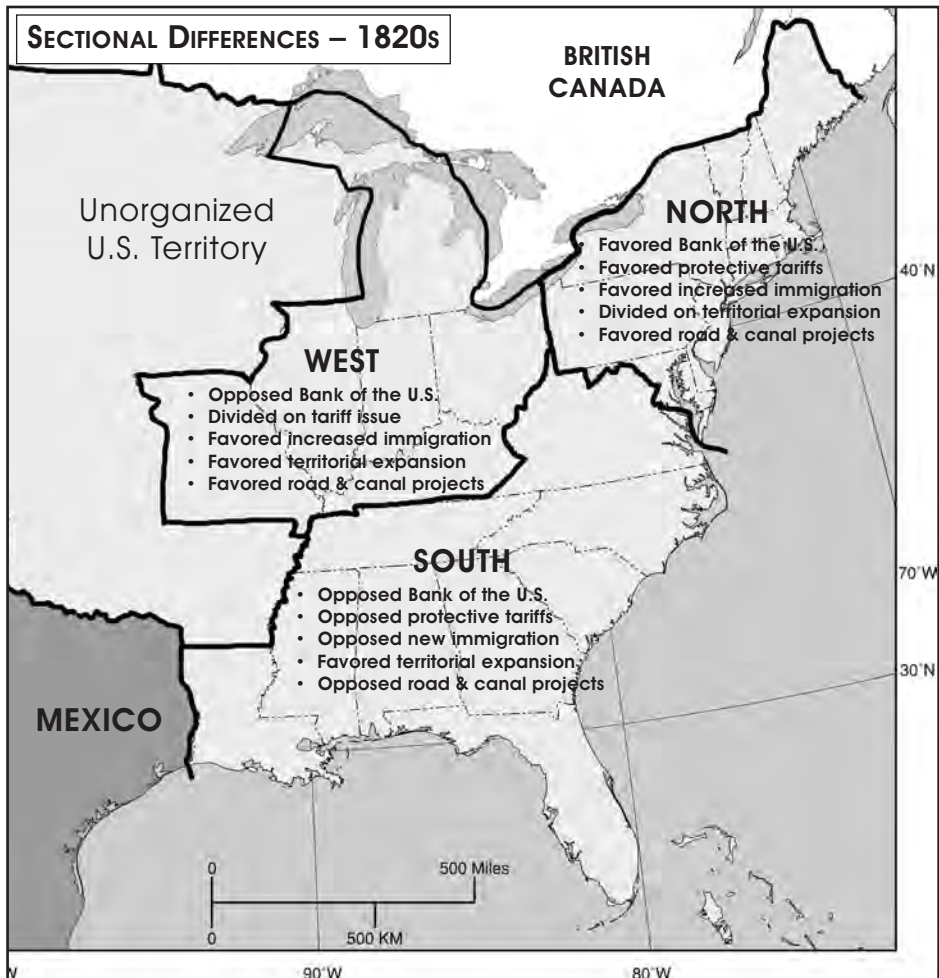
The Cumberland (National) Road was financed by Congress, and New York State built the **Erie Canal**, which made Buffalo a major western port by connecting it to Albany and New York City.



tory, Jefferson had doubts about the constitutionality of the purchase. The Constitution is vague on the acquisition of new territory, and Jefferson was for strict interpretation of the Constitution. But delaying might lead Napoleon to change his mind, and Jefferson saw the need this one time for a loose interpretation of the Constitution. The Louisiana Purchase was set in a treaty which the Senate soon ratified.

DEMOCRATIC IDEALISM IN FOREIGN POLICY: THE MONROE DOCTRINE

President James Monroe set another major foreign policy precedent in 1823. Monroe warned Europe that no further colonization would be allowed in the Western Hemisphere. The United States pledged it would not interfere with existing colonies, and repeated its determination to remain neutral in European affairs. The Monroe Doctrine became a cornerstone of United States foreign policy throughout the 19th and 20th centuries.



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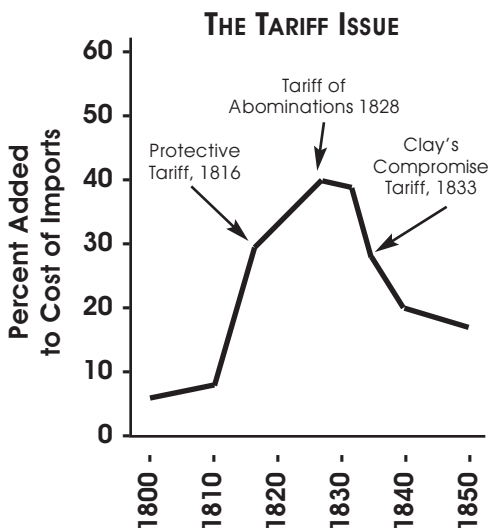
THE CONSTITUTION TESTED

SECTIONAL DIFFERENCES DEVELOP

An “**Era of Good Feeling**” followed the War of 1812. It was a short-lived period of national harmony and political cooperation. By the late 1820s, the Era of Good Feeling fell victim to sectionalism (giving primary loyalty to a state or region rather than to the nation as a whole). The map on page 100 summarizes the sectional differences.

THE TARIFF CONTROVERSY

In 1828, Congress passed a very high protective tariff (Southerners called it the “**Tariff of Abominations**”). While its aim was to protect infant Northern industries from foreign competition, Southerners felt that the tariff could ruin their economy. High rates would increase the cost of foreign manufactured goods in the South and lead to **reciprocation** (retaliation by foreign nations raising their tariffs against Southern cotton exports). This tariff controversy featured the ideas and actions of these four individuals:



- Vice President **John C. Calhoun** (South Carolina) wrote the *South Carolina Exposition and Protest* (1828), in which he said a state could declare the federal tariff “null and void.”
- Senator **Daniel Webster** (Massachusetts) argued that the federal government is supreme and opposed Calhoun’s doctrine of nullification.
- President **Andrew Jackson** stated that states must obey all federal laws, and that the Federal government could use force to make sure the laws are obeyed.
- Senator **Henry Clay** (Kentucky) introduced a compromise tariff bill in Congress that gradually reduced tariff rates and averted a showdown between South Carolina and the federal government.

Despite Clay’s tariff compromise, the larger issues of states’ rights and nullification were not resolved. It plagued the nation for another generation, and it was the main cause of the Civil War in the 1860s.

THE BANK OF THE UNITED STATES CONTROVERSY

Supporters

- provided economic stability
- maintained a sound currency

Opponents

- controlled by rich businessmen
- made it difficult to borrow money

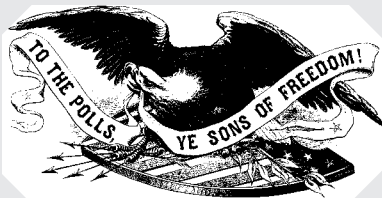
THE BANK CONTROVERSY

The first Bank of the United States ceased operation in 1811, but a second Bank of the United States was created by Congress in 1816. As with the first one, this second Bank was also controversial.

The constitutionality of the Bank was decided by the Supreme Court in *McCulloch v. Maryland* (1819). In the decision, Chief Justice Marshall said that Congress is given implied power in the Constitution’s Article I, Section 8 (the “elastic clause”) to do what is “necessary and proper” to carry out its delegated powers. According to Marshall, the Bank of the United States was a constitutionally proper use of the elastic clause. In the same landmark case, Marshall also ruled on the supremacy of the federal law, saying that a state (in this case Maryland) had no right to interfere with the functioning of a federal agency like the Bank.

★ CAPSULE –

SUFFRAGE EXPANDS IN THE EARLY 19TH CENTURY



YEAR	POPULAR VOTE	TOTAL POPULATION VOTING (%)
1824	356,000	3.3 %
1828	1,155,000	9.5 %
1840	2,404,000	14.1 %

Reasons for the Increase in Voting in the Early 19th Century

- elimination of property requirements to vote
- national nominating conventions met to name Presidential candidates (replacing the old caucus system, where small groups of party members made the choices)
- states begin to let voters select the electors for the electoral college (instead of electors being selected by state legislatures)

Groups Still Prohibited from Voting

- women
- African Americans
- Native Americans



CAPSULE – AMERICAN CULTURE EMERGES (1830-1860)

New ideas flowed freely in religion, education, and literature during this period. Some of the most important individuals and their actions are summarized below.

RELIGIOUS REFORMS

Charles Grandison Finney helped lead the “Second Great Awakening”, which challenged the beliefs of traditional faiths such as Congregational, Episcopalian, and Presbyterian.

Brigham Young helped build the Mormon community into a prosperous and growing religion near the Great Salt Lake in Utah. Controversial for its new scriptural revelations and the practice of polygamy.

Mother Ann Lee led the Shakers, whose members practiced celibacy and believed the end of the world was near.

EDUCATIONAL CHANGES

Horace Mann pushed for reforms in Massachusetts schools, including state funding, longer school year, and teacher training.

Emma Willard and **Mary Lyon** opened some of the first schools and colleges for women, including Lyon’s Mt. Holyoke College in Massachusetts.

LITERARY ACHIEVEMENTS

Ralph Waldo Emerson promoted transcendentalist thought through lectures and essays (*Nature, Representative Man*).

Henry David Thoreau supported an individual’s right to disobey unjust laws (*On Civil Disobedience*).

James Fenimore Cooper successfully depicted the American scene in his novels of frontier life and the sea (*The Last of the Mohicans, The Deerslayer, The Pilot*).

Washington Irving created the mythical lives of Rip Van Winkle and Ichabod Crane (*Sketch Book*).

Edgar Allan Poe wrote macabre themes in poetry and short stories (*The Raven, The Fall of the House of Usher*).

Walt Whitman was a news editor, and poet who celebrated American diversity (*Leaves of Grass*).

Nathaniel Hawthorne penned transcendental themes (*The Scarlet Letter, The House of the Seven Gables*).

Herman Melville wrote allegorical sailing and adventure novels (*Moby Dick*).

SOCIAL REFORMS

Lyman Beecher called for the total prohibition of alcohol.

Elizabeth Cady Stanton helped lead the Seneca Falls meeting in 1848 to demand equality for women.

Dorothea Dix fought for better treatment of the mentally ill and those in prison.

Robert Owen founded New Harmony, a utopian community hoping to achieve perfection.

President Andrew Jackson despised the Bank. He said it was a misuse of government power and created privileges for the rich. Jackson vetoed the bill to recharter the Bank of the United States in 1832. Four years later, the Bank went out of existence. Afterwards, unregulated “wildcat” state banks proceeded to issue paper securities of little value. These state banks made unwise loans and speculated in Western lands with depositors’ money. A long and dismal depression began as Jackson left office in 1837. While changes in foreign investment and other economic factors helped to cause the depression, unregulated banking made matters worse.

TERRITORIAL EXPANSION AND MANIFEST DESTINY

Americans used the term “Manifest Destiny” to describe what they saw as the “divine mission” of the United States to spread American rule all the way to the Pacific Ocean. Three events in the 1830s and 1840s saw the United States make this a reality – the annexation of Texas, settlement of the Oregon border, and the Mexican War.

TEXAS

Led by Stephen Austin, Americans began moving into Texas during the 1820s. Texas proclaimed independence from Mexico in 1836, and, led by Sam Houston, established the Republic of Texas. Texas requested annexation by the United States, but this met opposition by some in the United States. Northerners feared that Texas would become a slave state and add to Southern influence in Congress. However, support for annexation slowly grew, and in 1845, Congress admitted Texas as the 28th state.



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OREGON

This territory was jointly occupied by the United States and Great Britain. As the American population of Oregon grew, some wanted the United States to claim all of Oregon – to Latitude 54° 40' North. War was avoided when Britain and America agreed to a compromise at the 49th parallel, which extended the already existing boundary between the United States and Canada.

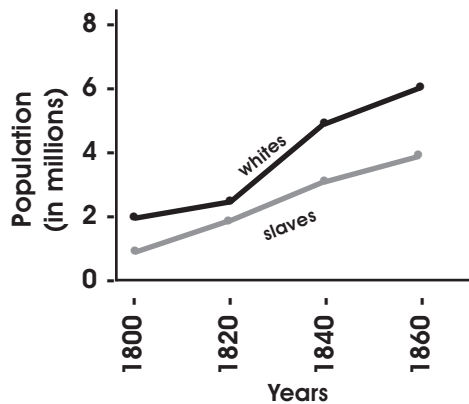
MEXICAN WAR (1846-1848)

Disputes with Mexico, including the annexation of Texas and border questions led President James Polk to ask Congress to declare war in 1846. Generals Zachary Taylor and Winfield Scott invaded Mexico and led American forces to important victories. A defeated Mexico had no choice but to agree to the *Treaty of Guadalupe Hidalgo* in 1848. The Treaty established the Rio Grande as the southern border of Texas and gave California and New Mexico Territory (known as the Mexican Cession) to the United States. In return, the United States paid Mexico \$15 million and agreed to settle any disputed debts. The new territories added many new Spanish-speaking people to the United States.

THE DEBATE ON SLAVERY

When the Constitution was written in 1787, many people believed that the institution of slavery would become unprofitable and gradually die out in the United States. While this is what occurred in the North, the South saw the demand for slaves increase through the first half of the 19th century. The invention of the cotton gin, the expansion of territory, and the increased demand from the North and from overseas for raw cotton, all contributed to this rejuvenation of slavery.

SOUTHERN POPULATION 1800-1860

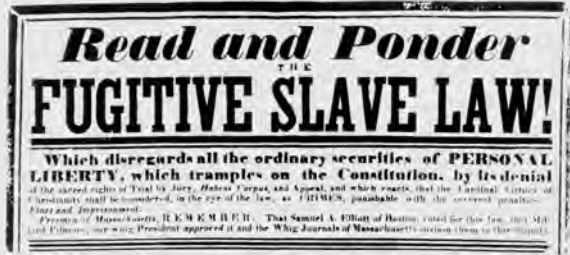


From the period 1820-1860, Southerners were concerned about the balance between free and slave states, and about allowing slavery in new federal territories. Several compromises were worked out to satisfy all sides.

- **Missouri Compromise (1820)**, devised by Henry Clay, admitted Missouri as a slave state, Maine as a free state, and banned slavery in territories north of 36° 30' North Latitude.

ABOLITIONIST LEADERS

- **William Lloyd Garrison:** A Boston resident who through his newspaper, *The Liberator*, demanded an immediate end to slavery.
- **Frederick Douglass:** A former slave who made frequent speaking appearances in which he described his life as a slave, and called for immediate abolition.
- **Harriet Tubman and Sojourner Truth:** Two former slaves who were involved in the Underground Railroad, through which escaped slaves could reach freedom in the North and Canada.
- **Wendell Phillips:** founder and president of the American Antislavery Society; became abolitionists' most eloquent platform speaker.



- **Compromise of 1850** – California was admitted as a free state, a Fugitive Slave Law designed to capture escaped slaves was enacted, and declared that new territories from the Mexican Cession were to have slavery decided by “popular sovereignty,” by the vote of the inhabitants of the territory. (Again, devised by Henry Clay.)

Opposition to slavery was growing, however, with the help of leaders in the abolitionist movement. Some southerners continued to defend slavery. They said that African American slaves had been civilized by their white masters, who Christianized them, educated them, and gave them better living conditions. Of course, economic prosperity in the South depended on labor-intensive cotton exports. Though less than 25 percent of white Southerners owned slaves, most supported the continuation of slavery.

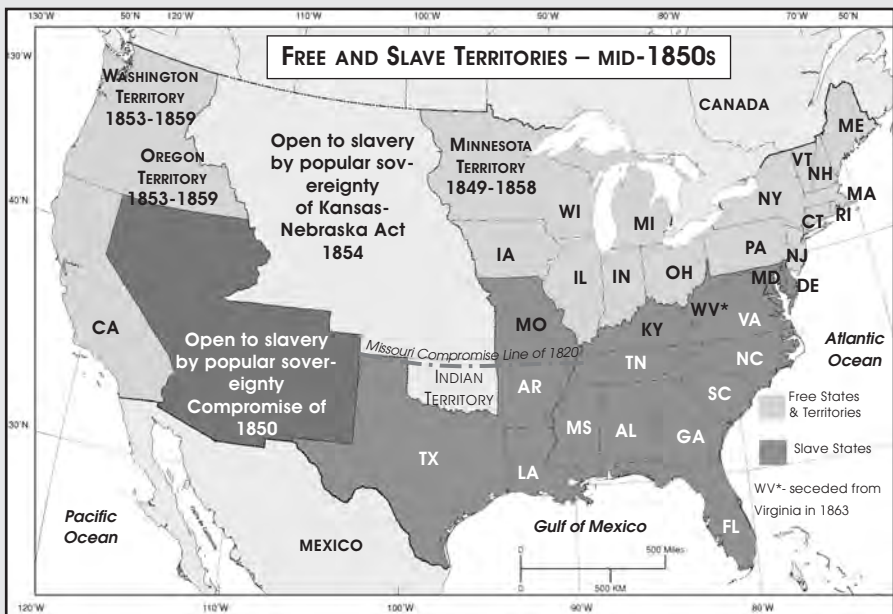
The lines in the slavery argument became more rigidly drawn in the 1850s. A newspaper barrage of extreme abolitionists and “hard-line” states’ rights positions made compromise less and less feasible. In the North, the abolitionist crusade gained even more momentum in 1852 after Harriet Beecher Stowe published her novel of harsh treatment on the plantations, *Uncle Tom’s Cabin*. At the same time, the two national political parties of the era, the Democrats and the Whigs, tried to avoid alienating voters by refusing to take a stand on the slavery issue. By the mid 1850s, many abolitionists joined the newly formed **Republican Party**. Generally, the Republicans were moderates who opposed the extension of slavery into the new territories but did not seek full emancipation.

On 4 March 1861, Abraham Lincoln was inaugurated as the 16th President of the United States. Addressing the nation that day, Lincoln said he wished to preserve the Union. He promised not to interfere with

slavery in the states where it already existed. The South rejected Lincoln's offers and formed the **Confederate States of America**. The attack on the federal Fort Sumter in Charleston (SC) harbor took place just six weeks later. Fort Sumter's surrender the next day was a turning point in the secession crisis. By June 1861, a total of 11 states had left the Union, and the tragedy of the American Civil War began.

★ CAPSULE — DISCORD OVER SLAVERY — 1854-1860

- **Kansas-Nebraska Act** (1854) allowed the settlers of these territories to decide the slave issue through popular sovereignty, but the result was five years of fighting when opposing pro and anti slave groups rushed into the territory.
- **Dred Scott v. Sanford** (1857) decision of the Supreme Court ruled that slaves were property, and the 5th Amendment forbids Congress from depriving people of their property without due process of law. As a result, all attempts to ban slavery in federal territories were unconstitutional.
- **John Brown's Raid** (1859), a failed attempt to lead a slave revolt, further infuriated Southern supporters of slavery.
- **Election of Abraham Lincoln** (1860), an Illinois Republican who opposed the extension of slavery in the territories was despised by Southern supporters of slavery.
- **Secession of South Carolina** (1860) after the election of Lincoln, but while "lame duck" President James Buchanan was still in power, followed by the secession of other states, made confrontation inevitable.



the Union forces. While most Northerners were willing to fight to preserve the Union, the goal of abolishing slavery was not universally supported at the outset of the War. Others in the North, called “Copperheads” demanded an immediate, negotiated settlement and were constant critics of President Lincoln and Congress.

LINCOLN STRETCHES POWER

For the most part, President Lincoln acted within constitutional guidelines as commander in chief, but he did exceed his authority on a number of occasions:

PRESIDENT LINCOLN AND THE <i>CONSTITUTION OF THE UNITED STATES</i>	
<p>THE CONSTITUTION STATES:</p> <p>Congress is given the power to raise and support armies</p> <p>no money can be taken from the treasury unless approved by law</p> <p>the <i>Writ of Habeas Corpus</i> shall not be suspended, except in cases of rebellion or invasion</p> <p>no law shall be made abridging freedom of speech or the press</p> <p>accused persons have the right to a speedy trial and impartial jury in the state or district where the alleged act was committed</p>	<p>LINCOLN’S ACTIONS WERE:</p> <p>increased the size of the army without Congressional authorization</p> <p>withdrew \$2,000,000 for military purposes without authorization</p> <p>arrested and jailed anti-Unionists giving no reason (no permission was obtained from Congress)</p> <p>censored some anti-Union newspapers and had editors and publishers arrested</p> <p>even though U.S. civil courts were operating, he set up military courts to try Confederate sympathizers</p>

(Setting up military courts in the border states was declared unconstitutional by the Supreme Court in *Ex parte Milligan*, 1866)

OTHER CONTROVERSIAL ACTIONS

Besides Lincoln’s stretching of his powers as commander in chief, there were several other events which aroused the ire of citizens. **Conscription**, the compulsory enrollment of persons into military service, was used by both sides. In the North, Congress passed the *Union Enrollment Act* or the *Draft Act of 1863* to supply the U.S. Army with troops. The *Act* allowed draftees to hire a substitute for \$300. Poor Northerners, especially recent Irish immigrants, objected to this discrimination, and bloody riots broke out in New York City in the summer of 1863, injuring more than 1000 people.

CIVIL WAR ADVANTAGES

North

greater population
diversified crop production
21,000 miles of railroads
larger industrial capacity
superiority in finances and munitions
control of the seas

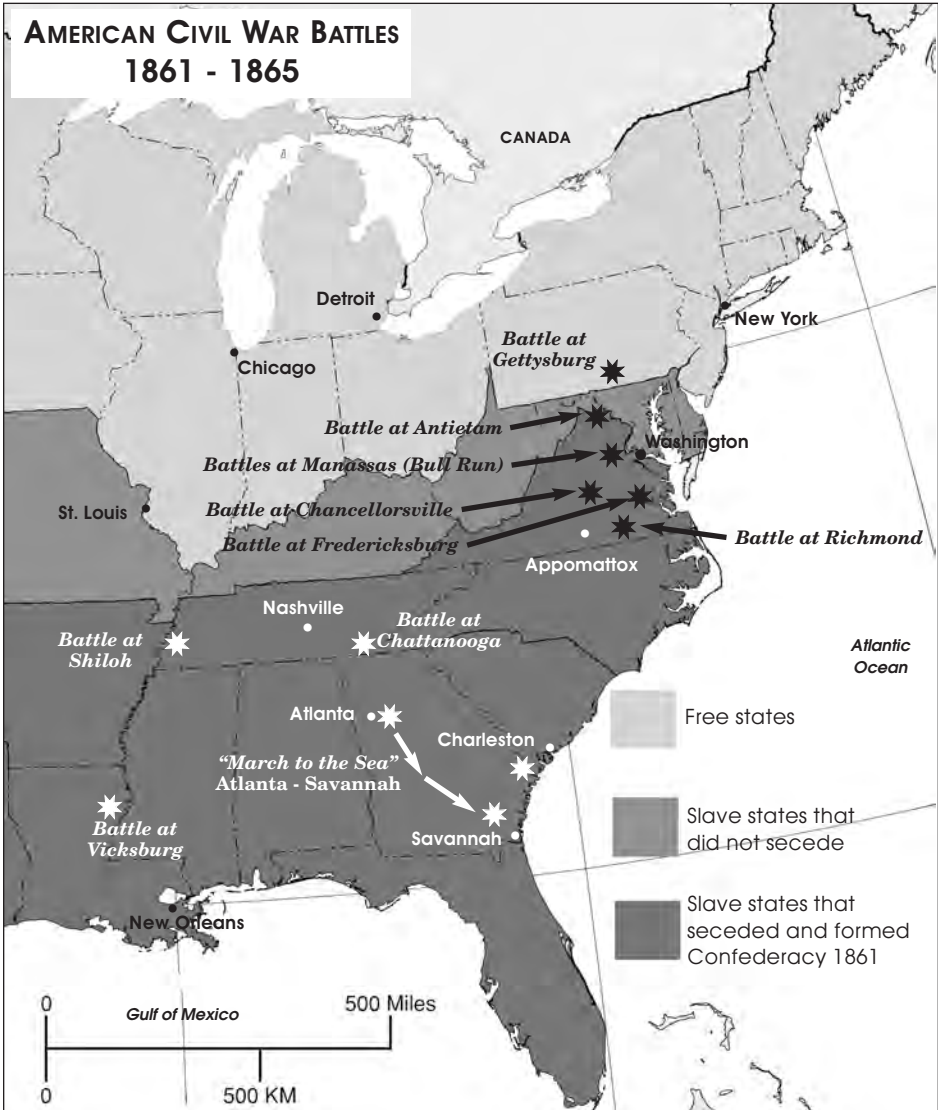
South

necessary to fight only a defensive war
better trained commanders and troops
fighting on home territory

Lincoln's issuing of the *Emancipation Proclamation* was another controversial action. While it did not free any slaves, it gave the North a "moral cause" for victory. African Americans had to serve in segregated units in Northern Army. They were not accepted as equals by all Union troops. African American troops received less pay and were issued inferior equipment.

★ CAPSULE – CIVIL WAR ENGAGEMENTS

- **Manassas, VA (Bull Run) – July 1861**
A Confederate victory under General "Stonewall" Jackson which shook the Union's confidence in its superior supplies and weapons.
- **Shiloh, TN – April 1862**
Union troops moved up the Mississippi River, and forced the surrender of Memphis, New Orleans, and Baton Rouge. Most of the Mississippi came under Union control. (Grant's success at Vicksburg in 1863 later gave the North full control of the Mississippi)
- **Antietam, MD – Sept. 1862**
A draw which temporarily stopped the Northern advance of the Confederate troops led by General Robert E. Lee, but enormous casualties were costly to the South.
- **Gettysburg, PA – July 1863**
Heavy casualties on both sides, but a Union victory by General George Meade over the Confederate forces of Lee. A turning point in that Confederate troops retreated to the South, and the Confederate hope of recognition and aid from European nations was abandoned.
- **Atlanta-Savannah, GA – May-Dec. 1864**
The Union's General William T. Sherman laid siege to Atlanta, and afterward undertook a "March to the Sea" to Savannah. Enroute, Sherman plundered the land, tore up railroads, and destroyed property.
- **Richmond, VA (Appomattox Courthouse) – April 1865**
General Lee's Confederate forces, outnumbered and surrounded by Northern troops, surrendered to Union Commander Ulysses S. Grant. This ended the Civil War.



SUMMARY

From its beginnings under Washington to the secession crisis under Lincoln, the young nation tested the durability of its new constitutional structure. Compromise is essential in a diverse democratic republic, but at the close of this era, moderates failed to make compromises work. Extremists on both sides came to the forefront, until war between the states was inevitable. Though the Union won the resulting Civil War, it came at a great cost. Suffering on both sides was immense. Just a week after the Confederate surrender in April 1865, President Lincoln was assassinated by Southern sympathizer John Wilkes Booth. The War concluded with great sadness among the victors, bitterness for the defeated South, and an uncertain future for the 3.5 million former slaves.

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LESSON ASSESSMENT

MULTI-CHOICE

- 1 Which presidential action is an example of the unwritten constitution?
 - 1 appointing justices of the Supreme Court
 - 2 granting pardons for federal crimes
 - 3 submitting a treaty to the Senate for ratification
 - 4 consulting with the Cabinet

- 2 One of the purposes of the financial plan devised by Treasury Secretary Alexander Hamilton was to
 - 1 reduce the cost of American products sold in foreign countries
 - 2 provide a sound currency for the new nation
 - 3 eliminate tariffs on foreign imports
 - 4 create a system of state controlled banks

- 3 Which foreign policy did George Washington support?
 - 1 sending American troops to help in the French Revolution
 - 2 expansion of the United States into Canada
 - 3 forming alliances with European countries
 - 4 adopting a position of neutrality

- 4 Why was the Supreme Court decision in *Marbury v. Madison* (1803) so influential?
 - 1 The power of the executive branch was increased.
 - 2 The Court assumed the power to declare laws unconstitutional.
 - 3 The meaning of the elastic clause was narrowed.
 - 4 Congress was given the power to pass Constitutional amendments.

- 5 Which pair of events are examples of contradictory interpretations of the *Constitution of the United States*?
 - 1 Washington's neutrality policy and Washington's opposition to the Whiskey Rebellion
 - 2 Hamilton's support of the Bank of the United States and Hamilton's efforts to sell bonds
 - 3 Jefferson's opposition to the Bank of the United States and Jefferson's purchase of Louisiana
 - 4 Lincoln's appointment of Ulysses Grant and Lincoln's *Emancipation Proclamation*

- 6 As a result of the Monroe Doctrine (1823), the United States was able to
 - 1 form military alliances with European nations
 - 2 increase trade with Africa
 - 3 expand its influence in the Western Hemisphere
 - 4 colonize much of South America

- 7 What was a major impact of many of the Supreme Court decisions under Chief Justice John Marshall?
- 1 strengthening of the powers of the federal government
 - 2 restrictions on big business
 - 3 reduction of racial discrimination
 - 4 expansion of the rights of the accused

Directions: Base your answer to question 8 on the chart at the right and on your knowledge of social studies.

VOTING EXPANDS		
YEAR	POPULAR VOTE	TOTAL POPULATION VOTING (%)
1824	356,000	3.3 %
1828	1,155,000	9.5 %
1840	2,404,000	14.1 %

- 8 What is one reason for the increases indicated in the chart?
- 1 immigration declined during the period
 - 2 most property requirements to vote were dropped
 - 3 women were allowed to vote
 - 4 the number of major political parties expanded from two to four

Directions: Base your answer to question 9 on the chart at the right and on your knowledge of social studies.

House Vote on the Tariff of 1828 (Tariff of Abominations)		
Section	For	Against
New England	16	23
Middle Atlantic	55	11
West (OH, IN, IL, MO)	17	1
South	3	50
Southwest (TN, KY)	12	9

- 9 What two sections were most clearly for the tariff?
- 1 New England and the South
 - 2 Middle Atlantic and the West
 - 3 South and West
 - 4 New England and Middle Atlantic
- 10 Before the Civil War, one example of increased democracy was
- 1 the emergence of the national nominating conventions
 - 2 the granting of the right to vote to women
 - 3 the direct election of Supreme Court judges
 - 4 the passage of the amendment which abolished all poll taxes

- 11 The Second Great Awakening and the attraction of the Mormons and Shakers indicated
- 1 widespread displeasure with the American political system
 - 2 attempts by some groups to break away from the United States
 - 3 general support among Americans for slavery
 - 4 the desire to seek new directions in religion

Directions: Base your answer to question 12 on the quotation below and on your knowledge of social studies.

“We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness...”

– *Declaration of Sentiments ...*, 1848

- 12 The document that served as the most direct model for this resolution was the
- 1 *Articles of Confederation*
 - 2 *Emancipation Proclamation*
 - 3 *Constitution of the United States*
 - 4 *Declaration of Independence*
- 13 With which movement are William Lloyd Garrison, Frederick Douglass, and Harriet Tubman associated?
- 1 educational reform
 - 2 women’s suffrage
 - 3 abolition
 - 4 prison reform
- 14 The *Missouri Compromise* and the *Compromise of 1850* were both attempts to
- 1 abolish the electoral college
 - 2 increase voting rights among minority groups
 - 3 stop foreign governments from interfering in slavery
 - 4 settle disputes over slavery and the admission of new states
- 15 The Supreme Court’s *Dred Scott v. Sanford* (1857) decision outraged people and strengthened the abolitionist movement because it said that
- 1 importation of slaves could be resumed
 - 2 slavery must be abolished in all federal territories
 - 3 Congress could not forbid slavery in the territories
 - 4 freed slaves could not vote

- 16 By the time of the Civil War, slavery had nearly disappeared in the North mainly because
- 1 slave rebellions in Northern states had forced the end of slavery
 - 2 slavery did not fit the economic interests of the North
 - 3 the *Constitution of the United States* required the end of slavery in Northern states
 - 4 ending the slave trade resulted in a shortage of slaves in America
- 17 Which argument did President Abraham Lincoln use against the secession of the Southern states?
- 1 Slavery was not profitable.
 - 2 The government was a union of people and not of states.
 - 3 The Southern states did not permit their people to vote on secession.
 - 4 As the commander in chief, he had the duty to defend the United States against foreign invasion.
- 18 What was the most important advantage the North had during the Civil War?
- 1 unified support for the war effort
 - 2 superior military leadership
 - 3 economic aid from Great Britain and France
 - 4 more human resources and war material
- 19 The *Emancipation Proclamation* helped Lincoln and the Union during the Civil War by
- 1 giving the Union a moral cause for victory
 - 2 freeing all slaves in the United States
 - 3 banning the importation of new slaves into America
 - 4 convincing Britain and France to send troops to help the Union cause
- 20 During the American Civil War, African Americans in the North
- 1 were forbidden to fight for the Union
 - 2 fought for the Union, but usually in segregated units
 - 3 fought side by side with other Union troops in all battles
 - 4 were used in supply operations for the North, but did no fighting

THEMATIC ESSAY

Directions: Write a well-organized essay that includes an introduction, several paragraphs explaining your position, and a conclusion.

Theme:

Controversial Presidential Actions

Between 1789-1865, American Presidents undertook a number of actions that were considered controversial at the time.

Task:

Using your knowledge of United States history and government, write an essay in which you

- identify *three* (3) Presidents and a controversial action of each
- discuss the reasons for the controversy
- explain how the Presidential action was intended to be beneficial to the country

Suggestions:

You may use any controversial Presidential action in the time period indicated from your study of U.S. history and government. Some suggestions you might wish to consider include: Washington's *Proclamation of Neutrality*, Jefferson's purchase of Louisiana, Jefferson's *Embargo Act*, Jackson's Bank Veto, Lincoln's *Emancipation Proclamation*. **You are *not* limited to these suggestions.**

PRACTICE SKILLS FOR DBQ

Directions:

The following task is based on the accompanying documents. The documents may have been edited for the purposes of this exercise. The task is designed to test your ability to work with historical documents. As you analyze the documents, take into account both the source of the documents and the author's point of view.

Historical Context:

In the period from 1789 to 1860, there were a number of times that interpretation of parts of the Constitution proved controversial.

Part A – Short Answer

The documents that follow present views of the *Constitution of the United States*. Examine each document carefully, then answer the scaffold question(s) that follow.

Document 1



Question for Document 1

1a What is being done to the Constitution by the people in the picture?

1b How did Alexander Hamilton view the action being taken?

Document 2

“The power of Congress, then, comprehends [includes] navigation within the limits of every state in the Union, so far as that navigation may be, in any manner, connected with commerce with foreign nations, or among the several States, or with Indian tribes.”

– *Gibbons v. Ogden*, 1824

Question for Document 2

How did this interpretation of the Constitution increase the powers of Congress?

