

THE WAR OF 1812: AMERICA'S FIRST DECLARED WAR

THE WAR OF 1812 TESTED WHETHER THE NEW FEDERAL REPUBLIC COULD SURVIVE ITS FIRST DECLARED WAR. AS COMMANDER-IN-CHIEF, PRESIDENT JAMES MADISON HAD TO LEAD THE WAR EFFORT AND DEAL WITH ANTI-WAR STATES THAT CHALLENGED HIS PRESIDENTIAL POWER TO WAGE WAR.

During the wars of Napoleon in the early 1800s, France and Britain blockaded each other's ports. Britain also issued Orders in Council, which banned all foreign ships from entering any European ports under French control.

On the high seas, both nations searched and seized merchant ships belonging to neutral countries like the U.S. In addition, the British "impressed" American sailors, forcing them into service on Royal Navy warships.

Adopting the slogan, "Free Trade and Sailors' Rights," many Americans called for war against Britain. President Thomas Jefferson, however, resisted war and pressed Congress to enact an embargo (ban) on all American foreign trade. Jefferson hoped the embargo would affect the economies of Britain and France and force both nations to lift their restrictions on American commerce and end impressment. But the embargo hurt the American economy more than those of Britain and France.

The call for war also came from another group of Americans. In the treaty that ended the Revolutionary War, Britain ceded to the U.S. land from the Atlantic to the Mississippi River (except Spanish Florida). Seeking cheap land, settlers moved into the area. Numerous Indian tribes, however, still occupied this land and resisted settlement, leading to much bloodshed on both sides.



Atop a white horse, General Andrew Jackson leads U.S. troops at the Battle of New Orleans.

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The settlers believed the British in Canada plotted with the Indians to massacre them. This caused many settlers to join the cry for war against Britain. They hoped to end Indian hostility by invading Canada and driving out the British.

Declaring War

James Madison was elected president in 1808. Madison and Jefferson were the chief leaders of the Republican Party (not today's Republican Party, which was established in 1854).

The Republicans, who had won control of Congress in 1800, saw themselves as representing the "common man." They favored a small federal army, no government debt or federal taxes, and states' rights. They also championed cheap land for settlers in the West. Led by Henry Clay of Kentucky, Republican Southerners and Westerners called the "War Hawks" became the loudest voices for war against Britain in Congress.

Although the Federalist Party had lost its majority in Congress, it still dominated New England. The Federalists represented merchants, ship owners, bankers, and others involved in foreign trade. They opposed the Republican embargo since it crippled foreign trade. They objected to war,

fearing this would permanently damage commerce with Britain.

When the U.S. grievances against Britain continued, Madison recommended that Congress declare war. Congress erupted in debate. The Republican War Hawks claimed American honor, free trade, and protection from Indian massacres justified war. A few Republicans opposed the war. The New England Federalists argued the U.S. could never win a war against the greatest power in the world.

On June 16, 1812, Britain withdrew the Orders in Council, which had prohibited neutrals like the U.S. from entering many European ports. But it took two months for this news to reach Washington. Meanwhile, Congress, for the first time, voted to declare war. More than 80 percent of the Republicans in Congress voted for war. All the Federalists and a few Republicans voted against it.

When Madison finally received notice of Britain's withdrawal of the Orders in Council, he went ahead with the war anyway. His chief reason was that Britain still refused to stop impressing American sailors.

Waging War

Congress had done little to prepare for war. The supporters of the

war pinned their hopes on the fact that most of the British army and navy were already fighting Napoleon in Europe.

Having only a small federal army, Congress debated whether to call state militias into the service of the U.S. under the command of the president. The Federalists argued that only the states could do this.

Congress was unsure how to pay for the war. Most federal revenue came from customs duties on imports. But the embargo had greatly reduced this source of funds.

Madison's treasury secretary recommended taxing certain domestic goods and borrowing from state banks. In 1811, the Republican Congress had refused to re-charter the Bank of the United States, which would have provided cheaper loans. Congress acted slowly to borrow and enact federal taxes.

Barely a month after Congress declared war, Madison ordered the invasion of British Upper Canada around Lake Erie and Lake Ontario. Western militias wanted to end British influence among the Indians. Madison thought that he could use the conquest of Canada to bargain for an end to British impressment.

British soldiers and their Indian allies beat back the American militias and federal army troops in three different military campaigns. The American invasion of Canada failed mainly because of incompetent generals and poorly trained troops.

The war at sea was a different story. The little U.S. Navy won a series of ship-to-ship battles in 1812, most famously by the *Constitution*, nicknamed "Old Ironsides."

After a political fight within the Republican Party, Madison was re-nominated and re-elected president in December 1812. The American war effort in the following year was more successful after yet another invasion of Canada.

Meanwhile, Oliver Perry had built a squadron of gunboats to take control of Lake Erie. In September, he won a major victory against British gunboats.

In October 1813, better trained and led American troops, now with their own Indian allies, forced the British eastward and took control of most of Upper Canada. British forces, however, stopped the Americans from invading Lower Canada, which extended along the St. Lawrence River.

As all this was happening in the north, Andrew Jackson was leading a Tennessee militia to fight a Creek Indian uprising in the South. Jackson crushed the Creeks and forced them to sign a treaty that ceded nearly 40,000 square miles of their land to the U.S.

Obstructing the War Effort

By 1814, criticism was mounting against "Mr. Madison's War." Canada still had not been entirely conquered. The British blockaded most American ports. The blockade together with the latest embargo on trade with Britain and France caused many shortages and a sharp drop in customs revenue. The impressment of American sailors continued.

British troops overran the militias and marched into the U.S. capital. They burned the Capitol Building, the White House, and other public buildings.

In Congress, the Federalists complained about the embargo. They voted against increasing federal army recruiting. They argued state militias could not be ordered to fight in Canada. Even the Republicans, who held a majority in both houses of Congress, defied Madison. The Federalists and various Republican factions sometimes joined to block his war legislation and appointments.

Madison's natural tendency was to defer to Congress since he believed the Constitution made it the leading element of the federal government.

As chief executive, he was more of a scholar than an inspiring war leader.

His cabinet was unruly. The generals and civilian officials he appointed often were incompetent and divided.

The most serious obstruction to the war effort came from the states of Federalist New England. Elected officials, newspaper editors, and church leaders discouraged enlistment in the federal army, opposed war loans, and argued the militias could not legally fight outside their states. State courts ruled that governors could defy Congress and Madison when they called state militias into the service of the United States. Smuggling of food and other goods, even to British troops and sailors, was widespread.

Heading for Defeat?

Napoleon's defeat in the spring of 1814 changed things dramatically. Britain could now divert its regiments and ships to North America. This forced the U.S. into a defensive war.

The British raided Maryland towns on Chesapeake Bay. They invaded northern New York. They seized the coastline of Maine (then a part of Massachusetts). They extended their blockade. Fighting continued in Canada, but the war there was at a stalemate.

Most shocking to Americans was the attack on Washington, D.C. The city's defenses had been neglected by Madison's secretary of war and were poorly protected by outmatched local militias. On August 24, 1814, British troops overran the militias and marched into the U.S. capital. They burned the Capitol Building (where Congress met), the White House, and other public buildings, and then left the next day.

The sack of Washington was only one of Madison's troubles. Revenue from customs duties dried up with the British blockade. Newly enacted federal taxes were inadequate. Smuggling became increasingly common. The embargo had failed, and Congress finally repealed it.

When the U.S. failed to make its debt payments, banks and investors stopped issuing loans. Madison's



After signing the Treaty of Ghent, British Admiral James Gambier shakes hands with U.S. negotiator John Quincy Adams.

secretary of the treasury tried to revive the Bank of the United States as a source for more borrowing. Many Republicans, who always distrusted a central bank, joined with Federalists to vote the bank idea down in Congress. The U.S. was bankrupt.

James Monroe, Madison's new secretary of war, worked on a plan to invade Lower Canada and capture its capital of Montreal. But New England state militias refused to fight in Canada, and recruitment for the federal army lagged.

Monroe proposed drafting men into the federal army from each state. This enraged the Federalists in Congress. After weeks of debating a number of alternatives, Congress finally passed a bill that called for 40,000 *volunteers* from the states to serve in the federal army for one year. But the volunteers could not serve outside their state without the consent of the governor.

Some Federalists in New England wanted to secede from the Union and negotiate a separate peace with Britain. Delegates from most New England states met at Hartford, Connecticut, in December 1814 to discuss this and a variety of complaints they had against the federal government.

After meeting a few weeks in secret, the Hartford Convention never voted on secession. The convention did, however, pass a resolution, declaring that any military draft enacted by Congress would be unconstitutional. The resolution recommended states

"to adopt all such measures as may be necessary to protect the citizens" from acts not authorized by the Constitution. The convention also proposed a series of constitutional amendments, such as requiring a two-thirds vote by Congress to declare war.

Madison took the threat of secession seriously and placed additional guards at a Massachusetts armory where federal weapons were stored. Throughout the war, however, he rejected calls from fellow Republicans for laws to arrest those openly opposing the war or supporting secession. Madison did not permit any trials for treason, censorship of newspapers, jailing of citizens for dissent, or trials of civilians by military courts.

Ending the War

From the war's beginning, the U.S. and Britain held talks off and on about ending it. But serious talks did not occur until the summer of 1814. Madison sent an outstanding team of negotiators that included John Quincy Adams, an experienced Federalist diplomat, and Henry Clay, the War Hawk Republican speaker of the House of Representatives.

The Americans and a less capable group of British diplomats met at the city of Ghent (now in Belgium). Among the list of U.S. demands were the abolition of sailor impressment and British withdrawal from at least part of Canada. The British refused to consider ending impressment and

proposed carving out a neutral Indian state from U.S. territory, serving as a buffer between Canada and the U.S.

Both sides quickly rejected each other's proposals. But Madison sent instructions for his team to drop the impressment demand. He believed (correctly it turned out) that the need for impressment would likely stop naturally with the end of the Napoleonic wars in Europe.

The American concession on impressment proved to be the breakthrough. The British quickly gave up the idea of an Indian neutral state, thus abandoning their wartime allies.

In September, the negotiators received news that the British had failed to capture Baltimore's Fort McHenry, the event that inspired Francis Scott Key's "Star-Spangled Banner." In addition, the British offensive into northern New York had been beaten back. The Duke of Wellington, Britain's top army commander, declared that the conquest of the U.S. would be too long and costly, something the British public would not support after years of war against Napoleon.

The War of 1812 ended with the Treaty of Ghent, signed on Christmas Eve 1814. The key provision simply called for each side to return all captured territory, thus restoring the situation that existed before the war. Not mentioned were the two chief American reasons for going to war: neutral country trading rights in wartime and the impressment of American sailors.

Regarding the Indians, the treaty required Britain and the U.S. to make peace with the tribes that had been their former enemies. The two countries were also to restore to the tribes "all the rights, privileges, and territories which they enjoyed in the year 1811."

On January 8, 1815, two weeks *after* the peace treaty was signed at Ghent, Andrew Jackson won a decisive victory at New Orleans, the largest, bloodiest, and last battle of the war. News of Jackson's victory reached Washington on February 4, several days before news of the Treaty

A Federalist Speaks Against the Draft

Daniel Webster from New Hampshire was a Federalist member of the U.S. House of Representatives. In 1814, just before the Hartford Convention met, he delivered a speech before the House against the Madison administration's proposal to draft men from the states into the federal army. Below is an excerpt from his speech.

It will be the solemn duty of the state governments to protect their own authority over their own militia, and to interpose between their citizens and arbitrary power. These are among the objects for which the state governments exist; and their highest obligations bind them to the preservation of their own rights and the liberties of their people. . . .

A military force cannot be raised in this manner but by the means of military force. If [the] administration has found that it cannot form an army without conscription [a draft], it will find, if it venture on these experiments, that it cannot enforce conscription without an army. The government was not constituted for such purposes. Framed in the spirit of liberty and in the love of peace, it has no powers which render it able to enforce such laws. The attempt, if we rashly make it, will fail; and having already thrown away our peace, we may thereby throw away our government.

1. What did Webster mean when he said that it was the duty of states “to interpose between their citizens and arbitrary power”?
2. How does Webster justify this state duty?



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of Ghent arrived. This caused many Americans to incorrectly believe the Battle of New Orleans had won the war for the U.S.

Federalism and the War of 1812

The War of 1812 ended in a military and political stalemate. Although the U.S. did not win the war, it did win the peace. Madison's talented team of diplomats got the British to yield on most of their demands.

Americans generally viewed the outcome of the war positively, much to the benefit of Madison and the Republican Party. On the other hand, many accused the Federalists of being unpatriotic obstructionists, even traitors.

Republican James Monroe demolished the Federalists in the presidential election of 1816. Before long, the Federalist Party ceased to exist. But in a final twist, the Republicans adopted many Federalist policies such as re-chartering the national bank to finance national needs such as roads and ports.

The biggest losers, however, were the Indian tribes that had played such an important role in the war, especially for the British. Despite the promises made to the tribes in the Treaty of Ghent, their abandonment by Britain permanently broke their power. This led in the following decades to their relocation beyond the Mississippi River and sped up the American westward movement.

Madison is often called the Father of the Constitution because he was at the center of creating the federal republic. Federalism means that the government in Washington and the states share power. Madison believed the states would play a crucial role in checking the power of Congress and the president. During the War of 1812, however, Madison discovered that the federal system limited the ability of Congress and the president to wage war. Anti-war states did everything they could to obstruct the war effort.

The federal army remained relatively small during the war. A big majority of men who served came from local militias and volunteer units. After the war, the federal army was enlarged. But it still depended heavily on state militias and volunteers, even in the Civil War.

Madison declared that the War of 1812 proved that a federal republic could survive the stresses of war without destroying the Constitution.

Many historians, however, say that only war weariness in Britain and a strong U.S. negotiating team prevented the young federal republic from falling into disunion and defeat.

DISCUSSION & WRITING

1. The Constitution states that Congress has the power “To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions.” Do you think Congress did or did not have the authority to put state militias under the command of the president in the War of 1812? Why? (See Art. I, Sec. 8, Clause 15 and Art. II, Sec. 2, Clause 1 in the Constitution.)
2. Why did many Indian tribes join the British in the War of 1812?
3. Why was the federal system in the Constitution a problem for President Madison during the War of 1812?

ACTIVITY

What Should President Madison Have Recommended to Congress in 1812?

1. Students in groups will discuss these alternate courses of action for Madison:
 - a. Congress should declare war against Britain and invade Canada.
 - b. Congress should not declare war but build up the federal army and navy to defend U.S. commerce.
 - c. Congress should continue the embargo against Britain and France.
 - d. Congress should take some other action.
2. Each group will choose a recommendation for Madison and then defend it before the class with arguments and evidence from the article.

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Standards

World War I

National High School World History Standard 39: Understands the causes . . . of World War I.

California History-Social Science Standard 10.5: Students analyze the causes . . . of the First World War.

Common Core Standard SL.11–12.4: Present information, findings, and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed, and the organization, development, substance, and style are appropriate to purpose, audience, and a range of formal and informal tasks.

Common Core Standard RH.11–12.3: Evaluate various explanations for actions or events and determine which explanation best accords with textual evidence, acknowledging where the text leaves matters uncertain.

Common Core Standard RH.11–12.6: Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence.

Common Core Standard RH.11–12.8: Evaluate an author's premises, claims, and evidence by corroborating or challenging them with other information.

Common Core Standard SL.11–12.1: Initiate and participate effectively in a range of collaborative discussions . . . with diverse partners on grades 11–12 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

War of 1812

National High School U.S. History Standard 9: Understands the United States territorial expansion between 1801 and 1861, and how it affected relations with external powers and Native Americans. (7) Understands political interests and views regarding the War of 1812 (e.g., U.S. responses to shipping harassments prior to the war; interests of Native American and white settlers of the Northwest Territory during the war; congressional positions for and against the war resolution of June 3, 1812)

California History-Social Science Standard 8.2: Students analyze the political principles underlying the U.S. Constitution and compare the enumerated and implied powers of the federal government. (7) Describe the principles of federalism, dual sovereignty, separation of powers, checks and balances, the nature and purpose of majority rule, and the ways in which the American idea of constitutionalism preserves individual rights.

California History-Social Science Standard 8.4: Students analyze the aspirations and ideals of the people of the new nation. (1) Describe the country's physical landscape, political divisions, and territorial expansion during the terms of the first four presidents.

California History-Social Science Standard 8.5: Students analyze U.S. foreign policy in the early Republic. (1) Understand the political and economic causes and consequences of the War of 1812 and know the major battles, leaders, and events that led to a final peace.

Common Core Standard SL.11–12.1: Initiate and participate effectively in a range of collaborative discussions . . . with diverse partners on grades 11–12 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

War in Afghanistan

National High School Civics Standard 22: Understands how the world is organized politically into nation-states, how nation-states interact with one another, and issues surrounding U.S. foreign policy. (1) Understands the significance of principal foreign policies and events in the United States' relations with the world . . . (3) Understands the major foreign policy positions that have characterized the United States' relations with the world . . . (9) Understands the current role of the United States in peacemaking and peacekeeping.

California History-Social Science Standard 10.10: Students analyze instances of nation-building in the contemporary world in at least two of the following regions or countries: the Middle East . . . (1) Understand the challenges in the regions, including their geopolitical, cultural, military, and economic significance and the international relationships in which they are involved. (2) Describe the recent history of the regions, including political divisions and systems, key leaders, religious issues, natural features, resources, and population patterns. (3) Discuss the important trends in the regions today and whether they appear to serve the cause of individual freedom and democracy.

California History-Social Science Standard 11.9: Students analyze U.S. foreign policy since World War II.

Common Core Standard SL.11–12.1: Initiate and participate effectively in a range of collaborative discussions . . . with diverse partners on grades 11–12 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

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