Andrew Jackson’s Nullification Proclamation – 1832

Whereas **a convention, assembled in the State of South Carolina**, have passed [an ordinance](http://avalon.law.yale.edu/19th_century/ordnull.asp), by which they declare that the several acts and parts of acts of the Congress of the United States, purporting to be laws for the imposing of duties and imposts on the importation of foreign commodities, and now having actual operation and effect within the United States, and more especially "two acts for the same purposes, passed on the 29th of May, 1828, and on the 14th of July, 1832, are unauthorized by the Constitution of the United States, and violate the true meaning and intent thereof, and are **null and void, and no law**,"

And…**the said ordinance declares that the people of South Carolina will maintain the said ordinance at every hazard,** and that they will consider the passage of any act by Congress abolishing or closing the ports of the said State, or otherwise obstructing the free ingress or egress of vessels to and from the said ports, or any other act of the Federal Government to coerce the State, shut up her ports, destroy or harass her commerce, or to enforce the said acts otherwise than through the civil tribunals of the country**, as inconsistent with the longer continuance of South Carolina in the Union; and that the people of the said State will thenceforth hold themselves absolved from all further obligation to maintain or preserve their political connection with the people of the other States, and will forthwith proceed to organize a separate government, and do all other acts and things which sovereign and independent States may of right do**.

**I, Andrew Jackson, President of the United States, have thought proper to issue this my PROCLAMATION, stating my views of the Constitution and laws applicable to the measures adopted by the Convention of South Carolina**.

Strict duty would require of me nothing more than the exercise of those powers with which I am now, or may hereafter be, invested, for preserving the Union, and for the execution of the laws.

**Our social compact in express terms declares, that the laws of the United States, its Constitution, and treaties made under it, are the supreme law of the land…**

***The (SC) ordinance is founded on the strange position*** that **any one State may not only declare an act of Congress void, but prohibit its execution**-that they may do this consistently with the Constitution-***that the true construction of that instrument permits a State to retain its place in the Union, and yet be bound by no other of its laws than those it may choose to consider as constitutional.***

**If this doctrine had been established at an earlier day, the Union would have been dissolved in its infancy.** The discovery of this important feature in our Constitution was reserved to the present day. To the statesmen of South Carolina belongs the invention, and upon the citizens of that State will, unfortunately, fall the evils of reducing it to practice.

**I consider, then, the power to annul a law of the United States, assumed by one State, *incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which It was founded, and destructive of the great object for which it was formed.***

***This right to secede is deduced from the nature of the Constitution, which they say is a compact between sovereign States who have preserved their whole sovereignty, and therefore are subject to no superior; that because they made the compact, they can break it when in their opinion it has been departed from by the other States. Fallacious as this course of reasoning is, it enlists State pride, and finds advocates in the honest prejudices of those who have not studied the nature of our government sufficiently to see the radical error on which it rests.***

**The people of the United States formed the Constitution… in making the compact the terms used in its construction show it to be a government in which the people of all the States collectively are represented…. We are ONE PEOPLE**

**The laws of the United States must be executed. I have no discretionary power on the subject-my duty is emphatically pronounced in the Constitution**… *Those who told you t*hat you might peaceably prevent their execution, *deceived you*…they could not have been deceived themselves. **They know that a forcible opposition could alone prevent the execution of the laws, and they know that such opposition must be repelled. Their object is disunion, hut be not deceived by names; disunion, by armed force, is TREASON. Are you really ready to incur its guilt**?

**Questions:**

1. Who is the intended audience of Jackson’s Nullification Proclamation?
2. What is Jackson’s Purpose in writing this document?
3. In what historical context is this Proclamation given?
4. From what point of view is this document?
5. Would John C. Calhoun or Robert Hayne agree with Jackson? Why or Why Not?

**\*\*\*\*\*Note:** You must keep this in mind when we get to the Civil War….Jackson is a Southerner, a Slave holder, later forces postmasters to stop the Abolitionists from distributing literature in the South at punishment of Prison, and in his last year in office the Congress passes the Gag Rule, which automatically tables Anti-Slavery petitions and forbids their discussion in Congress….BUT How does he feel about the Union, really, as evidenced by this Proclamation….would he have supported Secession and Civil War?