

THE WAR OF 1812: MR. MADISON'S WAR

Here we go again! Another Scalia venture into a pretty cool, albeit forgotten, part of American history.
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You know, the sad thing is that no one really wanted war in 1812. The British were tied down in Europe as part of the Grand Alliance trying to corral Napoleon, and the Americans . . . well, let's just say that Jefferson's intent to downsize the military was successful, as in the US had none. In addition, you've seen that the American people weren't united in this effort, so it's fairly obvious that this is going to be a bad idea from the get-go. However, bigger wars than this one have been started over lesser events, so in 1812 the United States and Britain embarked upon the infamous War of 1812; or The American Revolution: The Sequel.

Madison pinned his slim hopes on American victory on **two key points**. First, American success would heavily hinge upon Napoleon keeping the British occupied in Europe; this would force Britain to fight a two-front war across the Atlantic Ocean. Secondly, a successful American invasion of Canada would allow the Americans leverage with which to force peace negotiations. In short, the Americans were planning (and desperately hoping) for a short war; one that would be concluded before the British finally rid themselves (and Europe) of *l'Empereur de l'Empire français*, the "*l'enfant terrible*" himself: Napoleon Bonaparte. In 1812, the first American idea was actually a pretty good bet, considering Nappy's rampage through Europe and doomed venture into Russia. An invasion of Canada, however, was more . . . hmmm, how do you say . . . STUPID.

The American Invasion of Canada

The initial campaign of the war focused on the War Hawk desire to acquire Canada (yeah, I know: WHY???) To put it bluntly, the campaign, which lasted from 1812-1813, was a miserable failure which did little more than expose the inadequacy of the American army. Not only did the Americans not gain any Canadian territory, but in August 1812 a British force defeated the defenders of Fort Detroit in the Michigan territory and seized possession of Detroit. The US defeats in Canada and Detroit removed Canada as an American war aim, although it did not diminish the Warhawk's desire to expand northward . . . I suppose they wanted to make a few bucks off of year-long outdoor hockey. Americans, however, never lose without having the last word, and the final act of this very off-Broadway showcase "Canadian Invasion Follies" climaxed with US troops coping with the bitter cold by burning Toronto to the ground. Big mistake, as the British now have a thirst for revenge . . . and they will get it.

The Miracle at Sea

For all practical purposes, the **War of 1812 was America's first primarily naval war**, which follows reason due to a major *casus belli*¹ being the impressment of American sailors and merchant seamen. Under Federalist control, especially John Adams, the American navy had grown to a staggering six frigates, which is better than nothing, though not by much when you consider the British had *six-hundred* ships of the line² in the Caribbean alone. However, when Mr. Jefferson launched his "Revolution of 1800" one of the casualties was the American navy, as Jefferson had all of the frigates (except USS *Constitution*) dry-docked³ and disassembled as part of his agenda to downsize America's military. Jefferson believed in what we refer to today as "littoral warfare," which means protection of the shallow continental coastal areas of the United States at the expense of huge, expensive ocean-going war fleets. As a result, the American navy at the start of the War of 1812 consisted of dozens of small, eight-gun gunboats sardonically known as "Jeffer's," one fully functional frigate (*Constitution*),

¹ Latin for "the causes for war"

² A frigate is a fast, mobile warship typically carrying thirty-four guns. A ship of the line is a battleship, carrying in excess of eighty-four guns.

³ "Dry-docked" refers to the necessary practice of taking vessels out of the water from time to time for hull or keel repair, or, in this case, retirement.

and a huge pile of oak timbers at the Philadelphia Navy Yard. I suppose we were expected to swim out to the British ships, climb up the sides, and open up a can on the British sailors by beating the crap out of them with the planks from the dissembled warships. Good plan there, Tom; you're a real naval strategist.

Here's the problem: Napoleon, military genius though he was, had no navy. Nada. That little item (which you'd think someone in Washington should have noticed) released the massive British fleet to concentrate its attention on the mighty American pile of wood.⁴ The results of all of this ranting? Don't place your bets on the American navy in this war, as it is starting out with a horrible disadvantage of ships, men, and obviously, leadership. Indeed, the Jefferson administration, unlike that of John Adams, was no friend of the American military, especially the Navy.

Surprisingly, the United States emerged victorious from the first major test of the war at sea in 1812 as the USS *Constitution* engaged and defeated the HMS *Guerriere* off of the coast of Nova Scotia. After this victory, the *Constitution's* crew boarded the defeated British ship, towed it to Boston, and refitted and repaired the ship for service in the American navy, a move which set a precedent. For the remainder of the war, American captains would seek to defeat their enemies without destroying their ships for this very reason.



Battle Between USS *Constitution* and HMS *Guerriere*

Refitting captured enemy vessels was only one way that the US Navy rebuilt itself for wartime service. As it became obvious that American faced an impossible challenge at sea, Madison's government renewed the practice of issuing **letters of marquee and reprisal**. These were simply government licenses which

⁴ Don't forget that the British had major economic interests in the New World, primarily the Caribbean sugar-producing islands. As such, the deployment of her fleet to American waters had less to do with those pesky Americans and more to do with protecting their mercantile empire.

The British Three-Layered Plan . . . and its Outcome

Faced with inconsistent success in a war they should easily be winning, British military planners comprised a three-pronged plan that would surely end the war, and hopefully return those pesky Americans back to their proper role as colonists.

1. **Sever New England/New York.** The British hoped to resurrect Lord North's strategy from the American Revolution and seize the Hudson River Valley, which would effectively separate eastern New York and New England from the rest of the country. Because New England had loudly protested the war to the point of threatening secession the British felt they had allies, of which they could take advantage.

In early 1814 a British force from Canada invaded northern New York and began to cross Lake Champlain on the first leg of their plan to seize the Hudson River, when they were met by an American naval squadron under Captain Thomas Macdonough. After a long battle which featured fighting on both the lake and shoreline, the Americans repulsed the British attack, forcing them back into Canada. The American victory at the **Battle of Lake Champlain** stopped British penetration of the Hudson River, and defeated the first leg of the three-part plan. For part two, well, they wouldn't be as lucky.



Battle of Lake Champlain 1813

2. **Seize and Blockade the American mid-Atlantic coast.** The middle Atlantic area included the primary American population areas and commercial ports, as well as the centers of government (Washington) and trade (Baltimore, Philadelphia). In August 1814 a British force of 4,500 men marched from the southern shores of Chesapeake Bay towards the American capital of Washington, DC. They met and defeated an American force at the **Battle of Bladensburg**, which has been called the “greatest disgrace in American military history.” American troops threw down their weapons and retreated in such a panic that it became known as the “**Bladensburg Races.**” This defeat left the British a wide open, unopposed

path to the American capitol, and on 24 August 1814 British troops seized Washington and, remembering Toronto, burned the majority of the city's public buildings, including the US Capitol and White House. Madison and Congress barely escaped capture, and watched the fires from the Virginia shore of the Potomac River.

From Washington the British turned their attention to the northeast, eyeing the vital American port of Baltimore. British troops marched to the suburb of Towson, and held their positions while the British navy made plans to sail up the Chesapeake, enter Baltimore Harbor, and lay siege to the city from the harbor. This plan would allow for British occupation of the city without reducing it to rubble, and only faced one potential obstacle: the poorly-manned, aging fortress of Fort McHenry which guarded the entrance to the harbor.

American troops manning Fort McHenry were given the responsibility of slowing the British assault in time for American troops to fortify Baltimore. The British fleet approached the old fort and opened fire. From the deck of the British flagship, an American lawyer, who was on board to try and secure the release of American prisoners, watched as Fort McHenry absorbed shock after shock from the British projectiles. The bombardment lasted during the night, brick and mortar flying as cannonballs and Congreve rockets pounded McHenry's walls; the obvious message being not *whether* McHenry would fall, but *when* she would collapse. The lawyer watched throughout the night, waiting for the moment when McHenry's flag would be lowered, signaling the fort's surrender. Unable to stand the sight of the destruction, the lawyer went below decks to sleep. He awakened at daybreak, and was stunned to see that McHenry, although little more than a pile of rubble was still standing, still fighting back, her flag still posted above the rampart wall. This sight of Americans achieving the impossible moved the lawyer, Francis Scott Key, to compose a poem to commemorate the occasion. The poem, which was actually a blow by blow account of the Battle for Fort McHenry, became so popular that it was set to an old British drinking song, "To Anacreon in Heaven," and became our national anthem: The Star Spangled Banner.⁶

⁶ This makes me sound like a pathetic wuss, but I almost always tear up when I hear the anthem. It means something.

DEFENCE OF FORT M. HENRY.

The annexed song was composed under the following circumstances—
A gentleman had left Baltimore, in a flag of truce for the purpose of getting released from the British fleet, a friend of his who had been captured at Marlborough.—He went as far as the mouth of the Patuxent, and was not permitted to return lest the intended attack on Baltimore should be disclosed. He was therefore brought up the Bay to the mouth of the Patapsco, where the flag vessel was kept under the guns of a frigate, and he was compelled to witness the bombardment of Fort M. Henry, which the Admiral had boasted that he would carry in a few hours, and that the city must fall. He watched the flag at the Fort through the whole day with an anxiety that can be better felt than described, until the night prevented him from seeing it. In the night he watched the Bomb Shells, and at early dawn his eye was again greeted by the proudly waving flag of his country.

Tune—ANACREON IN HEAVEN.

O! say can you see by the dawn's early light,
What so proudly we hailed at the twilight's last gleaming,
Whose broad stripes and bright stars through the perilous fight,
O'er the ramparts we watch'd, were so gallantly streaming?
And the Rockets' red glare, the Bombs bursting in air,
Gave proof through the night that our Flag was still there;
O! say does that star-spangled Banner yet wave,
O'er the Land of the free, and the home of the brave?

On the shore dimly seen through the mists of the deep,
Where the foe's haughty host in dread silence reposes,
What is that which the breeze, o'er the towering steep,
As it fitfully blows, half conceals, half discloses?
Now it catches the gleam of the morning's first beam,
In full glory reflected new shines in the stream,
'Tis the star-spangled banner, O! long may it wave
O'er the land of the free and the home of the brave.

And where is that band who so vauntingly swore
That the havoc of war and the battle's confusion,
A home and a country, shall leave us no more?
Their blood has washed out their foul footsteps' pollution.
No refuge could save the hireling and slave,
From the terror of flight or the gloom of the grave,
And the star-spangled banner in triumph doth wave,
O'er the Land of the Free, and the Home of the Brave.

O! thus be it ever when freemen shall stand,
Between their lov'd home, and the war's desolation,
Blest with vict'ry and peace, may the Heav'n rescued land,
Praise the Power that hath made and preserv'd us a nation!
Then conquer we must, when our cause it is just,
And this be our motto—"In God is our Trust;"
And the star-spangled Banner in triumph shall wave,
O'er the Land of the Free, and the Home of the Brave.

The Original Newspaper Posting of the "Star Spangled Banner"
Nile's Weekly Register, Baltimore 1814



Bombardment of Fort McHenry

The American victory at Fort McHenry was the second blow to the three-pronged British plan; although Washington had been burned the port of Baltimore was deemed more vital to British interests. Consequently, the failure to take Baltimore placed a heightened importance on the third and final part of the plan.

3. The Invasion of the Gulf Coast and seizure of New Orleans.

The overall failure of the first two parts of the plan convinced the British that the outcome of the war would depend on their success in the third phase: an invasion of the Gulf Coast with the ultimate goal of capturing the Mississippi River port of New Orleans. Conventional wisdom correctly held that whoever controlled New Orleans controlled commerce on the Mississippi, which was vital to the American economy. The British received an unexpected boost to the plan when, in late 1814, Napoleon met his defeat at Waterloo, freeing an army of experienced soldiers for duty in America. In September 1814, 800 British warships gathered at Negril Bay, Jamaica and set sail for Mobile, Alabama, and, ultimately, New Orleans.

Mobile was chosen as the first point of contact due to the British alliance with bands of renegade Indians collectively known as “Red Sticks.” The Red Sticks had been raiding American settlements in Alabama and Tennessee, finally forcing Madison’s Secretary of War, **John C. Calhoun**, to send an American army to protect American settlers. The result was an all-out war between American soldiers and renegade Indians, which was, as was the usual case, extremely brutal and bloody. The nasty nature of this war was exacerbated by the uncompromising nature of the American general, **Andrew Jackson**, and his second in command, Sam Houston.



Old Hickory: Andrew Jackson

The guerilla war raged throughout Alabama, culminating at the **Battle of Horseshoe Bend**, a particularly nasty affair which featured atrocities by both sides. The battle removed the Indian threat from the Alabama territory,⁷ and freed Jackson to move his army to New Orleans, where citizens were in a state of near-panic at news of the massive British fleet heading its way.

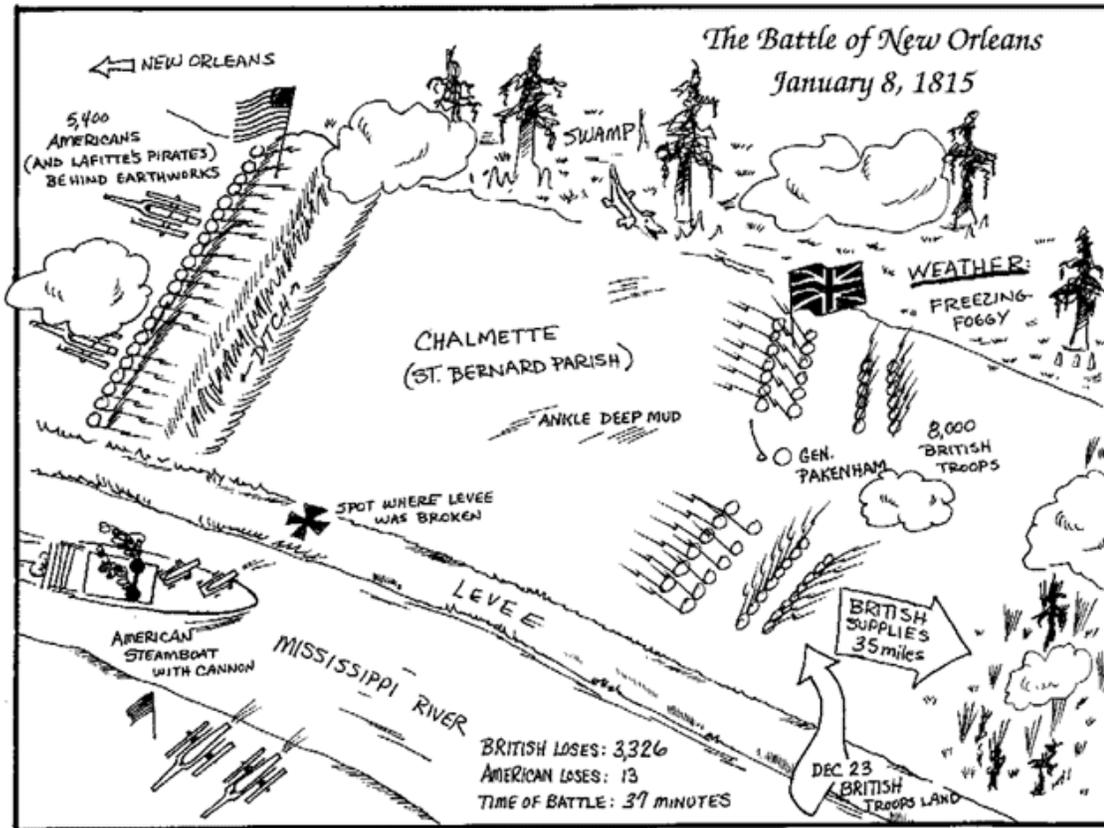
The British fleet, under Admiral Cochrane, arrived off the Alabama coast and quickly captured Fort Bowyer (today Fort Morgan), then headed west toward Louisiana's Lake Borgne, which guarded the entrance to Lake Ponchartrain. Upon arriving in Lake Borgne, Cochrane's fleet was attacked by a group of American gunboats under the command of Captain Catsby Jones in an engagement more like mosquitoes buzzing an elephant than a naval conflict. Cochrane made quick work of the gunboats, and ferried the British army, under the command of General Edward Pakenham,⁸ ashore at the mouth of Bayou Bienvenue. Pakenham planned to use the bayou as a covert means to reach the Mississippi River, then travel north on the river and attack New Orleans from the south.

In New Orleans, Jackson learned of Pakenham's landing and rushed to a point south of the city at which he could intercept and stop the British advance. Jackson chose the Rodriguez Plantation on Chalmette Plain as the site of his defense, using a drainage canal cut through the sugar cane fields as the center of his defenses. Jackson's army wasn't exactly professional; his 5400 troops included slaves, released convicts, frontiersmen from Kentucky and Tennessee, Indians, and even a group of "Baratarians:" Louisiana pirates under the command of the notorious Jean and Pierre Lafitte. On the morning of 8 January 1815, Pakenham's force of 8,000 British regulars attacked Jackson's earthworks across a field of cut cane. After the smoke had cleared Jackson had lost only 13 men to over 3,300

⁷ Although Horseshoe Bend was the primary Indian battle of the War of 1812, it did have a precedent. In 1811 American general **William Henry Harrison** fought the climactic battle of a long guerilla war against Tecumseh, the leader of an Indian Confederation in the Indiana territory, and his brother, the shaman known only as The Prophet. In the **Battle of Tippecanoe** Harrison's forces defeated the Confederation, driving Tecumseh and The Prophet south to Alabama, where they served as instigators to the Red Sticks.

⁸ Pakenham was the brother-in-law of the Duke of Wellington, the victor at Waterloo over Napoleon.

British casualties, including Pakenham himself. The **Battle of New Orleans** was the major battle of the War of 1812, and accomplished two major goals: first, it drove the British from the Gulf Coast and placed the final nail in the coffin of the overall British plan; and secondly, by virtue of this victory Andrew Jackson became a national hero, a status that would later catapult him to the presidency.



The Battle of New Orleans

The Alleged “Irony” of the Battle of New Orleans Unbeknownst (I love that word!) to Jackson, American and British diplomats had been negotiating a peace settlement in Ghent, Belgium, for three months, and had actually signed the **Treaty of Ghent**, which officially ended the War of 1812, a two weeks *before* the Battle of New Orleans was fought. Over the years many doofus history teachers and historians have criticized Jackson and Pakenham for fighting what appeared to be a useless battle, in which brave men lost their lives for nothing. However, before making such a callous judgment (claiming that lives are lost for nothing is the lowest insult soldiers can endure) we must consider two important points:

1. The time in which a message could travel from Europe to the United States was approximately two months, and that is figuring in favorable winds and sea currents. Relaying such a message from the American east coast to the Louisiana swamps added at least another two weeks, especially during the dead of winter. In addition, none of Jackson’s officers could get more than one bar on their phones; Verizon didn’t do well in the swamp. (PLEASE tell me you know this is a bad joke and NOT TRUE!!!!) In any event, there is no way the combatants in New Orleans could have known that a settlement had been reached.
2. Even after the treaty was signed, the British held out hopes for victory at New Orleans due to the increased bargaining power such a victory would hold. British ministers had every expectation of claiming that the Treaty of Ghent was null and void had the British defeated Jackson and seized New Orleans. In short, the Treaty of Ghent was only binding because Jackson won the battle.



Equestrian Statue of Andrew Jackson, Jackson Square, New Orleans

The Provision of the Treaty of Ghent This is probably the easiest peace treaty to remember because of what it accomplished: NOTHING!! Nada. Nyet. Maximum zero-osity. The treaty relegated the Anglo-American relationship to a state of *status quo ante bellum*, a Latin phrase which means “situation same as before the war.” In other words, each side settled back into the same situation as it existed before the war; no territory gained, no territory lost by either side. So, was the War of 1812 a waste? Well, you can make that argument, but it would do you well to remember that after this war, England would never again attempt to regain her American colonies.

New England and . . . Secession? What did result from the War of 1812 was a **new American nationalism that swept the country**. The young United States had once again “defeated” the powerful British Empire (sometimes victory is in the eyes of the beholder; no one actually “won” the war), and those who had supported the war (primarily the Republicans) were held as the new Patriots; those who had opposed the war (primarily the Federalists) were viewed with suspicion. This suspicion reached its height in 1815 in Hartford, Connecticut, when a meeting of New England Federalists met to discuss their disgust with the Republican government. Radical Federalists had actually approached the British about a separate peace, and many sought to use this peace as reasoning for secession movement. While secession was never actually proposed at the **Hartford Convention**, Federalists leaders demanded constitutional amendments that sought to curtail the power of the executive and invoked James Otis (and Jefferson and Madison) in their declaration in support of nullification. Now, this view may have flown before and during the war, when there was still significant anti-war sentiment. However, after the war was over, the new American nationalism rendered such a suggestion as an act of treason and sedition,

The public outcry over the Hartford Convention and its attempt at secession destroyed the credibility of the Federalist Party, and thus destroyed the Party as a legitimate political entity. For the first time in the country's young history, American political life consisted of only one party, the Jeffersonian Republicans. This period of relative political harmony was known as the **Era of Good Feeling** (roughly 1815-1824), the only time in American history that the national government wasn't held hostage to the chaos of party politics. It should come as no surprise to you that it didn't last long; the soaring good vibes of post-war America will come crashing back to Earth when General Andrew Jackson decides he should run for president. This is where the real fun begins, so stayed tuned



Map of the War of 1812