

## American Lion<sup>1</sup>

Reviewed by Major LaShanda F. Ellis-Ramsey\*

“Without union our independence and liberty would never have been achieved; without union they can never be maintained.”<sup>2</sup>

A vivid depiction of one of the most intriguing, yet controversial, men to serve in the nation’s highest elected office during the nineteenth century, *American Lion* immerses readers in the complex life of our seventh President, Andrew Jackson. Rather than provide a trite recitation of Jackson’s presidency, Jon Meacham, the Editor of *Newsweek*, adeptly chronicles the politics of the Jackson Administration drawn largely from century-old, unpublished letters held in private collections, written by people in Jackson’s innermost circle.

The election of Andrew Jackson in 1828 ushered in a drastic divergence from the elitism that had characterized the presidency since its inception. While all presidents since Washington had served extensive administrative and diplomatic apprenticeships, Jackson had never held a cabinet post or even been abroad. He spoke no foreign languages and wrote English roughly.<sup>1</sup> In stark contrast to his predecessors, Jackson had an extremely modest upbringing and grew up fatherless and, later, an orphan. He gained his fame as a military officer and brought to the White House the same commitment and focus that earned him success on the battlefield and the nickname “Old Hickory.”<sup>2</sup>

The will of the people is a recurring theme in *American Lion*. By 1828, nearly all states had essentially universal male suffrage, resulting in a surge in eligible voters. In 1828 and 1832, the years of Jackson’s White House victories, record numbers of Americans cast ballots.<sup>3</sup> Jackson claimed that his election illustrated that the presidency was no longer insulated from the people, and he advanced a new vision of the President as the direct representative of the people.<sup>4</sup>

This review first examines two critical issues from Jackson’s presidency that Meacham highlights in the book:

the rotation of public officials and the destruction of the Second Bank of the United States, which resulted in the expansion of executive power. The review then critiques Meacham’s treatment of Jackson’s policies concerning Indian removal and slavery. Lastly, the review discusses lessons judge advocates may draw from Jackson’s presidency.

Implementing the practice of rotating public servants was Jackson’s first opportunity to test his “will of the people” theory and to expand the power of the executive office. Critics claimed that Jackson unjustly removed public servants and rewarded loyal supporters with the positions. Meacham briefly discusses Jackson’s motive and rationale for rotating government officials, which Jackson described as an attempt to curtail corruption. The author’s cursory handling of this subject is extremely disappointing because history has since stigmatized the Jackson Administration as the creator of the spoils system.<sup>5</sup> In contrast to other parts of the book, where he provides detailed analysis and insight, Meacham makes a poor attempt to dispel the myth. Meacham provides scant discussion and little critical examination of the issue and, thus, squanders an opportunity to offer different perspectives from Jackson insiders on the practice. It would have been enlightening to read the accounts of Jackson’s closest advisers as persons attempted to curry favor with the Administration and to hear how Jackson responded to their efforts. Instead, Meacham only provides an extreme example of a former Soldier who stripped completely in the presence of Jackson in an attempt to convince Jackson to retain him in his government position. Unfortunately, Meacham uses the first-hand accounts of Emily Donelson’s letters to weave an elongated version of a political scandal, the Petticoat Affair, rather than highlight the monumental, initial undertaking of the Jackson Administration: the crackdown on corruption.<sup>6</sup>

In contrast, Robert V. Remini’s *Andrew Jackson and the Course of American Freedom, 1822–1832*, provides an in-depth discussion of the rotation of public servants.

The argument Jackson advanced for rotation was the argument of democracy.

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<sup>1</sup> JON MEACHAM, *AMERICAN LION* (2008).

<sup>2</sup> *Id.* at 249.

<sup>3</sup> *Andrew Jackson: A Life in Brief*, MILLER CTR. OF PUB. AFFAIRS, <http://millercenter.org/academic/americanpresident/jackson/essays/biography> (last visited Sept. 14, 2010).

<sup>4</sup> General Jackson earned the nickname “Old Hickory” from his men during the War of 1812 as result of his strict discipline. He was considered to be as tough as hickory.

<sup>5</sup> MEACHAM, *supra* note 1, at 43.

<sup>6</sup> John Yoo, *Andrew Jackson and Presidential Power*, 2 CHARLESTON L. REV. 521, 525 (2008).

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<sup>5</sup> This is an informal practice of rewarding party supporters with positions after winning an election. The appointments are based on loyalty to the party rather than merit.

<sup>6</sup> Emily Donelson was Jackson’s niece. The Petticoat Affair was an ongoing feud between the socially elite ladies of Washington, D.C., and Margaret “Peggy” Eaton, the flamboyant wife of John Henry Eaton, Jackson’s Secretary of War.

Offices exist for the benefit of the people. No one has an intrinsic right to them; they are open to all. Removal, therefore, does not in itself constitute a wrong. The only wrong that may result is when good men are replaced by bad. What Jackson advanced was the contention that a popular government had been established with his election and any notion of elitism in the operation of government was inimical to the doctrines of republicanism.<sup>7</sup>

Remini provides empirical evidence of the widespread corruption of government officials that Jackson faced on assuming office. Remini also describes how the Jackson Administration helped combat corruption. For example, in a single year, the Administration reduced the expenditures of the Navy Department alone by \$1 million by flushing out “rats” (embezzlers).<sup>8</sup>

The Second Bank of the United States provided yet another opportunity for Jackson to increase the power of the executive. Jackson saw the Second Bank as an evil, corrupt entity that needed to be dismantled. Meacham does a superb job of setting the stage and describing the political context in which Nicholas Biddle, President of the Second Bank, and Jackson would duel. Gambling that Jackson would not want to confront the bank issue on the eve of his bid for re-election, Biddle applied early to recharter the Bank.

The House and the Senate passed a bill in the summer of 1832 to recharter the Bank.<sup>9</sup> Not to be politically outmaneuvered, Jackson vetoed the bill. For the first time in presidential history, a veto message extensively discussed political, social, and economic, as well as constitutional, objections to legislation.<sup>10</sup>

Although it broke from past practice by introducing his policy views, the lasting impact of Jackson’s veto message remains his thinking on the President’s independent authority to interpret and enforce the Constitution.<sup>11</sup> Jackson’s brazen wielding of veto power sought to wrestle authority from the Legislative Branch and firmly place it within the Executive Branch. Prior to the Jackson Administration, power had been concentrated in the Legislative Branch where laws were made, Senators were elected, and the slate of candidates for President was decided.

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<sup>7</sup> 2 ROBERT V. REMINI, *ANDREW JACKSON AND THE COURSE OF AMERICAN FREEDOM, 1822–1832*, at 190–91 (1981).

<sup>8</sup> *Id.* at 187.

<sup>9</sup> *Id.* at 545.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at 546.

Armed with power of the veto and the notion that he, as President, served as a direct representative of the people, Jackson continued his bid for re-election in 1832. Harkening to his days as a military tactician, he focused on the objective—re-election—and provided the people with two courses of action: either vote for me as your continued leader or vote for the evil, corrupt Second Bank. Jackson easily won re-election.

With his soldier instincts in full command, Jackson moved in for the kill: the demise of the Second Bank. Against the advice of Congress, Jackson decided to withdraw all federal funds from the Second Bank and transferred them to state banks. William Duane, Secretary of the Treasury, opposed Jackson. Jackson dismissed Duane from his post and provided a revolutionary justification for Duane’s dismissal that expanded the power of the Executive Office.

As Chief Executive, Jackson believed it was his constitutional right to decide how to carry out federal law. In order to execute the law he had to control subordinate officials in the executive branch. If they would not follow his constitutional views and policy priorities, he would exercise his constitutional authority of removal and replace officials who refused to follow his orders.<sup>12</sup>

Jackson was censured for abuse of power. Subsequently, the Senate approved the motion to expunge the censure resolution from the record.

Meacham does a phenomenal job of framing the highly charged issues and the battle between the Executive and Legislative Branches by drawing on accounts in letters written by persons closest to Jackson. By taking this literary approach, *American Lion* reads more like a suspense-filled Tom Clancy or Robert Ludlum novel than a biography discussing historical events.

For all the accolades scholars and historians have rained upon Jackson for his pioneering strategies to expand the power of the Executive, his policies on Indian removal and slavery were abysmal. There is some evidence that Jackson’s actions were motivated by concern for the survival of the Indians, but it is clear that he shared Western prejudice against the native inhabitants and wanted them out of the way.<sup>13</sup> Although Jackson espoused a paternalistic view towards Indians, his actions were subterfuge for his actual agenda: western expansion. William MacDonald discusses Jackson’s Indian policy in *Jacksonian Democracy*,

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<sup>12</sup> *Id.* at 554.

<sup>13</sup> ROBERT V. REMINI, *THE AGE OF JACKSON* 63 (1972).

The Indians were to be given the choice of remaining on so much of their lands as they could use, or of emigrating westward to lands set aside for their special occupancy. If they remained, however, they must submit to the laws of the state in which they lived; for the supremacy of the state throughout all its borders could not be questioned.<sup>14</sup>

Meacham does not capitalize on his expertise as an editor to highlight the flaws of Jackson's policy. Instead of providing thought-provoking commentary, he makes a broad, accusatory statement with little factual support. According to Meacham, "The common theme: As a people Indians were neither autonomous nor independent but were to be manipulated and managed in the context of what most benefited Jackson's agenda—white America."<sup>15</sup> The reader will note that Meacham's analysis of Indian removal lacks the vigor he employed when discussing the Administration's expansion of executive power. The author does little to confront the shameful policy and merely provides a sentence denouncing it in a seven-page chapter devoted to Indian removal. He states, "There is nothing redemptive about Jackson's policy, no moment, as with Lincoln and slavery, where the moderate on a morally urgent question, did the right and brave thing."<sup>16</sup> Meacham offers no stimulating perspective on the fact that Jackson's policies were not affected by existing treaties between Indian nations and the United States in which Indian nations were recognized as sovereign nations. Regrettably, the views Jackson championed in his bank veto message regarding privilege and its disastrous effect on equality did not apply to the Indian.

Slavery was yet another black eye on the Jackson Administration. Despite being a forward-thinker, Jackson allowed his place in society as a plantation owner, coupled with the prevailing, prejudiced views of his era, to influence his policy of avoidance. In the waning years of his Administration, Jackson realized the issue of slavery was bubbling beneath the surface. MacDonald writes in *Jacksonian Democracy*, "Jackson spoke truly when he said that, unless the agitation of this question [slavery] ceased, it would divide the Union."<sup>17</sup> It is unfortunate that a man who has come to be revered in history did not deem slavery a cause worthy of his time and talents. The reader may infer that Jackson was forced to remain neutral on the slavery issue because he could not condemn an institution that was

the backbone of his way of life at the Hermitage in Tennessee.<sup>18</sup>

Meacham makes a shoddy attempt to discuss the issue of slavery by describing a reward notice for Jackson's runaway slaves. The notice, which encouraged captors to severely whip his slaves upon capture by offering financial incentives, illustrates Jackson's brutal side. The author relishes in Jackson's military and political victories but turns a blind eye to the battle that Jackson ignored. Meacham provides no insight on the interrelatedness between Jackson's livelihood as a plantation owner and his policies on slavery. As an editor, Meacham is tasked daily with asking tough, probing questions; however, on the slavery issue, Meacham abjures. *American Lion* is void of any critical analysis of Jackson's avoidance of the slavery issue.

Andrew Jackson's presidency serves as a rich fact pattern of lessons in professionalism and leadership applicable to judge advocates. Leaders, like Jackson, are always attempting to blaze a trail. As a result, judge advocates must employ innovative thinking to issues of first impression, recognize the importance of establishing legal precedent, and possess the foresight to ascertain the consequences of their advice.

Moreover, judge advocates must be thorough and tenacious in their legal opinions to superiors. Although most judge advocates are placed in positions where they are junior to other officers in terms of time-in-service, they must realize that they possess a wealth of legal training and expertise. Judge advocates must be confident in their well-researched legal opinions, even if when they are not the favored or expedient course of action, such as in the case of William Duane, Jackson's Secretary of the Treasury, who risked his career as a result of his defiance of Jackson's position on the dismantling of the Second Bank.

In addition, judge advocates can learn from Andrew Jackson's avoidance of the slavery issue. Judge advocates must be willing to not only identify legal issues but also formulate plans to address them. A leader does not leave an issue for his successor to resolve if the problem materialized on his watch. History may have been forever changed had Andrew Jackson confronted the slavery issue with the same vigor he showed when dismantling of the Second Bank.

After 369 pages, what is the final verdict on *American Lion*? The book receives a B+ for form and a C+ for substance. Commendably, Meacham uses the letters of Jackson insiders to illuminate a highly-researched topic; however, he provides little background on Andrew Jackson's early years and military conquests and does not explain how those experiences may have shaped his presidential policies. Meacham focuses an inordinate

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<sup>14</sup> WILLIAM MACDONALD, *JACKSONIAN DEMOCRACY* 172 (1906).

<sup>15</sup> MEACHAM, *supra* note 1, at 96.

<sup>16</sup> *Id.* at 97.

<sup>17</sup> MACDONALD, *supra* note 14, at 304.

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<sup>18</sup> The Hermitage is the name of Jackson's mansion and plantation near Nashville, Tennessee.

amount of the book on the Petticoat Affair, which may leave the reader feeling as though he has landed in a gossip column rather than a work of historical non-fiction. The author does not capitalize on his expertise as the Editor of *Newsweek* to inject perspectives on contentious issues that arose during the Jackson Administration, such as slavery and Indian removal. *American Lion* is not recommended for the Andrew Jackson novice because Meacham does not present

a well-balanced critical analysis of all the issues during Jackson's presidency. Overall, *American Lion* reads more like an homage to Andrew Jackson written by an affable, fellow Tennessean than historical non-fiction written by a pertinacious *Newsweek* editor. Lastly, *American Lion* does not add any significant contribution to the topic and pales in comparison to the works of Remini, which provide a more thorough analysis of Andrew Jackson's entire life and not just his eight years in the White House.