

CASE STUDIES IN AMERICAN HISTORY

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P R E F A C E

Increasingly, the curriculum of the American high school has come under scrutiny during the last ten years. Mathematics and the sciences in particular have undergone substantial change since 1957 when the Soviets reminded us through Sputnik that no competitive modern society can afford complacency in its educational system. Although priority has been placed on the improvement of materials and teaching techniques in the quantitative subjects, the social studies have begun recently to receive serious attention from research centers around the country.

Case Studies in American History attempts to meet a growing need in the social studies curriculum of the American high school. More and more frequently the contention has been voiced that the traditional history textbook does not provide a meaningful educational experience for all students, that it is failing to furnish young people with the challenging, provocative materials which they deserve and expect. In response to this position, several large-scale projects in social studies curriculum development have been launched at notable universities under grants from the U. S. Office of Education, and by Educational Services, Inc. under the auspices of the Ford Foundation. Moreover, many school systems impatient with the slow pace of curriculum development, have underwritten the private efforts of teachers and supervisors in the social studies to implement their own proposals for change and improvement. The present volume is in large part the result of just such concern about the inadequacy of most available materials.

The authors and editor were encouraged by the measurable success of the case study method as it has been employed in some of the nation's leading graduate schools and colleges. It seemed plausible that if a case study could be adapted to a problem in business, educational administration, politics or economics, with a little care it could be adapted to history at the high school level.

In order to communicate successfully the essential contemporaneity of history, it seemed imperative to establish a means of identifying the student with the man and the event. The case study is most adaptable to problems in decision-making on the basis of conflicting evidence and circumstances. For this reason, the authors have tried to choose dramatic situations in American history with which to illustrate the issues of the time and the choices facing the nation, its leaders and its citizens. The case study attempts, therefore, to humanize the historical narrative and to allow the student to pause and to grapple vicariously with the dilemmas of an earlier age, and perhaps by inference, of his own age.

The unique versatility of the case study method provides many benefits for the study of history. First, since the case usually defines a dilemma requiring a decision, it affords an opportunity for the student

to learn how he construes reality under the historical conditions presented. It affords an opportunity to discover and examine the basic assumptions from which a student builds his conception of the situation. And most important, it invites both the teacher and the student to test these assumptions within the limited framework of an historical moment.

Secondly, the case study provides an effective means to raise the level of abstraction on which a student operates. From the concrete, descriptive details of a particular case emerge a series of concepts which are more intelligible to the student because they can be immediately related to specific human activities in an atmosphere of controversy. Abstract concepts are much more easily understood and available for application if the student can readily discern in a dramatic situation the kind of attitude or behavior which the concept represents.

Thirdly, the case study invites the student to take a position in an important controversy and to justify that position. It invites him to participate in the rational consideration of a complex human problem, and thus may clarify for him the conflicting elements which are at the root of all historical disputes.

Although there are no hard-and-fast rules for the use of a case, experience suggests a few workable approaches which may contribute substantially to the goals of the classroom teacher. Because of the dramatic confrontation of people and principles, the case is highly adaptable to "role playing" in a number of forms. Debating, acting and other techniques may be used to project more forcefully the issues of each case and the differing positions which the protagonists take. If the teacher or student so desires, a case may well serve as a beginning for further research in a favored field of study. For most of the cases contained in this volume a wealth of background material should be available in high school libraries.

Case Studies in American History has been designed as a supplement to any recognized textbook currently in use in the schools. The fourteen topics which it explores conform largely to the commonly adjudged great issues in United States history, issues which most textbooks emphasize in one way or another. The case studies in this book may be used intermittently and at the appropriate chronological moment in nearly any American history course. They offer the social studies teacher the unusual opportunity of involving students in the decision-making process and of bringing life and vitality to the often moribund historical narrative.

FREDERICK C. CALDER
Carlisle, Massachusetts
July 7, 1964

INTRODUCTION TO STUDENTS

Because of the apparent distance between you and the people who were making history before you, there is a tendency to think of historical personalities as superhuman creatures who were constantly signing orders, making complicated speeches or leading armies from one place to another. It is easy to forget that the famous names as well as the unknown names of history were people too. They had to face many of the same hard predicaments which all of us face every day.

Case Studies in American History tries to bring you closer to your fellow human beings who had to grapple, alone or with others, with some of the great issues of our country's past. Sometimes on a printed page these important moments in our history seem dry and tedious. But, like ourselves who have to make decisions every day in our own lives, the men and women who had to decide some of the great issues of America's past also felt the strains, even the agonies, of making difficult choices. If you allow it, the case study will admit you as another human being into the lives and personal struggles of some of our country's important builders, not all of whom had famous names, but all of whom had to wrestle with basic human problems.

The case studies in this book will be most valuable to you if you try to join these people and participate in their search for better answers. Before reading a case you will have read in your textbook about the historical background which came before and during the events described in the case study. Think of each case as a resting place along the way where you can pause and draw a little nearer to the people and the problems of that time. If through these pages you can begin to share in the common human experience of decision-making, and if you can see more clearly the bases on which decisions are made, your understanding of history and your appreciation for the people who made it will have increased immeasurably.

Many of the characters portrayed in the cases are fictional. Peter Hendricks, Timothy Tisdale, Josh Lunt and their likes have been created to epitomize the chance and necessity for decision-making by citizens from all walks of life.

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Case One

ROGER WILLIAMS, DISSENTER IN THE HOLY COMMONWEALTH

WHEN ROGER WILLIAMS, the brilliant young minister from Essex, England, sailed into Boston Harbor on the *Lyon* in the winter of 1631, he viewed the raw new world as a refuge and a challenge. Here he knew he would be allowed to worship God as his conscience demanded, and here, too, he would have a chance to help create a new social order, a Holy Commonwealth, dedicated to the ways of God and blessed with His grace.

As he debarked from the skiff which had brought him and his fellow passengers from the *Lyon* to shore, Williams was greeted warmly and respectfully by John Winthrop. Governor Winthrop recognized Williams as a man who, like himself, had been frustrated in England's restrictive climate and who hoped to be able to revolutionize the world to accord with the demands of God. In England he had seen Williams at a meeting of prospective Massachusetts Bay colonists and knew that the minister agreed with the idea of setting up a community with political and social institutions based on strict theological principles. He recognized the young man as a "visible saint" (a church member who had satisfactorily proven that he was a favorite of God), and knew that Williams' advice, like that of other clergymen, would be valuable in determining God's designs for the colony.

As they exchanged pleasantries, neither Williams nor Winthrop could foresee that within two years Williams would prove himself one of the greatest threats to the singularity of purpose and stability of government which the Puritans believed necessary for their lofty mission. Neither man knew that Winthrop and his fellows, so recently a silenced minority in England, would soon become a vociferous majority in their attempt to muzzle the young minister. Nor could Williams or Winthrop predict that they were soon to debate questions of individual liberty, community rights, and the role of government which would challenge their successors throughout American history.

Two years later, a thoughtful member of Williams' Salem congregation began to record in his diary the developments of this struggle.

August, 1633. The Reverend Roger Williams has recently returned from Plimouth Plantation where he fled after leaving Salem two years ago, and there is much interest among the congregation in again offering him a position within the church. Reverend Skelton is in sore need of an assistant, and we would benefit greatly from the teachings of this young man.

We fear, of course, a repetition of the events of two years ago when Governor Winthrop and the Assistants (members of the colony's representative legislative body) at Boston wrote Mr. Endicott (the Assistant at Salem) protesting our earlier invitation to Williams to become our teacher. If the magistrates judged him dangerous then, they must fear him more now, for he has engaged them in public argument several times since he left Salem. They continue, of course, to object to his separatism (the doctrine which advocated a complete break with the Church of England) and to his conviction that civil magistrates have no authority to punish such religious offenses as heresy, blasphemy, idolatry, and sabbath-breaking, and have found further reason to denounce him for several less important opinions. Williams interprets the scriptures with extreme literalness and sets ideal standards for social and political behavior; while at Plimouth he objected to the use of "Goodman" as a title for anyone but visible saints. But the magistrates and many of the ministers find his requirements impractical and fear that his preaching of them will disrupt the peace of the Holy Commonwealth. The wisdom of the magistrates has been proven in the past and perhaps they now see problems of which we, who are blinded by the charm of Mr. Williams' personality and the purity of his vision, are unaware. Whether the magistrates are right or wrong, we hesitate to anger them and risk a schism within the colony.

But many among the Salem congregation still resent Winthrop's intervention in our affairs and would appoint Williams without regard to the opinions of the magistrates. We hold sacred our right of congregational independence and will allow no member of another church to dictate to us. Why, then, should we let the Assistants, who are not members of the Salem church, influence the policies of our congregation? Certainly the majority of the Salem church are in sympathy with Reverend Williams' beliefs. We find it difficult to understand why God would allow so virtuous a servant to hold opinions which would be dangerous to the Holy Commonwealth. If he seems to us to speak the truth, it is our right to have him teach us.

The question remained with the congregation: *should Reverend Williams be their assistant minister?*

May 9, 1635. It is almost a year since Samuel Skelton's death, and

the congregation must choose a new minister. Reverend Williams, who has served as unofficial assistant for two years, is the obvious choice; but many among us are reluctant to appoint him, for he is causing much controversy throughout the colony.

Those of us who doubted that Williams' opinions could be dangerous have seen our trust disproven. Since his return to Salem he has been called seven times to the General Court to account for his teachings. Some fear that he is the emissary of the Devil sent to cause strife in the Holy Commonwealth, and there is good evidence to support that fear, for his religious convictions have again and again conflicted with the political policies of the court.

When Williams charged last spring that the charter of Massachusetts Bay was invalid because the King of England had no right to grant us lands rightfully belonging to the Indians, his intentions were good, for he feared a sin against God's divine law, but his suggested solutions caused concern in many quarters. Declaring that the patent was "a solemn public lie," he demanded that the colony return the charter to the king for alterations or leave New England; but he failed to understand that it would do us no good to anger the king or that landholding freemen could only laugh at his suggestion that they surrender their farms and return to England.

The magistrates were alarmed at the influence of Williams' teachings. His sermons denounced the oath of allegiance to the Massachusetts Bay government taken by non-church members (non-freemen) in front of the magistrates. Williams objected to the oath on the grounds that the magistrates were "visible saints" and so could contaminate themselves by entering into a compact before God with an unholy man. His objections were seized upon by the residents, who found in them an excuse not to take the oath, and the magistrates were forced to retract it. The magistrates thus are left without legal authority to govern many of the nonfreemen of the colony, and the stability of the state may be threatened by the very people whom we urged to come to the New World.

The magistrates and the ministers have continually demanded that Williams refrain from teaching treasonous ideas, but his belief that civil magistrates have no authority to dictate in religious matters encourages him to ignore their objections. He has little understanding of the possible consequences of his teachings.

To appoint Williams our minister now would prove to the General Court that we have confidence in him and wish to retain him as our spiritual leader, for indeed we recognize the purity of his convictions and are loath to lose their benefits. We are confident that he shows us God's way, though we are confused that others of God's saints (the magistrates) could misinterpret his demands so

strangely. To appoint him would be to act according to our consciences; not to do so would be to honor our civic responsibility.

Again the congregation was faced with the question of appointing Reverend Williams, this time as minister.

September 5, 1635. We find ourselves in a final battle with the General Court, for Reverend Williams and our confidence in him have at last brought us to the point where we have no choice but to lose either him or our association within Massachusetts Bay. Either decision cannot but injure us in some measure.

As soon as we had appointed Reverend Williams to be our minister, the General Court served notice that it would not consider our petition for the land at Marblehead Neck, which is by all rights ours, until we discharged him from his duties. The congregation, irate over this immoral confusion of the things of Caesar and the things of God, wrote letters to the other churches of the Bay demanding that they admonish their magistrates and their ministers for this heinous sin, but the elders and ministers boldly withheld these messages from their congregations and prevented the case of the Salem church from being heard by the congregations of the colony. Hearing of this injustice, we wrote in protest to the magistrates in Boston, but throughout the summer they refused to yield to our pleas.

Williams, meanwhile, has fallen ill, and is now close to death. Many interpret this misfortune as a sign that God has finally become dissatisfied with His servant, and they urge the magistrates to follow the judgment of God. But even now Williams holds true to his beliefs, and he has recently written a letter to the Salem church demanding that we declare our congregation separate not only from the Church of England, but even from the churches of Massachusetts Bay. He threatens to leave us rather than continue an association with impure congregations and, indeed, if we withhold our support from him, the General Court will be free to expel him from the colony. We may thus lose the most godly man among us.

In view of the Court's recent action in unseating the Assistants of Salem and imprisoning Mr. Endicott when he dared to protest, there is no doubt that if the church decides to separate, Salem must also secede politically from Massachusetts Bay. Yet to separate would mean to stand alone in this wilderness, and be unable to share the wisdom, the defenses, or the economic strength of our fellows. To set up a new civil order under the leadership of Roger Williams, who has no idea of the responsibilities of political institutions, might well lead to disaster.

The Holy Commonwealth has never seemed so unholy as it does now. Yet it is the presence of the most saintly of men which

has forced it into this position, and the government makes its demands in the name of maintaining peace to carry on the work of God. Our congregation and the town of Salem must choose between God's minister and His commonwealth. We cannot help but believe that God himself is displeased that such a decision is necessary, or wonder whether we have erred in our mission.

If you had been a member of the Salem congregation, would you have voted for or against Williams in these three situations?

Case Two

PETER HENDRICKS, PATRIOT OR LOYALIST*

MY GOOD FRIEND, PETER HENDRICKS, passed away twenty years after the Declaration of Independence had officially split our colonies from the Mother Country. Peter and other men of his station and opinions had much to do with that event. Thinking of him leads me to recall the troubled times from 1763 to 1776 and the troubled mind of my friend.

Peter and I were in the first graduating class at King's College (Columbia University), the class of 1758. We went on to study law, and, five short years later, Peter had settled in New York City as a leading merchant trading mostly with the West Indies. He married the Dutch daughter of a great Hudson River landowner, Nicholas Van Geyl. Often the old Dutchman, his son-in-law and I exchanged opinions on the events leading to the Revolution.

It was at Peter's town house on the Bowling Green that the three of us first gathered. The year was 1763, for the Peace of Paris ending the Seven Years' War had just been signed. By the treaty Great Britain ruled supreme from India to the Mississippi River. The menacing Frenchmen had been forced from North America.

As I remember, the discussion began when I commented that 1763 marked a critical point for the British Empire. A vastly enlarged American territory was at England's disposal, and she might choose to revise drastically her policy toward the colonies. It seemed to me very possible that she might make greater financial demands than ever from her colonies. Old Nicholas was quick to respond. "That may be true, my young friend. And I see no reason why she shouldn't make better use of her mercantile system. That we exist for the benefit of the Mother Country is as it should be. Our profits are the Empire's profits. It is our liberty to obey the laws created by our betters."

The keystone of England's trading policy with her colonies had been established by the Navigation Acts of 1651 and 1660, whereby all commerce had to be carried on in English-built and English-owned ships. Certain colonial products, "enumerated articles" such as sugar and

* Adapted from "The Spirit of '76" by Carl Becker, Brookings Institution, Washington, D. C.

tobacco, could be exported only to England. On the eve of the American Revolution only one important colonial product was not "enumerated," salt fish.

L I knew that Mr. Hendricks shared the old man's views that we were Englishmen first and colonists second and that we were prospering because of England, not in spite of her. But I was also sure that he felt less need for English protection now that the French had departed. P Unlike his father-in-law, he was not at all sure that an Englishman was "better" than a colonist.

L In 1763, Peter saw bright horizons for his two loves, Britain and the American colonies. To him Britain was the home of political liberty, and America, the great example of its fulfillment. He felt that this relationship extended into commerce. "There is no question but that Britain has a fundamental right to regulate our commerce; to collect duties [taxes] on colonial products for the regulation of imperial trade. But, true to her historic tradition of individual liberties found in the P Magna Carta and the Bill of Rights, she has allowed a perfect freedom of trade between her colonies and the West Indies." Rum, grain, lumber, and fish were freely exported to the Indies, while prohibitive duties on incoming sugar and molasses from non-English West Indian Islands were seldom collected by the English customs houses in American ports. P I often reminded him of England's Molasses Act of 1733 which prohibited this trade. He would answer that Parliament now saw the folly of the Act, as shown by their policy of "salutary neglect," which allowed L the colonial merchants to trade almost when and where they pleased.

I was quick to remind the two prosperous New Yorkers that England's liberality in trade did not extend to manufacturing. England's mercantile system imposed an absolute prohibition on the erection of steel furnaces in the colonies and the exportation of hats and woolen goods between colonies. P

Old Nicholas countered, "But no harm has been done. We can buy English manufactures for less than we can make them ourselves."

L By the 1760's, the mercantile system brought annual profits to the Englishman of more than a million pounds. In return, the colonists received substantial benefits: military protection paid for by the English taxpayer, bounties paid by Parliament to the colonial producers of naval stores and indigo, and a prosperous market for American grown tobacco.

I went on: "I appreciate your faith that England has our best interests in mind, but before guessing as to our future relationship with her, let me mention two matters of finance. First, since 1756, the start of the Seven Years' War, the British national debt has risen by 70 million pounds. Second, since 1748, the annual cost of her civil and military establishment in America has increased from 70,000 to 350,000 pounds."

Peter was quick to answer. "If you're suggesting that these figures

portend a stricter mercantile policy intended to tax the colonies for money to be used to meet England's personal financial embarrassments, you're dead wrong. She recognizes us as freeborn Englishmen with as many personal liberties as her own countrymen."

"I'm suggesting that our enlarged empire will require more men and ships and that Mother Country and colonies alike will be called on for contributions. This year's Royal Proclamation restricts us from settling west of the Allegheny Mountains. More arbitrary pronouncements may well follow."

"Never fear, my good fellow. We will be allowed a free status within the Empire. British merchants won't forget our commercial contribution, nor Parliament our sincere efforts to pay off at least part of the colonial war debt of 2,500,000 pounds."

The following year, 1764, Peter became worried when the Revenue Act (Sugar Act) was passed with the purpose, as expressed in its preamble, of "improving the revenue of the kingdom" and "defraying the expenses of . . . securing [the American colonies]." The duty on foreign molasses coming into an American port was to be reduced, but the Act provided for its definite collection. Mr. Hendricks' West Indian trade would suffer, but he could not deny Parliament's traditional right to regulate trade under the mercantile theory. However, the novel idea of using the money for anything but the regulation of trade, that is, simply to improve England's finances, made Peter suspicious; the idea of "securing" the colonies made him turn pale.

It was at the merchant's country house in Greenwich Village a year later that the Stamp Act made us stare at one another in bewilderment. Even old Nicholas was startled by the British highhandedness, but he had a ready explanation for it.

"Do you think it right," he queried Peter, "that America should be protected by England in the Seven Years' War and pay no part of the expense?" He referred to the fact that the tax was to pay one-third of the expenses of keeping a military force in America.

"We talked on this point last year, father. The colonies supported 25,000 soldiers in the war and spent millions. How can Grenville possibly term the Act 'just'? The point to be raised is the constitutionality of an act which places an internal tax on an Englishman without his consent."

"Come now," said Nicholas, "'tis true that you and I have no representative in Parliament, but neither do a good many Englishmen, whose representatives are often chosen for them by some irresponsible Peer or Boroughmonger."

"Such virtual representation should be damned," shouted Mr. Hendricks. "There should be a popular election of representatives as of our Assemblymen in New York. The Stamp Act is unconstitutional, sir!"