NEH Awards LaCroix Grant for New Book on Interbellum Years

By Becky Beaupre Gillespie

The National Endowment for the Humanities (NEH) has awarded Professor Alison LaCroix a 12-month fellowship to advance her study of the constitutional discourse that roiled America between the War of 1812 and the Civil War—a project that challenges the conventional view that those years marked a lull between America’s “real” foundational moments. The resulting book, *The Interbellum Constitution: Union, Commerce, and Slavery from the Long Founding Moment to the Civil War*, will draw on LaCroix’s interdisciplinary expertise in American history and constitutional law to tell a nuanced and deeply human story of a nation caught between constitutional reverence and discord over the document’s unresolved issues.

“It was a remarkable time, and the overarching story is one about federalism, commerce, and concurrent power—but as carried out through real legal debates,” said LaCroix, the Robert Newton Reid Professor of Law and an associate member of the University’s Department of History. “And it’s a story that isn’t typically told this way—this period is often treated as a gap between the founding and the Reconstruction era. This fellowship is a chance to devote unbroken time to examining individual people and the discourse that unfolded among them, and I’m thrilled and honored to have been selected.”

The highly competitive fellowship is among $12.8 million in grants awarded to 253 humanities projects across the nation, the NEH announced in December.

LaCroix’s work on the American constitutional debates that unfolded between 1815 and 1861 is, in many ways, a natural outgrowth of her 2010 book, *The Ideological Origins of American Federalism* (Harvard University Press), which examined the beginnings of American federal thought. Her new book, which is under contract by Yale University Press, picks up a few years later, as the last of the founders were dying and the republic was facing a dizzying array of economic, political, and societal changes: westward expansion; the development of the cotton gin, steam engine, and other technologies; the emergence of new political parties; a series of recessions; sectional disputes over slavery; and calls for racial and gender equality. The period was one of fighting, confusion, and contradiction, LaCroix said. On one hand, Americans revered the Constitution as the final words of their founders. On the other, they struggled to apply it, particularly when delineating between federal and state authority as policy issues like slavery and taxation took on increasing importance.

“There was a real sense that the union was fragile or even on the verge of collapse—they didn’t know how long it would succeed or even what success would look like,” LaCroix said. “The founders were dying off and, what's more, things were very different from what they could have envisioned. So not only were interbellum Americans applying federalism, they were applying it to totally new and ever-changing sets of problems and dynamics.”

Despite the turmoil, historians have often treated the interbellum period as one of constitutional stasis, LaCroix said, noting the large gap between the ratification of the 12th Amendment in 1804 and the 13th Amendment in 1865. “People have written about this period as if it isn’t part of the story because it didn’t generate any amendments,” she said. “But there were all these foundational cases from this period. There was *McCulloch v. Maryland* about the Bank of the United States in 1819, *Gibbons v. Ogden* about the commerce clause and steamboats in 1824, *Osborn v. Bank of the US* about federal jurisdiction also in 1824, and others. So how can we have a story that the Constitution didn’t change or that nothing interesting was happening when the Court was generating all these opinions? They weren't just clarifying: these were real disputes on the line.”

The story, of course, has a strong human element, and some of LaCroix’s research has focused on reading accounts of individuals involved in the disputes and debates. She’s worked to include voices beyond lawyers and the male elite, including those of fugitive slaves, the wives of cabinet members, and others.

“One of the things I find really fascinating about this project is that I’m looking at particular people and trying to weave their stories together,” LaCroix said. “It means I spend time reading one person’s papers, and I get to know their handwriting and who they write to and how they write to those people.”