Chapter 10 Lesson 1

The election of 1800

Federalists support President Adams for a second term and Charles Pinckney for vice president. Republicans nominated Thomas Jefferson for president and Aaron Burr for vice president. The manner in which the campaign was held is different from how campaigns are done these days. Neither Adams nor Jefferson traveled around the country campaigning. Many thought direct campaigning was improper for the person who would be president. Instead, letters were sent to leading citizens and newspapers to make the candidates’ views public.

The campaign was bitterly fought with each side making personal attacks against the other. For example, Federalists accused Jefferson of being godless because he believed in freedom of religion. Republicans warned that the Federalists favored the wealthy and would bring back monarchy.

The Vote is Tied

Under the Constitution, voters in an election are really electing groups of people called electors (Electoral College). These electors actually cast the ballot that elect the president and vice president. Each state has as many electoral votes as it has members in Congress.

At that time, the Constitution said that electors were to cast two ballots – without indicating which was for president and which was for vice president. The candidate with the majority of votes would be president and the candidate with the next largest amount would be vice president. In the election of 1800, 73 electors cast their ballot for Jefferson and Burr, both received the same amount of votes.

In the House, Federalists tried to keep Jefferson from becoming president by supporting Burr. For 35 ballots, the election remained tied. Finally one Federalist decided to not vote for Burr, allowing Jefferson to become president.

No one wanted to see another tie between a presidential and vice-presidential candidate, Congress passed the 12th amendment to the Constitution in 1803. From that point on, electors cast one vote for president and the other for vice president.

Jefferson’s Inauguration

On the day he became president, Jefferson walked to the Senate in his everyday clothes. President Adams did not attend. In his inaugural address, Jefferson outlined some of his goals, including “a wise and frugal government” and “the support of the state governments in all their rights” Jefferson believed a large federal government threatened liberty and that individual states could better protect freedom. He wanted to limit the power and size of the federal government.

Jefferson as President

Thomas Jefferson had strong ideas about government and he surrounded himself with people who shared a similar view. Jefferson and Albert Gallatin (Secretary of the Treasury) reduced the national debt and cut down on military expenses. Jefferson limited the number of federal government workers to just a few hundred people. His government got rid of most federal taxes, they only collected customs duties or taxes on imported goods. Under Jefferson the government’s income would come from customs duties and the sale of western lands. He believed that these changes were needed to make the US a great nation.

Judiciary Act of 1801

After the election and before Jefferson took office, the Federalists passed an act that set up a systems of courts. John Adams used this act, the Judiciary Act of 1801, to make hundreds of appointments during his last days as president. Adams also asked John Marshall to serve as chief justice. Congress was still under Federalists control and supported Adams’s choices. In this way, Adams blocked Jefferson from making appointments and made sure the Federalists controlled the courts.

Adams’s appointees could not take effect until these last-minute appointees, known as “midnight judges,” received certain official papers, called commissions. When Jefferson became president, some of the appointees had not received their commissions. Jefferson told Secretary of State James Madison not to deliver them.

The Growing Power of the Supreme Court

One of the appointees who did not receive his commission was William Marbury. He asked the Supreme Court to force its delivery. The Court said it did not have the jurisdiction – legal authority- to force delivery of Marbury’s commission. Marbury’s argument was that an act of Congress gave the Court such authority, but the Court ruled that that act violated the Constitution.

The ruling in Marbury v. Madison affected more than William Marbury’s career. In his opinion, Chief Justice John Marshall established the three principles of judicial review:

1. The Constitution is the supreme law of the land
2. The Constitution must be followed when there is a conflict with any other law
3. The judicial branch can declare laws unconstitutional

Marshall claimed for the courts the power to find acts of other branches unconstitutional. Judicial review is a key check on the legislative and executive branches.

In his 34 year career as chief justice, Marshall helped broaden the power of the Court. He also expanded federal power at the expense of states. In McCulloch v. Maryland (1819), the Court held that Congress does have implied powers and that states cannot tax the federal government. In Gibbons v. Ogden (1824), the Court held that federal law overrules state law in matters affecting more than one state. In Worcester v. Georgia (1832), the Court decided that states could not regulate Native Americans, only the federal government had that power.