



Understanding the Election of 1800 and the Twelfth Amendment

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About this Lesson

“Understanding the Election of 1800 and the Twelfth Amendment” is a lesson designed to help students understand the revolutionary presidential election that incited the need for constitutional reform. The lesson begins with a warm-up activity, which will briefly remind students of the political climate in 1800, including an explanation of the Alien and Sedition Acts. The students will then participate in an activity where NBA All-Stars will serve as an analog to the candidates of the 1800 election in order to help them understand its significance.

Grade(s): Level 9-12

Classroom Time: 45 minutes

Handouts: None

Constitution Connections

- Article II
- Twelfth Amendment

Background

Though they represented different parties, Thomas Jefferson had served as John Adams' vice president since 1797, after losing a closely contested election in 1796. At the time, Article II of the Constitution provided that the runner-up in the Electoral College voting would serve as vice president (Adams took 71 votes, Jefferson won 68).

In the election of 1800, Jefferson challenged Adams for the presidency a second time, and with the Alien and Sedition Acts serving as the backdrop, the two men and their supporters engaged in a vicious campaign. The outcome, in which Jefferson defeated Adams and political power passed from one party to another, has been called the "Revolution of 1800."

Objectives

Students will:

- Examine the election of 1800
- Summarize the events that made the election so controversial
- Advocate for a candidate during a short role-playing session
- Deliberate on the systemic problems of electing a president under the original Constitution and make suggestions for improvement
- Understand how the election made clear the need for Constitutional reform
- Understand why Jefferson's ultimate victory and the peaceful transfer of power earned the sobriquet "Revolution of 1800"

National Standards for Social Studies

Standard I: Culture

- a. analyze and explain the ways groups, societies, and cultures address human needs and concerns
- c. apply an understanding of culture as an integrated whole that explains the functions and interactions of language, literature, the arts, traditions, beliefs and values, and behavior patterns
- e. construct reasoned judgments about specific cultural responses to persistent human issues

Standard II: Time, Continuity, & Change

- b. apply key concepts such as time, chronology, causality, change, conflict, and complexity to explain, analyze, and show connections among patterns of historical change continuity
- e. investigate, interpret, and analyze multiple historical and contemporary view points within and across cultures related to important events, recurring dilemmas, and persistent issues, while employing empathy, skepticism, and critical judgment

Standard IV: Individual Development & Identity

- a. articulate personal connections to time, place, and social/cultural systems

Standard V: Individuals, Groups, & Institutions

- c. describe the various forms institutions take, and explain how they develop and change over time
- e. describe and examine belief systems basic to specific traditions and laws in contemporary and historical movements
- f. evaluate the role of institutions in furthering both continuity and change

Standard VI: Power, Authority & Governance

- a. examine persistent issues involving the rights, roles, and status of the individual in relation to the general welfare
- b. explain the purpose of government and analyze how its powers are acquired, used, and justified
- c. analyze and explain ideas and mechanisms to meet needs and wants of citizens, regulate territory, manage conflict, establish order and security and balance competing conceptions of a just society

Standard X:

- a. explain the origins and interpret the continuing influence of key ideals of the democratic republican form of government, such as individual human dignity, liberty, justice, equality, and the rule of law
- b. identify, analyze, interpret, and evaluate sources and examples of citizens' rights and responsibilities
- e. analyze and evaluate the influence of various forms of citizen action on public policy

Warm-Up/Bell Ringer

Ask students to think of whom they think the best pitcher in baseball is, or the best pop singer, etc. then have them engage in a quick discussion as to why they feel this way about their particular candidates. Then liken this to how members of each party felt during the 1800 election and move on to the following brief history.

Briefly review the political climate before the election of 1800, including: the formation of the “first party system”; the election of 1796; and the passage of the Alien and Sedition Acts. Remind students that sedition as defined in this law meant not simply outright treason but anything said against the government. Explain that this clearly targeted the (Democratic-) Republican opposition, especially newspapers and their editors, and that eighteen people were ultimately charged under the Sedition Act (The story of the fight between Federalist Roger Griswold and Democratic-Republican Matthew Lyon nicely encapsulates these issues.)

Activity

Step 1

Hand out secret slips assigning students to serve as electors for the Democratic-Republican and Federalist parties. To help ensure victory for the Democratic-Republicans, make sure more students are from this party. (Jefferson and Burr each took 73 electoral votes; Federalists Adams and Pinckney took 65 and 64 respectively. One Federalist elector voted for John Jay to ensure that Adams and Pinckney did not finish in a tie if they won.)

Explain that for this exercise, Eastern Conference stars **LeBron James** and **Dwyane Wade** represent the Democratic-Republicans; Western Conference stars **Kobe Bryant** and **Chris Paul** represent the Federalists. Ask one or two students to explain why these candidates and their supporters might oppose one another. (Possible answers: Conference affiliations, on-going debates about who’s the *best* current NBA player, playoff victories.) Ask students to reflect on whether this is a campaign that could get high school engaged and passionate about the results. They might suggest a debate about musicians or TV stars instead, but the point is to help them feel the depth of the interest in the election of 1800.

Step 2

Students should “campaign” for their candidate for about five minutes. Again remind them that this was a very heated election, with strong feelings on both sides, much the way that NBA fans supported either Kobe or LeBron for the league’s MVP Award. Students should move around the room explaining why their NBA candidate should prevail, and why the other guy is just second best. This may get a bit loud. Students should probably avoid replicating the Griswold-Lyons spitting and fire tongs fight that occurred in the House.

Step 3

Pass out blank ballots. Read what the 1789 Constitution explained about voting, but only read the opening sentences. (*The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate.*) Explain what this means, but do not take questions about potential complications that might arise.

Step 4

In their role as electors, each student should vote for two candidates. (Because of the rancor associated with the election of 1800, remind students that they most likely would not cross party lines when they vote.) To keep with the modern-day comparisons, you might explain that Kobe’s pride could never allow him to serve as LeBron’s vice-president, nor could LeBron accept second fiddle status to Kobe. **STUDENTS SHOULD VOTE SILENTLY, WITHOUT DISCUSSING THEIR CHOICES.**

Step 5

Count the votes. If the voting goes according to the election of 1800, LeBron and Dwyane Wade should finish tied for first place. If a student on the Democratic-Republican side figures out that Wade should not appear on the ballot, or if a student with Federalist leanings subverts the ballot by voting for Wade and not LeBron, then your results may be different.

Step 6

Discuss the outcome and ask what should be done in the case of a tie. Ask students to look at what the Constitution says about this situation (nothing). Remind them that, according to the Constitution, Electoral College members voted only for President; each elector could vote for two candidates, and whoever received the second largest number of votes during the election became vice president.

Explain that the election would now be sent to the lame duck, acrimoniously divided House of Representatives, which was still controlled by the Federalists, to determine who should be the next president. Students should caucus as House representatives and elect the next president. Remind them that Kobe supporters might be eager to see Wade win rather than LeBron, much like Federalists deeply opposed the possibility of Jefferson becoming president. Explain that House members balloted as delegates from the sixteen states to determine the winner, and nine votes were needed for victory. Federalists controlled eight states. With these parameters in mind, what results would students get? If time is short, explain what happened in the House and move to the next step instead.

Step 7

After this brief, but vigorous debate in the House (explain that Jefferson was finally elected on the 36th ballot, in large part because noted Federalist Alexander Hamilton campaigned heavily for him, preferring an ideological rival to the deeply flawed Burr), ask students to deliberate briefly in small groups about possible solutions to this flaw in presidential elections. Then have a discussion about what they think should be done to fix the system before reading the Twelfth Amendment aloud. Is this an answer that parallels the students' solutions

Twelfth Amendment

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;--The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice.... The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President to the United States.

Step 8

Finally, ask students to spend two minutes writing down all the possible reasons that the election of 1800 was “revolutionary.” What changed as a result of the election? Why was it important? (Possible answers: It led to change in the Constitution; it was the occasion of a peaceful transfer of power between bitter rivals and separate parties; it helped create the idea of national parties as key aspect of presidential politics.) Discuss the answers.