
THE ORIGINS
OF THE TWELFTH
AMENDMENT

The Electoral College in
the Early Republic, 1787–1804

TADAHISA KURODA

Origins Of The Twelfth Amendment The Electoral College In The Early Republic 1787 1804

Tobias Bleicker



Origins Of The Twelfth Amendment The Electoral College In The Early Republic 1787 1804:

The Revolution of 1800 James J. Horn, Jan Ellen Lewis, Peter S. Onuf, 2002-12-29 George W Bush and Al Gore were by no means the first presidential hopefuls to find themselves embroiled in a hotly contested electoral impasse Two hundred years earlier Thomas Jefferson and John Adams endured arguably the most controversial and consequential election in American history Focusing on the wide range of possible outcomes of the 1800 1801 melee this collection of essays situates the American Revolution of 1800 in a broad context of geo political and racial developments in the Atlantic world as a whole In essays written expressly for this volume leading historians of the period examine the electoral social and political outcome of Jefferson s election in discussions strikingly relevant in the aftermath of the 2000 election Contributors Joyce Appleby University of California Los Angeles Michael Bellesiles Emory University Jeanne Boydston University of Wisconsin Seth Cotlar Willamette University Gregory Evans Dowd University of Notre Dame Laurent Dubois Michigan State University Douglas R Egerton Le Moyne College Syracuse Joanne Freeman Yale University James E Lewis Jr independent scholar Robert M S McDonald United States Military Academy West Point James Oakes City University of New York Graduate Center Jeffrey Pasley University of Missouri Columbia Jack N Rakove Stanford University Bethel Saler Haverford College James Sidbury University of Texas Alan Taylor University of California Davis *The Origins of the Twelfth Amendment* Tadahisa Kuroda, 1994-08-30 Kuroda in a concise format and readable text offers a complete assessment of the college from its 1787 inception to its 1804 revision that has long been needed and is well worth reading New York State Historical Association

Affairs of Honor Joanne B. Freeman, 2002-01-01 Offering a reassessment of the tumultuous culture of politics on the national stage during America s early years when Jefferson Burr and Hamilton were among the national leaders Freeman shows how the rituals and rhetoric of honor provides ground rules for political combat Illustrations *Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues, 1789-2023* John R. Vile, 2023-10-19 Written by a leading scholar of the constitutional amending process this two volume encyclopedia now in its fifth edition is an indispensable resource for students legal historians and high school and college librarians This authoritative reference resource provides a history and analysis of all 27 ratified amendments to the Constitution as well as insights and information on thousands of other amendments that have been proposed but never ratified from America s birth until the present day The set also includes a rich bibliography of informative books articles and other media related to constitutional amendments and the amending process *The Framers' Coup* Michael J. Klarman, 2016-09-16 Americans revere their Constitution However most of us are unaware how tumultuous and improbable the drafting and ratification processes were As Benjamin Franklin keenly observed any assembly of men bring with them all their prejudices their passions their errors of opinion their local interests and their selfish views One need not deny that the Framers had good intentions in order to believe that they also had interests Based on prodigious research and told largely through the voices of the participants Michael Klarman s *The*

Framers Coup narrates how the Framers clashing interests shaped the Constitution and American history itself. The Philadelphia convention could easily have been a failure and the risk of collapse was always present. Had the convention dissolved, any number of adverse outcomes could have resulted, including civil war or a reversion to monarchy. Not only does Klarman capture the knife's edge atmosphere of the convention, he populates his narrative with riveting and colorful stories: the rebellion of debtor farmers in Massachusetts, George Washington's uncertainty about whether to attend, Gunning Bedford's threat to turn to a European prince if the small states were denied equal representation in the Senate, slave states' threats to take their marbles and go home if denied representation for their slaves, Hamilton's quasi-monarchist speech to the convention, and Patrick Henry's herculean efforts to defeat the Constitution in Virginia through demagoguery and conspiracy theories. The Framers Coup is more than a compendium of great stories, however, and the powerful arguments that feature throughout will reshape our understanding of the nation's founding. Simply put, the Constitutional Convention almost didn't happen, and once it happened, it almost failed. And even after the convention succeeded, the Constitution it produced almost failed to be ratified. Just as importantly, the Constitution was hardly the product of philosophical reflections by brilliant disinterested statesmen, but rather ordinary interest group politics. Multiple conflicting interests had a say, from creditors and debtors to city dwellers and backwoodsmen. The upper class overwhelmingly supported the Constitution; many working class colonists were more dubious. Slave states and nonslave states had different perspectives on how well the Constitution served their interests. Ultimately, both the Constitution's content and its ratification process raise troubling questions about democratic legitimacy. The Federalists were eager to avoid full-fledged democratic deliberation over the Constitution, and the document that was ratified was stacked in favor of their preferences. And in terms of substance, the Constitution was a significant departure from the more democratic state constitutions of the 1770s. Definitive and authoritative, The Framers Coup explains why the Framers preferred such a constitution and how they managed to persuade the country to adopt it. We have lived with the consequences, both positive and negative, ever since.

Jefferson's Treasure Gregory May, 2018-08-07

George Washington had Alexander Hamilton, Thomas Jefferson had Albert Gallatin. From internationally known tax expert and former Supreme Court law clerk, Gregory May comes this long overdue biography of the remarkable immigrant who launched the fiscal policies that shaped the early Republic and the future of American politics. Not Alexander Hamilton, Albert Gallatin. To this day, the fight over fiscal policy lies at the center of American politics. Jefferson's champion in that fight was Albert Gallatin, a Swiss immigrant who served as Treasury Secretary for twelve years because he was the only man in Jefferson's party who understood finance well enough to reform Alexander Hamilton's system. A look at Gallatin's work—repealing internal taxes, restraining government spending, and repaying public debt—puts our current federal fiscal problems in perspective. The Jefferson Administration's enduring achievement was to contain the federal government by restraining its fiscal power. This was Gallatin's work. It set the pattern for federal finance until the Civil War, and it created a culture of fiscal

responsibility that survived well into the twentieth century A Companion to Thomas Jefferson Francis D. Cogliano, 2011-09-15 A Companion to Thomas Jefferson presents a state of the art assessment and overview of the life and legacy of Thomas Jefferson through a collection of essays grounded in the latest scholarship Features essays by the leading scholars in the field including Pulitzer Prize winners Annette Gordon Reed and Jack Rakove Includes a section that considers Jefferson s legacy Explores Jefferson s wide range of interests and expertise and covers his public career private life his views on democracy and his writings Written to be accessible for the non specialist as well as Jefferson scholars

Congressional Record United States. Congress, 1881 The Congressional Record is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873

Breaking the Deadlock Richard A. Posner, 2001-07-05 The 2000 Presidential election ended in a collision of history law and the courts It produced a deadlock that dragged out the result for over a month and consequences real and imagined that promise to drag on for years In the first in depth study of the election and its litigious aftermath Judge Posner surveys the history and theory of American electoral law and practice analyzes which Presidential candidate really won the popular vote in Florida surveys the litigation that ensued evaluates the courts the lawyers and the commentators and ends with a blueprint for reforming our Presidential electoral practices The book starts with an overview of the electoral process including its history and guiding theories It looks next at the Florida election itself exploring which candidate really won and whether this is even a meaningful question The focus then shifts to the complex litigation both state and federal provoked by the photo finish On the basis of the pragmatic jurisprudence that Judge Posner has articulated and defended in his previous writings this book offers an alternative justification for the Supreme Court s decision in Bush v Gore while praising the Court for averting the chaotic consequences of an unresolved deadlock Posner also evaluates the performance of the lawyers who conducted the post election litigation and of the academics who commented on the unfolding drama He argues that neither Gore s nor Bush s lawyers blundered seriously but that the reaction of the legal professoriat to the litigation exposed serious flaws in the academic practice of constitutional law While rejecting such radical moves as abolishing the Electoral College or creating a national ballot Posner concludes with a detailed plan of feasible reforms designed to avoid a repetition of the 2000 election fiasco Lawyers political scientists pundits and politicians are waiting to hear what Judge Posner has to say But this book is written for and will be welcomed by all who were riveted by the recent crisis of presidential succession

Conventional Wisdom John R. Vile, 2016-03 Article V of the Constitution allows two thirds majorities of both houses of Congress to propose amendments to the document and a three fourths majority of the states to ratify them Scholars and frustrated advocates of constitutional change have often criticized this process for being too difficult Despite this state

legislatures have yet to use the other primary method that Article V outlines for proposing amendments it permits two thirds of the state legislatures to petition Congress to call a convention to propose amendments that like those proposed by Congress must be ratified by three fourths of the states In this book John R Vile surveys more than two centuries of scholarship on Article V and concludes that the weight of the evidence including a much overlooked Federalist essay indicates that states and Congress have the legal right to limit the scope of such conventions to a single subject and that political considerations would make a runaway convention unlikely Charting a prudent course between those who fail to differentiate revolutionary change from constitutional change those who fear ever using the Article V convention mechanism that the Framers clearly envisioned and those who would vest total control of the convention in Congress the states or the convention itself Vile's work will enhance modern debates on the subject *The Papers of Thomas Jefferson, Volume 42* Thomas Jefferson, 2018-06-05 Confessing that he may be acting with more boldness than wisdom Jefferson in November 1803 drafts a bill to create Orleans Territory which he entrusts to John Breckinridge for introduction in the Senate The administration sends stock certificates to France in payment for Louisiana Relieved that affairs in the Mediterranean have improved with the evaporation of a threat of war with Morocco the president does not know yet that Tripoli has captured the frigate Philadelphia with its officers and crew He deals with never ending issues of appointment to office and quarreling in his own party while hearing that some Federalists are as Bitter as wormwood He shares seeds of the Venus flytrap with Elizabeth Leathes Merry the British minister's wife She and her husband however create a diplomatic storm over seating arrangements at dinner parties Having reached St Louis Meriwether Lewis reports on the progress of the western expedition Congress passes the Twelfth Amendment which will provide for the separate election of president and vice president In detailed notes made after Aaron Burr calls on him in January Jefferson records his long standing distrust of the New Yorker Less than a month later a congressional caucus nominates Jefferson for a second term with George Clinton to replace Burr as vice president Jefferson makes his first trials of the double penned writing box called the polygraph Engineering Constitutional Change Xenophon Contiades, 2012-12-20 This volume provides a holistic presentation of the reality of constitutional change in 18 countries the 15 old EU member states Canada Switzerland and the USA The essays offer analysis on formal and informal constitutional amendment bringing forth the overall picture of the parallel paths constitutional change follows in correlation to what the constitution means and how constitutional law works To capture the patterns of constitutional change multi faceted parameters are explored such as the interrelations between form of government party system and constitutional amendment the interplay between constitutional change and the system of constitutionality review the role of the people civil society and experts in constitutional change and the influence of international and European law and jurisprudence on constitutional reform and evolution In the extensive final comparative chapter key features of each country's amendment procedures are epitomized and the mechanisms of constitutional change

are explained on the basis of introducing five distinct models of constitutional change The concept of constitutional rigidity is re approached and broken down to a set of factual and institutional rigidities The classification of countries within models in accordance with the way in which operative amending mechanisms connect leads to a succinct portrayal of different modes of constitutional change engineering This book will prove to be an invaluable tool for approaching constitutional revision either for theoretical or for practical purposes and will be of particular interest to students and scholars of constitutional comparative and public law

Reforming the Presidential Nomination Process Steven S. Smith, Melanie J. Springer, 2009-11-01 The 2008 U S presidential campaign has provided a lifetime s worth of surprises Once again however the nomination process highlighted the importance of organization political prowess timing and money And once again it raised many hackles The Democratic contest in particular generated many complaints for example it started too early it was too long and Super Tuesday was overloaded This timely book synthesizes new analysis by premier political scientists into a cohesive look at the presidential nomination process the ways in which it is broken and how it might be fixed The contributors to *Reforming the Presidential Nomination Process* address different facets of the selection process starting with a brief history of how we got to this point They analyze the importance and perceived unfairness of the earliest primaries and discuss what led to record turnouts in 2008 What roles do media coverage and public endorsements play William Mayer explains the superdelegate phenomenon and the controversy surrounding it James Gibson and Melanie Springer evaluate public perceptions of the current process as well as possible reforms Larry Sabato *A More Perfect Constitution* calls for a new nomination system installed via constitutional amendment while Tom Mann of Brookings opines on calls for reform that arose in 2008 and Daniel Lowenstein examines the process by which reforms may be adopted or blocked

Unintended Consequences of Constitutional Amendment David E. Kyvig, 2000 Constitutional amendments like all laws may lead to unanticipated and even undesired outcomes In this collection of original essays a team of distinguished historians political scientists and legal scholars led by award winning constitutional historian David E Kyvig examines significant instances in which reform produced something other than the foreseen result An opening essay examines the intentions of the Constitution s framers in creating an amending mechanism and then explores unexpected uses of that instrument Thereafter authors focus on the Bill of Rights and subsequent amendments addressing such subjects as criminal justice procedures the presidential election system the Civil War s impact on race and gender relations the experiment in national prohibition women s suffrage and finally limits on the presidency Together these contributions illuminate aspects of constitutional stability and evolution challenging current thinking about reform within the formal system of change provided by Article V of the Constitution Forcefully demonstrating that constitutional law is not immune to unanticipated consequences the eight scholars underscore the need for care responsibility and historical awareness in altering the nation s fundamental law

The Encyclopedia of the Wars of the Early American Republic, 1783-1812 Spencer C. Tucker, 2014-06-11

Relatively little attention has been paid to American military history between 1783 and 1812 arguably the most formative years of the United States This encyclopedia fills the void in existing literature and provides greater understanding of how the nation evolved during this era This encyclopedia offers a comprehensive examination of U S military history from the beginning of the republic in 1783 up to the eve of war with Great Britain in 1812 It enables a detailed study of the Early Republic during which ideological and political divisions occurred over the fledgling U S military The entries cover all the important battles key individuals weapons Indian nations and treaties as well as numerous social political cultural and economic developments during this period The contents of the work will enable readers at the high school college university and even graduate level to comprehend how political parties emerged and how ideological differences over the organization size and use of the military developed Larger global developments including Anglo American and Franco American interactions relations between Middle Eastern states and the United States and relations and warfare between the U S government and various Indian nations are also detailed The extensive and detailed bibliographies will be immensely helpful to learners at all levels

A Companion to John Adams and John Quincy Adams David Waldstreicher, 2013-02-15 A Companion to John Adams and John Quincy Adams presents a collection of original historiographic essays contributed by leading historians that cover diverse aspects of the lives and politics of John and John Quincy Adams and their spouses Abigail and Louisa Catherine Features contributions from top historians and Adams scholars Considers sub topics of interest such as John Adams role in the late 18th century demise of the Federalists both Adams presidencies and efforts as diplomats religion and slavery Includes two chapters on Abigail Adams and one on Louisa Adams

Establishing Democracies Mary Ellen Fischer, 2021-01-07 Balancing historical and contemporary cases this comparative text examines the crucial question of what promotes or prevents the successful founding of democratic systems The country case studies are placed in context by a substantial introduction surveying theories of democracy and democratic transition and by a conclusion assessing the cases and suggesting common patterns in the establishment of successful democracies Balancing historical and contemporary cases this comparative text examines the crucial question of what promotes or prevents the successful founding of democratic systems Underscoring lessons learned from successful regime change and assessing current efforts to establish democracies whose ultimate fate is yet uncertain this book will enable students to evaluate the chances of success for societies making the transition from an authoritarian or communist regime The case studies are placed in context by a substantial introduction surveying theories of democracy and democratic transition and a conclusion comparing the cases and suggesting common patterns in the establishment of successful democracies Created for upper level students this book can be used as a primary text to be supplemented by theoretical readings or as a source of additional case studies Extensive notes provide a wealth of suggestions for further reading and research

Thomas Jefferson and Executive Power Jeremy D. Bailey, 2007-07-09 By revisiting Thomas Jefferson s understanding of executive power this book offers a new

understanding of the origins of presidential power Before Jefferson was elected president he arrived at a way to resolve the tension between constitutionalism and executive power Because his solution would preserve a strict interpretation of the Constitution as well as transform the precedents left by his Federalist predecessors it provided an alternative to Alexander Hamilton's understanding of executive power In fact a more thorough account of Jefferson's political career suggests that Jefferson envisioned an executive that was powerful or energetic because it would be more explicitly attached to the majority will Jefferson's Revolution of 1800 often portrayed as a reversal of the strong presidency was itself premised on energy in the executive and was part of Jefferson's project to enable the Constitution to survive and even flourish in a world governed by necessity

The Framers' Intentions Robert E. Ross, 2019-05-31 Robert Ross addresses a fascinating and unresolved constitutional question why did political parties emerge so quickly after the framers designed the Constitution to prevent them The text of the Constitution is silent on this question Most scholars of the subject have taken that silence to be a hostile one arguing that the adoption of the two party system was a significant break from a long history of antiparty sentiments and institutional design aimed to circumscribe party politics The constitutional question of parties addresses the very nature of representation democracy and majority rule Political parties have become a vital institution of representation by linking the governed with the government Efforts to uphold political parties have struggled to come to terms with the apparent antiparty sentiments of the founders and the perception that the Constitution was intended to work against parties The Framers' Intentions connects political parties and the two party system with the Constitution in a way that no previous account has thereby providing a foundation for parties and a party system within American constitutionalism This book will appeal to readers interested in political parties constitutional theory and constitutional development

Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues, 1789-2015 John R. Vile, 2015-07-20 Now in its fourth edition and completely updated this is the most comprehensive book on constitutional amendments and proposed amendments available Although only 27 amendments have ever been added to the U S Constitution the last one having been ratified in 1992 throughout American history members of Congress have introduced more than 11 000 amendments and countless individuals outside of Congress have advanced their own proposals to revise the Constitution the wellspring of America's legal political and cultural foundations At a time when calls for a new constitutional convention are on the rise it is essential for students of political science and history as well as American citizens to understand proposed alternatives This updated edition of the established standard for high school and college libraries as well as public and law libraries serves as the go to reference for learning about existing constitutional amendments proposed amendments and the issues related to them An alphabetically arranged two volume set it contains more than 500 entries that discuss amendments that have been proposed in Congress from 1789 to the present It also discusses prominent proposals for extensive constitutional changes introduced outside Congress as well as discussions of major amending issues

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