

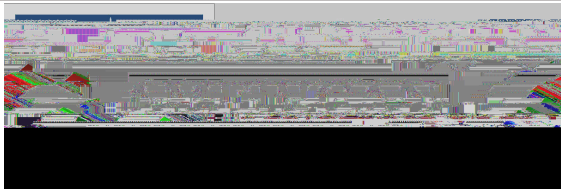
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READING PACKET FOR JANUARY 6TH, 2023 | CONTESTED ELECTIONS & ELECTORAL REFORM

CORE READING 1: From Thomas Jefferson to Aaron Burr | December 15, 1800
SOURCE: <https://founders.archives.gov/documents/Jefferson/01-32-02-0208>

Dear Sir

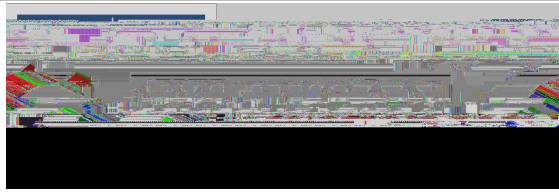
Although we have not official information of the votes for President & Vice President and cannot have until the first week in Feb. yet the state of the votes is given on such evidence as satisfies both parties that the two Republican candidates stand highest. from S. Carolina we have not even heard of the actual vote; but we have learnt who were appointed electors, and with sufficient certainty how they would vote. it is

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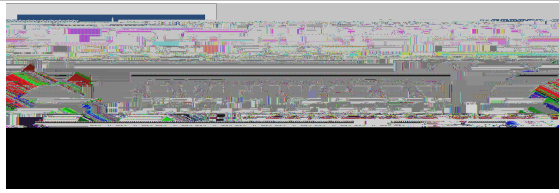
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! CORE READING 2: Alexander Hamilton to Harrison Gray Otis | December 23, 1800
SOURCE: <https://www.gilderlehrman.org/collection/glc00496028>

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CORE READING 3: Letter from Thomas Jefferson to Judge Spencer Roane | 1819

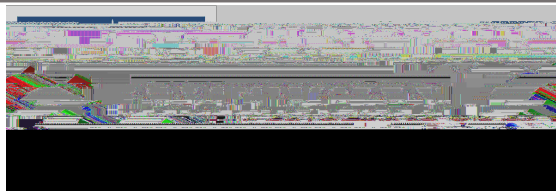
SOURCE: <https://teachingamericanhistory.org/document/letter-to-judge-spencer-roane/>

Dear Sir

I had read in the Enquirer, and with great approbation the pieces signed Hampden, and have read them again with redoubled approbation in the copies you have been so kind as to send me. I subscribe to every tittle of them. they contain the true principles of the revolution of 1800. for that was as real a revolution in the principles of our government as that of 76. was in it's form; not effected indeed by the sword, as that, but by the rational and peaceable instrument of reform, the suffrage of the people. the nation declared it's will by dismissing functionaries of one principle, and electing those of another, in the two branches, executive and legislative, submitted to their election. over the judiciary department, the constitution had deprived them of their controul. that therefore has continued the reprobated system: and altho' new matter has been occasionally incorporated into the old yet the leaven of the old mass seems to assimilate to itself the new; and after 20 years confirmation of the federated system by the voice of the nation, declared thro the medium of elections, we find the judiciary on every occasion still driving us into consolidation. in denying the right they usurp of exclusively explaining the constitution. I go further than you

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! **CORE READING 4: Letter from Martin van Buren to Thomas Ritchie | January 13, 1827**
SOURCE: <https://teachingamericanhistory.org/document/letter-to-thomas-ritchie/>

Thomas Ritchie was the editor of the Richmond Enquirer, which was one of the most influential newspapers in the South. Van Buren contacted Ritchie as part of Van Buren's effort to build the first true party organization in America (see [Autobiography](#)). Part of Van Buren's motivation was to prevent a repeat of the disastrous results of the 1824 election when multiple candidates necessitated a runoff election in the House of Representatives. Van Buren believed that a strong party organization would produce a clear winner in the Electoral College.

Building on the remnants of the old Democratic-Republican Party, Van Buren imagined a new party that would be more faithful to Jeffersonian principles. The Democratic-Republicans had become too nationalist in their orientation and threatened a return to Federalist principles. Van Buren tapped Andrew Jackson, a military hero from the War of 1812, to be the standard-bearer for the new Democratic Party, in hopes that his popularity would provide the necessary momentum the party needed to secure victory.

The Democrats engaged in grassroots campaigning and began the process of developing a national party organization. As part of that process, Van Buren and the Democrats introduced the party convention to replace the party caucus as a means of nominating presidential candidates. The conventions were far more democratic and participatory than the caucus that had derisively become known as "King Caucus."

Van Buren's efforts were rewarded when Jackson was elected president in 1828 and Van Buren was appointed secretary of state. Four years later, Van Buren was selected as Jackson's running mate; in 1832, he was chosen to be Jackson's successor to the presidency.

—Eric C. Sands

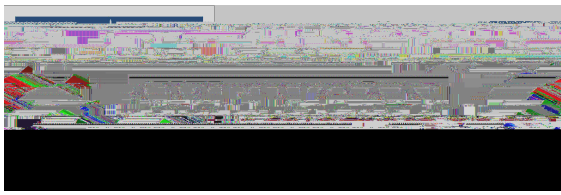
Dear Sir,

You will have observed an article in the Argus upon the subject of a national convention. That matter will soon be brought under discussion here and I sincerely wish you would bestow upon it some portion of your attention. . . . The following may, I think, justly be ranked among its probable advantages.

First, It is the best and probably the only practicable mode of concentrating the entire vote of the opposition and of effecting what is of still greater importance, the substantial re-organization of the Old Republican Party.

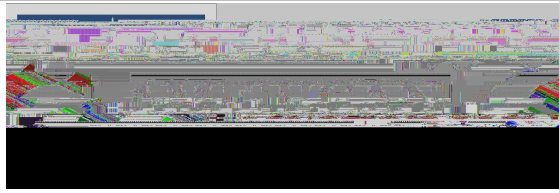
2nd Its first result cannot be doubtful. Mr. [John Quincy] Adams occupying the seat and being determined not to surrender it except in extremis will not submit his pretensions to the convention. Noah's

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CORE READING 5: Popular Government, William Howard Taft | 1913

SOURCE: <https://teachingamericanhistory.org/document/popular-government/>!

Taft and Roosevelt drifted apart while Roosevelt was out of the country; when Roosevelt returned, the two men could not make amends. Roosevelt first began expressing disappointment in Taft, and disappointment soon became outright criticism. Yet Roosevelt gave no hint he would challenge Taft for the Republican nomination until Wisconsin senator La Follette announced a presidential run as a Republican. Roosevelt then moved to position himself for a run as well. When Taft won the nomination at the Republican National Convention, Roosevelt bolted the party and joined the Progressive Party. With the Republican Party now split, Taft realized he had little hope of winning the election. Taft spent as much time on the golf course as he did campaigning, and the race quickly came down to Wilson versus Roosevelt. After losing reelection, Taft accepted an offer to become Kent Professor of Law and Legal History at Yale Law School. There he wrote extensively and gave several notable lectures. He continued his tenure at Yale until President Harding made him Chief Justice of the United States, a position he held until just before his death in 1930.

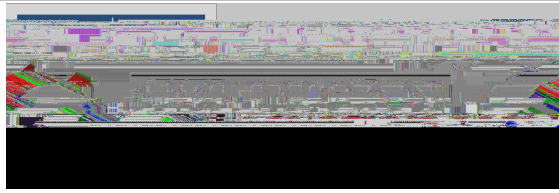
Taft had a visceral distaste for campaigning and politics. Although the party bosses handed him the nomination in 1912, he detested the world of parties and party politics. Nevertheless, Taft spoke out about Progressive Party reforms and considered them to be worse than the disease. In particular, he took issue with the direct primary and believed it to be a

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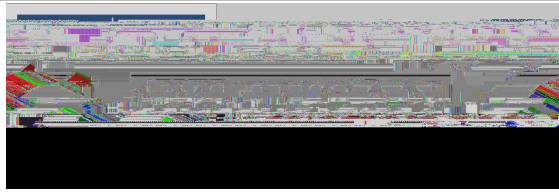
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! organizations of this kind led, brought about a change of view as to the function of the government with reference to such party procedure.

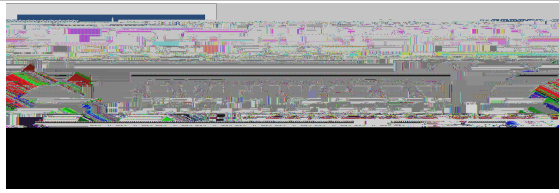
... The reports leave no doubt whatever, indeed the statistics of the elections frequently conclusively confirm the conclusion, that in State and other primaries, thousands and tens of thousands of Democrats vote at Republican primaries, and vice versa. It often happens that in one party, a primary issue, like the selection of a candidate, is

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! and the principals of bosses. The local convention of local delegates offers such a rich opportunity for manipulation of those who are corruptible,—things are done so quickly by committees of credentials, and on resolutions,—that the opportunity of the uns

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SUPPLEMENTARY READING 1: Alexander Hamilton to John Jay | May 7, 1800
SOURCE: <https://founders.archives.gov/documents/Hamilton/01-24-02-0378>

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Dear Sir

You have been informed of the loss of our Election in this City. It is also known that we have been unfortunate throughout Long Island & in West Chester. According to the Returns hitherto, it is too probable that we lose our Senators for this District.

The moral certainty therefore is that there will be an Anti-foederal Majority in the Ensuing Legislature, and this very high probability is that this will bring Jefferson into the Chief Magistracy; unless it be prevented by the measure which I shall now submit to your consideration, namely the immediate calling together of the existing Legislature.

I am aware that there are weighty objections to the measure; but the reasons for it appear to me to outweigh the objections. And in times like these in which we live, it will not do to be overscrupulous. It is easy to sacrifice the substantial interests of society by a strict adherence to ordinary rules.

In observing this, I shall not be supposed to mean that any thing ought to be done which integrity will forbid—but merely that the scruples of delicacy and propriety, as relative to a common course of things, ought to yield to the extraordinary nature of the crisis. They ought not to hinder the taking of a legal and constitutional step, to prevent an Atheist in Religion and a Fanatic in politics from getting possession of the helm of the State.

You Sir know in a great degree the Antifoederal party, but I fear that you do not know them as well as I do. Tis a

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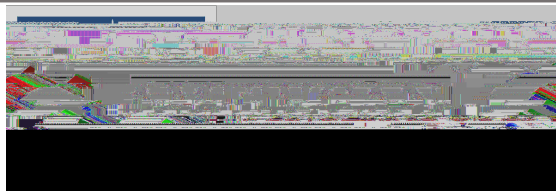
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! SUPPLEMENTARY READING 2: Mandate for Reform on Party Structure and Delegate Selection | September 22, 1971

SOURCE: <https://teachingamericanhistory.org/document/mandate-for-reform-on-party-structure-and-delegate-selection/>

The 1968 presidential election was a disaster for the Democrats, largely as a result of their nomination process. In an unusual turn of events, Senator Hubert H. Humphrey won the nomination without having entered any of the primaries. At the convention, Humphrey garnered all his support from unpledged delegates (delegates who were not directed to vote for a particular candidate through the primary process). The result of this disregard for the party's popular choice was a convention that ended in disarray and a badly divided Democratic Party. Student groups protested the convention, resulting in violent clashes in the streets with police.

To prevent the events of 1968 from happening again, the Democrats established the Commission on Party Structure and Delegate Selection, which came to be known informally as the McGovern-Fraser Commission. The purpose of the commission was to design rules intended to broaden participation in the Democratic primary process. In particular, the new rules emphasized the need for broader representation of traditionally minority groups and other groups that had been shut out of the convention process. The commission eventually met seventeen times between 1969 and 1972 and ultimately produced a report called "Mandate for Reform." The rules set by the commission would go into effect for the 1972 primary season.

—Eric C. Sands

Part II—The Guidelines

A-1 Discrimination on the basis of race, color, creed, or national origin

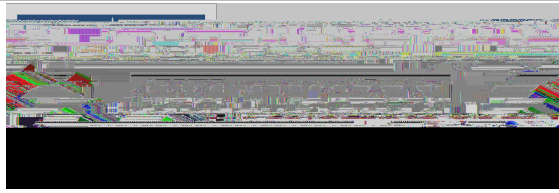
The 1964 Democratic National Convention adopted a resolution which conditioned the seating of delegations at future conventions on the assurance that discrimination in any State Party affairs on the grounds of race, color, creed or national origin did not occur. . . . In 1966, the Special Equal Rights Committee, which had been created in 1964, adopted six. . .antidiscrimination standards—designated as the "six basic elements"—for the State Parties to meet. . . .

These actions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process. . . .

A-2 Discrimination on the basis of age or sex

The Commission believes that discrimination on the grounds of age or sex is inconsistent with full and meaningful opportunity to participate in the delegate selection process. Therefore, the Commission requires State Parties to eliminate all vestiges of discrimination on these grounds. Furthermore, the Commission requires State Parties to overcome the effects of past discrimination by affirmative steps to encourage representation on the national

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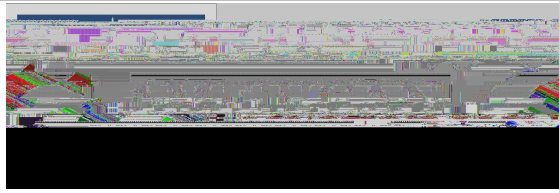


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delegation of young people ... and women in reasonable relationship to their presence in the population of the State....

A-5 Existence of party rules

In order for rank-and-file Democrats to have a full and meaningful opportunity to participate in the delegate

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to their demonstrated strength. Second, it can choose delegates from fairly apportioned districts no larger than congressional districts.

C-4 Premature delegate selection (timeliness)

The 1968 Convention adopted language adding to the Call to the 1972 Convention the requirement that the delegate selection process much begin within the calendar year of the Convention. In many States, Governors, State Chairmen, State, district and county committees who are chosen before the calendar year of the Convention, select—or choose agents to select—the delegates. These practices are inconsistent with the Call. The Commission believes that the 1968 Convention intended to prohibit any untimely procedures which have any direct bearing on the process by which National Convention delegates are selected. The process by which delegates are nominated is such a procedure. Therefore, the Commission requires State Parties to prohibit any practices by which official elected or appointed before the calendar year choose nominating committees or propose or endorse a slate of delegates— even when the possibility for a challenge to such slate or committee is provided. When State law controls, the Commission requires State Parties to make all feasible efforts to repeal, amend, or modify such laws to accomplish the stated purposes.