MAIN IDEA
The election of Thomas Jefferson in 1800 began a new era in America. It was the first peaceful transition in power from one political party to another. A landmark decision in Marbury v. Madison increased the power of the judicial branch of government.

Nelson History Curriculum
U.S. History through Reconstruction

AMERICA UNDER JEFFERSON
8.1 – America Elects Jefferson
Learning Target: I can describe Thomas Jefferson’s beliefs and policies, and the importance of the Supreme Court case Marbury v. Madison.

Directions: Answer the questions below in your social studies notebook.

1. **Compare and Contrast** the beliefs of the Federalist Party and the Democratic-Republican Party.

Directions: Read the quote below from Thomas Jefferson and answer the following question.

“Let us, then, fellow citizens, unite with one heart and one mind ... every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all republicans; we are all federalists.”

1. Explain in your own words, what message you think Thomas Jefferson is trying to send to the American people when he delivers his Inaugural Address in 1801.

**Marbury v. Madison** – a case that helped establish the Supreme Court’s power to check the power of the other branches of government.

**Judicial Review** – the power to declare an act of Congress unconstitutional.

Directions: Re-create the graphic organizer below in your social studies notebook to take notes as you read.

<table>
<thead>
<tr>
<th>Topic</th>
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**Summary of Section:**
In the election of 1800, President John Adams and Vice President Charles Pinckney, who were federalists, ran against Democratic-Republicans Thomas Jefferson and Aaron Burr. Both parties believed the future of the United States depended upon their party getting elected.

Back then, candidates did not travel around giving speeches. Instead, candidates’ supporters made their arguments in letters and newspaper editorials. Adams’s supporters claimed Jefferson was a pro-French radical. They argued if Jefferson was elected, the violence and chaos of the French Revolution would come to America. They also argued that Jefferson’s interest in science and philosophy was proof that he wanted to destroy organized religion.

Democratic-Republicans argued that John Adams wanted to crown himself king, citing the Alien and Sedition Acts as proof. They also argued that Adams would use the newly created permanent army to limit Americans’ rights.

When the election ended, Jefferson and Burr had 73 electoral votes to Adams 65 and Pinckney’s 64. The tie between Jefferson and Burr created a problem. Under the Constitution at the time, the two candidates with the most votes became president and vice president. The decision went to the House of Representatives, as called for by the Constitution.

The House was also deadlocked. For days, vote after vote was called, each ending in ties. Exhausted, lawmakers slept at their desks between votes while others napped on the floor.

Jefferson finally won the thirty-sixth vote, marking the first time that one party had replaced another in power in the United States.

The problem with the voting system led Congress to purpose the Twelfth Amendment. This amendment created a separate ballot for president and vice president.
Thomas Jefferson held beliefs different from those of John Adams and George Washington. He wanted to limit the powers of government.

In Jefferson’s inaugural speech, he wanted to make it clear he supported the will of the majority. He also stressed the need for limited government and the protection of civil liberties.

One of Jefferson’s first actions was to select members of his cabinet. He chose James Madison as secretary of state and Albert Gallatin as secretary of the treasury.

The Democratic-Republicans also controlled both houses of Congress. At Jefferson’s urging, Congress allowed the hated Alien and Sedition Acts to expire. Jefferson lowered military spending and reduced the size of the army. The navy was cut to seven active ships. Jefferson and Gallatin hoped that saving this money would allow the government to repay the national debt. Jefferson also asked Gallatin to find ways to get rid of domestic taxes, like the tax on whiskey. The Democratic-Republican Congress passed the laws needed to carry out these policies.

In 1801, the entire national government consisted only of several hundred people. Jefferson preferred to keep it that way. He believed that the primary functions of the federal government were to protect the nation from foreign threats, deliver the mail, and collect custom duties.

Jefferson did support some Federalists policies, such as the creation of the Bank of the United States.

Formative Assessment:

Summarize the political ideas expressed by Jefferson in his inaugural address.

Identify the policy changes made by the Democratic-Republicans and Jefferson.
Democratic-Republicans controlled Congress, but the Federalists still controlled the federal judiciary. To keep their control over the courts, Federalist passed the Judiciary Act of 1801. The act created 16 new federal judgeships that John Adams filled with Federalists before leaving office. The Republican press called these people midnight judges, arguing that Adams had packed the judiciary with Federalists the night before he left office.

Some of the appointments were made so late that the documents that authorized them had not been delivered by the time Adams left office. This led to a controversy once Jefferson took office. William Marbury, named as a justice of the peace by President Adams, did not receive his documents before Adams left office. When Jefferson became president, Marbury demanded his documents. On Jefferson’s advice, the new secretary of state, James Madison, refused to deliver them. Jefferson argued that the appointment of the midnight judges was not valid.

Marbury sued, asking the Supreme Court to order Madison to deliver the appointment papers. Marbury claimed that the Judiciary Act of 1789 gave the Supreme Court the power to do so.

John Marshall, a Federalist appointed by John Adams, was the chief justice of the United States. Chief Justice Marshall and Jefferson disagreed about many political issues. Marshall wrote the Court’s opinion in Marbury v. Madison, a case that helped establish the Supreme Court’s power to check the power of the other branches of government. The Constitution, Chief Justice Marshall noted, gave the Supreme Court authority to hear only certain types of cases. A request like Marbury’s was not one of them. The law that Marbury’s case depended upon was, therefore, unconstitutional.

By denying Marbury’s request in this way, the Court avoided a direct confrontation with Jefferson’s administration. But more importantly, it established the court’s power of judicial review, the power to declare an act of Congress unconstitutional. Marshall and later federal judges would use this power of judicial review to make the judiciary a much stronger part of the national government.

### Marbury v. Madison (1803)

**Background:** Shortly before Thomas Jefferson took office, John Adams appointed William Marbury to be a justice of the peace. Adams signed Marbury’s commission, but it was never delivered. Marbury sued to force James Madison to give him the commission.

**Court’s Ruling:** The court ruled that the law Marbury based his claim on was unconstitutional.

**Court’s Reasoning:** The Judiciary Act of 1789 gave the Supreme Court the authority to hear a wide variety of cases, including those like Marbury’s. But the Supreme Court ruled that Congress did not have the power to make such a law, because the Constitution limits the types of cases the Supreme Court can hear. Thus, the law was in conflict with the Constitution and had to be struck down.

**What is this Important?**

The case confirmed the Supreme Court’s power to declare acts of Congress unconstitutional. It established the court as the final authority on the Constitution. This helped make the Judicial branch of government equal to the other two branches. Federal judges would use this power of judicial review as a check on the legislative and executive branches.
Formative Assessment:

*Identify* the Judiciary Act of 1801 and *Explain* why the Federalists passed the act.

*Summarize* the Supreme Court’s ruling in Marbury v. Madison.

*Analyze* how the power of judicial review strengthens the role of the judicial branch.

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**Directions:** Answer the questions below in your social studies notebook.

1. **Analyze** why the election of 1800 was significant.
2. **Summarize** Thomas Jefferson’s idea for government expressed in his inaugural speech.
3. **Compare and Contrast** the ideas of Jefferson’s republican government with that of the Federalist government under John Adams.
4. **Summarize** the case Marbury v. Madison and its outcome.
5. **Explain** why the power of judicial review is so important.
6. **Infer** how the Marbury v. Madison case might affect future actions by Congress.
7. Choose the Federalist perspective of a strong federal government or the Democratic-Republican’s perspective of a small federal government and *argue* why you think your chosen perspective of government is best. Be sure to support your argument with reasons and evidence.
Thomas Jefferson Cartoon

Directions: On the next page, you will complete the cartoon of Thomas Jefferson. Your cartoon will depict the election of 1800, Jefferson’s beliefs and policies, and the importance of the Supreme Court case Marbury v. Madison.

You will surround the image of Thomas Jefferson with speech bubbles, symbols, and drawings to represent each category. Also surrounding the image of Thomas Jefferson will be brief explanations of the following, which could be included inside speech bubbles, your symbols, or drawings, or written in text boxes separate from your bubbles, symbols, or drawings.

1. The Election of 1800
   - Summarize who was involved, the results, and its significance
2. Thomas Jefferson’s beliefs and Policies
   - What ideas were expressed in his inaugural address
   - What policy changes did Jefferson and the Democratic Republicans introduce
3. Marbury v. Madison
   - Summarize the case and outcome
   - Explain why this case is significant and how it affected future actions of Congress
1. Thomas Jefferson purchased the Louisiana Territory from France in 1803. What impact did this have on the size of the United States?

2. Who explored the Louisiana Territory and what route did they follow?

3. What was Lewis and Clark’s final destination?

4. Why do you suppose Lewis and Clark chose their route, and not travel more west or southwest?
Section 8.1: Assessment

1. The election of 1800 was significant because it,
   a. was a peaceful change of political power from one party to another
   b. the tied race led to the Twelfth Amendment, creating separate ballot for president and vice president
   c. A & B
   d. None of the Above

2. In Thomas Jefferson’s inaugural speech, he expressed,
   a. support for the will of the majority, limited government, and protection of civil liberties
   b. support for a strong federal government and rule by a minority
   c. the need for judicial review by the Supreme Court
   d. contempt for John Adams and his appointment of 16 new federal judges

3. Thomas Jefferson and Democratic-Republicans introduced all of the following policy changes EXCEPT,
   a. allowing the Alien and Sedition Acts to expire
   b. lowered military spending and reduced the size of the army
   c. forming a national banking system
   d. finding ways to get rid of domestic taxes

4. Summarize the Supreme Court case *Marbury v. Madison* and its outcome.

5. Analyze the significance of *Marbury v. Madison* and how it might affect future acts by Congress.