



How Political Parties Began

At first, our nation's founders—including Hamilton, Jefferson, and others—believed political parties were evil and a threat to the new nation. But these early American leaders soon began to invent a new and essential role for political parties in a democracy.

When the Constitution was written in 1787, the founders thought of political parties as “factions,” acting only for their own selfish interests rather than the public good. The founders saw instances in history when factions resorted to assassination and civil war if they failed to get their way.

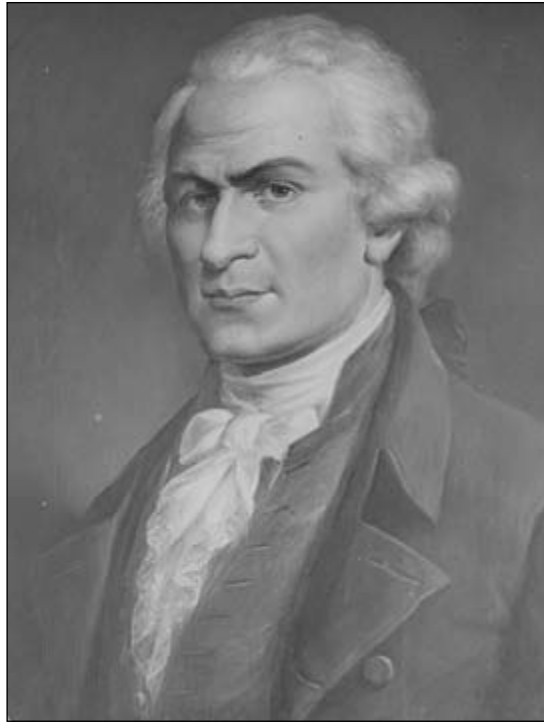
The writers of the Constitution believed that political parties would play no formal role in the new government. The Constitution made no mention of them.

Even in electing the president, the founders assumed the absence of political parties. The Constitution established an Electoral College, which called for a small number of electors—elected or appointed in the states—to meet, deliberate, and choose the best person for president. The runner-up automatically would become the vice president.

Hamilton vs. Jefferson

In 1788, George Washington won a large majority of electoral votes and became the nation's first president. John Adams, who won the second highest number of electoral votes for president, became vice president.

Both Washington and Adams had supported the ratification of the Constitution, as had almost all other prominent leaders such as Alexander Hamilton and Thomas Jefferson. When Washington appointed his Cabinet, he included Hamilton as secretary of the treasury and Jefferson as secretary of state. These two Cabinet members disagreed on many issues.



Alexander Hamilton (1757–1804), secretary of the treasury in Washington's Cabinet, clashed repeatedly with Secretary of State Thomas Jefferson. (Library of Congress)

Hamilton strongly believed that for the new nation to succeed, it had to gain the confidence of potential investors—both American and foreign. The new nation needed them, Hamilton argued, to invest in private enterprises and make loans to the government for projects like roads, harbors, and canals. To gain the confidence of investors, Hamilton promoted a plan, supported by Washington, for the federal government to pay off all Revolutionary War debt incurred by the federal government and the states.

Hamilton proposed a bold economic plan to raise revenue to retire these debts. He asked Congress to approve excise taxes on products like whiskey made in the United States. He also proposed creating a Bank of the United States to centralize federal government finances.

Almost immediately, Jefferson in Washington's Cabinet and James Madison in Congress objected to Hamilton's economic program. They complained that greedy speculators had bought at

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Politics

With the national elections coming, this edition of *Bill of Rights in Action* focuses on politics. The first article looks at how political parties began in the United States. The second article examines a recurring debate between Republicans and Democrats over whether the United States should make voting easier to increase voter turnout or should enact restrictions to prevent voter fraud. The last article explores the development in ancient times of Confucianism, the philosophy that dominated China and its politics for most of its history.

U.S. History: How Political Parties Began

Current Issues: Making It Easier to Vote vs. Guarding Against Election Fraud

World History: The Development of Confucianism in Ancient China

deep discounts most of the war bonds that patriotic Americans had originally purchased to fund the Revolutionary War. They argued that the speculators would make tremendous profits if they received face value for the bonds, as Hamilton proposed.

Jefferson and Madison also objected to the excise taxes because these taxes mainly burdened small farmers and city workers. Hamilton replied that wealthy Americans already carried a heavy tax burden and that it was time for the common people to pay their share. Jefferson and Madison also opposed a national bank, which, they said, would give too much power to the federal government.

As differences emerged between supporters of Hamilton and Jefferson, many began referring to Hamilton and his allies in the Cabinet and Congress as the Federalist Party. Jefferson claimed Federalist policies mainly benefitted the “opulent” classes while he and his supporters represented “the mass of the people.”

In foreign affairs, the Federalists wanted a strong trade relationship with Britain. Washington sent John Jay to Britain in 1794 to negotiate an end to its interference with American merchant ships and prevent another war with it. Hamilton was satisfied with the Jay Treaty and pushed for Senate ratification. Jefferson and his followers condemned the treaty as too favorable to the British.

Jefferson and his supporters favored a closer relationship with Britain’s rival, France. The French had helped the Americans win the Revolutionary War. During Washington’s presidency, the French Revolution erupted. Revolutionaries executed King Louis XVI and declared a French republic. The new French republic’s motto was “Liberty, equality, fraternity.”

Unlike the American Revolution, the one in France upended French society. The republic confiscated the land of the aristocrats and hunted them down. In 1793, a “reign of terror” led to the execution of thousands of people condemned as disloyal to the republic.

This new republic horrified the Federalists, who feared mob rule, lawlessness, and the confiscation of property. Many of Jefferson’s followers, however, cheered the French republicans for carrying forward the ideals of equality that he had espoused in the American Declaration of Independence.

American sentiment increased for revolutionary France when it declared war against Britain in 1793. Many of Jefferson’s followers wanted to enter this war on the side of France. Many Federalists called for aiding the British. But Hamilton persuaded Washington to adopt a policy of neutrality. In a rare moment of agreement with Hamilton, Jefferson supported this policy.

When Washington’s second term began, Jefferson decided to leave the Cabinet. He deeply opposed most of Hamilton’s Federalist Party policies. Jefferson believed the Federalists were attempting to establish an all-powerful federal government, one that would soon become a monarchy.

Jefferson resigned and began working with Madison to organize opposition to the Federalist Party within Congress. The Federalists referred to this opposition as the Democratic-Republican Party, trying to link it with the extremism of the French Revolution. Soon, however, those opposing Hamilton and the Federalist Party began to call themselves Jeffersonian Republicans, or simply Republicans.

Federalists vs. Republicans

At the end of his second term, Washington announced he would not run again for president. The bitter rivalry that had developed between the Federalists and Republicans deeply disturbed Washington. In his Farewell Address, he warned that parties were likely “to become potent engines by which . . . unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government.”

Washington’s warning did not sway many. The presidential election of 1796, the first without Washington as a candidate, saw candidates backed by the Federalist and Republican parties. The Federalists favored John Adams, and the Republicans backed Thomas Jefferson.

Neither Adams nor Jefferson actively campaigned. They remained at home while their supporters wrote letters and newspaper articles promoting their candidate. Adams won the presidency with 71 of the 139 Electoral College votes, one more than the required majority. Jefferson with 68 electoral votes came in second to become vice president. Thus the new administration had a Federalist president and Republican vice president.

Adams continued Washington’s pro-British trade policies. In retaliation, France began to attack American merchant ships. The attacks enraged the American public and prompted Adams to threaten war against France. He also proposed increasing taxes to create a navy and expand the standing (permanent) federal army. Jefferson and the Republican Party were alarmed at the rush to war and opposed the idea of building up the military. They viewed a large military as a threat to the power of the states.

As war loomed, the Federalists claimed that French spies and Americans who insulted federal officials were undermining the security of the nation at home. In 1798, Adams signed the Alien and Sedition Acts. These laws outlawed any malicious criticism of the president or other federal officials. In a series

of sensational trials, Federalist judges and juries convicted about a dozen Republican writers and newspaper editors, mainly for defaming President Adams. Jefferson condemned these prosecutions and charged the Federalists with trying to destroy the Republican Party.

Since the Federalists controlled Congress, Adams got his navy and bigger army. But he eventually relied on diplomacy to avoid war with France, which angered many of his fellow Federalists who wanted to take a tougher stand against the French.

The Struggle for Power in 1800

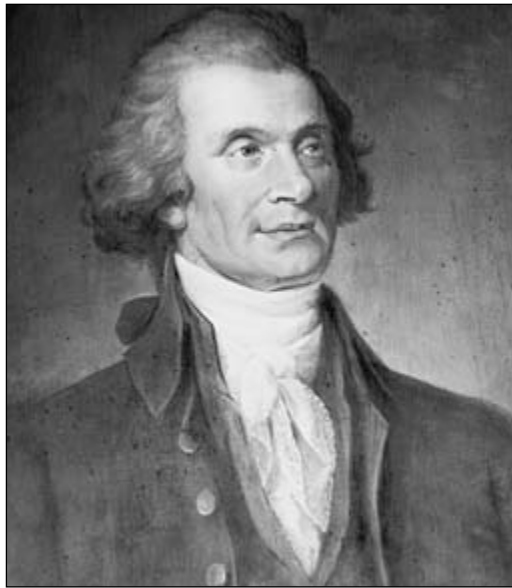
In 1800, the Federalists again chose John Adams to run for president with Charles Cotesworth Pinckney, a Hamilton loyalist from South Carolina, as their candidate for vice president. The Republicans nominated Thomas Jefferson for president and Aaron Burr, Hamilton's chief political opponent in New York, for vice president.

Campaign tactics radically changed in this election. Adams embarked on a speechmaking tour, campaigning on his record and promoting himself as a political moderate. Jefferson remained at home but wrote numerous letters to his supporters. He also distributed a statement of principles, perhaps the first party platform. Jefferson's principles called for restoring civil liberties, curbing the growth of federal power, and protecting states' rights.

Both parties resorted to political attacks and smears, perhaps making this one of the dirtiest presidential elections in U.S. history. Republican partisans railed at Adams as a monarchist who wanted to enslave the people. The Federalists called Jefferson a political radical and atheist.

Backstabbing occurred within both parties. Hamilton despised Adams and openly schemed to manipulate the Federalist electoral vote for president in favor of Pinckney, who was supposed to be running for vice president. This divided the Federalist Party between Adams and Hamilton factions. On the Republican side, Aaron Burr, running for vice president, secretly plotted to become president in the event of an electoral vote tie between Jefferson and himself.

By 1800, both parties were maneuvering to control the selection of those who voted in the Electoral College. This small group of electors, not the popular vote, decided who became president. Each state's electoral vote equaled the



Thomas Jefferson (1743–1826) is considered the founder of the Democratic-Republican Party, the forerunner of the modern Democratic Party. (Library of Congress)

number of representatives and senators it had in Congress.

In most states, the legislature appointed the electors. Whichever party held the majority in the state legislature was able to control all the state's electoral votes. Some states permitted the voters in each of its congressional districts to choose between lists of Federalist or Republican electors. A few other states selected their electors by a statewide election with the winning party taking all the electoral votes (the method most states use today).

In the Electoral College, each elector cast two votes for two separate candidates for president. The candidate with the most votes was elected president. The runner-up became vice president. Adams and

Pinckney actually received 65 electoral votes each. But by pre-arrangement, one Federalist elector did not vote for Pinckney, giving Adams a one-vote lead for president. Jefferson and Burr, however, ended up with 73 electoral votes each. Burr was not willing to drop one of his electoral votes. Thus two Republicans tied for president.

The tie in the Electoral College threw the election for president into the House of Representatives where each of the 16 states got one vote. In the first ballot, Jefferson won eight states to Burr's six. Two states could not vote because their congressional delegations split equally. But Jefferson needed a majority, nine states, to win the presidency. The House voted 34 more times with the same result.

Reluctantly, Hamilton lobbied fellow Federalists to vote for Jefferson. Hamilton distrusted Burr even more than he did Jefferson. Finally, on the 36th ballot, Jefferson won the presidency with 10 states. Burr came in second with four and became vice president.

The Federalist Party handed over the government to Jefferson and the Republicans. The ruling party had peacefully given up power as the result of a democratic election. This is today a major test for any nation aspiring to be a democracy.

Since they had given up power under the rules of the Constitution, the Federalists became an opposition party. This, too, was significant. Until then, those in power, even in England, typically viewed those who organized to oppose them as disloyal to the country. Members of the British Parliament did divide themselves into "Tories" and

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“Whigs.” But both were loose coalitions of aristocrats within the Parliament who often gathered around a prominent leader. They were little more than shifting groups who managed to put together enough votes at different times to form a new government. The idea of a well-organized “loyal opposition” party to check the power of the party in control of the government did not emerge in England until the 1820s. Thus the election of 1800 produced a new positive role for a political party that was out of power. It became the loyal opposition, opposing the ruling party while still remaining loyal to the Constitution and nation.

In 1804, the states ratified the 12th Amendment, which required electors of the Electoral College to vote separately for president and vice president rather than for the two best candidates for president. From then on, parties nominated candidates to run specifically for president or vice president. In effect, this amendment recognized the permanent role of political parties in American government.

A One- or Two-Party System?

Jefferson proved to be less radical than the Federalists had claimed. He even continued some of Hamilton’s economic policies. The Republican Party gained many new supporters as the right to vote in most states expanded to include all adult white males.

In 1804, Jefferson was re-elected by winning the electoral votes of all but two states. The Republicans also held a solid majority in Congress. In the next presidential election, James Madison, Jefferson’s close Republican ally, won and was re-elected four years later.

The Federalist Party failed to appeal to many voters and began a long decline. Its guiding spirit, Hamilton, had died in a duel with Burr in 1804.

After Madison, Republican James Monroe won the presidency in 1816. He set out to eliminate the Federalist Party altogether. “The existence of [competing] parties is not necessary to free government,” he declared.

Monroe advocated a “fusion policy” to unify all Americans within the Republican Party. In the election of 1820, the Federalist Party did not even nominate a candidate for president. Monroe was re-elected, winning every electoral vote except one.

When the next presidential election took place in 1824, no national party remained to oppose the Republican Party. But the Republicans had absorbed so many Americans with differing political viewpoints, including former Federalists, that the party threatened to split apart.

Some Republicans like Martin Van Buren of New York argued that his party should stick to its Jeffersonian principles and not try to include every political point of view.

Thus Van Buren opposed Monroe’s “fusion policy” and welcomed a loyal opposition party. He wrote that parties competing to rule “are inseparable from free governments.”

In 1824, four Republicans ran for president. Andrew Jackson won more electoral votes than the runner-up, John Quincy Adams, but not a majority. Adams, a defector from his father’s Federalist Party, won the presidency by one vote in the House of Representatives.

During John Quincy Adams’ single term as president, the Republicans split into two parties. Andrew Jackson’s supporters adopted Jefferson’s original Democratic-Republican Party name. After Jackson’s election as president in 1828, this became the modern Democratic Party. The opposing National Republican Party mainly included conservatives who favored Hamilton’s political vision. In 1836, the National Republicans helped to form the Whig Party.

During the years before the Civil War, Democrats and Whigs both won presidential elections, thus firmly establishing a two-party system in American national politics. In 1854, the Whigs and dissenting Democrats formed the modern Republican Party that elected Abraham Lincoln president in 1860. Ever since, the Democrats and Republicans have shared the White House and Congress with little competition from other parties.

For Discussion and Writing

1. What is the significance of the presidential election of 1800?
2. James Monroe and Martin Van Buren held different views on what sort of political party system the United States should have. How did they differ? Do you agree with Monroe or Van Buren? Why?
3. Why do you think the writers of the Constitution provided for the election of the president by an Electoral College system rather than by popular vote? Do you think the Electoral College system should be changed, abolished, or remain as it is? Why?

For Further Reading

Hofstadter, Richard. *The Idea of a Party System: The Rise of Legitimate Opposition in the United States, 1780–1840*. Berkeley: University of California Press, 1969.

Larson, Edward J. *A Magnificent Catastrophe, The Tumultuous Election of 1800: America’s First Presidential Campaign*. New York: Free Press, 2007.

Two Visions for America

In small groups, study the political differences between the Federalist and Republican parties summarized in “Two Visions for America.”

1. Discuss and decide which vision overall was best for the new nation when Hamilton and Jefferson were members of Washington’s Cabinet.
2. Select two of Hamilton’s views and two of Jefferson’s views that are relevant and important for America today.
3. Report and justify your conclusions to the rest of the class.

Two Visions for America	
The Federalist and Republican parties held two visions for America based on the thinking of Alexander Hamilton and Thomas Jefferson.	
Hamilton and the Federalists	Jefferson and the Republicans
The People	
“The people are turbulent and changing, they seldom judge or determine right.” —Hamilton (1787)	“The will of the majority . . . is the only sure guardian of the rights of man.” —Jefferson (1790)
Government	
<ol style="list-style-type: none"> 1. Strong federal government and president acting for the national interest. 2. Voting and holding elected office limited to those who own property. 3. Interpret the Constitution in a flexible way to enable the nation to grow. 4. Order, stability, and unity have priority over individual rights. 	<ol style="list-style-type: none"> 1. Small federal government with strong states’ rights. 2. All white adult males should have the right to vote and hold office. 3. Interpret the Constitution according to the strict meaning of its wording. 4. Individual rights should have top priority.
Political Parties	
5. The party that rules should be controlled by the educated and wealthy elite.	5. The party that rules should be controlled by the common people.
Economy	
<ol style="list-style-type: none"> 6. A commercial and industrial economy is best for the growth and prosperity of the nation. 7. Tax certain American-made products like whiskey to broaden the tax burden to all Americans. 	<ol style="list-style-type: none"> 6. An agricultural economy is best with most people owning small farms. 7. Collect taxes mainly from the business and large landowner classes.
Security and Foreign Policy	
<ol style="list-style-type: none"> 8. Strong permanent army and navy to defend the homeland and free trade overseas. 9. Internal security laws are needed to prevent criticism and insults against the president and other elected leaders. 10. Friendly toward Britain and hostile toward revolutionary France, but neutral in European wars. 	<ol style="list-style-type: none"> 8. A permanent military may lead to a takeover by a strongman like Napoleon; rely on local and state militias for defense. 9. Internal security laws that interfere with freedom of speech and press are a threat to liberty. 10. Friendly toward revolutionary France and hostile toward Britain, but neutral in European wars.

Making It Easier to Vote vs. Guarding Against Election Fraud

In recent years, the Democratic Party has pushed for easier voting procedures. The Republican Party worries that easier voting increases the chances for election fraud. These different views of voting collided in Indiana over a voter photo ID law that finally went to the Supreme Court.

The body of the original Constitution does not mention the right to vote. The 15th, 19th, and 26th amendments to the Constitution, however, guarantee the right to vote to racial and ethnic minorities, women, and those 18 or older. Also, the 14th Amendment bars states from denying to any person the “equal protection of the laws.” In addition, Congress has passed laws that affect elections involving federal offices.

Within these limits, each state makes its own election laws. People are usually eligible to vote if they are a U.S. citizen, 18 or older, and a resident of the state. Individuals are qualified to participate in elections if they have completed all state requirements such as registering to vote.

After the Civil War and Reconstruction, most Southern states enacted poll taxes, placing a fee, typically around \$1.50, to register and vote. The intent of these taxes was to put an economic burden on poor people, especially African Americans, to discourage them from voting. In the 1960s, the 24th Amendment and the Supreme Court outlawed all poll taxes.

The modern high in national voter turnout occurred in 1960 when 63 percent of qualified voters cast their ballots for president. After 1960, voter turnout declined to around 50 percent in presidential elections and even lower in state and local contests. In most other democracies, voter participation often reaches 70 percent or higher.



Polling places are located in various places in the community: schools, businesses, community centers, government offices, and even private homes. (mikadx/iStockphoto.com)

As participation in voting declined, studies concluded that significant barriers existed that made voting difficult for many U.S. citizens. Sometimes people had to travel long distances during working hours to a county court house to register to vote. Some states required individuals to live at one address for up to a year to qualify for voting.

By the late 1980s, reforms to make it easier to vote had been slow and inconsistent among the states. All this changed in 1993, however, when the Democrats decided to back the Motor Voter Law.

The Democrats: Make Voting Easier

Toward the end of Ronald Reagan’s presidency, the Democratic Party decided on a campaign to make it easier to register more voters. An estimated 75 million eligible voters could not vote because they were not registered. The Democrats wanted especially to register more

people likely to vote for their party, such as the poor, minorities, and those depending on government services.

In 1992, Democrat Bill Clinton won the White House with a Democratic majority in Congress. One of the first laws passed by Congress and signed by President Clinton was the National Voter Registration Act of 1993. Also called the “Motor Voter Law,” this act enabled people to register to vote when they applied for government services like a driver’s license or welfare benefits. The law also required states to accept mail-in registrations and increased the amount of time before election officials could remove inactive voters from voting lists. Most Republicans opposed Motor Voter, arguing that there was no requirement to check an individual’s citizenship or identification.

Largely due to Motor Voter, the number of Americans added to the voter rolls between 1994 and 1998 increased by 20 percent. Republicans grew concerned that the law was helping the Democrats expand their voter base. In response, the Republicans developed technology to make use of public and business databases to target people likely to register for their party.

Republicans also believed the law was registering too many ineligible or unqualified voters. They began to challenge the identity and voting status of voters in some

heavily Democratic areas. The Democrats responded with charges of voter intimidation and racism.

At the state level during the 1990s, Democrats favored new election laws that made registration and voting easier. For example, “same day” laws in a few states allow unregistered voters to show up at the polls on voting day, register to vote, and cast a ballot.

Some states passed laws to permit “early voting,” enabling registered voters to vote at certain locations before Election Day. Oregon adopted a system of voting entirely by mail over a two-week period. Many states eased the use of mail-in absentee ballots as an alternative for voting in person.

Following the 2000 presidential election, which came down to a handful of contested votes in Florida, both parties had complaints. Democrats claimed election officials did not count votes properly. Republicans cited cases of election fraud.

In 2002, Congress passed and President Bush signed the Help America Vote Act. The major provisions of this bipartisan law attempted to address concerns of both parties:

- To assure accuracy in the vote count, states must replace old punch card and lever voting machines with modern electronic systems.
- To maintain accurate voter registration lists, states must develop and maintain a centralized voter database.
- To deter fraud in mail-in registrations, voters who register in this way must present identification when they vote in person for the first time in a federal election; identification may include a photo ID, a current utility bill, or other such document that shows the name and current address of the voter.
- To allow qualified voters who mistakenly are left off registration lists to vote, states must allow them to cast a “provisional” ballot; such a ballot will only be counted if election officials later verify that the person was qualified to vote.

The Republicans: Guard Against Fraud

While the Help America Vote Act answered some of its concerns, the Republican Party continued to argue that many voting reforms increased the chances for election fraud. Republicans emphasized that preventing election fraud not only assures accurate voting results but also instills confidence among voters in the election process. Fraud in elections leads many to wonder why they should vote at all, thus further driving down voter turnout.

Election fraud covers a wide range of criminal acts under both federal and state laws. These crimes are usually felonies, punishable by up to five years in prison and by a

Examples of Election Fraud

Voter Fraud (Illegal Voting)

- Giving false identity, citizenship, residency, etc., when registering to vote.
- Voting when not eligible or qualified.
- Voting in the name of another, such as someone who has died or moved.
- Voting multiple times in an election.

Other Types of Election Fraud

- Registering fictitious persons or those not eligible to vote; paying persons to register.
- Buying votes.
- Threatening voters to vote in a certain way or not to vote.
- Tampering with voting machines.
- Completing an absentee ballot of a person who did not say how it should be marked.
- Stuffing ballot boxes with invalid ballots.
- Changing or destroying valid ballots.
- Falsely counting or certifying voting results.

fine. Election fraud must involve the *intentional* corruption of the voting process by voters, election officials, political parties, or others. The fraud may come from individual acts or conspiracies, which include a number of people who scheme together. (See the box for examples of election fraud.)

Republicans claim that many of the laws making it easier to vote have caused more cases of election fraud, which threatens American democracy itself. The lack of strict safeguards, they argue, has resulted in non-citizens, non-residents, felons, and others ineligible or unqualified to vote to show up at the polls and cast ballots.

Republicans fault the Motor Voter Law for making it difficult for states to remove dead persons, those who have moved, duplicate names, and other “deadwood” from voter registration lists. This enables fraudulent voters to vote multiple times by assuming the identity of others.

Similarly, the Help America Vote Act makes it possible for unqualified persons to cast a provisional ballot. Poll workers could intentionally or mistakenly mix these ballots in with regular ones.

Perhaps the biggest threat to the election process, say the Republicans, is the fraudulent use of absentee ballots. Voters are increasingly voting absentee by mail without ever having

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to prove who they are. In addition, the Republican Party has accused Democrats of taking stacks of absentee ballots into poor housing projects and nursing homes, then misleading or intimidating voters on how to vote.

In recent years, Republicans have pointed to a number of cases of election fraud to prove their case. Missouri Republicans charged that hundreds of voters cast fraudulent ballots in St. Louis during the 2000 presidential election. In 2004, after Republicans lost a close election for governor in the state of Washington, they claimed election officials counted hundreds of unverified provisional ballots.

The Republicans argue for a number of proposals to guard against election fraud such as:

- Requiring proof of citizenship when registering to vote.
- Reducing the number of years required before deleting the names of inactive voters from registration lists.
- Allowing persons to vote by provisional ballot only if poll workers can immediately verify they are qualified to vote by calling the state election office.
- Limiting absentee ballots only to those who apply individually and will be unable to vote at a polling place on Election Day.
- Requiring a government-issued photo ID in order to vote in person and a witnessed or notarized signature on an absentee ballot.

How Common Is Election Fraud?

Just how big a problem is election fraud today in the United States? A Rasmussen Poll conducted in January 2008 found that nearly 25 percent of Americans believe there are large numbers of people voting illegally. But actually determining the extent of election fraud is difficult because neither the federal government nor most states maintain statistics on this type of crime.

In many of the election fraud cases cited by the Republicans, it turns out those voters' errors, mistakes by poll workers, and poorly administered state election procedures are at fault. In other cases, federal and state investigations found no evidence that voters or others intended to commit election fraud.

Currently, the best indicator of election fraud is the number of convictions in federal cases prosecuted by the U.S. Department of Justice (DOJ). Between 2002 and 2005, the DOJ charged nearly 100 persons, resulting in the convictions of more than 50 for election fraud.

During the same period, 24 persons were convicted of voter fraud (illegal voting). Of these, 14 were non-citizens, five voted multiple times in one election, and five were

felons who had lost their voting rights. During this three-year period, the DOJ prosecuted no cases against persons who voted illegally by using the identity of someone else.

In addition, 30 people were convicted who had been involved in vote-buying conspiracies in five states. Those convicted were mainly party and election officials.

Democrats argue that the small number of federal convictions indicates that it is rather rare in the United States today. Republicans, however, counter that these figures do not include cases arising out of state and local elections. But these cases are hard to nail down since only two states have a system for collecting election fraud information.

Republicans argue that the number of election fraud cases is irrelevant. Any amount of fraud, they say, could corrupt a close election and undermine faith in the election process.

Democrats charge that the Republican anti-fraud campaign is a hoax since election fraud hardly exists in the United States today. The cry for more laws to prevent election fraud, the Democrats say, is nothing more than an attempt to make it more difficult for Americans, especially likely Democratic voters, to register and vote.

The Battle Over Voter Photo ID

Twenty-four states now require some form of identification to vote in person at a polling place. Seven of these states require a photo ID. In 2005, a bipartisan commission headed by former Democratic President Jimmy Carter and former Republican Secretary of State James Baker recommended a photo ID for voting. Opinions polls show that a large percentage of Americans think this is a good idea.

Republicans have enthusiastically embraced state laws that require photo IDs for voting. They argue such identification is necessary to prevent a person from stealing the identity of others, such as those who have recently died, and voting multiple times.

Democrats vigorously oppose voter photo IDs as a solution to a problem that does not exist. Furthermore, they claim that millions of Americans, especially the poor, elderly, and disabled, lack photo identification. Such individuals would be economically burdened by having to pay a fee either for the photo ID itself or for supporting documents, like a birth certificate. This is just another illegal poll tax, the Democrats argue.

In 2005, the Indiana state legislature passed a law that required voters to show a state or federal photo ID before voting in person. All Republicans, who held a majority in the legislature, voted for this law. All the Democrats voted against it.

The Indiana photo ID was free, but it required supporting proof of identity such as a birth certificate, which costs up

to \$12 in Indiana counties and perhaps higher for out of state births. Someone who wanted to vote on Election Day but did not have a photo ID at the voting place could cast a provisional ballot. But for it to be counted, the individual had to take a photo ID to a county office within 10 days.

Arguing that the photo ID law was unconstitutional under the 14th and 24th amendments, the Indiana Democratic Party and other groups sued state election officials in federal court. The two sides finally argued the case, *Crawford v. Marion County Election Board*, before the U.S. Supreme Court in January 2008. The court considered this question: Does a law that requires voters to present government photo identification excessively burden the right to vote of citizens?

The Democratic Party cited the economic burden on up to 43,000 Indiana citizens who might need to pay for a birth certificate or some other supporting document to acquire a photo ID. The Democrats also argued that the law placed a special burden on poor, elderly, ill, and disabled persons who would likely find it difficult to travel to a government office to have a photo ID made. Moreover, the Democrats pointed out, no case of an individual taking the identity of another voter had ever occurred during the entire history of Indiana.

The Indiana state officials argued that legitimate state interests such as maintaining voter confidence in the election system outweighed any minimal costs and inconveniences to citizens. In addition, state officials pointed to the poor condition of Indiana's voting lists. These lists contained names of persons who were dead or no longer residents, thus requiring photo identification to deter multiple voting. Finally, no Indiana citizens had testified that it would be impossible for them to get a photo ID.

On April 28, 2008, the U.S. Supreme Court decided 6–3 that Indiana's photo ID law was constitutional. Justice John Paul Stevens wrote that the state interests were “both neutral and sufficiently strong” to outweigh claims that the photo ID law was an excessive burden on citizens. Writing in dissent, Justice David Souter declared the law placed an “unjustified economic burden” on citizens, deterring poor Indiana residents from exercising their right to vote.

For Discussion and Writing

1. What do you think is more important: making it easier to vote or guarding against election fraud? Why?
2. Why do you think Republicans and Democrats differ over the election fraud issue?
3. Do you agree or disagree with the Supreme Court decision in *Crawford v. Marion County Election Board*? Why?

For Further Reading

Fund, John. *Stealing Elections: How Voter Fraud Threatens Our Democracy*. San Francisco: Encounter Books, 2004.

Minnite, Lorraine. *The Politics of Voter Fraud*. Washington, D.C.: Project Vote. 5 March 2007. URL: www.projectvote.org

A C T I V I T Y

Voting Policies

Form six small groups. Assign each group one of the voting policies below.

Each group should imagine that it is a subcommittee of the state legislature. The subcommittee should discuss its assigned policy and decide whether to support, oppose, or change its policy. Be prepared to defend your decision with arguments based on information from the article.

Voting Policies

1. An individual must submit copies of documents showing proof of American citizenship and current residency when registering to vote in person or by mail.
2. An individual who is not a registered voter may register at a polling place on Election Day and cast a ballot.
3. Voter registration drives by political parties will not be permitted in hospitals, public housing projects, public universities, and nursing homes for the elderly.
4. To vote in person, a voter must present one of the following forms of identification: state driver's license photo ID, current U.S. passport photo ID, food stamp card photo ID, employer-issued photo ID, student photo ID, bank statement, utility bill, paycheck stub, Social Security or Medicare card.
5. An individual who votes with an absentee ballot must have it notarized with a photo ID before mailing it to election officials to be counted.
6. Voting will be entirely by mail during a two-week period.



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The Development of Confucianism in Ancient China

Confucius spent most of his life traveling throughout China, teaching about the importance of duty, ritual, and virtue. He taught that a ruler must set an example to inspire people to strive for a moral life. Years after he died, students assembled his teachings into a book, the *Analects*, and a new school of thought developed—Confucianism. This philosophy deeply influenced China throughout most of its history.

A series of dynasties, or ruling families, governed China for centuries. The first great dynasty was the Shang, which ruled much of China for about 400 years. The next dynasty was the Zhou. The Zhou Dynasty clung to power for about 800 years—from 1027 to 256 B.C. But it ruled in name only for the last 500 years. Barbarian tribes attacked, and the Zhou Dynasty eventually had to move its capital. Dropping their loyalty to the Zhou Dynasty, nobles battled one another for control of parts of China.

During this disorderly and dangerous time, Chinese society was falling apart. As the decline of the Zhou Dynasty continued, wars increased. To provide for the wars, rulers imposed high taxes, impressed men into military service, and left women and older men tending the fields. Food was often scarce, and people sometimes starved. It was a time of great insecurity.

It was also a time of great intellectual ferment. Many thinkers came up with ideas for building a better society. So many ideas were in the air that the so-called Hundred Schools of Thought arose, each trying to influence rulers and change society. It was the golden age of Chinese philosophy. The four most important schools of thought were Daoism, Mohism, Legalism, and Confucianism.

Confucianism was the first, and ultimately most influential, of all the schools. It recommended healing Chinese society by returning to the traditions of the early Zhou Dynasty.

Another school was Daoism. Daoists advised



A statue of Confucius (551–479 B.C.) stands today in Suzhou, China. (Gautier Willaume/iStockphoto.com)

returning to a simpler time, more in tune with nature. According to legend, the founder of Daoism grew so disenchanted that he left China, leaving behind the school's basic text, the *Dao De Jing* (*The Book of the Way and Its Power*). This poetic work urges rulers to be fair and gentle and not pass too many laws: "When the government is relaxed, the people are relaxed."

A third school was Mohism, named after its founder Mo Zi (470–c. 391 B.C.). It rejected Confucian and Daoist calls to return to the past. Mohists believed in loving all people equally and helping the common people. They thought people should live simply. A ruler should promote the economy and avoid offensive wars. They viewed music, tradition, and luxuries as wasteful or frivolous.

A final school was Legalism. The Legalists believed all the other schools were impractical. The way

to get order was to create a code of strict laws, make the code public, and reward those who obeyed the laws and harshly punish those who broke them.

Confucius (551–479 B.C.)

The founder of Confucianism was a man named Kong Qi. He later was known as Kong Fuzi, or Master Kong. In the West, he is called Confucius. He was born in 551 B.C. in northeastern China in the state of Lu. (Lu is today part of China's Shandong Province.)

Confucius lived a simple life, spending most of his time as a teacher. Only a few facts are known about his life. But because he is considered one of the greatest Chinese thinkers, many stories have arisen about him.

His family was poor, and his father died when he was 3. His mother taught him, and he studied hard. By 15, he decided to spend his life learning. He read and studied classic Chinese works.

When he started teaching, Confucius quickly attracted a band of loyal students. He said he taught anyone who came to him "from the very poorest upward . . . no one has ever come to me without receiving instruction."

He is called the "First Teacher" in China. Before Confucius, rich people had hired tutors to teach their children. Confucius did not think learning should just be for

the rich. He believed every man in China should learn. He saw teaching as a way to improve people's lives and change society.

When he was about 50, he was appointed to work in the government of Lu. He wanted to apply his ideas to make society better. He was soon made the minister of justice, but Confucius saw that those above him did not like his ideas. So he left.

He spent the next 12 years traveling around China looking for a ruler who would listen to his ideas. He never found one. His students, however, continued to follow him. When he was 67, he returned to Lu and continued teaching and studying five Chinese books, known as the *Five Classics*. They are:

1. ***Book of Changes (Yi Jing)***. This poetic text describes two opposite, but complementary forces of life—*yin* and *yang*. This ancient book was frequently used to divine the future or guide actions. Both Confucian and Daoist thinkers adopted it as part of their philosophy.
2. ***Book of History (Shu Jing)*** contains official documents dating far back in Chinese history.
3. ***Book of Poetry (Shi Jing)***. Confucius said: "In the *Book of Poetry* there are 300 poems. But the essence of them can be expressed in one sentence: 'Have no depraved ideas.'"
4. ***Book of Rituals (Li Ji)*** details the ceremonies and rituals of the Zhou Dynasty.
5. ***Spring and Autumn Annals (Lin Jing)*** chronicles the history of the state of Lu from 722 to 479 B.C., the year Confucius died. Written in spare prose, it follows important events in the government.

Confucius also studied a sixth classic, the *Book of Music (Yue Jing)*. Confucius considered music essential to life. But this work has not survived. Controversy surrounds each of the other texts: Who wrote it? When was it written? Who wrote the commentaries on the text?

Confucius claimed he merely "transmitted" the teachings of the classics. But his interpretations of the classics created a new school of thought in China. The *Five Classics* (except for the *Yi Jing*) became the sole province of Confucianism. Other schools of thought created their own works.

Confucius died in 479 B.C. Many years after his death, his students (or the students of his students) wrote down Confucius' teachings in a book called the *Lun Yu*. In English, this book is usually called the *Analects*. It has hundreds of short passages. Most of what we know about Confucius comes from this source.

Confucianism

Confucius highly valued the past. He wanted people to adopt ancient truths. By adopting them, he believed society would return to peace and harmony.

Confucius emphasized several basic ideas. The most important one is *ren*. It is made up of the Chinese characters meaning "man" and "two," showing the connection of humans to one another. *Ren* is what makes a person human and life worth living. It can be translated as "humaneness" or "goodness." The goal of everyone should be to achieve *ren*. Confucius calls a person who achieves *ren* a "superior person," "ideal person," or "sage." To become a superior person, a person must do the right things.

One of the right things is *yi*, doing one's duties. Confucius saw everyone as having a duty to everyone else. When asked for a single idea to guide a person's actions, he answered, "What about fairness? What you don't like done to yourself, don't do to others."

Confucius talked about duties in unequal relationships: parents and children, elder child and younger child, husband and wife, brother and sister, older friend and younger friend, teacher and student, ruler and subjects. In each relationship, the higher-ranking person must take care of the lower-ranking person. In turn, the lower-ranking person must obey and honor the higher-ranking person. For example, parents should treat their children well and carefully raise them. Children should obey and be loyal to their parents.

Everyone should play his role properly: "Let the ruler be a ruler, the minister a minister, the father a father, and the son a son." When people perform their role properly, society runs smoothly. When they don't, it falls apart.

Another part of the superior person is *de*, virtue or moral force. Confucius said: "The superior person cares about virtue (*de*). The inferior person cares about things."

Ritual (*li*) was also important. Rituals were not meant to be empty gestures, but the means for expressing *ren*, *yi*, and *de*. Confucius said: "If a man be without humaneness (*ren*), what value is ritual (*li*)?"

Ritual can mean ceremonies. It also includes the actions of everyday life: greeting people, talking, asking for favors, saying goodbye. Rituals are the correct forms for action, and they work magic. This may sound strange, but think about the magic words "please" and "excuse me" and their power. For example, you can move someone much larger than yourself by simply saying, "Excuse me." Confucius saw rituals as the way to make society run smoothly.

(Continued on next page)

Confucius believed that rulers did not need to use force to return harmony to society. Confucius said: “If you govern them by means of virtue (*de*) and keep order among them by ritual (*li*), people will gain their own sense of shame and correct themselves.”

Confucius sought to restore the harmony and order that he believed prevailed in the state of Zhou hundreds of years before. Confucius taught that the ideal ruler during this time was the duke of Zhou, the brother of the king. When the king died, the duke ruled until the king’s son reached adulthood.

According to Confucius, the duke thought of the needs of his people first and led the Zhou Dynasty into a period of peace and prosperity. Confucius concluded that the duke’s success was due not to his military prowess but to his moral virtue, which set a good example for his people. “The moral character of the ruler is the wind; the moral character of those beneath him is the grass. When the wind blows, the grass bends.”

Confucius believed that the abandonment of virtue among rulers since that time had resulted in the lack of morality that he saw all around him.

Confucius taught that rulers had a sacred responsibility to rule virtuously. This meant ruling with self-discipline, attention to the ancient rituals, and putting the welfare and happiness of his subjects first. Ruling in this fashion, Confucius said, set an example of moral goodness for all others to follow.

Based on his study of the *Five Classics*, Confucius believed that the people would naturally follow and support the virtuous ruler without the need for harsh laws and punishments. Such a ruler would act like the duke of Zhou and the other “sage-kings” who first created the harmonious moral society that Confucius wanted to restore.

Mencius (371–289 B.C.): The Defender of Confucianism

A century after Confucius died, life in China had gotten even worse. States assembled huge armies and were constantly at war with one another. The debate among the Hundred Schools continued. A new voice arose to defend Confucianism.

Meng Zi (known in the West as Mencius) was born in 371 B.C. Growing up in a small state neighboring Confucius’ home state, he studied the *Five Classics* and the *Analects* to become a Confucian scholar. Like Confucius, he traveled from one state to another, teaching and holding government offices.

Mencius talked with many state rulers. He sought to find one who would put the needs of the people first. He grew

impatient when the rulers seemed interested only in personal pleasures and military glory. After 40 years of travel, he returned home to teach and write for the rest of his life.

Mencius adopted the teachings of Confucius, but he put forward new ideas on economics, government, and human nature. Like Confucius, he claimed he was a transmitter. But like Confucius, he was creating new interpretations.

He made specific proposals on agriculture. He believed that eight families should farm a square of nine fields. The families will help one another and “live in affection and harmony.” Each family will have its own field but first must work the center field. The produce from the center field will go to the ruler. “If the seasons for farming are not interfered with, the grain will be more than can be eaten.”

Confucius never addressed human nature in detail. Mencius, however, taught that all humans were born for goodness. He illustrated his point by telling the story of how anyone seeing a child about to fall into a well would feel alarmed. Mencius argued:

The feeling of compassion [toward the child] is the beginning of humaneness (*ren*). The feeling of shame is the beginning of dutifulness (*yi*). The feeling of modesty and yielding is the beginning of ritual (*li*). The sense of right and wrong is the beginning of wisdom.

Mencius believed that all these feelings are naturally within us, but they need to be developed. He thought the feelings of goodness were weak, and a person’s baser desires could easily overwhelm them. After all, he saw examples of selfishness and immoral behavior everywhere. Mencius concluded: “Those who follow the part of themselves that is great are great men, and those who follow the part of themselves that is small are small men.”

If people developed their good nature, society would greatly benefit. But Mencius did not argue that people should develop it for this reason. Instead, they should develop it because it is what makes us human:

Man differs from the birds and beasts only slightly. Most people cast aside what makes us different. The superior person preserves it.

Mencius believed that a ruler should be an example to his people and help them develop their humaneness (*ren*). The ideal ruler would be a sage. People would be drawn to him, love him, and support him. He would never have to fear rebellion or military defeat.

The ideal ruler would put the people first. According to Mencius:

The people are to be valued most, the state of the grain and the land next, the ruler least. Hence winning the favor of the common people you become emperor. . . .

In a radical twist to Confucianism, Mencius introduced the idea that if any ruler acted as a tyrant and oppressed his people, the people had the right to revolt and even kill him. He justified this by arguing that a tyrant was not acting like a ruler. Therefore, he was not a ruler. When Mencius was asked whether it is ever permissible to murder a ruler, he replied:

One who robs humaneness (*ren*) is called a robber; one who robs duties (*yi*) is called a wrecker; and one who robs and wrecks is called an outlaw. I have heard that the outlaw Zhou [a tyrannical ruler] was put to death. I have not heard that this was murdering a ruler.

Mencius never found a ruler who acted on Confucian virtues. After Mencius died in 289 B.C., his disciples assembled the *Book of Mencius* on his teachings. It later became another classic work of Confucianism.

The End of the Hundred Schools

The Hundred Schools, the golden age of Chinese philosophy, ended when the ruler of the state of Qin conquered all the other states. He became the “First Emperor” of a united China. Adopting the Legalist philosophy, Emperor Shi Huangdi headed a brutal regime of strict laws and harsh punishments. He outlawed and burned the classic books. He ordered all scholars except Legalists buried alive.

The Qin Dynasty was short-lived and ended in a violent revolt. The new Han Dynasty restored Confucianism and made it the official thought system of the Chinese Empire. The Han established a large government bureaucracy operated by Confucian scholars. They gained their positions by taking difficult civil service examinations based on the *Five Classics*, the *Analects*, the *Book of Mencius*, and other works.

Confucianism Through the Centuries

For centuries, Confucianism went in and out of favor in China. By the beginning of the Song Dynasty in A.D. 960, Daoism and Buddhism, a religion originating in India, were gaining popularity over Confucianism. A new movement of scholars, however, revived the teachings of Confucius and Mencius. The greatest Neo-Confucian scholar was Zhu Xi (1130–1200). He called on the Song emperor to set a proper moral example and thus end the widespread corruption that was weakening his empire. Angry advisors to the emperor struck back by labeling Zhu and other Neo-Confucians a “rebel clique of false learning.”

A hundred years later, however, the Yuan (Mongol)

Dynasty made Zhu’s own interpretations of Confucianism mandatory reading for the civil service exams. Zhu’s influence on the exams for government service remained until 1905 when the Qing Dynasty abandoned them. The Qing was the last Chinese imperial dynasty. After a revolution replaced it with a republic in 1912, the new leaders rejected Confucianism because its focus on the past ignored 20th century science, technology, and democracy.

Following the Communist takeover of China in 1949, Mao Zedong attempted to root out all remnants of Confucianism. He viewed its emphasis on the wisdom of the ancient sages as a threat to Communism’s own “sages”: Karl Marx, Vladimir Lenin, and himself.

Today’s Chinese Communist leaders have adopted Confucianism’s elusive ideal of a harmonious society as their own goal. After 2,500 years, the ideas of Confucius are still alive in China.

For Discussion and Writing

1. What was life like in China during the declining years of the Zhou Dynasty?
2. What were the main ideas that Confucius and Mencius believed in? Which do you think were most important? Why?
3. Confucius said: “Let the ruler be a ruler, the minister a minister, the father a father, and the son a son.” What did he mean by this?
4. The Greek philosopher Aristotle (384–322 B.C.) said: “Man is a political animal.” What does this mean? Would Confucius or Mencius agree or disagree with Aristotle? Why? Do you agree with him? Why?

For Further Reading

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A C T I V I T Y

A Dialogue With Philosophers

In this activity, students will get the chance to examine some famous quotations from political philosophers from different eras.

1. Form small groups of four or five students.
2. Assign each group one of the five quotations below.
3. Each group should do the following:
 - a. Discuss and answer these questions:

(Continued on next page)

(1) What does the quotation mean?

(2) Would Confucius or Mencius agree or disagree with the quotation?

(3) Do you agree with the quotation?

- b. Be prepared to report your answers to the class and your reasons for them. Cite material from the reading, if possible, when answering question #2.

Quotations

1. “It is better [for a ruler] to be feared than loved”
From *The Prince* by Niccolo Machiavelli (A.D. 1469–1527), Italian political philosopher
2. Those who “are subjects to a monarch cannot . . . cast off monarchy and return to the confusion of a disunited multitude; nor [can they] transfer . . . to another man, [or] other assembly of men: for they are bound . . . [to the monarch].”
—From *Leviathan* by Thomas Hobbes (A.D. 1588–1679), English political philosopher
3. “The extension of women’s rights is the basic principle of all social progress.” From *Theory of the Four Movements* by Charles Fourier (A.D. 1772–1837), French political philosopher
4. “It is not human nature we should accuse but the despicable conventions that pervert it.”
—From *On Dramatic Poetry* by Denis Diderot (A.D. 1713–1784), French philosopher
5. “The rulers of the state are the only ones who should have the privilege of lying, whether at home or abroad; they may be allowed to lie for the good of the state.”
—From *The Republic* by Plato (c. 428–c. 347 B.C.), Greek philosopher

Standards Addressed

Political Parties

National High School U.S. History Standard 8: Understands the institutions and practices of government created during the Revolution and how these elements were revised between 1787 and 1815 to create the foundation of the American political system based on the U.S.

Constitution and the Bill of Rights. (6) Understands the factors that led to the development of the two-party system (e.g., the emergence of an organized opposition party led by Thomas Jefferson, Hamilton’s financial plan).

National High School Civics Standard 20: Understands the roles of political parties, campaigns, elections, and associations and groups in American politics.

(1) Knows the origins and development of the two party system in the United States

California History-Social Science Content Standard 8.3: Students understand the foundation of the American political system and the ways in which citizens participate in it.

(4) Understand how the conflicts between Thomas Jefferson and Alexander Hamilton resulted in the emergence of two political parties

California History-Social Science Content Standard 12.6: Students evaluate issues regarding campaigns for national, state, and local elective offices.

(1) Analyze the origin, development, and role of political parties, noting those occasional periods in which there was only one major party or were more than two major parties.

Election Fraud

National High School Civics Standard 20: Understands the roles of political parties, campaigns, elections, and associations and groups in American politics.

(6) Understands the significance of campaigns and elections in the American political system, and knows current criticisms of campaigns and proposals for their reform.

California History-Social Science Content Standard 12.6: Students evaluate issues regarding campaigns for national, state, and local elective offices.

California History-Social Science Content Standard 11.11: Students analyze the major social problems and domestic policy issues in contemporary American society.

Confucianism

National High School World History Standard 9: Understand how major religions and large-scale empires arose in the Mediterranean Basin, China, and India from 500 BCE to 300 CE.

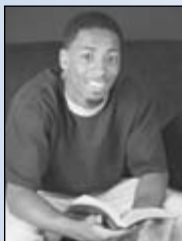
California History-Social Science Content Standard 6.6: Students analyze the geographic, political, economic, religious, and social structures of the early civilizations of China. (3) Know about the life of Confucius and the fundamental teachings of Confucianism and Daoism. (4) Identify the political and cultural problems prevalent in the time of Confucius and how he sought to solve them.

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