

# 1 The President's Job Description

**Objectives** You may wish to call students' attention to the objectives in the Section Preview. The objectives are reflected in the main headings of the section.

**Bellringer** Ask students whether they have ever had a job with multiple duties. Lead a discussion of conflicts that can arise (such as scheduling or completing tasks) when a person has more than one area of responsibility. Explain that, in this section, students will learn about the President's multiple duties and roles.

**Vocabulary Builder** Point out the terms in the Political Dictionary. Tell students that these are the President's roles, and ask them what duties might be involved with each. Have them verify their answers as they read through the section.

## Lesson Plan

### Teaching the Main Ideas **L3**

**H-SS 12.4.4**

- 1. Focus** Tell students that the formal qualifications for the job of President are not too difficult to meet. Ask students to discuss what they know about these formal qualifications.
- 2. Instruct** Ask students to identify the greatest number of years a President can serve. Have them explain their answer and discuss the debate over this limit. Then have students identify the informal qualifications, roles, and pay of the President.
- 3. Close/Reteach** Remind students that the job of President has formal and informal qualifications. Have students write a classified employment ad for a presidential candidate, including the qualifications and also the roles he or she must fulfill.

## Point-of-Use Resources

**Block Scheduling with Lesson Strategies** Activities for Chapter 13 are presented on p. 25.

# 1 The President's Job Description

## Section Preview

### OBJECTIVES

- 1. Identify** the President's many roles.
- 2. Understand** the formal qualifications necessary to become President.
- 3. Discuss** issues involving the length of the President's term.
- 4. Describe** the President's pay and benefits.

### WHY IT MATTERS

The American people elect a President every four years. Soon, you and your friends will be able to participate in that process—if, in fact, you have not already done so. Before your first vote, you will want to know as much as you can about the office and all it involves.

### POLITICAL DICTIONARY

- ★ chief of state
- ★ chief executive
- ★ chief administrator
- ★ chief diplomat
- ★ commander in chief
- ★ chief legislator
- ★ chief of party
- ★ chief citizen

**D**o you know who was the youngest person ever to be President? The oldest? Who held the presidency for the longest time? How long a person must live in the United States in order to run for President? You will find the answers to these questions and many more in this section, which provides a basic overview of the presidential office.

## The President's Roles

At any given time, of course, only one person is President of the United States. The office, with all of its powers and duties, belongs to that one individual. Whoever that person may be, he—and

most likely someday she<sup>1</sup>—must fill a number of different roles, and all of them at the same time. The President is simultaneously (1) chief of state, (2) chief executive, (3) chief administrator, (4) chief diplomat, (5) commander in chief, (6) chief legislator, (7) party chief, and (8) chief citizen.

1. To begin with, the President is **chief of state**. This means he is the ceremonial head of the government of the United States, the symbol of all the people of the nation. He is, in President William Howard Taft's words, "the personal embodiment and representative of their dignity and majesty."

In many countries, the chief of state reigns but does not rule. That is certainly true of the queens of England and Denmark, the emperor of Japan, the kings of Norway and Sweden, and the presidents of Italy and Germany. It is most certainly not true of the President of the United States, who both reigns and rules.

2. The President is the nation's **chief executive**; he is vested by the Constitution with "the executive Power" of the United States. That power is immensely broad in both domestic and foreign affairs. Indeed, the American presidency is often described as "the most powerful office in the world."

<sup>1</sup>To this point all of the Presidents have been men, but nothing in the Constitution prevents the election of a woman to that office.

▶ These cowboy boots, a gift to President Eisenhower, are an example of the many gifts that a President receives.



## Block Scheduling Strategies

Consider these suggestions to manage extended class time:

■ Discuss with students the many different roles that the President must fulfill. Ask students to read about these roles in the text. Then have them conduct research using newspapers, magazines, and other resources to find examples of the President fulfilling each role. Ask students to use the information they find to explain how the President has fulfilled each role.

■ To build on the previous block scheduling activity, divide the class into eight groups, assigning each group one of the eight presidential roles. Ask each group to collect materials (copies of photographs, cuttings from magazines, quotes, etc.) showing the President fulfilling its assigned role. Have them use these materials to create visual presentations of the importance of their assigned roles. After each group has finished, hold a class discussion on which role students feel is the most important.

But remember, the President is not *all-powerful*. He lives in an environment filled with checks and balances and in which there are other practical limits on what he can and cannot do.

3. The President is also the **chief administrator**, the director of the huge executive branch of the Federal Government. He heads one of the largest governmental machines the world has known. Today, the President directs an administration that employs more than 2.7 million civilians and spends some \$2.5 trillion a year.

Managing the sprawling executive branch is, in itself, a full-time job. Yet it is only *one* of the several jobs the President has. Harry Truman complained that he had to spend too much of his time “flattering, kissing, and kicking people to get them to do what they were supposed to do anyway.”

4. The President is also the nation’s **chief diplomat**, the main architect of American foreign policy and the nation’s chief spokesperson to the rest of the world. “I make foreign policy,” President Truman once said—and he did. What the President says and does is carefully followed in this country and abroad.

5. In close concert with the President’s role in foreign affairs, the Constitution also makes the President the **commander in chief** of the nation’s armed forces. The 1.4 million men and women in uniform and the nation’s entire military arsenal are subject to the President’s direct and immediate control. The Constitution gives Congress some power over foreign affairs and the military, but the President has long since become dominant in both fields.

6. The President is also the nation’s **chief legislator**, the main architect of its public policies. Most often it is the President who sets the overall shape of the congressional agenda. As chief legislator, the President initiates, suggests, requests, insists, and demands that Congress enact much of its major legislation.

The President does sometimes clash with Congress, and he does not always get his way on Capitol Hill. Still, working with Congress is a major part of the President’s job.

These six presidential roles all come directly from the Constitution. Yet they do not complete the list. The President must fill still other vital roles.

## Voices on Government

**Robert Reich** was a professor at Harvard’s John F. Kennedy School of Government before he became President Clinton’s Secretary of Labor in 1993. As a member of the Cabinet for four years, Reich was in a good position to observe the presidency:

*“Unlike Britain and other democratic monarchies, we ask our country’s leader to do two jobs simultaneously, to act both as head of government and as the symbol of the nation. It’s a hard act. Governing involves tough compromises and gritty reality. Symbolism requires nobility and grandeur. We demand a street-smart wheeler-dealer, but we also want a king and a royal family.”*



### Evaluating the Quotation

*What other jobs do Americans expect the President to do? Use Reich’s observation and what you read in this chapter to compile a full “job description.”*

7. The President acts as the **chief of party**, the acknowledged leader of the political party that controls the executive branch. As you know, parties are not mentioned in the Constitution, yet they have a vital place in the workings of the American governmental system. Thus, much of the real power and influence wielded by the President depends on the manner in which he plays this critical role.

8. The office also automatically makes its occupant the nation’s **chief citizen**. The President is expected to be “the representative of all the people.” As chief citizen, the President is expected to work for and represent the public interest against the many different and competing private interests. “The presidency,” said Franklin Roosevelt, “is not merely an administrative office. That is the least of it. It is pre-eminently a place of moral leadership.”


Listing the President’s several roles is a very useful way to describe the President’s job. But, remember, the President must play all of these roles simultaneously, and they are all interre-


## Reading Strategy


### Predicting Content


Ask students to consider what it takes to be President. Have them list the qualifications they think a President needs, the roles he or she must play, and the salary for the job. Encourage students to revise their notes as they read.

## Point-of-Use Resources

 **Guided Reading and Review** Unit 4 booklet, p. 2 provides students with practice identifying the main ideas and key terms of this section.

 **Lesson Planner** For complete lesson planning suggestions, see the Lesson Planner booklet, section 1.

 **Political Cartoons** See p. 49 of the Political Cartoons booklet for a cartoon relevant to this section.

 **Section Support Transparencies** Transparency 52, *Visual Learning*; Transparency 151, *Political Cartoon*

## Background Note

### Confidence in Government

In the months following the World Trade Center bombing on September 11, 2001, there was an extraordinary increase in the confidence and trust Americans have in their President. President Bush’s approval rating jumped 35 percentage points after September 11 to 90% on September 20th, the highest in Gallup poll history.

## Spotlight on Technology



### Magruder’s American Government Video Collection

The Magruder’s Video Collection explores key issues and debates in American government. Each segment examines an issue central to chapter content through use of historical and contemporary footage. Commentary from civic leaders in academics, government, and the media follow each segment. Critical-thinking questions focus students’ attention on key issues, and may be used to stimulate discussion.

Use the Chapter 13 video segment to explore the 200-year history of the presidency. (time: about 5 minutes) This segment examines the frequent shifts in style, manner, and perception of the chief executive—from regal George Washington to folksy Bill Clinton.

### Answer to . . .

**Evaluating the Quotation** In addition to mentioning the President’s obligations as both head of government and symbol of the nation, job descriptions should include some of the 8 roles mentioned in the text.



# 2

## Presidential Succession and the Vice Presidency

# 2

## Presidential Succession and the Vice Presidency

### Section Preview

#### OBJECTIVES

1. **Explain** how the Constitution provides for presidential succession.
2. **Understand** the constitutional provisions relating to presidential disability.
3. **Describe** the role of the Vice President.

#### WHY IT MATTERS

Should the President die, be removed from office, or resign, the Vice President succeeds to the presidency. The Vice President is, indeed, just a heartbeat away from the President.

#### POLITICAL DICTIONARY

- ★ **presidential succession**
- ★ **Presidential Succession Act of 1947**
- ★ **balance the ticket**

Consider these facts. Forty-six men have served as Vice President.<sup>7</sup> Fourteen of them later reached the White House—most recently, George H. W. Bush in 1989. Indeed, five of our last eleven Presidents were once Vice President.

### The Constitution and Succession

**Presidential succession** is the scheme by which a presidential vacancy is filled. If a President dies, resigns, or is removed from office by impeachment, the Vice President succeeds to the office.

Originally, the Constitution did not provide for the succession of the Vice President. Rather, it declared that “the powers and duties” of the office—not the office itself—were to “devolve on [transfer to] the Vice President.”<sup>8</sup>

In practice the Vice President did succeed to the office when it became vacant. Vice President John Tyler set this precedent in 1841 when he succeeded President William Henry Harrison, who died of pneumonia just one month after taking office. What had been practice became a part of the written Constitution with the adoption of the 25th Amendment in 1967:

**FROM THE CONSTITUTION** “In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.”

—25th Amendment, Section 1

<sup>7</sup>No woman has yet held the office, but nothing in the Constitution bars that possibility.

<sup>8</sup>Article II, Section 1, Clause 6.

| Presidential Succession |  |
|-------------------------|--|
| 1                       | Vice President                             |
| 2                       | Speaker of the House                       |
| 3                       | President <i>pro tempore</i> of the Senate |
| 4                       | Secretary of State                         |
| 5                       | Secretary of the Treasury                  |
| 6                       | Secretary of Defense                       |
| 7                       | Attorney General                           |
| 8                       | Secretary of the Interior                  |
| 9                       | Secretary of Agriculture                   |
| 10                      | Secretary of Commerce                      |
| 11                      | Secretary of Labor                         |
| 12                      | Secretary of Health and Human Services     |
| 13                      | Secretary of Housing and Urban Development |
| 14                      | Secretary of Transportation                |
| 15                      | Secretary of Energy                        |
| 16                      | Secretary of Education                     |
| 17                      | Secretary of Veterans Affairs              |
| 18                      | Secretary of Homeland Security             |



**Interpreting Charts** The Vice President is first in line to succeed to the presidency should the office become vacant. Such was the case when Lyndon Johnson took the oath of office aboard *Air Force One* after the assassination of President Kennedy in 1963. **How does the chart demonstrate the importance of the position of Speaker of the House?**  
H-SS 12.4.1

**Objectives** You may wish to call students’ attention to the objectives in the Section Preview. The objectives are reflected in the main headings of the section.

**Bellringer** Have students discuss what their job would be like if they were the backup goalie on a soccer team whose starting goalie was a star player. Elicit that they might get to play only if the starter is injured. Explain that, in this section, they will learn about the circumstances in which the Vice President could take over the presidency.

**Vocabulary Builder** Tell students that the word *succession*, as it is used in the Political Dictionary, has nothing to do with being successful. Lead them to see that it actually relates to a sequence.

### Lesson Plan

#### Teaching the Main Ideas L3

##### H-SS 12.4.1

**1. Focus** Tell students that the Constitution provides for replacing the President if necessary. Ask students to discuss what they know about who is in line to succeed to the presidency.

**2. Instruct** Ask students to list the duties of the Vice President, according to the Constitution. Lead a discussion of why the Vice President has but two formal duties besides being a “President-in-waiting.” Turn the discussion toward presidential succession and the changing role of the Vice President.

**3. Close/Reteach** Remind students that the Constitution provides for presidential succession. Have students write questions about this succession on cards, with the answers on the reverse side of the cards. Ask pairs of students to quiz each other.



### Block Scheduling Strategies

Consider these suggestions to manage extended class time:

■ Discuss the constitutional provisions for presidential succession and presidential disability with the class. Then ask students to read about these topics in the text. Have students work to create graphic organizers depicting information about each topic. Then call on volunteers to explain the information that they depicted to the class.

■ Once students have read about the role of the Vice President, point out that people are generally divided about the importance of the job. Some find it to be an important job while others think it is insignificant. Have students read the various quotations about the vice presidency in this section. Ask them to explain which ones reflect their own opinions of the Vice President’s job, or offer their own quotations.

### Answer to . . .

**Interpreting Charts** The Speaker is second in the line of succession, above 16 other potential successors and second only to the Vice President of the United States.

## Reading Strategy

### Finding Evidence

Tell students that the government does not cease to function if the President dies in office or is otherwise unable to serve. Have students read to find out how the Constitution guarantees that the nation continues to have a President under such circumstances.

## The Enduring Constitution

### Changes in the Presidency

In the early months of 1940, President Franklin D. Roosevelt gave every appearance of following President Washington's two-term precedent. Roosevelt was already planning the first presidential library and had signed a contract to write a series of magazine articles upon his retirement. However, with Germany's air invasion of Britain, the growing threat of world war convinced Roosevelt to try to stay in office. Four years later, with America at war, Roosevelt sought and won a fourth term.

### Using the Time Line

Have students use the time line to create an outline of the changing presidency. Then have them use their outlines to write a script for a documentary film about those changes. Point out that more information about the development of the presidency is available at [PHSchool.com](http://PHSchool.com)

### Point-of-Use Resources



**Basic Principles of the Constitution** Transparency 4, *The Living Constitution: The Executive Branch*



**The Enduring Constitution** Two extension activities for this time line can be found on pp. 15–16.

Congress fixes the order of succession following the Vice President.<sup>9</sup> The present law on the matter is the **Presidential Succession Act of 1947**. By its terms, the Speaker of the House and then the President *pro tem* of the Senate are next in line. They are followed, in turn, by the secretary of state and then by each of the other 14 heads of the Cabinet departments, in order of precedence—the order in which the offices were created by Congress.<sup>10</sup>

### Presidential Disability

Before the passage of the 25th Amendment, there were serious gaps in the arrangement for presidential succession. Neither the Constitution nor Congress had made any provision for deciding when a President was disabled. Nor was there anything to indicate by whom such a decision was to be made.

For nearly 180 years, then, the nation played with fate. President Eisenhower suffered three serious but temporary illnesses while in office: a heart attack in 1955, ileitis in 1956,

and a mild stroke in 1957. Two other Presidents were disabled for much longer periods. James Garfield lingered for 80 days before he died from an assassin's bullet in 1881. Woodrow Wilson suffered a paralytic stroke in 1919 and was an invalid for the rest of his second term. He was so ill that he could not meet with his Cabinet for seven months after his stroke.

Sections 3 and 4 of the 25th Amendment fill the disability gap, and in detail. The Vice President is to become Acting President if (1) the President informs Congress, in writing, “that he is unable to discharge the powers and duties of his office,” or (2) the Vice President and a majority of the members of the Cabinet inform

<sup>9</sup>Article II, Section 1, Clause 6. On removal of the President by impeachment, see Chapter 11, pages 311–313.

<sup>10</sup>A Cabinet member is to serve only until a Speaker or a president *pro tem* is available and qualified. Notice that the 25th Amendment also provides for the filling of any vacancy in the vice presidency. In effect, that provision makes the Presidential Succession Act a law with little real significance—except in the highly unlikely event of simultaneous vacancies in the presidency and vice presidency.

# The Enduring Constitution



Analysis Skills CS1, CS2, HI1

## Changes in the Presidency

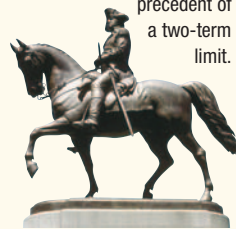
1800

1900

*Over more than two centuries now, many events have contributed to the ever-evolving shape of the presidential office. The most important of them are displayed in this time line.*

**Go Online**  
PHSchool.com

Use Web Code mqp-4137 to access an interactive time line.



1796

George Washington does not run for a third term, setting the precedent of a two-term limit.

1804

12th Amendment requires separate ballots for President and Vice President.

1800 Political parties begin to transform the electoral college system by choosing elector candidates.

1905 Wisconsin adopts the nation's first presidential primary law.

1841 After William Henry Harrison dies in office, Vice President John Tyler sets a precedent by succeeding to the presidency.

1831 Anti-Masonic Party holds first national convention to nominate a presidential candidate.



## Analysis Skills

**CS1** Students compare the present with the past, evaluating the consequences of past events and decisions and determining the lessons that were learned.

**CS2** Students analyze how change happens at different rates at different times; understand that some aspects can change while others remain the same; and understand that change is complicated and affects not only technology and politics but also values and beliefs.

**HI1** Students show the connections, causal and otherwise, between particular historical events and larger social, economic, and political trends and developments.



# 3 Presidential Selection: The Framers' Plan

## Section Preview

### OBJECTIVES

1. **Explain** the Framers' original provisions for choosing the President.
2. **Outline** how the rise of political parties changed the original process set out in the Constitution.

### WHY IT MATTERS

Selecting the President is a complex process that many Americans do not fully grasp. Understanding the Framers' plan for choosing the President will help you understand this complicated process.

### POLITICAL DICTIONARY

- ★ **presidential electors**
- ★ **electoral votes**
- ★ **electoral college**

In formal terms, the President is chosen according to the provisions of the Constitution.<sup>15</sup> In practice, however, the President is elected through an altogether extraordinary process that is not very well understood by most Americans. That process is a combination of constitutional provisions, State and federal laws, and, in largest measure, a number of practices born of the nation's political parties. To make sense of this very complex system, you must first understand what the Framers had in mind when they designed the presidential election process.

## Original Provisions

The Framers gave more time to the method for choosing the President than to any other matter. It was, said James Wilson of Pennsylvania, "the most difficult of all on which we have had to decide." The difficulty arose largely because most of the Framers were against selecting the President by either of the obvious ways: by Congress or by a direct vote of the people.

Early in the Convention, most of the delegates favored selection by Congress. Later, nearly all delegates came to believe that congressional selection would, as Alexander Hamilton said, put the President "too much under the legislative thumb."

Only a few of the Framers favored choosing the President by popular vote. Nearly all agreed

that such a process would lead to "tumult and disorder." Most delegates felt, too, that the people, scattered over so wide an area, could not possibly know enough about the available candidates to make wise, informed choices. George Mason of Virginia spoke for most of his colleagues at the convention: "The extent of the Country renders it impossible that the people can have the requisite capacity to judge of the respective pretensions of the Candidates."

After weeks of debate, the Framers finally agreed on a plan first put forward by Hamilton. Under it, the President and Vice President were to be chosen by a special body of **presidential electors**. These electors would each cast two **electoral votes**, each for a different candidate. The candidate with the most votes would become President. The person with the second



▲ George Washington's inauguration was commemorated by objects such as these. The brass coat buttons are precursors of today's campaign buttons.

<sup>15</sup>The Constitution deals with the process of presidential selection in several places: Article II, Section 1, Clauses 2, 3, and 4, and the 12th, 20th, and 23rd Amendments.

# 3 Presidential Selection: The Framers' Plan

**Objectives** You may wish to call students' attention to the objectives in the Section Preview. The objectives are reflected in the main headings of the section.

**Bellringer** Tell students that sometimes a plan looks great on paper but, when actually put into practice, it doesn't work very well at all. Ask students to share their experiences with ideas that didn't work out. Explain that, in this section, they will read about one of the Framers' plans that revealed its flaws fairly soon.

**Vocabulary Builder** Review with students the ending *-or*, meaning "one who," and apply it to the terms in the Political Dictionary. Then introduce two more words, whose meanings may help students understand the section content: —**requisite** (adj.) required; necessary —**fiasco**: a complete failure

## Lesson Plan

### Teaching the Main Ideas L3

#### H-SS 12.6.2

**1. Focus** Tell students that the first few presidential elections exposed problems with the constitutional framework for selecting a President. Ask students to discuss what they know about the problems with the Framers' original plan.

**2. Instruct** Ask students to describe how the Framers originally designed the selection process for President. Lead a discussion of the resulting problems, why they occurred, and how they were resolved.

**3. Close/Reteach** Remind students that the rise of political parties proved to be the undoing of the Framers' plan of presidential selection. Have students create a flowchart to show the series of events, including the rise of political parties, that led from the Framers' plan to the resolution of the presidential selection problem.

## Block Scheduling Strategies

Consider these suggestions to manage extended class time:

■ Have students read this section of the text to learn about the Framers' method of choosing the President and how the rise of political parties led to changes in this method. Then ask each student to rewrite the table on page 366 of their textbooks to reflect the current method.

■ Have students assume the role of newspaper reporters covering the election of 1800. They should write articles explaining the unprecedented election result. Encourage them to be dramatic in their reporting.

## 4 Presidential Nominations

**Objectives** You may wish to call students' attention to the objectives in the Section Preview. The objectives are reflected in the main headings of the section.

**Bellringer** Ask students to consider what it would be like if every class in the school had its own school calendar, its own grading system, and its own rules for student behavior. Explain that the resulting student confusion would be similar to what candidates go through every presidential election year as a result of State variations in the nominating process.

**Vocabulary Builder** Point out the terms in the Political Dictionary. Ask students to suggest possible meanings for *winner-take-all*, *proportional representation*, and *keynote address* in the context of the presidential nominating process. Encourage them to check the accuracy of their suggestions as they read the section.

### Lesson Plan

#### Teaching the Main Ideas L3

H-SS 12.6.2

- 1. Focus** Tell students that conventions play a vital role in the presidential nomination process. Ask students to discuss what they know about national nominating conventions.
- 2. Instruct** Ask students to identify the chief task of a party's national convention. Discuss the primary and caucus-convention processes that lead up to the presidential nomination, as well as the typical characteristics of the nominee.
- 3. Close/Reteach** Remind students that the various nominating procedures all lead to the national conventions. Have students draw a chart to show this flow.

## Section Preview

### OBJECTIVES

- 1. Describe** the role of conventions in the presidential nominating process.
- 2. Evaluate** the importance of presidential primaries.
- 3. Understand** the role of the caucus-convention process in States that do not hold primaries.
- 4. Outline** the events that take place during a national convention.
- 5. Examine** the characteristics that determine who is nominated as a presidential candidate.

### WHY IT MATTERS

Presidential primaries and party caucuses lead up to the Democratic and Republican national conventions. At these conventions, which take place every four years during the summer before the fall election, each party officially selects its presidential and vice presidential candidates.

### POLITICAL DICTIONARY

- ★ **presidential primary**
- ★ **winner-take-all**
- ★ **proportional representation**
- ★ **national convention**
- ★ **platform**
- ★ **keynote address**

**T**he Constitution makes no provision for the nomination of candidates for the presidency. Rather, as you have just seen, the Framers designed a system in which presidential electors would, out of their own knowledge, select the “wisest and best man” to be President. Later, the rise of parties altered that system dramatically.

### The Role of Conventions

The first method the parties developed to nominate their presidential candidates was the congressional caucus. As you may recall from Chapter 7, that method was regularly used in the elections of 1800 to 1824. However, the closed, nonrepresentative character of this system led to its downfall in the mid-1820s. For the election of 1832, both major parties turned to the national convention as their nominating device, and it has continued to serve them ever since.

### Convention Arrangements

Not only does the Constitution say nothing about presidential nominations; there is, as well, almost no federal or State statutory law on the matter. The convention system has been built almost entirely by the two major parties in American politics.

In both parties, the national committee makes the arrangements for the party's convention. The committee sets the date and picks the place

for that meeting. Over recent elections, the party out of power has held its convention first, usually in July, and the President's party has met some weeks later, in August.

Many of the nation's largest cities bid for the honor—and the financial return to local business—of hosting a convention. The map on the next page shows where the major parties' conventions have been held over time. As you can see, the Democrats picked Boston for their quadrennial meeting in 2004, and the Republicans opted for New York City.

### The Apportionment of Delegates

With the date and the location set, the national committee issues its “call” for the convention. That formal announcement names the time and place. It also tells the party's organization in each State how many delegates it may send to the national gathering.

By tradition, both parties give each State party a certain number of delegates based on that State's electoral vote. Over the past several conventions, both parties have developed complicated formulas that also award bonus delegates to those States that have supported the party's candidates in recent elections.

For 2004, the Republicans' formula produced a convention of 2,509 delegates. The Democrats' more complex plan called for 4,353. Given



## Block Scheduling Strategies

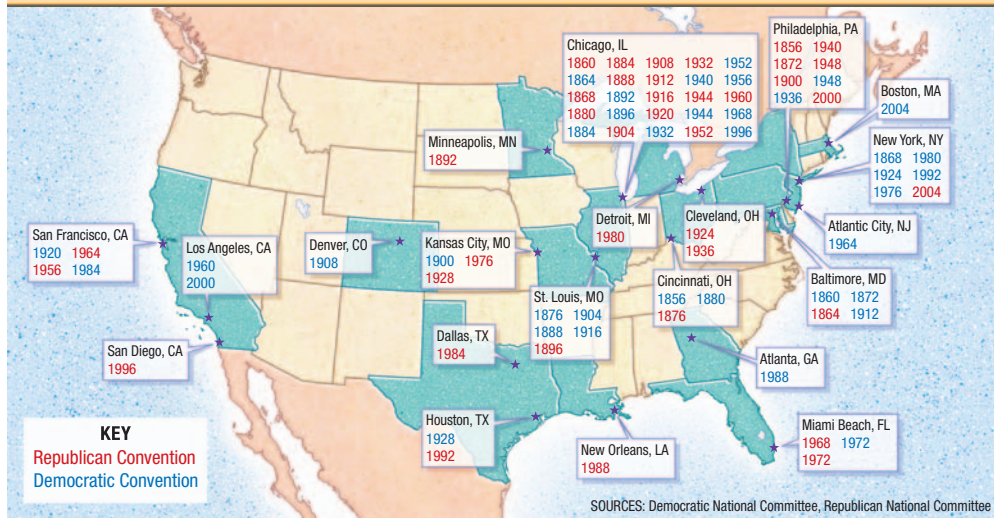
Consider these suggestions to manage extended class time:

■ Discuss the role and importance of presidential primaries and caucuses with students. Then assign each student either primaries or caucuses. Have students write summaries of the role that their assigned topic plays in the nominating process. Call on volunteers to share information from their summaries with the class.

■ Ask students to read about the events that take place at a national convention. Then explain to them that with the growth of primaries, both parties' conventions have become tamer in recent years. Have each student research the events taking place at a modern national convention and one that took place years ago (for example, the Democratic convention of 1924). Have them write a paper analyzing the differences between the conventions.



## National Convention Sites



**Interpreting Maps** Democrats held their first convention in Baltimore in 1832, and met there through 1852. The Republicans held their first convention in Philadelphia in 1856. **How can you explain the popularity of such cities as Chicago, New York, and Philadelphia as convention sites?**

those large numbers, it should be fairly clear that neither party's national convention can be called "a deliberative body" able to give each of its decisions thoughtful consideration.

### Selection of Delegates

There are really *two* campaigns for the presidency. One is the contest between the Republican and Democratic candidates in the fall. The other is earlier and quite different. It takes place *within* each party: the struggle for convention delegates.

State laws and/or party rules fix the procedures for picking delegates in each State. That fact is a reflection of federalism, and it has produced a jigsaw puzzle of presidential primaries, conventions, and caucuses among the 50 States.

To a large extent, the Republican Party leaves the matter of delegate selection to its State organizations and to State law. The Democratic Party, on the other hand, has adopted several national rules to govern the process. Most of those rules reflect attempts to broaden participation in the delegate selection process, especially by the young, African Americans, other minorities, and women.

### Presidential Primaries

More than three fourths of all the delegates to both parties' conventions come from States that hold presidential primaries. Many of those primaries are major media events. Serious contenders in both parties must make the best possible showing in at least most of them.

Depending on the State, a **presidential primary** is an election in which a party's voters (1) choose some or all of a State party organization's delegates to their party's national convention, and/or (2) express a preference among various contenders for their party's presidential nomination.

<sup>18</sup>Both parties allot delegates to the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa; the Democrats also provide for delegates who represent Democrats Abroad. The Democratic convention also includes a large number of "superdelegates"—mostly party officers and Democrats who hold major elective offices. They are automatically members of their respective State delegations. More than 750 superdelegates were seated at the 2004 Democratic convention; their number included all of the members of the Democratic National Committee, all Democratic State governors, and nearly all of the Democratic members of the House and Senate.

## Reading Strategy

### Getting the Main Idea

Tell students that political parties use various procedures to nominate a presidential candidate. Have students judge, as they read, which procedures seem to offer voters the greatest chance to participate in the nomination process.

### Point-of-Use Resources

**Guided Reading and Review** Unit 4 booklet, p. 8 provides students with practice identifying the main ideas and key terms of this section.

**Lesson Planner** For complete lesson planning suggestions, see the Lesson Planner booklet, section 4.

**Political Cartoons** See p. 52 of the Political Cartoons booklet for a cartoon relevant to this section.

**Section Support Transparencies** Transparency 55, *Visual Learning*; Transparency 154, *Political Cartoon*

### Answer to . . .

**Interpreting Maps** They are bustling cities with good convention facilities, transportation, and entertainment possibilities.

## Background Note

### Only on Tuesday

For years Americans have cast their ballots for President on the Tuesday after the first Monday in November. The tradition of voting in November developed in order to accommodate the schedules of early-American farmers, who were often too busy to vote before the harvest was in for the year. The religious practices of early Americans contributed to the designation of Tuesday as the election day of choice; voting could not take place on a Sunday or Monday because voters from outlying areas would be forced to break the Christian Sabbath in order to travel to central polling locations.

## Universal Access

L3

**Time** 90 minutes.

**Purpose** Hold a mock presidential primary.

**Grouping** Groups of 4–5 students.

**Activity** Each group chooses one of its members to be a presidential hopeful for the upcoming presidential primary. Then they work together to develop a platform, prepare a speech, and create campaign posters and buttons to promote their candidate.

**Roles** Presidential candidate, campaign manager, speechwriters, slogan developer.

**Close** Group candidates from each group present a speech that announces their candidacy, outlines their platform, and persuades others to nominate him or her as the party's presidential nominee. **H-SS 12.6.2**

## Point-of-Use Resources

### Block Scheduling with Lesson Strategies

Additional activities for Chapter 13 appear on p. 25.

### Government Assessment Rubrics

Oral Presentation, p. 24

## History of the Presidential Primary

The presidential primary first appeared in the early 1900s as part of the reform movement aimed at the boss-dominated convention system. Wisconsin passed the first presidential primary law in 1905, providing for the popular election of national convention delegates. Several States soon followed that lead, and Oregon added the preference feature in 1910. By 1916 nearly half the States had adopted presidential primary laws.

For a time, the primary system fell into disfavor so that by 1968, primaries were found in only 16 States and the District of Columbia. Efforts to reform the national convention process, especially in the Democratic Party, reversed that downward trend in the 1970s, however. Some form of the presidential primary can now be found in most States. For 2004, the device was in place in 36 States, and in the District of Columbia and Puerto Rico.<sup>18</sup>

<sup>18</sup>Presidential primaries were not held in 14 States: Alaska, Colorado, Hawaii, Idaho, Iowa, Maine, Michigan, Minnesota, Nevada, New Mexico, North Carolina, North Dakota, Washington, and Wyoming. In some States, the law permits but does not require a major party to hold a primary. In South Carolina the presidential primary is a product of party rules, not State law.



### ◀ Campaigning Then and Now

Campaigning for the presidency has changed dramatically since Harry S Truman's 1948 whistle-stop train tours were one of the best ways to reach voters. Today's candidates make wide use of the Internet to do so. **H-SS 12.8.2**



## Primaries Today

Again, a presidential primary is either or both of two things: a delegate-selection process and/or a candidate preference election. Once that much has been said, however, the system becomes very hard to describe, except on a State-by-State basis.

The difficulty comes largely from two sources: (1) the fact that in each State the details of the delegate-selection process are determined by that State's own law—and those details vary from one State to the next, and (2) the ongoing reform efforts in the Democratic Party. Since 1968, when the Democrats were shattered by disputes over Vietnam and civil rights policies, the Democratic National Committee has written and rewritten the party's rules to promote greater grassroots participation in the delegate-selection process. Those new rules have prompted many changes in most States' election laws.

Even a matter that seems as simple as the date for the primary illustrates the crazy-quilt pattern of State laws. New Hampshire holds the first of the presidential primaries every four years, and it has done so since 1940. New Hampshire guards its first-in-the-nation title with a law that sets the date for its primary as the Tuesday of the week before the date on which any other State schedules its contest. For 2004, the New Hampshire primary was held on January 27, and all of the others were held at various times over the next five months.

Most States prefer an early date, and so the primary schedule has become heavily "front-loaded." More than half of the primaries, including the contests in most of the larger States, now come in March and early April.

Name recognition and money have always been important factors in the presidential primary process, and front-loading has multiplied their significance. Until lately, a candidate who was not very well known nationally could hope to build a following from primary to primary—as, for example, Bill Clinton did in 1992. The process leaves little or no time for that strategy

## Preparing for Standardized Tests

Have students read the passages under *Primaries Today* on this page and then answer the question below.

What factor has increased the significance of money and name recognition in presidential primaries?

- A front-loading
- B State laws
- C the New Hampshire primary
- D the policies of the Democratic National Convention



today, however. Candidates now have to mount (and pay for) campaigns in a number of widely separated States that hold their primaries fairly early and often on the same day or within a few days of one another.

### Proportional Representation

Until fairly recently, most primaries were both delegate-selection and preference exercises. Several primaries were also **winner-take-all** contests. That is, the candidate who won the preference vote automatically won the support of all delegates chosen at the primary.

Winner-take-all primaries have now all but disappeared. The Democratic Party rules now prohibit them. Instead, the Democrats have a complex **proportional representation** rule. Any candidate who wins at least 15 percent of the votes cast in a primary gets the number of that State's Democratic convention delegates that corresponds to his or her share of that primary vote. Take, for example, a State that has 40 convention delegates. If a candidate wins 45 percent of the primary vote, he automatically gains the support of at least 18 of the delegates.

Most States had to change their primary laws to account for the Democrats' proportional representation rule. So in many States, Republican delegates are also chosen on a proportional representation basis. Still, a few States do permit winner-take-all primaries, and the Republicans hold them where they can.

The Democrats' proportional representation rule had yet another major impact on the shape of presidential primaries. It led several States—among them Oregon and Wisconsin, the States that had pioneered the presidential primary—to give up the popular selection of delegates.

More than half of the presidential primary States now hold only a preference primary. The delegates themselves are chosen later, at party conventions. In most of these States, the delegates must be picked in line with the results of the preference primary—for example, for the Democrats in 2004, so many delegates for John Kerry, so many for Wesley Clark, so many for Howard Dean, and so on. In some States, however, the preference vote does not govern the choice of the delegates. In those States, the preference primary is often called a “beauty contest.”



▲ **Getting a Head Start** Because the New Hampshire primaries are an early indicator of future success, presidential hopefuls spend time and money in New Hampshire early in their candidacies. Here Senator John Kerry (D., Mass.) rallies with supporters in Manchester, New Hampshire, months before the 2004 primary. **H-SS 12.6.2**

Most of the preference contests are also “all-candidate” primaries. That is, they are contests in which all generally recognized contenders for a party's presidential nomination must be listed on that party's preference ballot.

### Evaluation of the Primary

No one who surveys the presidential primary system needs to be told that it is complicated, nor that it is filled with confusing variations. Still, these primaries are vital. For half a century now, they have played *the* major part in deciding the presidential nominating contests in both parties—especially the party out of power.

Presidential primaries tend to democratize the delegate-selection process. And, importantly, they force would-be nominees to test their candidacies in actual political combat. For the party out of power, especially, the primaries are often “knock-down, drag-out” battles. Without the unifying force of the President as party leader, several leaders and factions in the party vie with one another, vigorously, for the presidential nomination. Here, a key function of the presidential primary can be seen: the screening out of the lesser possibilities to the point where only one or a few contenders for the nomination remain.

Such hard-fought contests occur but are not common in the party in power. This tends to be true either because the President (1) is himself seeking reelection, or (2) has given his backing to someone he favors for the nomination. In either case the President regularly gets his way.

## Background Note

### Blanket Primaries

The presidential primary was the subject of a heated argument, now resolved, in Washington State. At one time, the blanket primary—in which the names of all candidates, whether Democrat, Republican, or third party, appeared on the same ballot—was used in Alaska, California, and Washington. In 2000, however, the Supreme Court found California's version of the blanket primary unconstitutional, because it violated parties' free association rights. For 2002, California switched to a closed primary and Alaska held an open primary. Washington, however, stuck with the blanket primary. A federal court in Washington abolished the 70-year-old blanket primary, but the State appealed to the Supreme Court. Washington Secretary of State Sam Reed stated that, “We're going to exercise every possible route to protect the blanket primary.” Political parties, on the other hand, denounced the appeal as a waste of taxpayer money. In 2004, the Supreme Court denied the State's appeal, thus striking down Washington's blanket primary. Voters angry over the new primary deluged Reed's office with one new e-mail every two minutes, thousands of telephone calls, and threats to boycott the primary. But the Secretary of State responded that “our message is to vote. . . . There is too much at stake for us not to participate.”

# 5 The Election

# 5 The Election

## Section Preview

### OBJECTIVES

1. **Understand** the function of the electoral college today.
2. **Describe** the flaws in the electoral college.
3. **Outline** the advantages and disadvantages of proposed reforms of the electoral college.

### WHY IT MATTERS

Most people do not understand the workings of the electoral college system. They do not understand that, no matter what the popular vote results may be, the electoral votes determine the outcome of a presidential election.

### POLITICAL DICTIONARY

- ★ **district plan**
- ★ **proportional plan**
- ★ **direct popular election**
- ★ **electorate**
- ★ **national bonus plan**

The presidential campaign—the all-out effort to win the votes of the people—begins soon after the conventions. Each candidate’s campaign organization works to present its candidate in the best possible light. Voters are bombarded by radio and television speeches; “whistle-stop” tours; press conferences and press releases; public rallies; party dinners; newspaper, radio, and television advertisements; stickers and buttons; placards and pamphlets; billboards and match-covers; Web sites and e-mail. The candidates pose for hundreds of photographs and shake thousands of hands as each of them tries to convince the people that he is best for the country.

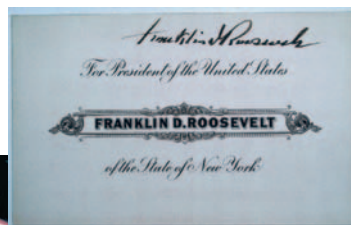
The presidential campaign ends on election day. Millions of voters go to the polls in all 50 States and the District of Columbia. But the President, whoever that is to be, is not formally elected until the presidential electors’ votes are cast and counted, several weeks later.

## The Electoral College Today

You have arrived at one of the least understood parts of the American political process. As the people vote in the presidential election, they do not cast a vote directly for one of the contenders for the presidency. Instead, they vote to elect presidential electors.

Remember, the Constitution provides for the election of the President by the electoral college, in which each State has as many electors as it has members of Congress. The Framers expected the

electors to use their own judgment in selecting a President. But today the electors, once chosen, are really just “rubber stamps.” They are expected to vote automatically for their party’s candidates for President and Vice President. In short, the electors go through the form set out in the Constitution in order to meet the letter of the Constitution, but their behavior is a far cry from its original intent.



▲ New York’s then-Governor Franklin Roosevelt autographed this electoral college ballot not long after it was cast by a presidential elector at the State Capitol in Albany in 1932. The electoral college vote concludes more than a year of campaigning.

**Objectives** You may wish to call students’ attention to the objectives in the Section Preview. The objectives are reflected in the main headings of the section.

**Bellringer** Have students suppose that they ran for class president and, even though they won most students’ votes, their opponent is declared the winner. Ask students whether they think the election could have been fair. Explain that in this section they will read about how a candidate can lose the popular vote but still be elected President.

**Vocabulary Builder** Tell students that the Political Dictionary contains four plans that might replace the electoral college system. Ask them which one they believe is closest to the democratic ideal. Students should verify their answers as they read the section.

## Lesson Plan

### Teaching the Main Ideas L3

#### H-SS 12.6.6

**1. Focus** Tell students that the formal election of a President occurs when the electoral college votes. Challenge students to describe how the electoral college works.

**2. Instruct** Ask students to explain how the number of electors for each State is determined and how the electors are chosen. Discuss the flaws in the electoral college, and then assign groups of students to the various reform plans to debate their merits. (One group might also be assigned to speak on behalf of the electoral college as it now exists.)

**3. Close/Reteach** Remind students that the electoral college has several flaws. Have them write a letter to their representative arguing for one of the proposed reforms of the electoral college. Letters should identify the flaws, show how the reform would cure those defects, and answer criticisms of the reform.

## Block Scheduling Strategies

Consider these suggestions to manage extended class time:

■ Ask students to suppose that they have been asked by a pen pal in another country to write a letter explaining how the electoral college works. Ask students to consider the selection of electors, ways that the popular vote affects the electoral vote, how the President is elected based on the electoral vote, and flaws in the system. Encourage volunteers to share their letters with the class.

■ Organize the class into several small groups. Have each group consider the advantages and disadvantages of the current electoral college and the other proposed plans discussed in the text. Have groups decide which plan they think would work the best, and support their choice. If students don’t agree with any of these methods, encourage them to create their own. Encourage students to point out disadvantages of other groups’ plans.





## Reading Strategy

### Organizing Information/Outline


Ask students to copy down the main headings and subheadings of the section in outline form, leaving space for details. Have them fill in the details as they read the section.

### Point-of-Use Resources

 **Guided Reading and Review** Unit 4 booklet, p. 10 provides students with practice identifying the main ideas and key terms of this section.

 **Lesson Planner** For complete lesson planning suggestions, see the Lesson Planner booklet, section 5.

 **Political Cartoons** See p. 53 of the Political Cartoons booklet for a cartoon relevant to this section.

 **Section Support Transparencies** Transparency 56, *Visual Learning*; Transparency 155, *Political Cartoon*

### Choosing Electors

The electors are chosen by popular vote in every State<sup>22</sup> and on the same day everywhere: the Tuesday after the first Monday in November every fourth year. So the next presidential election will be held on November 4, 2008. In every State except Maine and Nebraska, the electors are chosen at-large.<sup>23</sup> That is, they are chosen on a winner-take-all basis. The presidential candidate—technically, the slate of elector-candidates nominated by his party—receiving the largest popular vote in a State regularly wins all of that State’s electoral votes.

Today, the names of the individual elector-candidates appear on the ballot in only a handful of States. In most States, only the names of the presidential and vice-presidential candidates are listed. They stand as “shorthand” for the elector slates.

<sup>22</sup>The Constitution (Article II, Section 1, Clause 2) says that the electors are to be chosen in each State “in such Manner as the Legislature thereof may direct.” In several States the legislatures themselves chose the electors in the first several elections. By 1832, however, every State except South Carolina had provided for popular election. The electors were picked by the legislature in South Carolina through the elections of 1860. Since then, all presidential electors have been chosen by popular vote in every State, with two exceptions. The State legislatures chose the electors in Florida in 1868 and in Colorado in 1876.

### Counting Electoral Votes

The Constitution provides that the date Congress sets for the electors to meet “shall be the same throughout the United States.”<sup>24</sup> The 12th Amendment provides that “the electors shall meet in their respective states.” The electors thus meet at their State capitol on the date set by Congress, now the Monday after the second Wednesday in December. There they each cast their electoral votes, one for President and one for Vice President. The electors’ ballots, signed and sealed, are sent by registered mail to the president of the Senate in Washington.

Which party has won a majority of the electoral votes, and who then will be the next President of the United States, is usually known by midnight of election day, more than a month before the electors cast their ballots. But the

<sup>23</sup>Maine (beginning in 1972) and Nebraska (1992) use the “district plan.” In those States, two electors are chosen from the State at-large and the others are picked in each of the State’s congressional districts. The district plan was used by several States in the first few presidential elections, but every State except South Carolina had provided for the choice of the electors from the State at large by 1832. Since then, the district plan has been used only by Michigan in 1892 and by Maine and Nebraska.

<sup>24</sup>Article II, Section 1, Clause 4

## The Presidential Election Process

### January–June

**Primaries** In States with presidential primaries, voters select their party’s national convention delegates and/or express a preference among the candidates.

**Caucuses** In States with caucuses, voters in local meetings choose delegates to conventions at the congressional district or State levels—where national convention delegates are picked.



### January

### February

### March

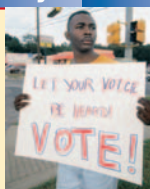
### April

### May

### June

### July

### August



### Mid-to-late Summer

**National Conventions** Delegates choose the presidential and vice presidential nominees for each major party.

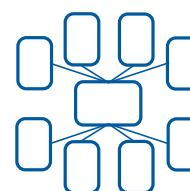
**Interpreting Charts** The Framers of the Constitution established the electoral college to allow the most capable citizens in each State to select the President. *Is that how that electoral process works today? Why or why not?* **H-SS 12.4.4**

## Organizing Information

To make sure students understand the main points of this section, you may wish to use the multiflow chart to the right.

Tell students that a multiflow chart shows causes and effects. Have students use the multiflow chart to record flaws in the electoral college system, and reform proposals that have resulted from those flaws.

**Teaching Tip** A template for this graphic organizer can be found in the Section Support Transparencies, Transparency 5.



### Answer to . . .

**Interpreting Charts** Possible answer: No; voters choose slates of electors based on which candidate the electors are pledged to.

formal election of the President and Vice President finally takes place on January 6.<sup>25</sup>

On that date, the president of the Senate opens the electoral votes from each State and counts them before a joint session of Congress. The candidate who receives a majority of the electors' votes for President is declared elected, as is the candidate with a majority of the votes for Vice President.

If no candidate has won a majority—at least 270 of the 538 electoral votes today—the election is thrown into the House of Representatives. This happened in 1800 and again in 1824. The House chooses a President from among the top three candidates in the electoral college. Each State delegation has one vote, and it takes a majority of 26 to elect. If the House fails to choose a President by January 20, the 20th Amendment provides that the newly elected Vice President shall act as President until a choice is made.<sup>26</sup>

If no person receives a majority of votes for Vice President, the Senate decides between the top two candidates. It takes a majority of the whole

<sup>25</sup>If that day falls on a Sunday, as it did most recently in 1985 (but will not again until 2013), then the ballot-counting is held the following day.

Senate to elect. The Senate has had to choose a Vice President only once, when it elected Richard M. Johnson in 1837.

## Flaws in the Electoral College

The electoral college system is plagued by three major defects: (1) the winner of the popular vote is not guaranteed the presidency; (2) electors are not required to vote in accord with the popular vote; and (3) any election might have to be decided in the House of Representatives.

### The First Major Defect

There is the ever-present threat that the winner of the popular vote will not win the presidency. This continuing danger is largely the result of two factors. The most important is the winner-take-all feature of the electoral college system. That is, the winning candidate customarily receives all of a State's electoral votes. Thus in 2004 George W.

<sup>26</sup>The 20th Amendment further provides that "the Congress may by law provide for the case wherein neither a President-elect nor a Vice President-elect shall have qualified" by inauguration day. Congress has done so in the Succession Act of 1947; see page 359. The Speaker of the House would "act as President ... until a President or Vice President shall have qualified."

## Universal Access

L3

Have students create a time line of events that would take place for a presidential hopeful in the months or years leading up to the national election. Ask them to list all of the important events in the process, from the declaration of candidacy to the counting of electoral votes in the fall election, in which a candidate must participate on the road to the White House. Encourage students to include the location of events when possible to illustrate the exhaustive traveling schedule candidates must endure. **H-SS 12.6.4**



### January 6

Electoral votes are counted before a joint session of Congress.

### January 20

**Inauguration** Candidate receiving majority of electoral votes is sworn in as President of the United States.



September    October    November    December    January    February    March    April

**Tuesday after first Monday in November**  
**Election Day** Voters cast ballot for a slate of electors pledged to a particular presidential candidate.

**Monday after second Wednesday in December**  
**Electoral College Vote** Winning electors in each State meet in their State capitals to cast votes for President and Vice President. Statement of their vote is sent to Washington, D.C. and opened in early January.



## Universal Access

L2

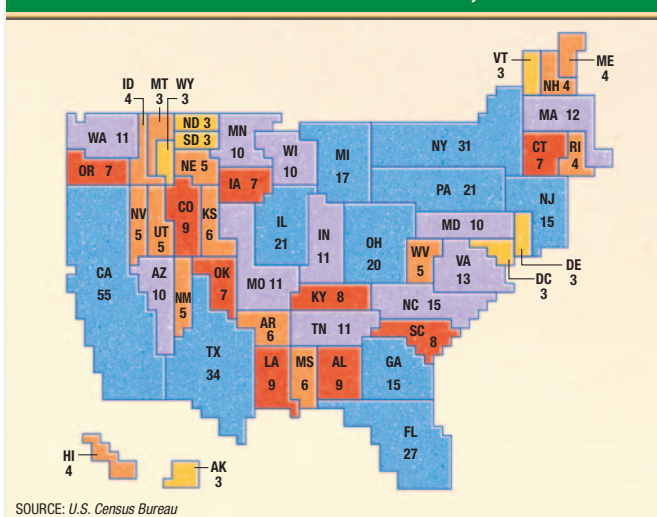
Ask students to create a 10-question quiz based on the information presented in this chapter. Have them write two questions from each of the five sections. If students have difficulty framing questions, suggest that they create visuals instead. **ELL**

## Background Note

## Faithless Electors

Electors are expected to vote for the candidate that carries their State, and they usually do. However, electors have broken rank with their parties and voted for other candidates a few times in American history. Even more daring are electors who vote for people who are not even declared candidates. In 1976, one Republican elector voted for Ronald Reagan instead of the party's candidate, incumbent President Gerald Ford. Reagan, though he had competed in the primary, was not on the ticket. That particular elector seemed to know what he or she was doing—Reagan was elected President four years later.

## Electoral Votes of Each State, 2004



SOURCE: U.S. Census Bureau



**Interpreting Maps** This pictogram shows the number of electoral votes each State had in the 2004 election. **Why are those states in which the election outcome is doubtful called “battleground” States? H-SS 12.6.6**

Bush won 51 percent of the popular vote in Ohio. Still, he won all of that State's 20 electoral votes—despite the fact that some 2.7 million Ohioans voted for his Democratic opponent, John Kerry.

The other major culprit here is the way the electoral votes are distributed among the States. Remember, two of the electors in each State are allotted because of a State's Senate seats, regardless of population. So the allotment of electoral votes does not match the facts of population and voter distribution.

Take the extreme case to illustrate this point: California, the country's most populous State, has 55 electoral votes, one for each 615,848 persons in the State, based on its 2000 population of 33,871,698 residents. Wyoming has three electoral votes, one for each 164,594 persons, based on its 2000 population of 493,782 residents.

The popular vote winner has, in fact, failed to win the presidency four times: in 1824, 1876, 1888, and most recently in 2000. In 1824, Andrew Jackson won the largest share (a plurality, but not a majority) of the popular votes: 151,271, or 41.3 percent of the total. Jackson's nearest rival, John Quincy Adams,

received 113,122 votes, or 30.9 percent. Ninety-nine of the 261 electors then voted for Jackson, again more than any other candidate but far short of a majority. The election thus went to the House and, early in 1825, it elected Adams to the presidency.

In the election of 1876, Republican candidate Rutherford B. Hayes received 4,034,311 popular votes and his Democratic opponent, Samuel J. Tilden, won 4,288,546. Tilden received 184 electoral votes. Hayes won 185 electoral votes and so became President.<sup>27</sup>

In 1888 President Grover Cleveland won 5,534,488 popular votes, 90,596 more than his Republican opponent, Benjamin Harrison. Harrison, however, received 233 electoral votes to Cleveland's 168, and so became the 23rd President.

In the presidential election of 2000, the Democratic candidate, Vice President Al Gore, won 50,992,335

popular votes—537,179 more votes than his Republican opponent, then-Governor of Texas, George W. Bush. However, Mr. Bush received 271 electoral votes—one more than the bare majority in the electoral college, and so he became the nation's 43rd President.

Florida's 25 electoral votes proved to be decisive in the extraordinarily close 2000 election. The popular vote results in several Florida counties were challenged immediately after the polls closed there. The next five weeks were filled with partisan infighting, several recounts, and a number of court disputes. The United States Supreme Court finally brought an end to the bitter contest on December 12. It ruled, in *Bush v. Gore*, that the differing ways in which various counties were recounting votes violated the 14th Amendment's Equal Protection Clause. The Court's 5–4 decision ended those recounts. It also

<sup>27</sup>The election of 1876 is often called the “Stolen Election.” Two conflicting sets of electoral votes were received from Florida (4 votes), Louisiana (8 votes), and South Carolina (7 votes), and the validity of one vote from Oregon was disputed. Congress set up an Electoral Commission with five senators, five representatives, and five Supreme Court justices to decide the matter. The Commissioners, eight Republicans and seven Democrats, voted on strict party lines, awarding all of the disputed votes, and so the presidency, to Hayes.



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## Answer to . . .

**Interpreting Maps** Because they could decide a close race, candidates wage all-out “war” to win the votes in those States.