Contentious Elections and the Peaceful Transition of Power

As we near Election Day, the rhetoric of both parties and their presidential candidates is heating up. Negative ads and comments from both sides are increasing and getting more vitriolic by the day. As with all Presidential elections, the results will be carved into history. Both sides worry that should their candidate fail to win, the worst will befall the country. Though the rhetoric is heated, most American heading to the polls on Tuesday expect their votes to be counted, and a President to be elected without violence and insurrection. Peaceful transition of government is a hallmark of American democracy.

In this eLesson, students will examine the various ways this peaceful transition is maintained and has been tested through American history. Students will examine the Constitutional mechanisms in place for deciding who wins a presidential election. They will then explore several elections during which this system was put to the ultimate test and obtain a better understanding of the systems that perpetuate American republican government.

Resources

Bill of Rights Institute: What's the Deal with the Electoral College?

Bill of Rights Institute: What Kind of School is the Electoral College?

Three Ways the 2016 Election Could Wind Up in an Electoral College Tie

“Nothing Less than a Miracle”: The Constitution and the Peaceful Transition of Power

Background Activity: The Peaceful Transition, Reading and Discussion Questions

Assign “Nothing Less than a Miracle”: The Constitution and the Peaceful Transition of Power for reading. Have your students record their answers to the following critical thinking questions:

- What does it mean to have a peaceful transition of power?
- Why is this important
- What would happen if this transfer of power was interrupted?
- What events must take place in order for a peaceful transfer of power to occur?
- What role do the American people play in legitimizing the transition of power?
Activity: Election Results Simulation
(Homework or in class as time permits)

1. Assign students into groups of three or four. Once students are organized into groups, have your students navigate to 270 To Win. This interactive website will allow students to simulate potential election results in order to determine possible scenarios that would lead to each candidate’s victory or a potential tie that would send the election to the House of Representatives.

2. Allow students approximately 10 minutes to simulate possible outcomes for the November 8th election. The Tie Scenarios page of 270 To Win and Constitution Center Blog may be helpful resources for students attempting to determine possible outcomes for the election that would not result in a clear winner.

3. After students have had some time to simulate potential outcomes, gather your students together for a brief discussion on the possible outcomes. Encourage your students to briefly share their findings with the class as well as their potential impact on the election.


The stability of the United States electoral system is remarkable, but this does not mean it has never been tested. Several times throughout its history, there have been elections that have caused controversy. Your students will examine three of them. The election of 1800 marked the first time in United States history that power had transferred peacefully between political parties. In 1876 the nation saw the election of a president who won neither the absolute majority popular vote nor the necessary number of electoral votes. And the 2000 election saw the Supreme Court weigh in on ballot counting. Each of these tested the legitimacy of elections, and each time the confidence of the people of the United States remained in their government.

1. Divide your students into three groups. Randomly assign each group one of the following Presidential elections to research: 1800, 1876, and 2000. Students should focus on answering the critical thinking questions below.

2. Direct your students to the 270 to Win website for their respective election. This interactive tool will help students to see the results of the election on a state-by-state basis as well as receive helpful background information for the election in question.
3. Have each group answer the following critical thinking questions:
   - What was significant about your assigned election?
   - Did the election result in a change of party in the executive office?
   - What role did the Electoral College play in the results of the election?
   - What was the response of the candidate who lost the election?
   - Why do you think the results of the election were accepted?

4. Discuss the answers as a class. Additional discussion questions are below.
   - Why is the transfer between political parties in 1800 significant?
   - How was the election of 1876 resolved? What impact did this have on the South?
   - Once the Supreme Court made its decision in Florida in Bush v. Gore, Al Gore, the Democrat candidate for office, respected its decision. Why might this be seen as remarkable?
   - What role does trust in the electoral system play in ensuring the elections are seen as legitimate?
   - How might the nation suffer if this trust were to be eroded?