

Answer Key

Unit 5—Together with the Vice President: Presidents and the Transfer of Power

Constitutional Connection: Presidents and the Transfer of Power

I. Electing the President

1. In the original Constitution, electors completed ballots by writing in two candidates for President. In the 12th Amendment, electors cast one ballot for President and one ballot for Vice President.
2. In the Constitution as written, all votes cast were for President; the top vote winner was elected President, and the runner up was elected Vice President. In the Twelfth Amendment, Presidential and Vice Presidential votes were cast and counted separately. This change was made to accommodate the role of political parties in the electoral process and led to “tickets” as parties named an individual candidate for each office.

II. Unexpected transfer of power

1. If the President dies, resigns, or becomes otherwise incapable of completing his or her term, the Vice President takes over as President.
2. The Twenty-Fifth Amendment provides a more specific procedure for the replacement of the Vice President, calling upon the President to nominate a replacement Vice President, and both houses of Congress to approve this Vice Presidential nominee by majority vote.

III. Oath of Office

1. Some students may point to the text of the oath, which requires the President to be faithful to and protect the

Constitution. Other students may point to the act of taking an oath, by which an individual makes a pledge before the whole nation, and, depending upon the oath taker’s religious beliefs, before God. Others may point to the place of the oath in the larger inauguration ceremony, which is a formal ritual at which our nation’s leaders, of both parties and of all branches, gather to affirm the transfer of power from President to President and at times from one party to another.

IV. Twenty-Second Amendment

1. No person can be elected President more than twice. No person who has served more than two years of another President’s term can be elected more than once.
2. Accept reasoned answers.

THE ELECTION OF 1800

Handout A: The Election of 1800

1. It was designed to make it most likely that the best candidates were elected by allowing the people in each state to vote for wise, experienced individuals who would in turn elect the President.
2. The President and Vice President—the winner and runner-up in electoral votes—were from opposing political parties. Both parties named a “ticket” of candidates for president and vice president.
3. Accept reasoned answers.
4. Accept reasoned answers.