

Questions for the 12th Amendment

1. According to the 12th Amendment, if no candidate receives a majority of electoral votes how many possible candidates would be considered when selecting a president?

No more than three candidates would be considered.

2. Which body of Congress, the Senate or the House of Representatives, would vote to choose a new president if no candidate receives a majority of electoral votes?

The House of Representatives would vote to choose a new president.

3. According to the 12th Amendment, each state receives how many votes?

Each state receives one vote.

4. Did the process to decide the outcome of the election of 2000 follow the procedure outlined in the 12th Amendment? Explain.

No, the process to decide the election of 2000 was largely decided through the judicial branch, instead of the legislative branch, as outlined in the 12th amendment.

Questions for Excerpt from the 2000 Republican Party Platform

1. The 2000 Republican Party platform declared that “activist” judges from the “hard-left” now had lifetime tenure to serve in the federal judiciary. The Republican Party Platform suggested that these “activist” judges pose a threat to what?

“Activist” judges threatened the rule of law in the country.

2. The platform stated that, if elected, George W. Bush would nominate judges who had demonstrated what behaviors and beliefs?

Bush would nominate judges who have demonstrated respect for the Constitution, conservative beliefs, and the “processes of our republic.”

3. The Republican Party platform argues that the separation of powers among the branches of government needed to be re-established, giving two examples of changes that could be made to the judicial branch. Name those two changes.

The platform argued that term limits could be applied to federal judges or Article III of the Constitution could be used to limit their jurisdiction.

4. In *Bush v. Gore*, the U.S. Supreme Court voted 5–4 to override the decision of the Florida Supreme Court to continue the recount in Florida, thus deciding the outcome of the election. Do you think this action fit the definition of the platform’s “activist” judges? Explain your answer.

Student must make a claim and support it with evidence from the text.

Questions for Excerpt from *Bush v. Gore*

1. According to the U.S. Supreme Court's decision, continuing the recount would violate what two constitutional principles?

Continuing the recount would violate the principles of equal protection and due process.

2. According to the Florida Secretary of State, why would recounting votes designated as "overvotes" pose a problem to producing an accurate result?

Their system has not been used for that purpose before and would have to be tested for accuracy.

3. Florida law imposed a deadline "for completing any controversy or contest that is designed to lead to a conclusive selection of electors." What was that deadline? Why was this date important in the U.S. Supreme Court's final decision?

The deadline was December 12, and that deadline was important because they had reached it with "no recount procedure in place under the State Supreme Court's order that comports with minimal constitutional standards."

4. The U.S. Supreme Court recognized the Constitution's "design to leave the selection of the President to the people, through their legislatures, and to the political sphere." How did the Court justify their decision to stop the vote recount ordered by the Florida Supreme Court?

They noted that contending parties had both asked to use the process of the courts in selecting the President, so it had become their "unsought responsibility" to resolve the issues.

Questions for Presidential Concession Speech

1. What was the purpose of Al Gore's speech?

Al Gore officially conceded the election to George W. Bush and pledged his support for a peaceful transition of power. He indicated to his party that it was time to move forward.

2. How did Gore believe that the contested election must be resolved?

Gore believed the contested election must be resolved by honoring the democratic process.

3. Why do you think Gore chose to reference the election of Abraham Lincoln in his speech?

Student must state a claim and support their answer with evidence from the text. Answers should point to the highly partisan nature of the country leading up to the outbreak of civil war.

4. What was Gore's attitude toward the U.S Supreme Court's decision in this election? Why did he accept their decision as final? Do you think this was the right thing to do? Explain.

Gore strongly disagreed with the decision but accepted it "for the sake of our unity as a people and the strength of our democracy."

Student must state a claim and support it with evidence.

Questions for Excerpt from First Inaugural Address

1. Bush begins his inaugural address by pointing out the uniqueness of a peaceful transition of power between leaders in world history. Why do you think he chose to begin this way?

Student must make a claim and support it with evidence. Answers should bring in context from the rest of the lesson regarding the spirited fight for the presidency and how it still ended in a peaceful transition of power.

2. Bush provided a description of the “American story.” What did it include?

Bush’s American story included flawed people who make mistakes but can overcome them to create a stronger nation, particularly when they come together. He made historical references to previous moments in U.S. history to support his claims.

3. Bush noted that Americans are not united “by blood or birth or soil.” What *does* unite them?

Americans are united by ideals.

4. Bush noted that “what you do is as important as anything the government does.” What did Bush ask of the American people at the end of his speech?

Bush asked Americans to support the common good, defend needed reforms, and serve the nation. Throughout this address, Bush asked citizens to come together in spite of differences, knowing that there were still many strong feelings about the election results. He was likely referring to behaviors that would support this kind of renewed unity.