

Citizens. Not Spectators.

A Democracy in Action Civic Education Curriculum

for High School Students



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Arsalyn Mission

The Arsalyn Program of Ludwick Family Foundation was created to encourage young Americans to become informed and active participants in the electoral process. The Arsalyn Program views the civic and political engagement of young people as beneficial to country, community and character. The Arsalyn Program is firmly committed to a non-partisan, non-issue-based and inclusive approach to ensure that voting becomes a lifetime commitment on the part of our nation's young adults.

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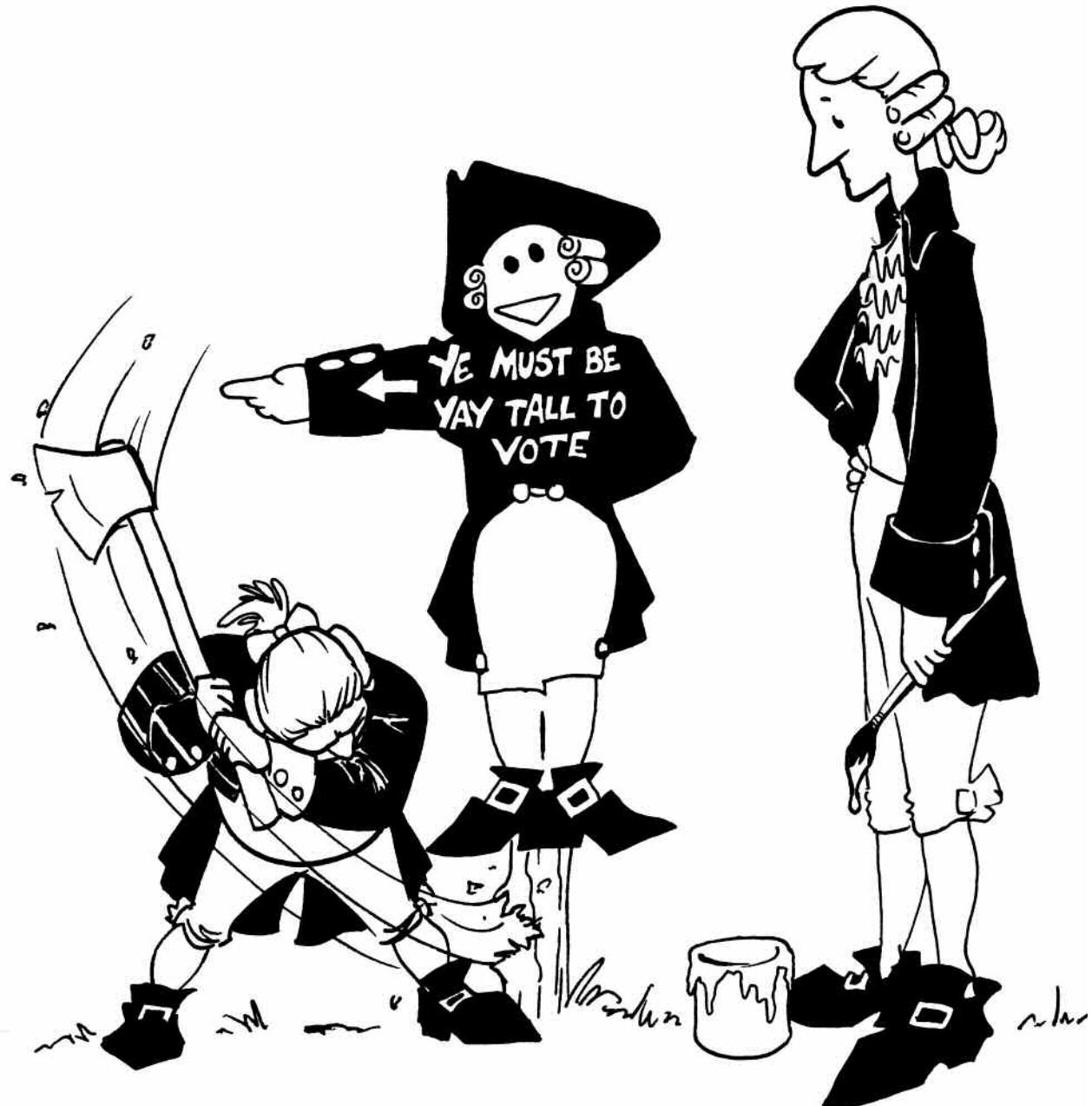
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Foreward

As a constitutional democracy, our country has defined voting as the vehicle that selects its political leaders. In 1796, the United States of America embraced and has since upheld the peaceful transfer of political power. This instructional unit is dedicated to continuing that valuable tradition.

PATRICK BUSHMAN, PHD
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Introduction

Since the voting age was lowered to eighteen in 1972, an average of less than one-third of eligible young Americans has turned out to vote in federal elections. We need to stimulate youth interest in politics. We must show young voters that participation in politics is necessary and can be interesting, challenging and rewarding.

A vote not cast is a voice unheard.

The Arsalyn Program of Ludwick Family Foundation was created to address the pattern of low turnout by young voters. Arsalyn aims to promote youth civic and political engagement by educating, informing and inspiring a new generation of citizens. Since the most basic element of civic and political engagement is voting, Arsalyn places a heavy emphasis on voting and voter education. The *Democracy in Action* project is one of the ways Arsalyn aims to counter the trend of youth political disengagement and to familiarize young people with the meaning of citizenship.

Help us make today's youth citizens and not spectators.

WHAT WE KNOW ABOUT YOUTH CITIZENSHIP

In its *New Millennium Project Part I* study on youth attitudes toward politics, citizenship, government and voting, the National Association of Secretaries of State found that young people “are highly critical of how school government and civics classes are taught.” According to the study, “data from this survey and other statistics on youth knowledge about civics support this criticism” (p. 58). The study also identified lack of familiarity with voting machines and the voting process as an obstacle to youth political engagement (pp. 37, 45, 58). One respondent said: “I didn’t want to go in there because I’ve never seen one of those [voting] machines... So I didn’t want to go in and look like a fool and be like how do you work this thing?”

In another study compiled by the Neglection 2000 Project of Third Millennium entitled *They Pretend to Talk to Us, We Pretend to Vote*, authors Russ Freyman and Brent McGoldrick note that young people are far more critical than their elders of the civic education they received in school. More than half of respondents between the ages of eighteen and thirty-four rate their civic education as mediocre or poor, whereas most older respondents are more positive about their civic education. Interestingly, young survey respondents said they felt uncomfortable voting because they sensed they lack sufficient understanding of political issues to cast an INFORMED VOTE. This speaks to the need for instruction not only about the mechanics of voting, but also to the need for an education that helps young people understand what is being decided by voting.

Why is it important to focus on youth opinions regarding their civic education? More of America's youth are completing high school and college than ever before, yet electoral participation among this group is decreasing.¹ Many teachers have looked to service learning programs to fill some of the gaps in traditional civics education. While this has led to an undeniable increase in the volunteerism level of young adults, service learning programs have not translated into greater turnout at the polls. As William Galston wrote in the *Annual Review of Political Science* in 2001, "most young people characterize their volunteering as an alternative to official politics, which they see as corrupt, ineffective, and unrelated to their deeper ideals" (p. 220). Young people seem to be substituting volunteerism for voting, and are forfeiting a part of their role in the democratic process.

Most civic education curricula attempt to educate students about the political process by using one of two strategies. Some attempt an historical and abstract presentation of the political process. These teach students about the history of American government and strive to increase students' understanding of things like Constitutional Rights. Others come at the political process from a service learning perspective, getting students to participate in and improve their local communities directly. Both strategies are necessary and desirable components in civics education, but both leave out the same much-needed information. Neither spend much time on teaching about the **MECHANICS OF VOTING** or an understanding of the **VOTING PROCESS**. Arsalyn's *Democracy in Action* fills that gap.

WHAT IS DEMOCRACY IN ACTION?

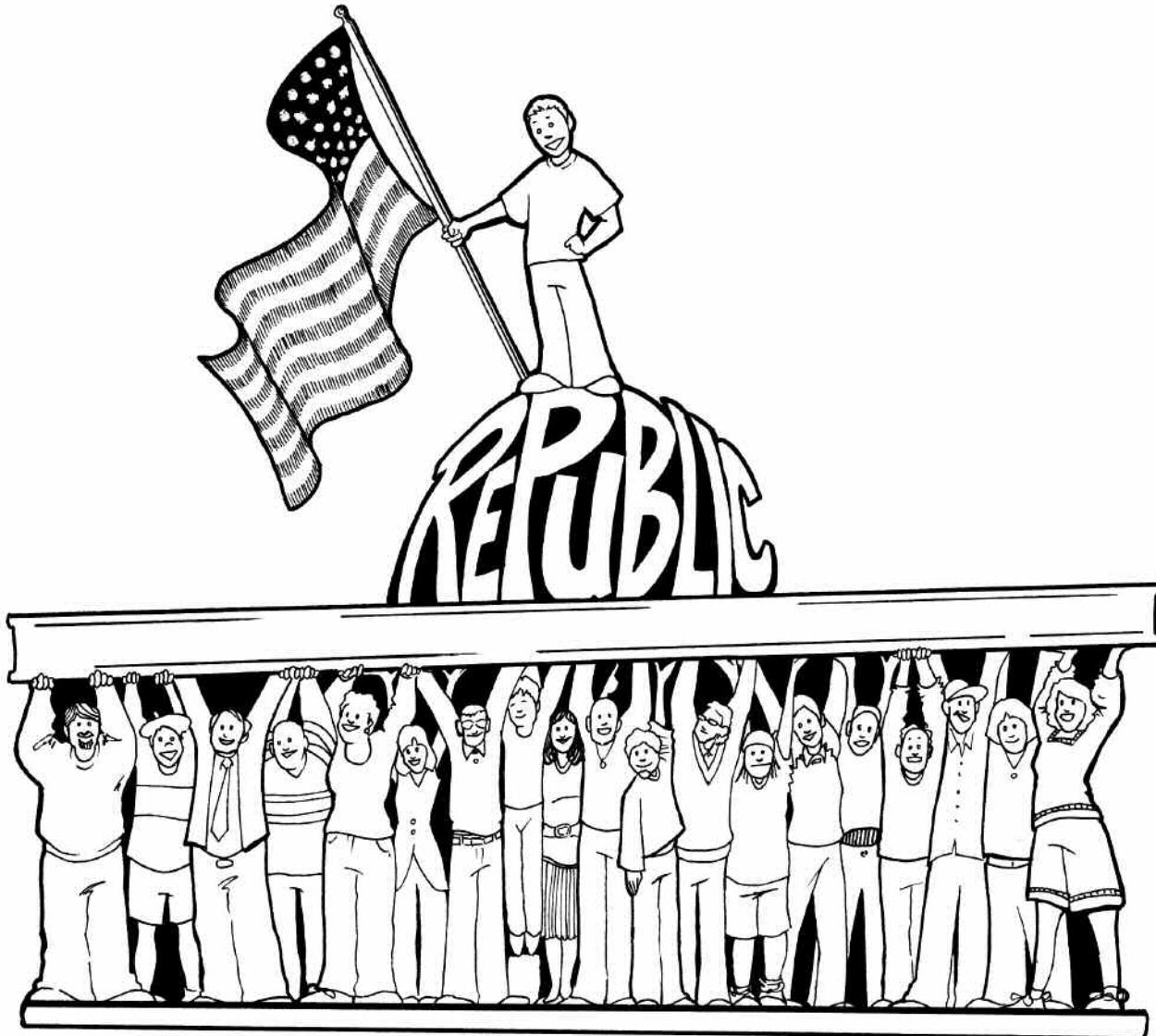
In a nutshell, the *Democracy in Action* curriculum entails the following:

- » Five lessons about democracy and voting which can easily be inserted into any existing curriculum.
- » A Sixth session consisting of a voting simulation (with real voting machines) timed to coincide with a real election (local, state, and/or federal).

The decision to design a curriculum that would easily fit into busy classroom schedules was a conscious one. In developing this curriculum, Arsalyn staff met many wonderful teachers doing their best to prepare their students for active citizenship. But most were working under tremendous time constraints due to various other programs offered in their schools. Many simply lacked time to implement a more extensive civic education lesson plan.

LESSON ONE

Democracy and Citizenship



LESSON ONE

Background for Instructors

INTRODUCTION

The word “democracy” means RULE BY THE PEOPLE (from the Greek words *demos*, which means “the people,” and *cratos*, which means “power” or “rule”; *demos+cratos* = power or rule of the people). Sometimes a democratic country is also called a “republic.” Republic is a word that comes from the Latin words *res* and *publica*. The word *res* means “thing” and *publica* means “public.” When the “thing” being referred to is a country, the word republic means a country that belongs to and is run by the public, that is, the people. The word *citizen* is a Latin word meaning member of the city, but the Romans used it to translate the Greek word *polites*. The Greeks understood this concept to mean “one who rules and is ruled in turn.” In other words, a citizen is one who participates in self-government. The participation of ordinary people in public life—citizens solving shared problems, taking part in their own self-government—is one of the defining qualities of a democracy. It was also one of the most important goals of the people who established the system of government for the United States.

In this unit we will present information looking at WHO is included as a citizen in America and where our current definition of citizenship came from. Second, we will discuss voting, one of the simplest and most powerful ways citizens participate in self-government. Third, we will ask about rights and responsibilities. Citizens in the United States have certain rights, but what responsibilities do they have?

WHO IS IN? WHO IS OUT? WHO PARTICIPATES AS A CITIZEN?

When American colonists declared independence from Great Britain in July of 1776, they declared that they were no longer bound to obey the British King. Instead, the colonists decided to establish a new country, the United States of America, a republic governed by its own citizens.

Their greatest immediate challenges were not only to win a war of independence from Britain, but also to establish a republican system that welcomed citizens to take part in their own self-government. In 1787, Gouverneur Morris expressed the Founders’ view for a new country in the preamble to the Constitution:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

LESSON ONE

But WHO did the Founders mean when they used the term “citizens?” Who would be equal members of the new nation’s community? Who would be excluded? In the earliest years of the United States, these questions were left up to the individual States—see Article I, Sections II and IV of the Constitution – but there were broad patterns in what the states chose to do. Though there were no Constitutional requirements for citizenship, with few exceptions, citizenship was generally limited to those of European descent. This pattern excluded Native American Indians and African slaves. In fact, unamended, our Constitution guaranteed that each African slave was counted as $\frac{3}{5}$ of a person. This meant that States with a high slave population gained greater representation in the national government than their “citizen” population would normally give them. Southern states gained more Representatives in the House and more Electoral Votes than their free populations would have granted. White women were counted as citizens in some ways, but they were not allowed to vote and in most states they could not enter into legal contracts.²

Patterns of inclusion and exclusion have changed throughout American history. For example, after the Civil War ended slavery, the Constitution’s Fifteenth amendment gave African Americans full citizenship, but blacks have since lived through Jim Crow laws and segregation as well. They did not fully secure the right to vote until the Civil Rights revolution of the 1960s and the implementation of the Voting Rights Act of 1965. Women led a successful movement to amend the Constitution and secure the right to vote in 1920, and women now participate in every dimension of American political life. Chinese immigrants and their children, specifically barred from citizenship by the Chinese Exclusion Act of 1882, found immigration and inclusion much easier in the aftermath of the Immigration and Naturalization Act of 1966. Latinos, especially in the Southwestern United States, have faced citizenship challenges complicated by language differences and especially by uneasy political relations between the US and Mexico.

The experiences of Asian Americans and Latinos in recent years have been bound up with arguments about immigration to the United States. Americans face controversies over legal and illegal immigration, the provision of education and other public services to undocumented residents, the rights of immigrants to vote and organize politically, and the extent to which immigrants can or should be included or assimilated into American life. These are not new issues in the United States. Indeed, one hundred years ago, millions of immigrants arrived in the United States each year, mostly from Europe, and Americans argued then over their citizenship and political participation.

LESSON ONE

WHO GETS TO DECIDE? WHO VOTES?

One of the most basic rights of American citizens is the right to vote. Even when America was a set of British colonies, more than half of all adult male whites had the right to vote for at least some representatives in government. Today, most citizens 18 years and older have the right to vote, and we elect representatives to nearly a half-million offices at all levels of our government, from local school board members to the President of the United States.

Voting has not always been such a widely-held right. In New York City, free blacks and even women voted in the elections of the 1780s. But in ten of the original thirteen states, only property-owning white men were allowed to vote. Property requirements were largely abolished by the 1820s, but non-white male citizens had no specific Constitutional guarantee of the right to vote until the 15th Amendment passed in 1870. Even then, African Americans throughout the South were routinely denied the right to vote under “Jim Crow” laws—including selective literacy tests and poll taxes—which lasted into the 1960s.

Since the Constitution left voting eligibility requirements up to the individual states, expanding uniform voting rights at the national level required amending the Constitution. Women gained the vote in 1920 with the 19th Amendment. Poll taxes—a government fee required before a citizen was allowed to vote—were abolished by the 24th Amendment in 1964. In 1971, 18–20 year-olds gained the right to vote with the 26th Amendment. Other expansions were enacted by laws, such as the Voting Rights Act of 1965 and the National Voter Registration (Motor Voter) Act of 1993. Both of these laws are examples of Congress using the powers granted it in the 14th and 15th Amendments to enforce rights of citizenship.

The three largest groups of Americans still denied suffrage by law are children under 18, non-citizens, and felons. Currently, more than 16.2 million American adults—about 8% of the voting-age population—are non-citizens. Nearly 3 million adult American citizens are also denied the right to vote by state laws that permanently disenfranchise anyone convicted of a felony.

The number of adult citizens **ELIGIBLE** to vote, who nevertheless do not vote, dwarfs these other groups. In 2000, one of the most closely contested presidential elections in American history, more than 84 million eligible citizens failed to vote, nearly 45% of voting-eligible citizens. This behavior is even more common for 18–20 year olds. The overall proportion of eligible Americans not voting has remained fairly steady since the late 1960s, but it remains a vexing problem. Given historically low voter turnout by young voters, this relatively level historical voting percentage may decrease if something isn’t done to involve today’s young people.

LESSON ONE

WHAT DOES CITIZENSHIP MEAN IN OUR EVERYDAY LIVES?

Most supporters of democracy—as opposed to other forms of government like monarchy or dictatorship—argue that citizenship means far more than voting. The participation of ordinary people in public life – citizens solving shared problems, taking part in their own self-government—is one of the defining qualities of a democracy. Democratic citizens have individual rights to equal protection and equal political voice, to be treated fairly by governments and public authorities. But they also have responsibilities to engage in public life, to sustain the democratic system that protects their rights and freedom.

Put simply, citizenship requires three things.³ First, it requires basic knowledge about a country, its history and political system, so that citizens can make well-informed choices as they seek to govern themselves. Second, it requires a set of practical tools: how to think about shared problems, how to work with people who have differing interests and opinions, how to make and carry out democratic decisions about what should be done. Third, it requires a set of values and commitments. Democratic citizens must believe that democracy is a valuable system of problem-solving and must believe in the practices and preservation of self-government. They must believe that all other citizens—including those they may disagree with or even dislike—have the same rights and responsibilities as they do. To be fully-developed citizens, they must also be committed to act on those beliefs, to be more than bystanders or passive observers of our public life.

These are demanding requirements, and they don't happen automatically. Americans have recognized this and have tried to build school systems that can develop these tools in all young people, tools that will last a lifetime. But for centuries, political theorists and ordinary people have argued about whether these requirements are realistic or even justifiable. That debate continues today in the United States, and you can see signs of it in public arguments, novels, movies, music, everywhere. What do you think?

LESSON ONE LESSON PLAN

Democracy and Citizenship Lesson Plan

LESSON SUMMARY

- » One of the defining qualities of democracy is the participation of ordinary people in public life.
- » The Constitution initially let the individual states define voter qualifications.
- » With few exceptions, the early states limited voting to land owning males of European descent.
- » Constitutional Amendments (15th in 1870 and 19th in 1920) were created to expand voting rights to African Americans and Women.
- » As of 1971, 18–20 year-olds have been allowed to vote but have the lowest voter turnout of any age group.
- » Successful democracy requires the participation and support of citizens.

LESSON OBJECTIVES

Students gain an understanding of the foundation of democracy in America and the requirements of citizens within the democracy.

Standards

NATIONAL SOCIAL STUDIES STANDARDS: ERA 3: REVOLUTION AND THE NEW NATION: Understands the institutions and practices of government created during the Revolution and how they are revised between 1787 and 1815 to create the foundations of American political systems based on the U.S. Constitution and the Bill of Rights.

CALIFORNIA HISTORY SOCIAL STUDIES STANDARDS: 11.1: Students analyze the significant events in the founding of the nation and its attempts to realize the philosophy of government described in the Declaration of Independence.

CALIFORNIA HISTORY SOCIAL STUDIES STANDARDS: 11.1.1: Describe the Enlightenment and the rise of democratic ideas in the context in which the nation was founded.

LESSON ONE LESSON PLAN

REQUIRED MATERIALS NEEDED

- » Copy of National Issue Forum's discussion guide on immigration and citizenship available at: http://www.nifi.org/discussion_guides/detail.aspx?catID=13&itemID=758.
- » Handouts asking students the rights and responsibilities of citizenship. See appendix.
- » Handout incorporating voter turnout rates. Current information can be found at US Census Bureau's "Voting and Registration in the Election of 2000" report online at www.census.gov/prod/2002pubs/p20-542.pdf.
- » Copy of Article I, Sections II and IV of the US Constitution.

SUPPLEMENTAL MATERIALS

- » See Appendix for handouts to be used for overhead transparencies.

ACTIVITIES AND PROCEDURES

Introduction (5 Minutes)

Explain to the class that they will be discussing citizenship and what it means in a democratic state. Distribute copies of a handout asking the rights and responsibilities of citizenship. Discuss the necessity of the "participation of ordinary people in public life—citizens solving shared problems, taking part in self-government" in a democratic system. Have students begin filling out handouts, getting their ideas on paper about the rights and responsibilities of citizenship for later discussion.

Input

WHO IS IN? WHO IS OUT? WHO PARTICIPATES AS A CITIZEN? (15 minutes)

One of the greatest immediate challenges the Founders of the United States faced was establishing a republican system that welcomed citizens to take part in their own self-government.

ASK STUDENTS: "*Who did the Founders mean when they said citizens?*"

Most students will probably answer "Rich White Men."

HAND OUT COPY OF ARTICLE I, SECTIONS II AND IV OF THE CONSTITUTION.

- » Discuss the lack of specific rules/restrictions provided in the Constitution.
- » What are the long-term advantages/disadvantages of this approach?
- » What does it mean that the Constitution provided no definition including or excluding African Americans/Women?

LESSON ONE LESSON PLAN

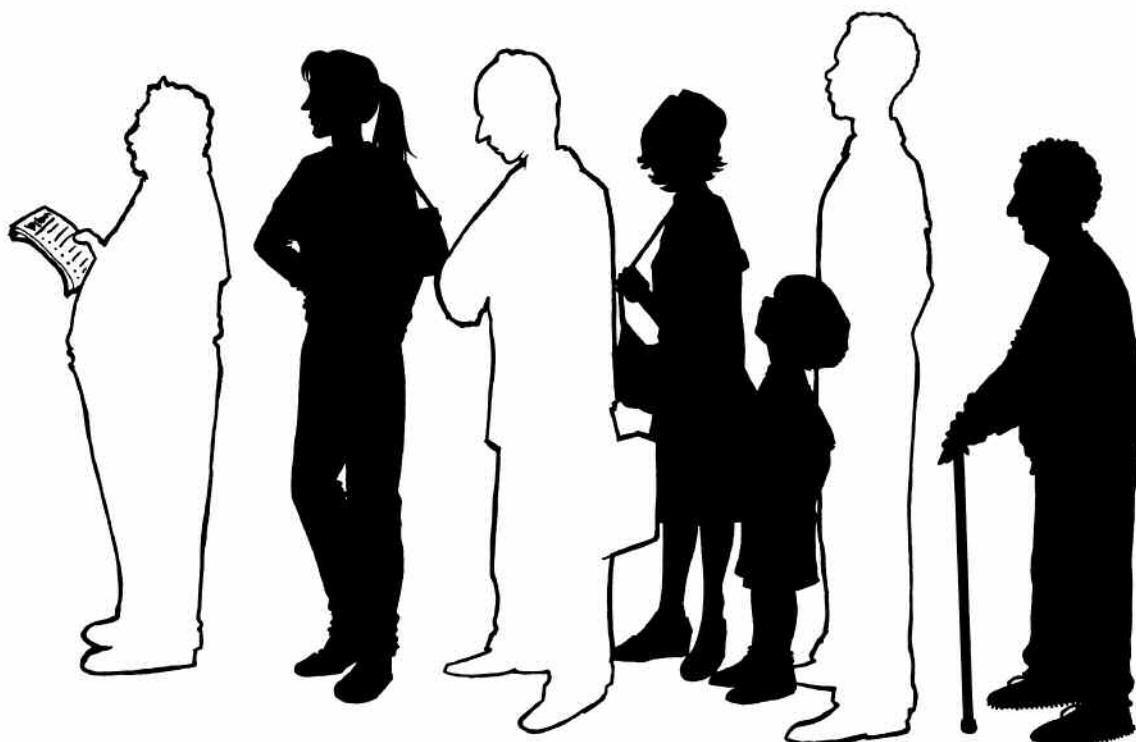
AFTER DISCUSSING THE CONSTITUTION'S ARGUABLY OPEN DEFINITION OF VOTER ELIGIBILITY, DISCUSS THE BROAD PATTERNS THAT STATES PRACTICED:

1. With few exceptions citizenship was limited to those of European descent.
2. Native Americans and African Americans were usually excluded.
3. Women were counted as citizens in some ways, but were usually not allowed to vote and in most states couldn't enter into legal contracts. (Exceptions included "Widows and Spinsters.")

While the Constitution left the requirements for voting eligibility up to the individual states, it did guarantee that each African slave counted as $\frac{3}{5}$ a person for purposes of determining a State's representation at the national level (i.e. number of Representatives and Electors).

ASK STUDENTS: *"How did the $\frac{3}{5}$ rule affect the early presidential elections? Could Jefferson, a Virginian, have won without the $\frac{3}{5}$ rule?"*

The US has a history of patterns of inclusion and exclusion that have changed throughout American history. Many segments of society have struggled with the acquisition of citizenship. Discuss Jim Crow laws and the Chinese Exclusion Act of 1882.



LESSON ONE LESSON PLAN

WHO GETS TO DECIDE? WHO VOTES? (*15 minutes*)

Voting has not always been as widely held right as it is today. In New York City, free blacks and women voted in elections in the 1780s, but in ten of the original thirteen states, only property-owning white men were allowed to vote.

- » By late 1792, all but four states had reduced or abolished property requirements.
- » In 1820, property restrictions were almost entirely eliminated.
- » African Americans gained the right to vote in 1870 with the 15th Amendment but were routinely denied the right in many States under “Jim Crow” laws.
- » Women secured the right to vote in 1920 with the 19th Amendment.
- » The 24th Amendment abolished “Poll Taxes” in 1964.
- » Voting Rights Act of 1965 firmly established for African Americans the right to vote. Congress, almost 100 years after they had been drafted, used the power granted it in the 14th and 15th Amendments to enforce African American’s rights.
- » 18–20 year-old citizens were given the right to vote in 1971 with the 26th Amendment.
- » In response to low voter turnout and lack of familiarity with where to register, the National Voter Registration (Motor Voter) Act of 1993 is passed.
- » The three largest groups of American residents still denied suffrage by law are children under 18, non-citizens, and felons. Non-citizens account for approximately 8% of the voting age population. Given that approximately 50% of the voting age population doesn’t turn out to vote, this figure is not staggering, but it is worth discussing.

WHAT DOES CITIZENSHIP MEAN IN OUR EVERYDAY LIVES?

Most people understand that citizenship means far more than voting. Discuss the importance of students’ participation in the political process.

ASK STUDENTS:

- » *How can and should they offer their talents as citizens to solve the shared problems of society?*
- » *What responsibilities do they have as citizens?*
- » *How are these related to the benefits or rights of citizenship?*
- » *Can you have rights without responsibilities?*

DANGER TO DEMOCRACY!!!

LESSON ONE LESSON PLAN

NON-PARTICIPATION

What happens to a democratic society when future generations refuse to participate in the democratic process? If democracy requires a belief that all other citizens—including those they may disagree with—have the same rights and responsibilities that they do, what happens when only one group participates? How do the other groups react to that failure to meet responsibilities?

LACK OF UNDERSTANDING

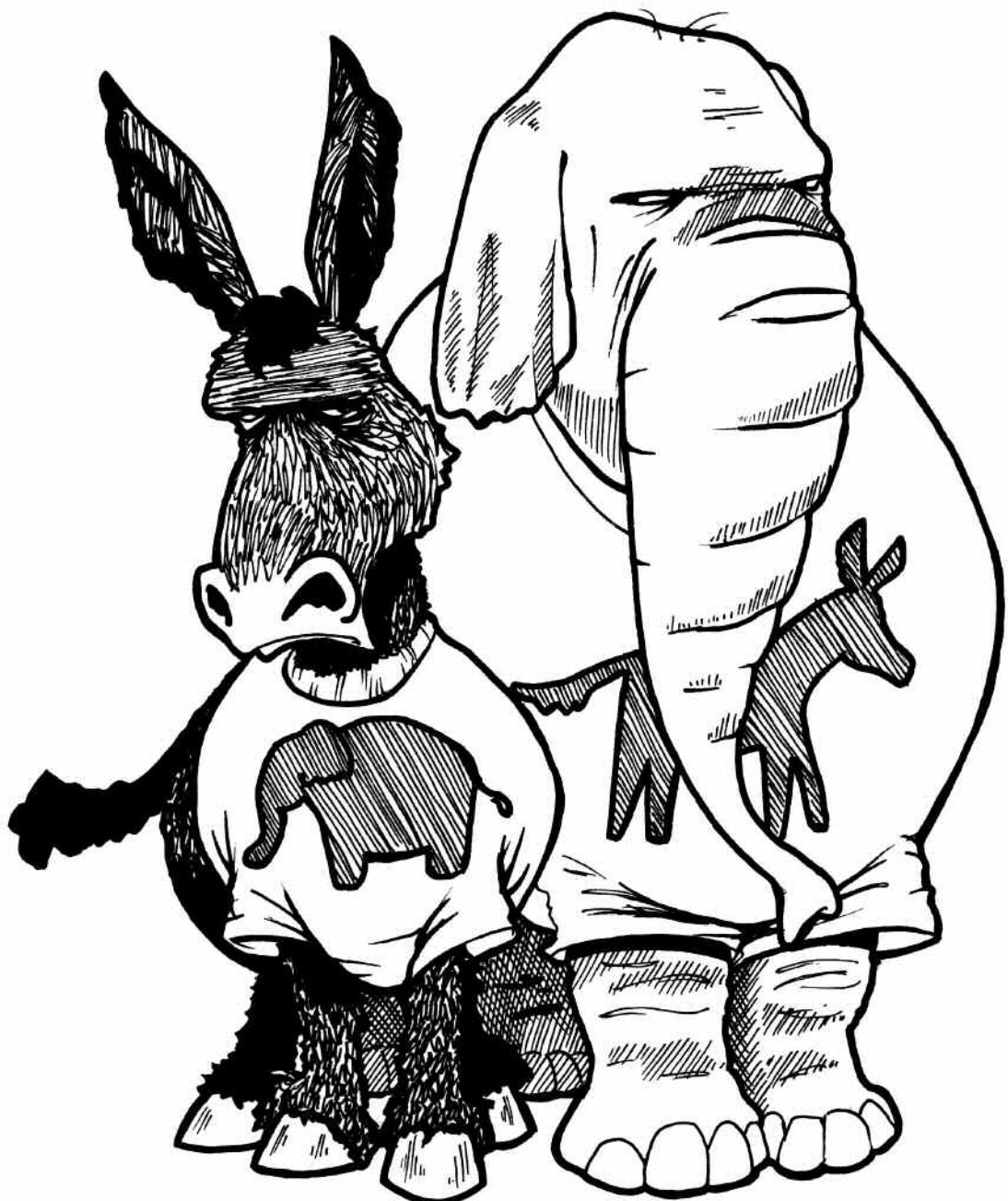
Citizenship in a democracy requires that citizens have a basic knowledge about the country, its history and political system. What happens when future generations no longer acquire this information? Are those who are more informed in these areas at a political advantage over those who lack or ignore such knowledge?

Lesson Extensions:

- 1.** Are immigrants citizens like any others in the United States? Look at the National Issue Forum organization’s discussion guide on immigration and citizenship online at http://www.nifi.org/discussion_guides/detail.aspx?catID=13&itemID=758. There is information and a curriculum for discussing the issue very briefly or over a more extended, project-based period.
- 2.** In 1971 Congress passed and the states ratified the 26th Amendment to the US Constitution which lowered the voting age to 18 nationwide. Have students look in their history books or go to the library to find some newspaper or magazine clippings about the debate over that Amendment. (Alternately, the teacher can compile a small set of clippings). Ask students to put together a debate about whether the Constitution should be amended again, to lower the voting age to 16.
- 3.** To complicate the discussion, show students data on voting turnout rates among young people, which you can find using the Census Bureau’s “Voting and Registration in the Election of 2000” report online at www.census.gov/prod/2002pubs/p20-542.pdf. Even if they think 16 and 17-year-olds should have the right to vote, do they think these young people will use it? How do their arguments differ from those used by advocates of lowering the age to 18?
- 4.** Take a look at the webpage of the new Federal Bureau of Citizenship and Immigration Services at ucis.gov/graphics/services/natz/citizen.htm. Look at the description of citizenship there. In particular, look at the process immigrants must go through—what they must learn, what they must pledge to do—to gain the status of naturalized citizens of the United States. To what extent would most native-born American citizens fulfill the requirements of this process? What are the implications of your answer to this question?

LESSON TWO

Where Do I Belong? Political Ideologies and Parties



LESSON TWO

Background for Instructors

There is no denying it: much of politics is conflict. And usually it is conflict about the things that matter most.

Politics is about how we as a society try to solve various problems and improve our condition. Political conflicts arise when we try to define our problems and then agree on the best ways to express them. Conflict also arises when we realize that—however rich our country may be—resources for solving problems and improving our condition are, nevertheless, limited. Politics often becomes a battle for command of limited resources in the service of the goals we, as individuals, prefer. Politics sets priorities, and priorities by nature are never universally accepted.

The history of American politics has been the history of a struggle to find the ground of common action. Given the difficulties inherent in all political action, the fact that we live in a country with settled traditions, rules and institutions promoting peaceful decision-making are an incredible achievement. We are only able to take these things for granted because, in our country, Americans have made them work well. However no system of government is foolproof. Our institutions, laws and traditions are only effective if we value and foster them. As we discussed briefly in lesson one, to foster them we need to understand what makes them work.

One of the crucial reasons the above statement is true is our ability, as Americans, to reason together, especially about our most important questions. This reasoning together is what we call deliberation. The ability to deliberate over the issues most important to us and reach a solution is one of the central requirements of democratic societies.

A major obstacle to deliberation is the demonization of political opponents. While some political positions are clearly “out of bounds,” honest and decent people will often disagree on political priorities and proposed policies. If we are too quick to stereotype and demonize opponents, we may be making it impossible to arrive at the best decisions in a civil way. We may also be turning people off to our message who might be receptive to it if that message is properly explained. It is a sad reality that demonization is often an easy way to score political points. In the long run, though, it can diminish participation.

In order combat the obstacle that demonization creates to both political participation and to deliberation, we need to learn about “partisan positions.” What do political parties/opponents really believe? Why do they believe it? What do they really think of the alternatives? Hopefully, that will help us move beyond demonization and toward a more deliberative and effective democracy.

LESSON TWO

Partisan Positions

WHAT IS A LIBERAL?

A liberal, in brief, believes in maximizing personal freedom (liberty). In centuries past, liberals opposed absolute monarchy and favored systems of government that recognized individual rights as fundamental principles of political organization. This belief in rights implies that equality is an important ideal. In this basic sense of the term, most Americans are liberal (especially compared with most other peoples of the world). This use of the term is what is often called “Classical Liberalism.”

As a partisan position, or political ideology, in the United States “liberal” usually refers to a person who believes in maximizing individual freedom from economic need and from traditional social conventions (i.e., fixed or traditional definitions of family, gender roles, sexual orientation, acceptable occupation, etc.). Modern American liberals generally favor an extensive role for government in promoting the economic and social welfare of citizens.

Modern American liberals take freedom to mean not only freedom **FROM** limits on one’s choices, but also freedom (or empowerment) **TO** choose. The role of the government is to maximize available choices in an equal way. Hence, modern American liberals generally support an extensive welfare system, government regulation or even administration of a health care system, legal abortion, and similar things that maximize individual choice.

In Europe, however, the term “liberal” denotes someone more like what Americans call a libertarian.

Problems and Contradictions

- » How to prevent abuse of government efforts to help promote equality and maximization of choices?
- » How to ensure that government intervention does not do more damage than good, especially given the problem of government corruption?
- » Are all values a matter of personal choice?

LESSON TWO

WHAT IS A CONSERVATIVE?

A conservative, quite simply, is a person who wishes to “conserve” what could be considered time-tested values. Conservatives also generally believe we should be very careful about change and that change, if necessary, must always be very gradual to minimize unintended consequences and to prevent people from upsetting society or causing social chaos.

Modern American conservatives are generally against government regulation of the economy. They are skeptical about the ability of the government officials to regulate the economy in a way that would not damage it. They believe that giving people maximum freedom to make economic decisions best promotes prosperity (in this way, they are similar to liberals in the older sense).

Though conservatives prefer less government involvement in the economy, most favor significant government involvement in regulating social relations. They would like the laws and government to, for example, promote traditional models of family and gender roles as well as traditional Judeo-Christian moral values. While American conservatives believe in freedom, they see freedom as a means to virtue and less as an end in itself. Freedom, for conservatives, means freedom to do the right thing (“there is no right to do wrong”).

Hence, modern American conservatives tend to oppose legalized abortion, legalized assisted suicide, state-recognized same-sex marriage, and other choices and life-styles that are not compatible with traditional Judeo-Christian values. While most modern American conservatives probably support some kind of a welfare system, they are skeptical of the government’s ability to actually help welfare recipients and see poverty as a problem that is best dealt with by other kinds of organizations, like churches and local associations.

Problems and Contradictions

- » What should be done when economic freedom produces inequality or undesirable outcomes (e.g., pollution)?
- » How should society deal with religious, cultural and moral diversity, i.e., in a diverse society, whose or which values should be promoted?
- » What should be done when sudden change is needed?

LESSON TWO

WHAT IS A LIBERTARIAN?

Libertarians are like liberals in that they believe in maximizing freedom. But libertarians believe that maximum freedom includes freedom from government intervention. Such freedom requires a very limited government. Libertarians do not support the kind of government regulation of the economy that American liberals support. In their skepticism regarding the benefits of government intervention, libertarians are similar to conservatives. But, unlike many conservatives, libertarians generally do not support government legislation that restricts the freedom to define one's personal values and to act upon these values. Libertarians favor only minimal government regulation of the economy and minimal government regulation of social relations.

Hence, libertarians support policies promoting a free market based economy and, at the same time, tend to favor drug legalization, legalized abortion and freedom from other kinds of social restrictions. For libertarians, freedom **FROM** government regulation is key.

Problems and Contradictions

- » How free can a society be without losing social order and cohesion?
- » Are all values a matter of personal choice?
- » What should be done when economic freedom produces inequality or other undesirable outcomes?
- » Does government have some responsibility to regulate some types of behavior to protect citizens from harm?

LESSON TWO

WHAT IS A SOCIALIST?

Socialists believe that private ownership of capital (the property needed to produce things) is the greatest source of inequality and social strife. Like modern American liberals, socialists believe that freedom FROM government is less meaningful than freedom (or empowerment) to choose from as many options as possible, so long as such options do not include private ownership.

Like liberals, socialists see a large role for the government in maximizing choices available to all in as equal a way as possible. Unlike most liberals, socialists believe that doing away with (or minimizing) the private ownership of capital and increasing government intervention will help overcome inequality and promote freedom. They believe in shared or **SOCIAL** ownership of capital and an equal distribution of the material benefits of capital.

Hence, socialists support a highly-state-regulated economy. Socialists tend to support policies that allow for personal freedom in as many ways as possible, excepting private ownership, while promoting as much social and economic equality as is possible.

Problems and Contradictions

- » When everyone owns something (socially), does anyone really own it? Is anyone really responsible for it? What does it mean to own something?
- » Are most social problems really due to private ownership of capital?
- » Can society be prosperous without the incentive of private ownership of capital?
- » Is freedom possible without ownership?

CONCLUSION

Discussing political ideologies with your students can be controversial and will require you to mediate conflicts of opinion in your classroom. Learning how to deliberate with individuals whose opinions vary broadly from our own is one of the chief skills in a democratic society. Remember that we need to be able to negotiate effectively with people who share our opinions as well as those who do not, and even those whose position we despise. Through a greater understanding of opposing, or different, political views and a thorough analysis of our own, we can come to a more nuanced understanding of the political process.

LESSON TWO

Recommended Readings on Classical Liberalism

Locke's Second Treatise in *Two Treatises of Government (Cambridge Text)*

Liberalism: The Classical Tradition by Ludwig von Mises

Rights of Man by Thomas Paine

On Liberty by John Stuart Mill

The Federalist Paper by Madison, Hamilton, and Jay

Recommended Readings on Modern Liberalism

Letters to a Young Contrarian by Christopher Hitchens

What Government Can Do by Benjamin I. Page and James Roy Simmons

Rendezvous With Destiny by Eric F. Goldman

The Good Society by Walter Lippmann

A Theory of Justice by John Rawls

An Economic Interpretation of the Constitution of the United States by Charles Beard

Political Liberalism by John Rawls

The Good Society: The Humane Agenda by John Kenneth Galbraith

movingideas.org

New Republic Magazine

Recommended Readings on Conservatism

Letters to a Young Conservative by Dinesh D'Souza

Conservatism: Dream and Reality by Robert Nisbet

The Conservative Mind by Russell Kirk

Conservatism by Jerry Z. Muller

Revolt Against Modernity by Ted V. McAllister

The Conservative Intellectual Movement in America by George H. Nash

Keeping the Tablets: Modern American Conservative Thought edited by William F. Buckley,

Charles Kesler

www.townhall.com

National Review Magazine

LESSON TWO

Recommended Readings on Libertarianism

The Road to Serfdom by Friedrich A. Hayek
The Libertarian Reader by David Boaz
Libertarianism: A Primer by David Boaz
The Ethics of Liberty by Murray N. Rothbard
Anarchy, State, and Utopia by Robert Nozick
What it Means to Be a Libertarian: A Personal Interpretation by Charles Murray
The Future and Its Enemies by Virginia Postrel
www.libertarian.org
Reason Magazine

Recommended Readings on Socialism

Letters to a Young Activist by Todd Gitlin
Marx: Selected Writings edited by Lawrence H. Simon
The Marx-Engels Reader edited by Robert C. Tucker
A People's History of the United States by Howard Zinn
Democracy for the Few by Michael Parenti
Empire by Michael Hardt and Antonio Negri
Against Capitalism by David Schweickart
Illuminations by Walter Benjamin
www.marxists.org
The Nation Magazine

LESSON TWO LESSON PLAN

Political Ideologies and Parties Lesson Plan

LESSON SUMMARY

- » Identifying the origins of politics in society and the unique experiment in America.
- » Building the foundation that laws and traditions are instrumental in American politics.
- » Observing the difficulty of transferring political power and the importance of peaceful deliberation between differing political opinions.
- » The tension within partisan politics that encourages political participation while at the same time demonizing political opponents.
- » Understanding the differences of political parties reduces demonization and fosters more deliberation moving toward more effective democracy
- » Defining the four major political ideologies: conservative, liberal, socialism, libertarian

LESSON OBJECTIVES

Students gain an understanding of significant political parties and why citizen participation is necessary to support democratic principles.

Standards

NATIONAL SOCIAL STUDIES STANDARD: ERA 3: REVOLUTION AND THE NEW NATION
Understands the institutions and practices of government created during the Revolution and how they are revised between 1787 and 1815 to create the foundations of American political systems based on the U.S. Constitution and the Bill of Rights

CALIFORNIA SOCIAL STUDIES STANDARD: 11.1: Students analyze the significant events in the founding of the nation and its attempts to realize the philosophy of government described in the Declaration of Independence

REQUIRED MATERIALS NEEDED

- » Liberal/conservative survey (©University of Virginia's Youth Leadership Initiative, used with permission).
- » One-page descriptions of four major political parties.
- » Political party platforms from most recent election.
- » Four scenarios worksheet, designed by teacher.

LESSON TWO LESSON PLAN

SUPPLEMENTAL MATERIALS

- » See Appendix for recommended readings list and website references.

ACTIVITIES AND PROCEDURES

Introduction: (10 minutes)

Inform the class that today they will be discussing political ideologies and parties. At the beginning of class, distribute copies of the liberal/conservative survey. Have the students add up their own scores on the surveys to determine whether they lean more to the liberal or conservative ideology. Have them keep their survey results in mind throughout the lesson.

Stress the importance of political questions. Political decisions shape the world in which we live. These are questions of primary importance in your students' lives. Do they drive? When did they get their license? When are they eligible to vote? Is society doing enough about X or Y problem? These are all political questions.

Discussion: (20 minutes)

Conversations involving political questions can be tricky business. We recommend beginning the discussion by providing definitions of four modern political ideologies: liberal, conservative, libertarian, and socialist. The information from the instructor background has been formatted to make photocopy handouts or transparencies. Additional information can be found in the "Recommended Readings" list.

ASK STUDENTS: "*Why do you think political parties exist? What do they do?*"

Political parties are an essential part of our democratic system because they help organize competing groups and simplify voting choices so that public preferences can be translated into policy. According to John Aldrich, "to be truly democratic it is necessary for any nation's leadership to be harnessed to public desires and aspiration, at least in some general sense." Political parties come into existence when individuals with similar opinions desire to make political change and have their voices heard. Political parties are fairly stable organizations and have a level of consistency in their stands on particular issues, but their platforms do change over time in response to party member opinions. Because parties have large memberships, they are able to help the public harness politicians in their activities.

LESSON TWO LESSON PLAN

Because parties can change their policy positions between elections, it is essential for the instructor to gather the most recent party platform statements from all the parties. Information on where to find these platforms can be found in the resource section.

A party platform, or set of beliefs and policy objectives, is a useful tool in helping students understand the distinctions among parties as well as which party he or she identifies with most closely. This understanding can help students identify voting materials during elections and assist the student in navigating the waters of propaganda.

The American electoral system works on what is called a “Single Member Plurality” system. What this means is that each district elects its own individual representative and that representative is the candidate who gained a plurality of the votes. In a Single Member Plurality system it is in the best interest of the individual running for office to ally with a large organization with similar political views. This alliance can be used to increase the number of people who hear the candidate’s message. Once someone has won an office, it is in the interest of those who disagree with the current representative’s views to form a strong coalition. In forming an opposing party these individuals can attempt to elect someone more representative of their views in the next election.

In the United States the Republican and Democratic parties are the currently dominant parties. From time to time an influential third party has emerged in American politics, but these parties’ beliefs are usually incorporated by one of the larger parties by the next election. An example of this behavior is the incorporation of the Progressive Party platform by the Democratic Party under Woodrow Wilson in 1912.

Within America’s political system, the Republicans are considered more “conservative” both in economic and social issues, whereas the Democrats identify themselves as more “liberal” on both accounts. For example, since the 1930s the Democrats have favored an expanded role of the national government in dealing with the country’s economic problems. An example of this would be President Lyndon B. Johnson’s declaration of a “War Against Poverty” in 1964. Modern Republicans have largely favored minimizing the role of government. For example, the Reagan presidency of the 1980s supported a system of “supply side economics” that reduced or eliminated many federal programs allowing more Americans to keep more of the money they were earning.

Generally speaking the United States has a two-party system. Current trends show that many students identify with parts of both Democratic and Republican platforms that seem to be causing a rise in independent registration. In fact, one-third of citizens today do not identify with a political party. Furthermore, new voters in the 1990s were not attracted to any specific

LESSON TWO LESSON PLAN

party. This caused an increase in the number of unaffiliated or “Decline to State” voters. The broadening of the political field has led states like California to experiment with their Primary elections by offering Blanket Primaries or Partially Open Primaries. These types of Primary elections allow unaffiliated voters to vote for candidates in a particular party’s primary.

ASK STUDENTS: “*What do you think the individual parties represent? What are their platforms?*”

Pass out party platform statements and compare and contrast student expectations with the descriptions the parties actually provide.

Four Scenarios Activity: (20 minutes)

Design a “Scenarios Handout” discussing four policy issues currently being hotly debated by the public. Divide the students into the “parties” they most closely identified with when they took their survey. Some students may not be certain which party to join, in which case you may want to encourage them to select the party they are most interested in investigating. Distribute the Four Scenarios Handout and ask each group to fill out the handout with reactions to each scenario as they think the party would respond. After the groups have completed the handouts, each party will present their responses to the class.

Closing: (5 minutes)

ASK STUDENTS: “*Did you find yourself agreeing with all of the platform positions or only with some?*”

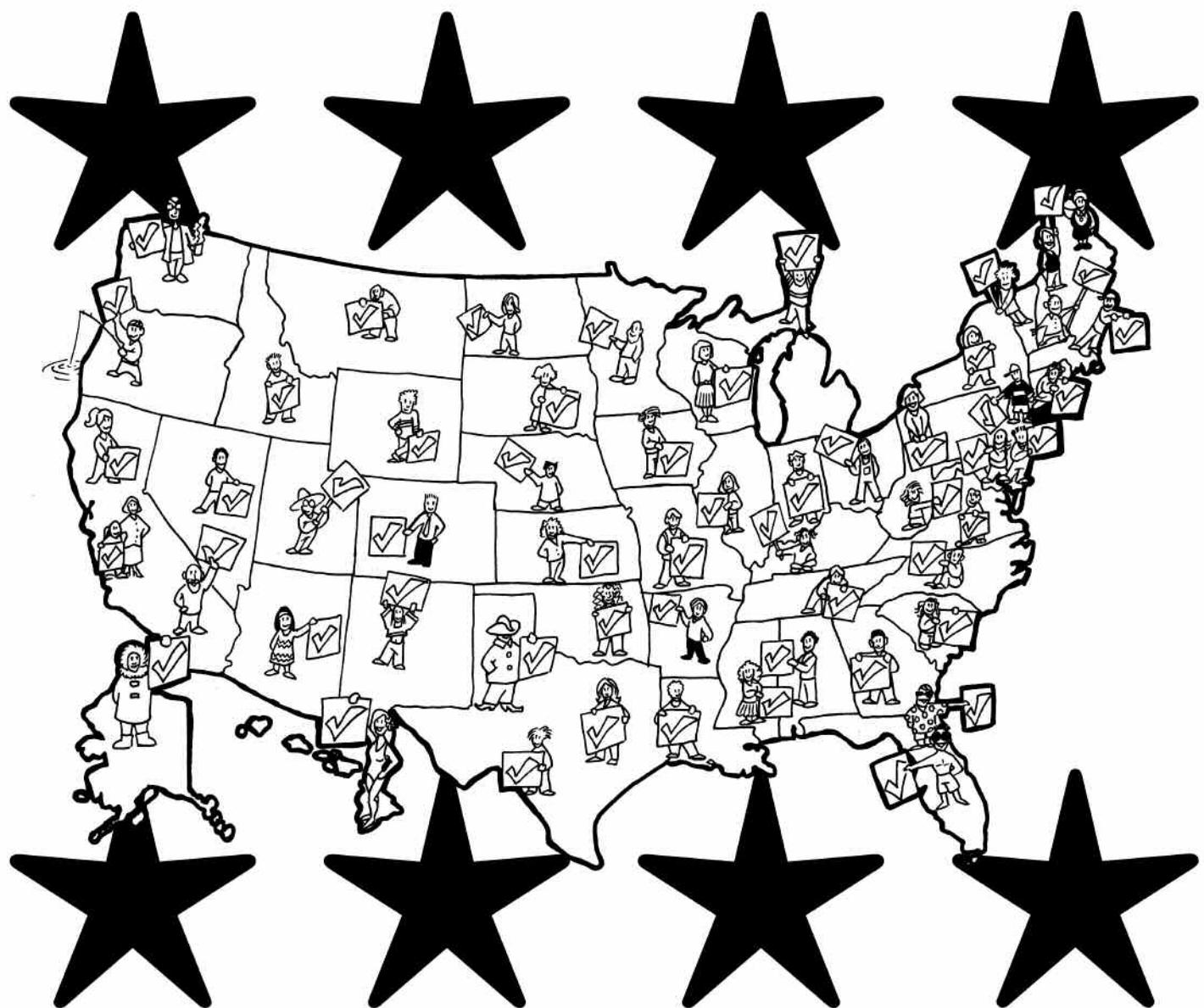
This is a good time to point out that 35% Americans profess to be moderates as opposed to 27% liberal and 33% conservative, which is one of the reasons for the constant evolutions of party platforms. The parties, in order to win the election, must appeal to the moderate group while still maintaining the support of their own members.

Lesson Extensions

- 1.** Assign each student the task of creating a political brochure that could be mailed to future voters attempting to “market” a political party.
- 2.** As a group project, the students could research a political party or ideology and present it to the class with visual aids (for example, posters or Power Point or video commercials).

LESSON THREE

The Electoral College



LESSON THREE

Background for Instructors

INTRODUCTION

The Electoral College was developed to choose a president without political parties, without national campaigns, and without upsetting the carefully designed balance between the presidency and the Congress on one hand and between the States and the federal government on the other.

There were several different systems proposed to regulate the election of the President

- » ONE IDEA was to have Congress choose the President. The Founders rejected this idea, however, because some felt that making such a choice would be too divisive an issue and leave too many hard feelings in the Congress. Others felt that such a procedure would invite unseemly political bargaining, corruption, and perhaps even interference from foreign powers. Still others felt that such an arrangement would result in a President beholden to Congress, upsetting the balance of power between the legislative and executive branches of the federal government.
- » A SECOND IDEA was to have the State legislatures select the president. This idea, too, was rejected out of concern that a president so beholden to the State legislatures might permit them to erode federal authority and thus undermine the whole idea of a federation.
- » A THIRD IDEA was to have the president elected by a direct popular vote. Direct election was rejected not because the Framers of the Constitution doubted public intelligence but rather because they feared that without sufficient information about candidates from outside their State, people would naturally vote for a “favorite son” from their own State or region. At worst, no president would emerge with a popular majority sufficient to govern the whole country. At best, the choice of president would always be decided by the largest, most populous States with little regard for the smaller ones.

The Electoral College system imposes two requirements on candidates for the presidency

- » The victor must obtain a sufficient popular vote to enable him to govern (although this may not be the absolute majority).
- » Such a popular vote must be sufficiently distributed across the country to enable him to govern.

This arrangement ensures a regional balance of support that is a vital consideration in governing a large and diverse nation (although in close elections, as in 1888, distribution of support among many States may take precedence over majority of support in a so called “popular vote”). These requirements demonstrate the strength and resilience of the Electoral College system in being able to select a president in even the most troubled of times.

LESSON THREE

The Design of the Electoral College

The current workings of the Electoral College are the result of both design and experience

- » The political parties (or independent candidates) in each State submit to the State's chief election official a list of individuals pledged to their candidate for president and equal in number to the State's electoral vote. The major political parties usually select these individuals in their State party conventions or through appointment by their State party leaders while third parties and independent candidates merely designate theirs.
- » Members of Congress and employees of the federal government are prohibited from serving as Electors in order to maintain the balance between the legislative and executive branches of the federal government.
- » After their caucuses and primaries, the major parties nominate their candidates for president and vice president in their national conventions—traditionally held in the summer preceding the election. (Third parties and independent candidates follow different procedures according to individual State laws). The names of the duly nominated candidates are then officially submitted to each State's chief election official so that they might appear on the general election ballot.
- » On the Tuesday following the first Monday of November in years divisible by four, the people in each State cast their ballots for the party slate of Electors representing their choice for president and vice president (although as a matter of practice, general election ballots normally say “Electors for” each set of candidates rather than list the individual Electors on each slate).
- » Whichever party slate wins the most popular votes in the State becomes that State's Electors—so that, in effect, whichever presidential ticket gets the most popular votes in a State wins all the Electors of that State. [The two exceptions to this are Maine and Nebraska where two Electors are chosen by statewide popular vote and the remainder by the popular vote within each Congressional district].
- » On the Monday following the second Wednesday of December (as established in federal law) each State's Electors meet in their respective State capitals and cast their electoral votes—one for president and one for vice president.
- » In order to prevent Electors from voting only for “favorite sons” of their home State, at least one of their votes must be for a person from outside their State (though this is seldom a problem since the parties have consistently nominated presidential and vice presidential candidates from different States).
- » The electoral votes are then sealed and transmitted from each State to the President of the Senate who, on the following January 6, opens and reads them before both houses of the Congress.

LESSON THREE

- » The candidate for president with the most electoral votes, provided that it is an absolute majority (one greater than half of the total), is declared president. Similarly, the vice presidential candidate with the absolute majority of electoral votes is declared vice president.
- » In the event no one obtains an absolute majority of electoral votes for president, the U.S. House of Representatives (as the chamber closest to the people) selects the president from among the top three contenders with each State casting only one vote and an absolute majority of the States being required to elect. Similarly, if no one obtains an absolute majority for vice president, then the U.S. Senate makes the selection from among the top two contenders for that office.
- » At noon on January 20, the duly elected president and vice president are sworn into office.

Occasionally questions arise about what would happen if the presidential or vice presidential candidate died at some point in this process. For answers to these, as well as to a number of other “what if” questions, readers are advised to consult a small volume entitled *After the People Vote: Steps in Choosing the President* edited by Walter Berns and published in 1983 by the American Enterprise Institute. Similarly, further details on the history and current functioning of the Electoral College are available in the second edition of Congressional Quarterly’s *Guide to U.S. Elections*, a real goldmine of information, maps, and statistics.

In all, the Electoral College is quite an elaborate design. But it is also a very clever one when you consider that the whole operation was supposed to work WITHOUT POLITICAL PARTIES and WITHOUT NATIONAL CAMPAIGNS while maintaining the balances and satisfying the fears in play at the time it was conceived. Indeed, it is probably because the Electoral College was originally designed to operate in an environment so totally different from our own that many people dismiss it as anachronistic and fail to appreciate the new purposes it now serves.

To prevent tie votes in the Electoral College resulting from strict adherence to party loyalty, the 12th Amendment requires that each Elector cast ONE vote for president and a SEPARATE vote for vice president rather than casting two votes for president with the runner-up being made vice president. The Amendment also stipulates that if no one receives an absolute majority of electoral votes for president, then the U.S. House of Representatives will select the president from among the top three contenders with each State casting only one vote and an absolute majority being required to elect. By the same token, if no one receives an absolute majority for vice president, then the U.S. Senate will select the vice president from among the top two contenders for that office. All other features of the Electoral College remained the same including the requirement that, in order to prevent Electors from voting only for “favorite sons,” either the presidential or vice presidential candidate has to be from a State other than that of the Electors.

LESSON THREE

The Pro's and Con's of the Electoral College System

In its 200-year history, there have been a number of critics and proposed reforms of the Electoral College system—most of them trying to eliminate it. There are also staunch defenders of the Electoral College who, though perhaps less vocal than its critics, offer very powerful arguments in its favor.

ARGUMENTS AGAINST THE ELECTORAL COLLEGE

Those who object to the Electoral College system and favor a direct popular election of the president generally do so on four grounds.

- » The possibility of electing a President with a minority of the popular vote.
- » The risk of so-called “faithless” Electors.
- » The Electoral College depresses voter turnout.
- » The Electoral College fails to accurately reflect the national popular will.

The Possibility of Electing a President with a Minority of the Popular Vote

Opponents of the Electoral College are disturbed by the possibility of electing a minority president (one without the absolute majority of popular votes). There are three ways in which that could happen. ONE way in which a minority president could be elected is if the country were so deeply divided politically that three or more presidential candidates split the electoral votes among them such that no one obtained the necessary majority. This occurred in 1824 and was unsuccessfully attempted in 1948 and again in 1968. Yet it is unclear how a direct election of the president could resolve such a deep national conflict without introducing a presidential run-off election—a procedure which would add substantially to the time, cost, and effort already devoted to selecting a president and which might well deepen the political divisions while trying to resolve them.

A SECOND way in which a minority president could take office is if, as in 1888, one candidate's popular support were heavily concentrated in a few States while the other candidate maintained a slim popular lead in enough States to win the needed majority of the Electoral College. While the country has occasionally come close to this sort of outcome, the question here is whether the DISTRIBUTION of a candidate's popular support should be taken into account alongside the relative size of it.

LESSON THREE

A THIRD way of electing a minority president is if a third party or candidate drew enough votes from the top two that no one received over 50% of the national popular total. This sort of thing has, in fact, happened 15 times including (in this century) Wilson in both 1912 and 1916, Truman in 1948, Kennedy in 1960, Nixon in 1968, and Clinton in both 1992 and 1996. The only remarkable thing about those outcomes is that few people noticed and even fewer cared that the winning candidate failed to garner more than 50% of the national popular vote. Nor would a direct election have changed those outcomes without a run-off requiring over 50% of the popular vote (an idea which not even proponents of a direct election seem to advocate).

The Risk of So-Called “Faithless” Electors

A “faithless Elector” is one who is pledged to vote for his party’s candidate for president but nevertheless votes for another candidate. There have been 7 such Electors in this century and as recently as 1988 when a Democrat Elector in the State of West Virginia cast his votes for Lloyd Bensen for president and Michael Dukakis for vice president instead of the other way around. Faithless Electors have never changed the outcome of an election, though, simply because most often their purpose is to make a statement rather than make a difference. That is to say, when the electoral vote outcome is so obviously going to be for one candidate or the other, an occasional Elector casts a vote for some personal favorite knowing full well that it will not make a difference in the result. Still, if the prospect of a faithless Elector is so fearsome as to warrant a Constitutional amendment, then it is possible to solve the problem without abolishing the Electoral College merely by eliminating the individual Electors in favor of a purely mathematical process (since the individual Electors are no longer essential to its operation).

Role in Depressing Voter Turnout

Opponents argue that, since each State is entitled to its allotted number of electoral votes regardless of its voter turnout, there is no incentive for States to encourage voter participation. Indeed, there may even be an incentive to discourage participation (and critics often cite the South as an example) to enable a minority of citizens to decide the electoral vote for the whole State. While this argument has a certain surface plausibility, it fails to account for the fact that presidential elections do not occur in a vacuum. States also conduct other elections (for U.S. Senators, U.S. Representatives, State Governors, State legislators, and a host of local officials) in which these same incentives and disincentives are likely to operate, if at all, with an even greater force. It is hard to imagine what counter-incentive would be created by eliminating the Electoral College.

LESSON THREE

Its Failure to Accurately Reflect the National Popular Will

Some opponents of the Electoral College point out, quite accurately, failure of this aspect in at least two respects. FIRST, the distribution of Electoral votes in the College tends to over-represent people in rural States. This is because the number of Electors for each State is determined by the number of members it has in the House (which more or less reflects the State's population size) plus the number of members it has in the Senate (which is always two regardless of the State's population). The result is that in 1988, for example, the combined voting age population (3,119,000) of the seven least populous jurisdictions of Alaska, Delaware, the District of Columbia, North Dakota, South Dakota, Vermont, and Wyoming carried the same voting strength in the Electoral College (21 Electoral votes) as the 9,614,000 persons of voting age in the State of Florida. Each Floridian's potential vote, then, carried about one-third the weight of a potential vote in the other States listed.

A SECOND way in which the Electoral College fails to accurately reflect the national popular will stems primarily from the winner-take-all mechanism whereby the presidential candidate who wins the most popular votes in the State wins all the Electoral votes of that State. One effect of this mechanism is to make it extremely difficult for third party or independent candidates ever to make much of a showing in the Electoral College. If, for example, a third party or independent candidate were to win the support of even as many as 25% of the voters nationwide, he might still end up with no Electoral College votes at all unless he won a plurality of votes in at least one State. And even if he managed to win a few States, his support elsewhere would not be reflected. By thus failing to accurately reflect the national popular will, the Electoral College reinforces a two-party system, discourages third-party or independent candidates, and thereby tends to restrict choices available to the electorate.

ARGUMENTS FOR THE ELECTORAL COLLEGE

Proponents of the Electoral College system normally defend it on the philosophical grounds that it does/provides the following:

- » Contributes to the cohesiveness of the country by requiring a distribution of popular support to be elected president.
- » Enhances the status of minority interests.
- » Contributes to the political stability of the nation by encouraging a two-party system.
- » Maintains a federal system of government and representation.

LESSON THREE

Contributes to the Cohesiveness of the Country

Recognizing the strong regional interests and loyalties which have played so great a role in American history, proponents of the Electoral College system argue that it **CONTRIBUTES TO THE COHESIVENESS OF THE COUNTRY BY REQUIRING A DISTRIBUTION OF POPULAR SUPPORT TO BE ELECTED PRESIDENT**. Without such a mechanism, they point out, presidents would be selected either through the domination of one populous region over the others or through the domination of large metropolitan areas over the rural ones.

Indeed, it is principally because of the Electoral College that presidential nominees are inclined to select vice presidential running mates from a region other than their own. For as things stand now, no one region contains the absolute majority (270) of the electoral votes required to elect a president. Thus, there is an incentive for presidential candidates to pull together coalitions of States and regions rather than to exacerbate regional differences. Such a unifying mechanism seems especially prudent in view of the severe regional problems that have typically plagued geographically large nations such as China, India, the Soviet Union, and even, in its time, the Roman Empire.

This unifying mechanism does not, however, come without a small price: in very close popular elections, it is possible that the candidate who wins a slight majority of popular votes may not be the one elected president—depending on whether his popularity is concentrated in a few States or whether it is more evenly distributed across the States. This is less of a problem than it seems since, as a practical matter, the popular difference between the two candidates would likely be so small that either candidate could govern effectively. Proponents thus believe that the practical value of requiring a distribution of popular support outweighs whatever sentimental value may attach to obtaining a bare majority of the popular support. The winning candidate must demonstrate both a **SUFFICIENT** popular support to govern as well as a sufficient **DISTRIBUTION** of that support to govern.

Enhances the Status of Minority Groups

Proponents also point out that, far from diminishing minority interests by depressing voter participation, the Electoral College actually **ENHANCES THE STATUS OF MINORITY GROUPS**. This is so because the votes of even small minorities in a State may make the difference between winning **ALL** of that State's electoral votes or **NONE** of that State's electoral votes. Since ethnic minority groups in the United States happen to concentrate in those States with the most electoral votes, they assume an importance to presidential candidates well out of proportion to their number. The same principle applies to other special interest groups such as labor unions, farmers, environmentalists, and so forth.

LESSON THREE

It is because of this “leverage effect” that the presidency, as an institution, tends to be more sensitive to ethnic minority and other special interest groups than does the Congress as an institution. Changing to a direct election of the president would therefore actually damage minority interests since their votes would be overwhelmed by a national popular majority.

Contributes to the Political Stability of the Nation

There can be no doubt that the Electoral College has encouraged and helps to maintain a two-party system in the United States. This is true simply because it is extremely difficult for a new or minor party to win enough popular votes in enough States to have a chance of winning the presidency. Even if they won enough electoral votes to force the decision into the U.S. House of Representatives, they would still have to have a majority of over half the State delegations in order to elect their candidate—and in that case, they would hardly be considered a minor party. Third party movements are obliged to compromise their more radical views if they hope to attain any of their more generally acceptable objectives. Thus, we end up with two large, pragmatic political parties that tend toward the center of public opinion rather than dozens of smaller political parties catering to divergent and sometimes extremist views. In other words, such a system forces political coalitions to occur within the political parties rather than within the government.

The result of a direct popular election for president, then, would likely be a frayed and unstable political system characterized by a multitude of political parties and by more radical changes in policies from one administration to the next. The Electoral College system, in contrast, encourages political parties to coalesce divergent interests into two sets of coherent alternatives. Such an organization of social conflict and political debate contributes to the political stability of the nation.

Maintains a Federal System of Government and Representation

Proponents reason that in a formal federal structure, important political powers are reserved to the component States. In the United States, for example, the House of Representatives was designed to represent the States according to the size of their population. The States are even responsible for drawing the district lines for their House seats. The Senate was designed to represent each State equally regardless of its population. And the Electoral College was designed to represent each State’s choice for the presidency (with the number of each State’s electoral votes being the number of its Senators plus the number of its Representatives). To abolish the Electoral College in favor of a nationwide popular election for president would strike at the very heart of the federal structure laid out in our Constitution and would lead to the nationalization of our central government—to the detriment of the States.

LESSON THREE

Indeed, if we become obsessed with government by popular majority as the only consideration, should we not then abolish the Senate, which represents States regardless of population? Should we not correct the minor distortions in the House (caused by districting and by guaranteeing each State at least one Representative) by changing it to a system of proportional representation? This would accomplish “government by popular majority” and guarantee the representation of minority parties, but it would also demolish our federal system of government. If there are reasons to maintain State representation in the Senate and House as they exist today, then surely these same reasons apply to the choice of president. Why, then, apply a sentimental attachment to popular majorities only to the Electoral College?

CONCLUSION

The Electoral College has performed its function for over 200 years (and in over 50 presidential elections) by ensuring that the President of the United States has both sufficient popular support to govern and that his popular support is sufficiently distributed throughout the country to enable him to govern effectively.

Although there were a few anomalies in its early history, only one occurred in the past century. Proposals to abolish the Electoral College, though frequently put forward, have failed largely because the alternatives to it appear more problematic than is the College itself. The fact that the Electoral College was originally designed to solve one set of problems but today serves to solve an entirely different set of problems is a tribute to the genius of the Founding Fathers and to the durability of the American federal system.

LESSON THREE LESSON PLAN

The Electoral College

LESSON SUMMARY

The Electoral College System was designed to provide greater equity in the election process. This system allows for the public to play an active role in the selection of the president without the interference of political parties or national campaigns. This lesson will introduce students to the Electoral College system in terms of the benefits and the drawbacks for the democratic system.

LESSON OBJECTIVE

Students will gain an understanding of the Electoral College System and its role/function in American democracy.

Standards

- » NATIONAL SOCIAL STUDIES STANDARDS: ERA 3: Understands the institutions and practices of government created during the Revolution and how they 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.
- » CALIFORNIA HISTORY SOCIAL STUDIES STANDARDS: 11.1: Students analyze the significant events in the founding of the nation and its attempts to realize the philosophy of government described in the Declaration of Independence.
- » CALIFORNIA HISTORY SOCIAL STUDIES STANDARDS: 11.1.1: Describe the Enlightenment and the rise of democratic ideas in the context in which the nation was founded.

REQUIRED MATERIALS

- » Student handout on the pros and cons of the Electoral College System. See Appendix.
- » U.S. map with population.
- » Charts of distribution of electoral votes from last Presidential election on PowerPoint or as a transparency/handout.

LESSON THREE LESSON PLAN

ACTIVITIES AND PROCEDURES

Introduction: (30 minutes)

ASK STUDENTS: *Do you know how the President of the United States is elected?*

- » DISCUSS WHETHER STUDENTS THINK THEIR VOTES COUNT.
- » DIVIDE THE CLASS INTO TWO SIDES: Pro Electoral College and Con Electoral College.
- » HAND OUT READING ON THE PROS AND CONS OF THE ELECTORAL COLLEGE SYSTEM.
- » AFTER THE STUDENTS READ THESE OPINIONS, FACILITATE DISCUSSION PRESENTING EACH SIDE'S VIEWPOINTS ON THE PROS AND CONS OF THE ELECTORAL COLLEGE SYSTEM. You may want to make a chart on the board/overhead.
- » END BY ASKING STUDENTS IF THEY STILL THINK THEIR VOTES COUNT.

Exercise: (25 minutes)

(The instructor may want to divide the Pro and Con reading and this exercise into two class periods to facilitate greater opportunity for discussion.)

- » DIVIDE STUDENTS INTO 5 GROUPS. Each group will read a profile of three candidates for the office of President. The students will vote individually and discuss as a group why they voted for their particular candidate. One person from each group will write down the final vote of their group and indicate which candidate won. Once each group has written down the winning candidate, the teacher will randomly distribute to each of the student groups a name of a state with the number of electoral votes that state receives.
- » THE TEACHER WILL FACILITATE CLASS DISCUSSION.
 - The teacher will write down the winning candidate of each group based on individual member's votes, and then in a second column will write down the winning candidates for the whole room based on the group's electoral college number.
 - Students will be able to see that no matter how close the vote was under the winner take all system, there is no difference in the allocation of electoral votes.
 - Emphasize the relative benefit of being from a small population state where, because of the minimum number electoral votes, each individual voter has a greater say in the outcome of the overall election.

LESSON THREE LESSON PLAN

Closing: (5 minutes)

ASK STUDENTS:

- » *What do you think about the Electoral College system?*
- » *Should the Electoral College be replaced?*
- » *Discuss what the students would replace the Electoral College with if they had a chance.*

Lesson Extensions

(You may choose to assign any or all of these activities for homework.)

1. Conduct a class simulation of a Presidential election.
2. Each student can be responsible for explaining the Electoral College system to one person (Friend, family, neighbor, or relative)—they will do a write up on the responses of the people they shared their knowledge with.
3. Students can create a diagram showing how the Electoral College works.
4. Students may further practice the math of the Electoral College system with this online activity by CNN: www.cnn.com/fyi/interactive/news/10/election.special/teachers/bg.6.html

REFERENCE LIST

- » www.archives.gov/federal_register/electoral_college/electoral_college.html
information and statistics on presidential elections, electoral college calculator
- » www.supremecourtus.gov/
Cases pertaining to the 2000 presidential election
- » www.cnn.com/fyi/interactive/news/10/election.special/teachers/bg.6.html
Understanding the Electoral College

LESSON THREE LESSON PLAN

ADDITIONAL RESOURCES

Highly Recommended

- Berns, Walter (ed.). *After the People Vote: Steps in Choosing the President*. Washington: American Enterprise Institute for Public Policy Research, 1983.
- Bickel, Alexander M. *Reform and Continuity*. New York: Harper & Row, 1971.
- Glennon, Michael J. *When No Majority Rules: The Electoral College and Presidential Succession*. Washington D.C.: Congressional Quarterly, 1992.
- Congressional Quarterly's Guide to U.S. Elections* (2nd ed.). Washington, D.C.: Congressional Quarterly, 1985.
- Schlesinger, Arthur M. Jr.(ed.). *History of Presidential Elections 1789–1968*. New York: Chelsea House Publishers, 1971.

Other Sources

- American Enterprise Institute for Public Policy Research. *Proposals for Revision of the Electoral College System*. Washington: 1969.
- Best, Judith. *The Case Against the Direct Election of the President*. Ithica: Cornell University Press, 1975.
- Longley, Lawrence D. *The Politics of Electoral College Reform*. New Haven: Yale University Press, 1972.
- Pierce, Neal R. and Longley, Lawrence D. *The People's President: The Electoral College in American History and the Direct-Vote Alternative*. New Haven: Yale University Press, 1981.
- Sayre, Wallace Stanley. *Voting for President*. Washington: Brookings Institution, c. 1970.
- Zeidenstein, Harvey G. *Direct Election of the President*. Lexington, Mass: Lexington Books, 1973.

Further Reading

- Durbin, Thomas, ed. *Nomination and Election of the President and Vice President of the United States*, (USGPO, 1988).

LESSON FOUR

Should I Vote? Can I Vote? How Do I Vote?



LESSON FOUR

Background for the Instructor

INTRODUCTION

Suffrage means the right to vote, the right to weigh-in on decisions made by the government that will affect the body politic. The right to vote is how citizens choose their representatives and register their support or disapproval regarding the policies of their government. In the United States the expansion of the franchise, the right to vote, has taken time, effort, and sacrifice.

The earliest method of restricting access to the vote was on the basis of religion. Those who supported this type of limitation believed that those who could not swear allegiance to God or His church should not make decisions that would affect the common good. As America's religious diversity increased, these limitations withered and died. In 1789, Congress approved the first ten Amendments (The Bill of Rights) to the Constitution. The First Amendment effectively eliminated government interference in the private sphere of religious observance.

Property requirements limited voting to those who had a "stake in the system." After reductions in the value of property necessary for qualification, property requirements in most States were finally fully abolished in 1824. Prior to this, it was thought that for a voter to take full responsibility for his choice, he would have to prove that he had a stake in the system. Property requirements were a way of ensuring that voters would take their job seriously.

Racial categorizations were invoked to prevent those who were not "free, white men," from taking part in the system. Even when considering "free blacks," many thought that lack of education or prior conditions of servitude, should disqualify them from voting. The Dred Scott Supreme Court decision cast doubt on the notion that a person of African descent could even count himself a citizen, regardless of his status as a resident of a free state. It was not until the 15th Amendment was adopted in 1870 that voting restrictions based on race were finally eliminated. After 1870, as far as the Constitution was concerned, African-Americans were granted the full rights and responsibilities enjoyed by all Americans.

Reactionary elements, afraid of losing their privileged position in Southern politics, sought to limit the ability of African-Americans to exercise their rights. After the elimination of slavery, newly freed slaves were kept away from the poll on the basis of several dubious conditions. As Southern whites worried that they would become a political minority (45.4% of Alabama's population consisted of newly freed African-Americans in 1860), the first attempt to limit voting by blacks consisted of what we now call the Grandfather Clause. It meant that only those whose grandfathers had voted could themselves vote without meeting several other onerous requirements, including a literacy test and poll tax. The GRANDFATHER CLAUSE allowed those whites who could not themselves pass these literacy requirements to vote regardless.

LESSON FOUR

The poll tax was also used in the South to limit the number of votes cast by working and lower class people. It was adopted by 11 southern states. The 24th Amendment outlawed the poll tax, or any other tax, as a condition for voting in any federal election, but did not apply to State and local elections. But, in 1966, *Harper v. Virginia State Board of Elections*, the poll tax as a qualification for voting in all elections was eliminated because “voter qualifications have no relation to wealth nor to paying or not paying this or any other tax.”⁴

While black men could technically vote, women, regardless of race, did not receive universal enfranchisement until 1920, almost 50 years after the passage of the 15th Amendment to the Constitution. Women working to pass an amendment to overturn restrictions on voting based on race were disappointed that Congress refused to prohibit voting discrimination based on sex. During what was known as a “revolution of manners and morals,” women who had done their share to help keep industry afloat during WWI wanted to participate in decisions that would affect them. The League of Women Voters, founded in 1916, began as an effort to encourage informed voting and to show that women were full and equal members of the body politic.

The final elimination of literacy tests and poll taxes have been recent developments. Up until 1970, voters could still be asked to prove that they could understand written English. The passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965 cemented the commitment of the United States to the full and equal participation of all its citizens. These acts empowered the Attorney General with the authority to stop and punish abuses of voters within State politics, as well as at the Federal level.

Voting rights are still restricted by age. In 1971, the 26th Amendment lowered the voting age from 21 to 18 years old. Since then, political participation by the youngest cohort has declined precipitously. Currently, only about 33% of young people between the ages of 18 and 21 go out to the polls. Why do you think young people shy away from civic participation? Given how hard our ancestors fought to exercise the franchise, why do young people ignore their rights and responsibilities?

In some States, the government prevents felons who have paid their debt to society and completed their sentences from voting. In all states, permanent resident non-citizens do not vote.

Over the history of the United States, why did lawmakers feel the need to reduce the number of voters with these various restrictions and qualifications? Are there any legitimate reasons for preventing a person from voting? Would you be able to vote under one of these systems?

LESSON FOUR

MECHANICS OF VOTING

The Australian Secret ballot was first used in an election in Victoria, Australia in 1856. By 1900 nearly all of the United States was using it, and it remains the basic form of the ballot today. The Australian ballot has four essential parts:

- 1.** It is printed at public expense.
- 2.** It lists the names of all the candidates.
- 3.** It is given out only at the polls, one to each qualified voter.
- 4.** The ballots are voted in secret.

The Australian ballot comes in two varieties. The Office-Group ballot, also known as the Massachusetts ballot, was first used in 1888. The ballot groups candidates by office sought with the names rotated by district. This allows each candidate a chance for his or her name to appear first on the list. The second, called the Party-Column ballot, also known as the Indiana ballot, was first used in 1889. The Party-Column allows the voter to choose a party instead of individual candidates.

Before the widespread use of the Australian ballot, voters received colored ballots for use at the poll. The color let all onlookers know what party each voter supported and a vote could not be cast privately. This opened voters to peer pressure and sometimes retribution from other voters or party enthusiasts. Repercussions could be severe for not voting for the “correct” candidates, including loss of employment, harassment, or even violence. Party organizations would often supply food or liquor along with pre-printed ballots in an effort to induce their preferred voting behavior.

How has the Australian ballot changed the process of voting?

LESSON FOUR

Background for Instructors

INTRODUCTION

While young people today volunteer actively in community service (61%), when it comes to politics, most remain tuned out and turned off. Less than one-third of our nation's young voters regularly show up at the polls.

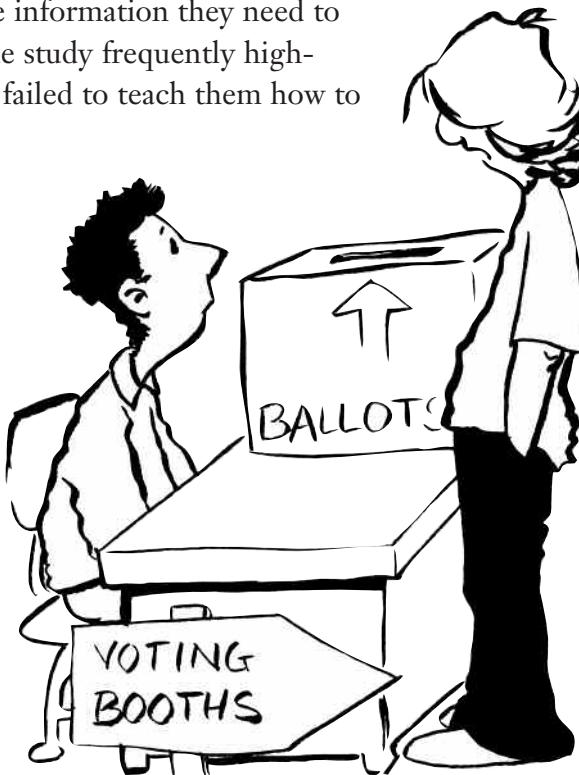
To many young people, politics seems perhaps the least effective and indirect way to "make a difference." Individual action or action by private associations of individuals with a singular purpose often seem quicker and more effective. Democratic politics, by contrast is a complicated and slow-moving process requiring a great deal of patience and compromise between various groups seeking different, even contradictory goals. The results are often policies that no one is particularly happy or excited about.

The outcomes of democratic politics are not the only part of the process that is complicated. While our nation's classrooms often teach students "how our government works" and the history of the American political process, they often leave out what is arguably the central component of democratic citizenship. They often don't teach lessons on the voting process itself.

According to the National Association of Secretaries of State's *New Millennium Project Part 1* report, "a majority (55%) of young people agree with the statement that schools do not do a very good job of giving young people the information they need to vote." Both survey and focus group data within the study frequently highlighted how the respondents' high school courses failed to teach them how to register or how to vote.

Surprising as it is, a large number of students said that they wouldn't vote because they didn't feel they know how to perform the action of casting a ballot. To quote one student from the study, "I know if I walked into an election [booth], I wouldn't know what to do. If I had known what's on the other side of the curtain in the booth, I'd have felt more comfortable."

In addition to the lack of familiarity with the voting process, recent electoral controversies have caused many to doubt the efficacy of the electoral system. In 1996, a California congressional race between Loretta Sanchez and Bob



LESSON FOUR

Dornan ended with allegations that Sanchez had won by illegal means. Sanchez, who won by 984 votes, was accused of soliciting votes from illegal aliens and non-citizens. After a 13-month investigation, the House Oversight Committee recommended that the claim be dropped. There was evidence that illegal votes were cast, but no evidence that Sanchez was involved in soliciting them.

A link to a CNN article covering the resolution of this controversy is included in this lesson and can be handed out to students.

But congressional races are not the only ones where electoral scandal occurs. The 2000 presidential election was filled with controversy and led many to consider various forms of electoral reform to address what many viewed as a flawed system. Regardless of individual feelings regarding the results of the election, it is less than ideal to have electoral decisions end in the United States Supreme Court.

The Brookings Institution has a great resource covering this controversial election. Their book “Bush v. Gore: The Court Cases and the Commentary” is an extensive examination of the election from all sides of the political arena.

Voting is the central component of a democratic society. It is the means by which we choose our leaders and sometimes directly select legislation on policy issues. Not only do citizens of a democracy have a right to vote, they are expected to vote. When qualified citizens fail to vote, their interests are cast aside in favor of those who express their opinions. In some ways you can say that there is no such thing as a non-voting citizen. When people choose not to show up at the polls to express their own opinions, they are expressing the opinion that someone else should decide. Because only one-third of young people vote today, in contrast to higher percentages in other age groups, young peoples voices are not being addressed. Arguably, when two thirds of young people fail to vote, they are saying, by overwhelming majority, that older citizens should make political decisions for them.

If we hope to change this trend and address the problem, we as instructors must educate our students about the voting process.

LESSON FOUR

WHO IS QUALIFIED TO VOTE IN THE UNITED STATES?

Due to Constitutional requirements the current qualifications for voter eligibility vary from State to State, but there are some national standards that must be met. You qualify if you are all of the following:

1. A CITIZEN OF THE UNITED STATES.

“The right of CITIZENS of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”
(15th Amendment)

2. AT LEAST 18 YEARS OF AGE BY THE DATE OF THE NEXT ELECTION.

It is important to note that you need not be 18 to register, but you must be 18 by the date of the next election.

“The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.”
(26th Amendment)

3. NOT IN PRISON OR ON PAROLE FOR CONVICTION OF A FELONY.

(This varies from State to State.)

Vermont and Maine allow prisoners to vote, but most States take away the right during the prisoner’s sentence and probation or parole. Most States allow for the return of voting rights once the entire term of a prisoner’s conviction is served, but thirteen States remove the right to vote for life upon conviction of a felony. Some civil rights groups and voting rights organizations argue that this is “unfair punishment” and may disproportionately affect certain groups. Included with this lesson are articles from the Washington Post, The Nation, and National Review regarding this topic.

4. HAVE NOT BEEN JUDGED BY A COURT TO BE MENTALLY INCOMPETENT TO REGISTER AND VOTE.

The National Voter Registration Act allows for the removal of an individual from voting lists due to “mental incapacity.”

5. HAVE REGISTERED TO VOTE A PREDETERMINED NUMBER OF DAYS PRIOR TO THE ELECTION.

This varies from State to State. In California, you must register 15 days prior to the date of the election. Some States have “Same Day Voter Registration.”

LESSON FOUR

HOW TO REGISTER TO VOTE?

In most States, registration must be completed a few weeks before an election. Registering to vote is a simple process. Voters may register by completing a registration form. Forms are available at most County buildings, city halls, fire stations, libraries, State Motor Vehicle Offices, Public Assistance Offices (DPSS, WIC), and post offices. Students may also register to vote online by going to www.register2votenow.com. In this lesson we have included a copy of the California registration form, but each state varies slightly on information requested and deadlines.

Some States drop voters from the rolls if they do not participate in elections. This means if you fail to vote, you must go to the effort to reregister. Check with your Secretary of State for more information on voter registration procedures in your State.

UPCOMING ELECTION

The week after this lesson the instructor should host a SIMselection. Instructors should familiarize themselves with issues and candidates in the upcoming election as well as the voting equipment so they are prepared to answer questions when they show ballots and voting machines to students.

In answering students' questions, instructors should take care to maintain a non-partisan stance and not take sides on any given candidate or issue in the election. If students press instructors to take sides, instructors should tell them that as teachers their job is to be neutral—to explain the process and allow students to find out for themselves what they can from others. If instructors take sides, he or she may lose the attention, trust and respect of those on the other side of an issue, or their parents. They may also diminish the amount of discussion by inadvertently generating an atmosphere of partisan or issue-based pressure to conform. We want to foster the most inclusive atmosphere possible and promote open deliberation.

Democracy in Action should never be seen as a program promoting one or another particular partisan stance.

LESSON FOUR LESSON PLAN

Voting

MATERIALS NEEDED FOR PART 1

- » A real 9" cake or small 8.5" x 12" sheet cake, utensils, napkins, and small paper plates or candy bars (fewer than students).
- » 10 3" x 5" cards with one act/requirement on each card.
- » Copies of the relevant Constitutional provisions.
- » Copies of current newspapers or news magazines.
- » One overhead of statistics about voter turnout broken-down by age group.

MATERIALS NEEDED FOR PART 2

- » Class copies of Sanchez reading available at <http://www.cnn.com/ALLPOLITICS/1998/02/13/cq/sanchez.html>.
- » Class copies of articles from “Bush v. Gore” (if necessary).
- » Class copies of registration form and instructions from local registrar.
- » Class copies of sample ballot designed by instructor.
- » Teacher copy of possible “Voter Information Sources.”



LESSON FOUR LESSON PLAN

LESSON SUMMARY

This lesson on voting will review the evolution and progression of the enfranchisement of voting. The lesson will discuss the importance of elections and highlight controversial elections as well as current issues that have relevance to the students. It will look at the five qualifications for voting and their relevance to the students. The students will be instructed on the mechanics of how to register and what to expect when they go to the polls.

LESSON OBJECTIVES

Students gain an appreciation for the opportunity to vote and are motivated to register and go to the polls to vote when they are eligible because they understand its importance in maintaining democratic principles and will know what to expect when they get there.

Standards

- » NATIONAL SOCIAL STUDIES STANDARDS: ERA 4: Understands the extension, restriction and reorganization of political democracy after 1800.
- » CALIFORNIA HISTORY SOCIAL STUDIES STANDARDS: INTRODUCTION: “Students understand that our rights under the Constitution comprise a precious inheritance that depends on an educated citizenry for their preservation and protection.”
- » CALIFORNIA HISTORY SOCIAL STUDIES STANDARDS: 11.10: Students analyze the development of federal civil rights and voting rights developments.
- » CALIFORNIA HISTORY SOCIAL STUDIES STANDARDS: 11.11: Students analyze the major social problems and domestic policy issues in contemporary American society.

REQUIRED MATERIALS NEEDED

- » A small cake or candy bars (fewer than students).
- » Packet of articles on non-citizens voting for Sanchez in California and inmate voters (included in lesson four).
- » Voter registration forms.
- » Sample ballots with “Voter Information Sources.”
- » Several current newspapers (optional).

LESSON FOUR LESSON PLAN

SUPPLEMENTAL MATERIALS

- » See Appendix for related websites under “Resources”

ACTIVITIES AND PROCEDURES

Introduction: (15 minutes)

Enter class with a cake or candy and set it in the front of the class with some indication that they know they may take what is there. Without further explanation, sit at the back of the room and give the students several minutes to decide what to do with the food. After enough time has passed so that they wrestle with who gets how much, ASK THE CLASS some of the following questions:

1. WHY DID THE DISTRIBUTION PROCEED THE WAY IT DID?
2. WAS THE PROCESS FAIR AND EQUAL?
3. HOW DID YOU FEEL WHEN DECISIONS WERE BEING MADE FOR YOU?
4. IF THE CAKE REPRESENTS RESOURCES THE GOVERNMENT DISTRIBUTES, WHY IS VOTING IMPORTANT?
5. COULD THIS HAVE HAPPENED DIFFERENTLY? How?
6. WHAT WOULD HAPPEN IF MORE PEOPLE WENT TO THE POLLS ON A REGULAR BASIS?
7. HOW DOES THE VOTER EXERCISE INFLUENCE OVER THE DISTRIBUTION OF RESOURCES?

Explain to students that today they will examine why it is important to exercise one's right to vote, who is qualified to vote and what is the procedure for becoming a responsible voting citizen.

Activity: (20 minutes)

Divide the class into small groups (no more than five is suggested) and instruct students to BRAINSTORM issues or topics that directly affect them. If possible, bring in recent newspapers to help students become aware of what is currently being discussed in the media today. After several minutes of the groups collaborating, put their topics up on the board (if they are struggling, here are some possibilities: public education funding, tuition for state colleges, minimum wage, sin taxes, universal health care, cell phone usage, driver education requirements or new driver laws). Assign each group a topic it must decide how to vote on the topic and provide the group's reasoning for the decision.

LESSON FOUR LESSON PLAN

Discuss the possibility that their vote could change the current laws or policies of the government pertaining to that issue. Display statistics showing the much lower turnout rates for 18–24 year olds as compared to other age groups, especially those in the retirement age bracket. Relate these statistics back to the distribution of the cake, helping the students draw the conclusion that if younger voters turnout to the polls, they could have a decisive impact regarding issues that are important to them. This is also a great time to cite evidence of historical occurrences where just one vote made the difference in the outcome of important decisions.

Discussion: (20 minutes)

Before beginning a discussion on the mechanics of registration and the voting process, it may be helpful to get the students engaged in discussing the importance of elections. One approach to this topic is to bring up controversial elections and to discuss how higher turnout would have affected the outcome.

An interesting case for California students to look at is Lorretta Sanchez's narrow defeat of Bob Dornan in the 1996 election for the 46th district in the House of Representatives. Lorretta Sanchez won the election by 984 votes and was accused by the Dornan campaign of registering about 3,000 illegal immigrants and other nonqualified voters in the district. This was a highly controversial case and led to a 13-month investigation by the House Oversight Committee. The turnout for the election was over 60%, yet the election was decided by fewer than 1,000 votes.

ASK STUDENTS:

- » “Would the outcome have been contended if more voters had participated?”
- » “Should non-citizens, who are residents in a district (and counted in apportionment) be allowed to vote?”
- » “Should felons be allowed to vote?”

IF YOU PREFER, you could begin with a discussion of the 2000 presidential election. This election gave rise to approximately thirty separate court proceedings. Every level of the Judiciary was involved in the litigation from State Courts to the U.S. Supreme Court. In the end, a highly controversial 100+ page long Court decision resulted in Florida's electoral votes being allocated to George W. Bush, making him the President of the United States. The Court defended its role in the process by claiming “the right to vote is protected in more than the initial allocation of the franchise. Equal protection applies as well to the manner of its exercise” (Bush v. Gore, Majority Opinion section II, B).

LESSON FOUR LESSON PLAN

Input: (30 minutes)

The Sanchez controversy raises the question “Who is qualified to vote?”

ASK STUDENTS: “*Who is qualified to vote? What are the requirements?*”

THE CONSTITUTION ALLOWS STATES TO DETERMINE THEIR OWN ELIGIBILITY REQUIREMENTS for voting, but there are some areas of overlap and some CONSTITUTIONAL REQUIREMENTS. You qualify to vote if:

- 1.** YOU ARE A U.S. CITIZEN (15TH AMENDMENT).
- 2.** YOU ARE A RESIDENT OF YOUR RESPECTIVE STATE (LENGTH OF RESIDENCY VARIES BY STATE).
- 3.** YOU WILL BE AT LEAST 18 YEARS OF AGE BY THE DATE OF THE NEXT ELECTION (26TH AMENDMENT).
- 4.** YOU ARE NOT IN PRISON OR ON PAROLE FOR CONVICTION OF A FELONY (VARIES BY STATE).
- 5.** YOU HAVE NOT BEEN JUDGED MENTALLY INCOMPETENT.
- 6.** YOU HAVE REGISTERED *the necessary number of days* BEFORE THE ELECTION (VARIES BY STATE)

HOW DO I REGISTER?

After the students have discussed the requirements of voting, present the students with a copy of an actual registration form. Voter Registration forms vary from State to State (though there is also a national form) because eligibility requirements and requested information requirements may be different.

Read the general instructions with your students and gather certain facts unique to your State regarding voting requirements and procedures. Guide students as they actually fill out the registration form. You can download copies of the National Voter Registration form at www.fec.gov/votregis/vr.htm.

LESSON FOUR LESSON PLAN

INFORMING THE VOTER

Understanding the mechanics of registration is only the first step in becoming an active citizen. To best select the candidates who will represent us, we need to know about the people and policies we are voting for.

ASK STUDENTS: “*Where can we go to find information on candidates and issues?*”

After the students have brainstormed possible ways to acquire information on elections, present them with a list of Possible Voter Information Sources that are included with this lesson. The list is by no means exhaustive, but it is a great place to begin.

HOW DO I VOTE?

If possible, invite a representative from your local County Registrar’s office to demonstrate a working voting machine or see if they can donate one for use in your classroom. Also contact them and have them donate sufficient sample ballots for your class. Depending on your community you may use one of many different ballot systems. Some systems included Scantron type ballots or Ink-a-Vote ballots.

- » HAND EACH STUDENT A COPY OF THE SAMPLE BALLOT FOR THE UPCOMING ELECTION (or from a past election). Guide them through the ballot to illustrate how it is more effective to be an educated voter with research on issues and candidates before one enters the booth. This is a great time to ask the class questions about local candidates who are central to students’ lives, but about whom many often fail to research.
- » WHO IS THE MAYOR? WHAT ARE HIS/HER POLICY STANCES? WHO ARE THE LOCAL JUDGES? HAVE THEY WRITTEN ANY IMPORTANT DECISIONS?
- » DISCUSS WITH STUDENTS THE IMPORTANCE OF USING A SAMPLE BALLOT AS A GUIDE FOR RESEARCH.
- » DOES YOUR COMMUNITY PROVIDE A “VOTER INFORMATION GUIDE?” If so, share this with the students and examine the information it provides. Have students discuss whether the information provided is actually “non-partisan.”

Closing: (10 minutes)

The capstone to this unit on the importance of voting is to give the students, as much as is legally possible, a simulated election to eliminate any questions about the process of voting. Use the last few minutes of class to go over the details of what your simulated election is going to look like and what the expectations are for your students.

LESSON FOUR LESSON PLAN

Lesson Extensions

Further discussion questions:

- » Should we be allowed to vote online?
- » Should there be same day registration?
- » Should Election Day be a holiday?
- » Could employers be required to give time off for voting?
- » Should there be changes in the qualifications for voting?
- » Should voting be equated with jury duty, which is compulsory and has consequences for non-participation?

Extension Activities

- » Have students write and deliver speeches that reflect the platform of selected candidates.
- » Have students create posters, songs, commercial ads/skits that address a particular issue by a candidate.
- » Have students work with the County Registrar as poll-workers or get other potential voters registered to vote.

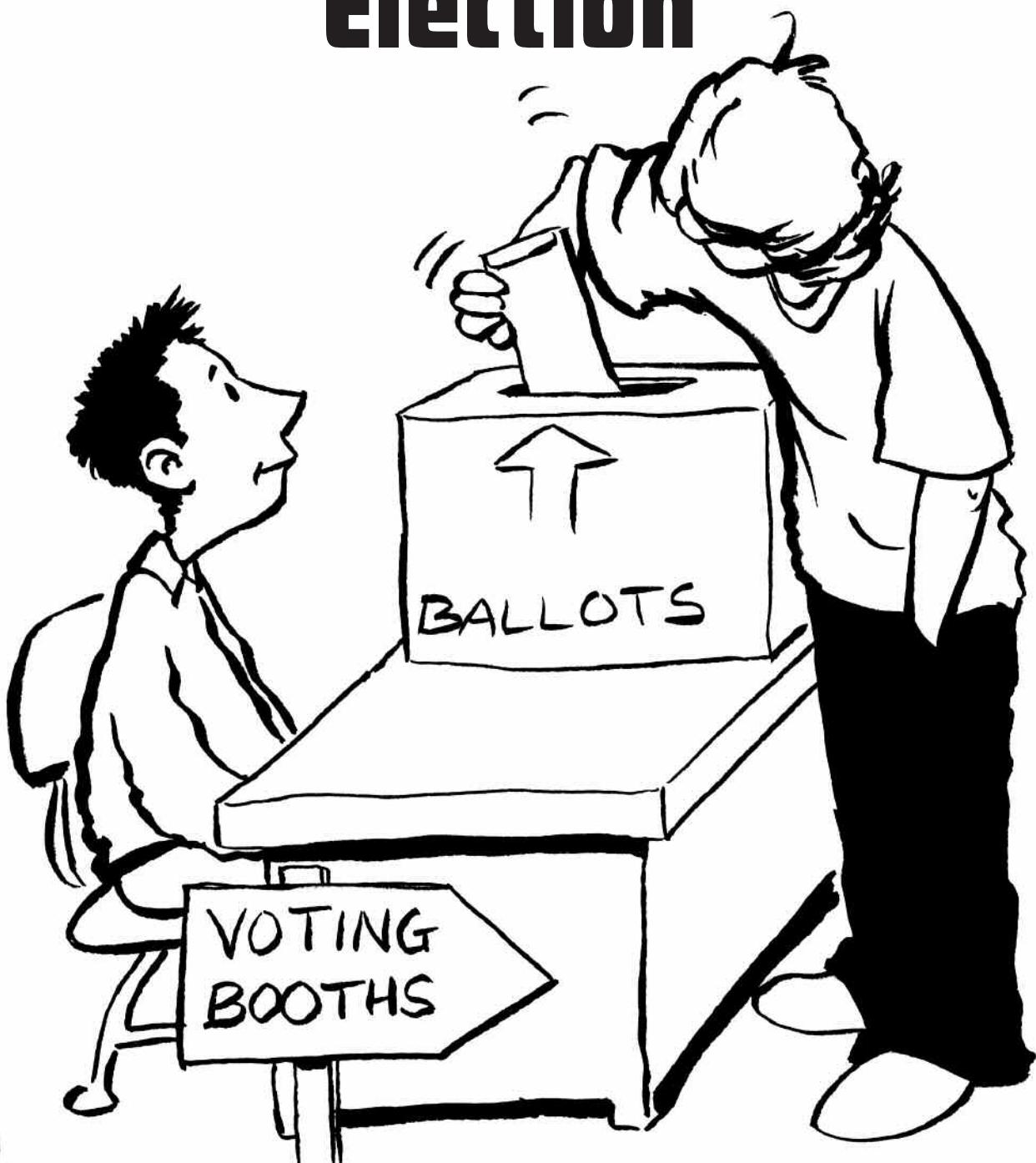
LESSON FOUR LESSON PLAN

VOTER INFORMATION SOURCES

- » ISSUES AND CANDIDATES: <http://www.vote-smart.org>
- » DEMOCRATIC PARTY: <http://www.democrats.org>
- » REPUBLICAN PARTY: <http://www.rnc.org>
- » LIBERTARIAN PARTY: <http://www.lp.org>
- » GREEN PARTY: <http://www.gp.org>
- » LEAGUE OF WOMEN VOTERS: <http://www.lwv.org>
- » ARSALYN PROGRAM: <http://www.arsalyn.org>
- » *The Nation Magazine*: <http://www.thenation.org>
- » *The New Republic*: <http://www.tnr.org>
- » *National Review*: <http://www.nationalreview.com>
- » VOTER REGISTRATION FORMS BY STATE: <http://www.absenteeballot.net>
- » TYPES OF BALLOTS: <http://lycoskids.infoplease.com/spot/campaign2000ballot.html>
- » YOUTH POLITICS: <http://wwwmillennialpolitics.org>, www.rockthevote.com, www.m-a-y.org

LESSON FIVE

The Simulation Election



LESSON FIVE

REQUIRED MATERIAL

- » Several voting machines (borrowed from County Registrar).
- » Voting booths (borrowed from County Registrar).
- » Sufficient SIMballots for all participating students (must be printed in appropriate size and stock).
- » A list of participating students to be used for SIMvoter sign-in.
- » A ballot box (any box that can be marked “ballot box”, closed and a slot made for depositing ballots).
- » Masking tape for floor markings indicating SIMvoter waiting areas and lines for sign-in.
- » “I Voted” stickers (can usually be obtained from local Registrar).
- » At least 2-3 volunteers to staff SIMpolls as SIMpoll workers (sign-in, ballot box supervision and assistance with operating voting machines, if needed).
- » Tally sheets for SIMpoll workers, who will tabulate results of voting.

LESSON FIVE

THE ELECTION SIMULATION

The *Democracy in Action* election simulation requires setting up a simulated polling place in your school to accommodate simulation participants (we call them SIMvoters and the process itself SIMvoting or SIMElection; if you prefer, Election Simulation is also appropriate; we recommend avoiding the term “mock election” due to the negative connotations of the word “mock”).

That means obtaining from your local county registrar or other official voting machines and booths that students can use and printing SIMballots that will fit the machines. We recommend having a few extra machines available in case some are not functioning properly.

The election simulation is best timed to coincide with actual local or federal elections. SIMballots should look the same as those used by adults (to ensure realism), excepting some feature or mark distinguishing them from real ballots (printing them on a different color of paper is the easiest way to distinguish them). SIMballots should be printed and some available for Lesson Four, so students will already be familiar with the look of the SIMballot.

The SIMpolling place should approximate the set-up of a real polling place as closely as possible. Students should form a line at a sign-in table where poll volunteers check for their names on registration sheets. Masking tape can be used to indicate where students should line up and wait for their turn to vote.

Students should sign by their name on the registration sheet, be handed a ballot and proceed to an available voting booth. Remember that students, like real voters, are allowed to bring notes with them into the voting booth if they so choose.

A supervisor should be in the vicinity of the booths to help students who have trouble or questions about using the machines. However, the supervisor must take care not to influence the voting choices of the student.

Once a ballot has been completed, it should be deposited into a sealed box. Results should later be tallied on tally sheet provided to SIMpoll workers. Results can then be announced to students.

LESSON FIVE

RESOURCES FOR TEACHERS AND STUDENTS

» www.vote-smart.org

The Project Vote Smart website contains information on candidates and issues in your State. Do your students need to know who their representatives are or whether or not their State will be gaining or losing congressional seats in the next election? All this and more can be found at the Project Vote Smart site.

» www.dnet.org

DemocracyNet (or Dnet) contains information on candidates, different sides of various issues and upcoming political events in your area.

» www.founding.com

Founding.com is an interactive site that explains the US Declaration of Independence. It contains copies of various drafts of the Declaration, including Thomas Jefferson's rough draft with notes explaining the meaning of key concepts and his thinking behind each.

» www.crf-usa.org

The Constitutional Rights Foundation website contains information about the Constitution and the Bill of Rights and how they apply to modern America.

» www.publicagenda.org

Public Agenda online contains information about public issues and provides tools to critically assess public polling data.

» www.arsalyn.org

Arsalyn's own website contains information about implementing Democracy in Action as well as other Arsalyn projects. It also contains arsalINFO – an online database of groups promoting youth civic and political engagement.

APPENDIX

Handouts for Lessons



STUDENT HANDOUT FOR LESSON ONE

Rights and Responsibilities for Citizenship

Rights

Responsibilities

STUDENT HANDOUT FOR LESSON TWO

Political Ideology Survey

©University of Virginia Center for Politics

PURPOSE

Students very often have little understanding of the meaning of ideological terms. While these terms are often vague and elusive to adults as well, it is possible through this survey and the subsequent two lessons for students to glean a sophisticated comprehension.

OBJECTIVES

- 1.** The student will examine her/his political beliefs.
- 2.** The student will explain the difference between liberal and conservative political points of view.
- 3.** The student will discern the significance of political ideology in examining political issues.

KEY WORDS

liberal	Second Amendment
conservative	ideology/political ideology

MATERIALS

- 1.** Blackboard and copies of the handout Ideological Survey. An interactive version is available on the Youth Leadership Initiative CD-ROM “A More Perfect Union.”
- 2.** Sample editorials posted with this lesson:
 - a.** *Gun Control Isn’t Crime Control*
 - b.** *Smith and Wesson accepts Gun Safety Pact*
 - c.** *Janie’s Got a Gun*
- 3.** Copy of the Second Amendment

STUDENT HANDOUT FOR LESSON TWO

PROCEDURES

1. Create five columns on the board, labeling them as follows from left to right: “strong liberal,” “moderate liberal,” “moderate,” “moderate conservative,” and “strong conservative.” Ask students to characterize themselves as one of the five without explaining the meaning of the terms and tally their responses under each column.
2. Distribute the Student Handout *Ideological Survey*. Ask students individually to respond to each of the statements on the survey by placing an “A” for agree or a “D” for disagree in the column labeled “agree/disagree.” Students should write nothing yet in the column “L/C.”
3. After the students have completed the survey, go through the survey with them and reveal which statements are conservative and which are liberal using the list below. As you read through the list, have the students code their responses by placing an “L” for liberal and a “C” for conservative according to the nature of their response. For instance, if a student responds to a conservative statement with “A” then she/he should place a “C” in the last column. If responding to the same statement with an “D” the student would place and “L” in the column.

1. C	6. L	11. L	16. L	21. C
2. L	7. L	12. C	17. C	22. L
3. C	8. C	13. L	18. C	23. L
4. C	9. C	14. C	19. L	24. L
5. C	10. L	15. L	20. C	25. C

4. After the students have coded their responses, ask them to characterize themselves again as “strong liberal,” “moderate liberal,” “moderate,” “moderate conservative,” and “strong conservative,” but this time according to the following scheme.

21–25 Liberal responses	=	STRONG LIBERAL
16–20 Liberal responses	=	MODERATE LIBERAL
21–25 Conservative responses	=	STRONG CONSERVATIVE
16–20 Conservative responses	=	MODERATE CONSERVATIVE
10–15 of either responses	=	MODERATE

STUDENT HANDOUT FOR LESSON TWO

5. Chart the students' responses on the board underneath the earlier tally. If there is a change, ask students to theorize about what may have caused the change.
6. Explain to the students that any ideological survey is imperfect in that it is not sophisticated enough to cover the entire gamut of a political belief system, and that they should continue to examine and hone their political beliefs.

EVALUATION

1. Use the attached matching quiz in which students must identify certain statements as liberal or conservative.
2. Ask students to find a newspaper editorial and analyze it for liberal or conservative ideology.
3. Have students write an essay theorizing why some students had a different ideology profile after the survey than before.
4. Ask students to read the following editorials featuring opinions about the right to bear arms guaranteed in the second amendment. (Attached)
 - ... *Gun Control isn't Crime Control*
 - ... *Smith and Wesson Accepts Gun Safety Pact*
 - ... *Janie's Got a Gun*
5. After reading the editorials, ask students to explain how they relate to the second amendment of the constitution. Does the author support the 2nd amendment? Does the author feel this amendment needs to be changed? Can you change an amendment?

TECHNOLOGY

Have students visit websites of lobbying groups and ask them to evaluate them for ideology.

- » www.nra.org
- » www.aflcio.org/home.htm
- » www.aclu.org/index.html
- » www.immigrationforum.org/index.htm

STUDENT HANDOUT FOR LESSON TWO

Question	Agree/ Disagree	L/C
1. The federal government places too many restrictions on businesses.		
2. Americans need to be protected from unnecessary police searches and other invasions of privacy.		
3. High taxes discourage people from working hard.		
4. Only people who cannot work should be eligible for welfare programs.		
5. National security is more important than an individual person's right to privacy.		
6. The government should create and pay for programs that help poor people in the United States		
7. The wealthy should be taxed at a higher percentage than the lower and middle classes.		
8. The best way to help the poor is to help businesses earn a profit and create new jobs.		
9. Government programs on behalf of the disadvantaged discourage people from helping themselves.		
10. The government should not restrict abortion and other reproductive decisions.		
11. The government has a special responsibility to protect minority groups from discrimination.		
12. Crime can be reduced by enforcing stricter penalties and longer jail sentences on criminals.		
13. The government should do more to punish businesses that pollute the environment.		
14. The government should protect Americans from morally offensive films and publications.		
15. The arts should be protected from government censorship. Adults must be free to think and speak as they wish.		
16. Without government regulation, big businesses would take advantage of ordinary Americans.		
17. Crime, unemployment, poverty, and other problems will be reduced if Americans return to the traditional values of hard work, self-discipline, and belief in God.		
18. Our government spends too much on social services and other programs that could be run just as well by businesses, churches and/or other non-profit organizations.		
19. Homosexuals should receive the same rights and protections as other minority groups.		
20. Policies that create jobs are more important than policies that protect the environment.		
21. The federal government should not get involved in setting academic standards for local public school districts.		
22. Americans have a right to affordable health care.		
23. The death penalty is cruel and unusual punishment.		
24. One way to reduce crime would be to limit the sale and possession of firearms.		
25. The government should allow school-sponsored prayer in the public schools.		

TOTAL CONSERVATIVE RESPONSES: _____

TOTAL LIBERAL RESPONSES: _____

STUDENT HANDOUT FOR LESSON TWO

Quiz: Identifying Ideology

DIRECTIONS: Fill in the following blanks with the letter that best describes the statements.

A. *Liberal* B. *Conservative*

- _____ 1. Our national government should tax less and therefore allow its citizens to decide how best to spend their own money.
- _____ 2. When companies are given more economic freedoms they create more jobs and opportunities for citizens to become prosperous.
- _____ 3. Freedom of speech should be protected even if we find that speech offensive.
- _____ 4. Parents and students should be given the choice as to what type of schooling is best for their children, even if that choice is a religious school.
- _____ 5. Our government has an obligation to provide for all of its citizens basic necessities like food and healthcare.

DIRECTIONS: Fill in the chart below by identifying the candidates and stances.

	<i>Republican nominee</i>	<i>Democratic nominee</i>
<i>Stance on Abortion:</i>		
<i>Social Security:</i>		
<i>Taxes:</i>		
<i>Guns:</i>		

Does each candidate fit your idea of a conservative/liberal? Explain why or why not.

STUDENT HANDOUT FOR LESSON TWO

Sample Editorial

Gun Control isn't Crime Control (Opposes gun control)

<http://www.newsargus.com/newsport/edit/08112000.html>

GUN CONTROL ISN'T CRIME CONTROL

- » Violence has declined as we have become better armed.
- » Gun control inevitably will emerge as an issue in this year's presidential and Congressional elections. Candidates will be telling us that restrictions on gun ownership will reduce crime.

David R. Kopel says not. Kopel is research director of the Independence Institute and an associate policy analyst at the Cato Institute. When the candidates start talking about gun control and crime, keep in mind these facts from Kopel's research, which he shared in an editorial-page article in the *Wall Street Journal*:

There is little relationship between the number of murders and the number of guns owned by U.S. citizens.

Gun ownership in this country is at a record high, according to statistics from law enforcement agencies and gun manufacturers, but the rate of gun violence is falling.

From 1972 to 1992, the gun supply doubled. The homicide rate remained about the same, at 9.4 deaths per 100,000 population.

The vaunted Brady Law, pride of the gun-control lobby, has, in fact, had no effect on the number of people killed since it was passed.

The murder rate has not changed since the Brady Law was enacted. The rate of gun suicides has fallen, according to the American Medical Association, but the overall rate of suicides has remained about the same.

The Clinton administration bandies about figures on the number of people who have been denied the right to buy guns because of the background checks required by the Brady Law. But many of those rejections are based on incomplete criminal justice records—for instance, a record that shows an arrest but not a conviction.

STUDENT HANDOUT FOR LESSON TWO

Others were rejected who were not really dangerous. Two brothers might have gotten into a fistfight in the front yard 20 years ago. They could be rejected for gun ownership because they were involved in “domestic violence,” even if that was their only transgression.

While the accidental gunshot deaths of children make excellent campaign rhetoric, that problem is much smaller than it is made out to be. Those who want stricter gun control claim that 10 children a day are killed by guns. What they don’t tell you is that those statistics include “children” up to 19 years old, including males who live in the inner cities. They will not be helped by such specious laws as those requiring trigger locks. Such laws will be noticed mainly by law-abiding people, not the gang members shooting each other on the streets.

As for younger children, fewer are being killed by guns even as gun ownership increases. In the early 1970s, according to the National Center for Health Statistics, about 500 children 14 and under were being killed each year by gun accidents. In 1998, the figure was 121.

The federal “assault-weapons” ban has not affected the number of gun deaths. That law, along with the Brady Law, was one of the highly touted triumphs of the gun-control bunch during the Clinton administration. In fact, it did not apply to a gun’s rate of fire but with identifiers like bayonet lugs and protruding grips on rifles.

Manufacturers made cosmetic changes, and the guns are still available.

It doesn’t matter, though. Law enforcement statistics show that “assault weapons”—and that is a dumb term to use to distinguish one gun from another—are used in only a minuscule fraction of crimes.

Think about these facts when the gun issue arises during the campaigns. And you might wonder why the people who make such a fuss over gun control don’t turn their efforts instead to real ways to fight crime.

—MIKE ROUSE

STUDENT HANDOUT FOR LESSON TWO

Sample Editorial

Smith and Wesson Accepts Gun Safety Pact (Supports gun control)

<http://www.2facts.com/stories/index/e00177.asp>

SMITH AND WESSON ACCEPTS GUN SAFETY PACT

While National Rifle Association officials denounce President Clinton, and the Republican-controlled Congress dithers, Smith & Wesson is doing the right thing on gun control. The nation's oldest and largest handgun manufacturer is changing the way it does business. It has consented to a slew of restrictions on the manufacture, sale and distribution of handguns, many of which are used to kill people. In exchange for these enlightened actions, the Clinton administration has agreed to head off a threatened lawsuit by the federal government and 13 cities against Smith & Wesson.

This accord is significant because it marks the first time a major gun manufacturer has acknowledged, however tangentially, its role in helping to contain gun violence. Although one of Smith & Wesson's competitors was quick to condemn this "betrayal of Second Amendment rights and a capitulation to the Clinton administration," other gun manufacturers could provide a valuable national service by following Smith & Wesson's responsible example.

Gun violence claims more than 30,000 lives and injures another 100,000 people annually in the United States. Little wonder that about 70 percent of Americans support sensible measures to control the proliferation of handguns and other firearms.

Smith & Wesson's unprecedented concessions are altogether sensible. The company has agreed to install child trigger locks on all of its handguns within 60 days. Within the next 36 months, it also will develop technology to prevent guns from being fired by anyone other than the owners. A second hidden serial number will be included on all handguns to help counter criminals who remove other identification marks from their weapons.

The company also has developed a code of conduct for the sale and distribution of its handguns. Authorized dealers and distributors will be barred from selling Smith & Wesson firearms at gun shows unless would-be buyers have passed criminal background checks. Those who violate this code could lose their franchises with the company. Persons who purchase more than one firearm from a dealer will be permitted to take home one gun on the day of sale, and can claim the rest 14 days later. This provision should help deter illegal gun trafficking.

An even greater deterrent would be for all gun manufacturers to follow Smith & Wesson's lead. Other companies may find it in their self-interest to do so. No single gun-control measure will stop criminals from getting firearms and misusing them. But the measures agreed to by Smith & Wesson could make a difference, at the very least, by preventing thousands of kids from killing or maiming themselves and others.

— FROM THE *San Diego Union-Tribune*, SAN DIEGO, CALIFORNIA, MARCH 2000

STUDENT HANDOUT FOR LESSON TWO

Sample Editorial

Janie's Got a Gun (Opposing gun control)

<http://www.purepolitics.com/news/politicaleditorials.htm>

JANIE'S GOT A GUN

Some proponents of gun control have asked: if there was no Second Amendment, would pro-gun advocates still oppose common sense gun legislation. To this irrelevant question, I have two responses. First, there IS a Second Amendment and asking hypothetical questions is a waste of time. Nevertheless, I find it interesting that certain politicians, pundits, and citizens seem to overlook the fact that the right for citizens to bear arms was so important to the Founders of this country that they made it a right second only to the First Amendment which gives us our freedom to say, write, and believe what we wish without fear of sanction by the government. The Second Amendment was so placed to protect these rights.

My second response is a more practical one; one that has been replayed, but apparently bears repeating. More than 2,000 gun laws have been enacted since the 1960s' reforms. After the shooting at Columbine High School last year, legislators in true knee-jerk fashion introduced more and stricter gun control measures. Yet, none of these proposals before the Congress would in any way have prevented that tragedy. Clearly, laws are no impediment to the criminally minded. Practically, gun laws only serve to abridge the rights of law-abiding citizens. By definition, criminals have no regard for the law.

Therefore, if all the gun restrictions that have been proposed and will be proposed are finally adopted, the end result will inevitably be the total disarmament of the American people, leaving only criminals and the government in possession of firearms. With this thought, I turn to the gun control advocates and ask, is an America with no Second Amendment truly the Land of the Free?

—AIMEE J.

SECOND AMENDMENT **Right to Bear Arms**

A well regulated militia, being necessary to the security of a free state, the right to bear arms shall not be infringed.

STUDENT HANDOUT FOR LESSON THREE

The Pro's and Con's of the Electoral College System

In its 200-year history, there have been a number of critics and proposed reforms of the Electoral College system—most of them trying to eliminate it. There are also staunch defenders of the Electoral College who, though perhaps less vocal than its critics, offer very powerful arguments in its favor.

ARGUMENTS AGAINST THE ELECTORAL COLLEGE

Those who object to the Electoral College system and favor a direct popular election of the president generally do so on four grounds.

- 1.** The possibility of electing a President with a minority of the popular vote.
- 2.** The risk of so-called “faithless” Electors.
- 3.** The Electoral College depresses voter turnout.
- 4.** The Electoral College fails to accurately reflect the national popular will.

The Possibility of Electing President with a Minority of the Popular Vote

Opponents of the Electoral College are disturbed by the possibility of electing a minority president (one without the absolute majority of popular votes). This concern is entirely unfounded since there are three ways in which that could happen. ONE way in which a minority president could be elected is if the country were so deeply divided politically that three or more presidential candidates split the electoral votes among them such that no one obtained the necessary majority. This occurred in 1824 and was unsuccessfully attempted in 1948 and again in 1968. Yet it is unclear how a direct election of the president could resolve such a deep national conflict without introducing a presidential run-off election—a procedure which would add substantially to the time, cost, and effort already devoted to selecting a president and which might well deepen the political divisions while trying to resolve them.

A SECOND way in which a minority president could take office is if, as in 1888, one candidate's popular support were heavily concentrated in a few States while the other candidate maintained a slim popular lead in enough States to win the needed majority of the Electoral College. While the country has occasionally come close to this sort of outcome, the question here is whether the DISTRIBUTION of a candidate's popular support should be taken into account alongside the relative size of it.

STUDENT HANDOUT FOR LESSON THREE

A THIRD way of electing a minority president is if a third party or candidate drew enough votes from the top two that no one received over 50% of the national popular total. This sort of thing has, in fact, happened 15 times including (in this century) Wilson in both 1912 and 1916, Truman in 1948, Kennedy in 1960, Nixon in 1968, and Clinton in both 1992 and 1996. The only remarkable thing about those outcomes is that few people noticed and even fewer cared that the winning candidate failed to garner more than 50% of the national popular vote. Nor would a direct election have changed those outcomes without a run-off requiring over 50% of the popular vote (an idea which not even proponents of a direct election seem to advocate).

The Risk of So-Called “Faithless” Electors

A “faithless Elector” is one who is pledged to vote for his party’s candidate for president but nevertheless votes for another candidate. There have been 7 such Electors in this century and as recently as 1988 when a Democrat Elector in the State of West Virginia cast his votes for Lloyd Bensen for president and Michael Dukakis for vice president instead of the other way around. Faithless Electors have never changed the outcome of an election, though, simply because most often their purpose is to make a statement rather than make a difference. That is to say, when the electoral vote outcome is so obviously going to be for one candidate or the other, an occasional Elector casts a vote for some personal favorite knowing full well that it will not make a difference in the result. Still, if the prospect of a faithless Elector is so fearsome as to warrant a Constitutional amendment, then it is possible to solve the problem without abolishing the Electoral College merely by eliminating the individual Electors in favor of a purely mathematical process (since the individual Electors are no longer essential to its operation).

Role in Depressing Voter Turnout

Opponents argue that, since each State is entitled to its allotted number of electoral votes regardless of its voter turnout, there is no incentive for States to encourage voter participation. Indeed, there may even be an incentive to discourage participation (and critics often cite the South as an example) to enable a minority of citizens to decide the electoral vote for the whole State. While this argument has a certain surface plausibility, it fails to account for the fact that presidential elections do not occur in a vacuum. States also conduct other elections (for U.S. Senators, U.S. Representatives, State Governors, State legislators, and a host of local officials) in which these same incentives and disincentives are likely to operate, if at all, with an even greater force. It is hard to imagine what counter-incentive would be created by eliminating the Electoral College.

STUDENT HANDOUT FOR LESSON THREE

Its Failure to Accurately Reflect the National Popular Will

Some opponents of the Electoral College point out, quite accurately, failure of this aspect in at least two respects. FIRST, the distribution of Electoral votes in the College tends to over-represent people in rural States. This is because the number of Electors for each State is determined by the number of members it has in the House (which more or less reflects the State's population size) plus the number of members it has in the Senate (which is always two regardless of the State's population). The result is that in 1988, for example, the combined voting age population (3,119,000) of the seven least populous jurisdictions of Alaska, Delaware, the District of Columbia, North Dakota, South Dakota, Vermont, and Wyoming carried the same voting strength in the Electoral College (21 Electoral votes) as the 9,614,000 persons of voting age in the State of Florida. Each Floridian's potential vote, then, carried about one-third the weight of a potential vote in the other States listed.

A SECOND way in which the Electoral College fails to accurately reflect the national popular will stems primarily from the winner-take-all mechanism whereby the presidential candidate who wins the most popular votes in the State wins all the Electoral votes of that State. One effect of this mechanism is to make it extremely difficult for third party or independent candidates ever to make much of a showing in the Electoral College. If, for example, a third party or independent candidate were to win the support of even as many as 25% of the voters nationwide, he might still end up with no Electoral College votes at all unless he won a plurality of votes in at least one State. And even if he managed to win a few States, his support elsewhere would not be reflected. By thus failing to accurately reflect the national popular will, the Electoral College reinforces a two-party system, discourages third-party or independent candidates, and thereby tends to restrict choices available to the electorate.

ARGUMENTS FOR THE ELECTORAL COLLEGE

Proponents of the Electoral College system normally defend it on the philosophical grounds that it does/provides the following:

- 1.** Contributes to the cohesiveness of the country by requiring a distribution of popular support to be elected president.
- 2.** Enhances the status of minority interests.
- 3.** Contributes to the political stability of the nation by encouraging a two-party system.
- 4.** Maintains a federal system of government and representation.

STUDENT HANDOUT FOR LESSON THREE

Contributes to the Cohesiveness of the Country

Recognizing the strong regional interests and loyalties which have played so great a role in American history, proponents of the Electoral College system argue that it **CONTRIBUTES TO THE COHESIVENESS OF THE COUNTRY BY REQUIRING A DISTRIBUTION OF POPULAR SUPPORT TO BE ELECTED PRESIDENT**. Without such a mechanism, they point out, presidents would be selected either through the domination of one populous region over the others or through the domination of large metropolitan areas over the rural ones.

Indeed, it is principally because of the Electoral College that presidential nominees are inclined to select vice presidential running mates from a region other than their own. For as things stand now, no one region contains the absolute majority (270) of the electoral votes required to elect a president. Thus, there is an incentive for presidential candidates to pull together coalitions of States and regions rather than to exacerbate regional differences. Such a unifying mechanism seems especially prudent in view of the severe regional problems that have typically plagued geographically large nations such as China, India, the Soviet Union, and even, in its time, the Roman Empire.

This unifying mechanism does not, however, come without a small price: in very close popular elections, it is possible that the candidate who wins a slight majority of popular votes may not be the one elected president—depending on whether his popularity is concentrated in a few States or whether it is more evenly distributed across the States. This is less of a problem than it seems since, as a practical matter, the popular difference between the two candidates would likely be so small that either candidate could govern effectively. Proponents thus believe that the practical value of requiring a distribution of popular support outweighs whatever sentimental value may attach to obtaining a bare majority of the popular support. The winning candidate must demonstrate both a **SUFFICIENT** popular support to govern as well as a sufficient **DISTRIBUTION** of that support to govern.

Enhances the Status of Minority Groups

Proponents also point out that, far from diminishing minority interests by depressing voter participation, the Electoral College actually **ENHANCES THE STATUS OF MINORITY GROUPS**. This is so because the votes of even small minorities in a State may make the difference between winning **ALL** of that State's electoral votes or **NONE** of that State's electoral votes. Since ethnic minority groups in the United States happen to concentrate in those States with the most electoral votes, they assume an importance to presidential candidates well out of proportion to their number. The same principle applies to other special interest groups such as labor unions, farmers, environmentalists, and so forth.

STUDENT HANDOUT FOR LESSON THREE

It is because of this “leverage effect” that the presidency, as an institution, tends to be more sensitive to ethnic minority and other special interest groups than does the Congress as an institution. Changing to a direct election of the president would therefore actually damage minority interests since their votes would be overwhelmed by a national popular majority.

Contributes to the Political Stability of the Nation

There can be no doubt that the Electoral College has encouraged and helps to maintain a two-party system in the United States. This is true simply because it is extremely difficult for a new or minor party to win enough popular votes in enough States to have a chance of winning the presidency. Even if they won enough electoral votes to force the decision into the U.S. House of Representatives, they would still have to have a majority of over half the State delegations in order to elect their candidate—and in that case, they would hardly be considered a minor party. Third party movements are obliged to compromise their more radical views if they hope to attain any of their more generally acceptable objectives. Thus, we end up with two large, pragmatic political parties that tend toward the center of public opinion rather than dozens of smaller political parties catering to divergent and sometimes extremist views. In other words, such a system forces political coalitions to occur within the political parties rather than within the government.

The result of a direct popular election for president, then, would likely be a frayed and unstable political system characterized by a multitude of political parties and by more radical changes in policies from one administration to the next. The Electoral College system, in contrast, encourages political parties to coalesce divergent interests into two sets of coherent alternatives. Such an organization of social conflict and political debate contributes to the political stability of the nation.

Maintains a Federal System of Government and Representation

Proponents reason that in a formal federal structure, important political powers are reserved to the component States. In the United States, for example, the House of Representatives was designed to represent the States according to the size of their population. The States are even responsible for drawing the district lines for their House seats. The Senate was designed to represent each State equally regardless of its population. And the Electoral College was designed to represent each State’s choice for the presidency (with the number of each State’s electoral votes being the number of its Senators plus the number of its Representatives). To abolish the Electoral College in favor of a nationwide popular election for president would strike at the very heart of the federal structure laid out in our Constitution and would lead to the nationalization of our central government—to the detriment of the States.

STUDENT HANDOUT FOR LESSON THREE

Indeed, if we become obsessed with government by popular majority as the only consideration, should we not then abolish the Senate, which represents States regardless of population? Should we not correct the minor distortions in the House (caused by districting and by guaranteeing each State at least one Representative) by changing it to a system of proportional representation? This would accomplish “government by popular majority” and guarantee the representation of minority parties, but it would also demolish our federal system of government. If there are reasons to maintain State representation in the Senate and House as they exist today, then surely these same reasons apply to the choice of president. Why, then, apply a sentimental attachment to popular majorities only to the Electoral College?

Conclusion

The Electoral College has performed its function for over 200 years (and in over 50 presidential elections) by ensuring that the President of the United States has both sufficient popular support to govern and that his popular support is sufficiently distributed throughout the country to enable him to govern effectively.

Although there were a few anomalies in its early history, only one occurred in the past century. Proposals to abolish the Electoral College, though frequently put forward, have failed largely because the alternatives to it appear more problematic than is the College itself. The fact that the Electoral College was originally designed to solve one set of problems but today serves to solve an entirely different set of problems is a tribute to the genius of the Founding Fathers and to the durability of the American federal system.

FOOTNOTES

¹ Huffmon, Scott H., Gentry, Bobby, and Lawrence N. Christopher. "Rock & Roll Will Never Die? A discussion of the seeming failure Rock the Vote." Paper presented at the 2003 Annual Meeting of the American Political Science Association, August 28–August 31, 2003.

² Women were allowed to vote in New Jersey between 1787 and 1807. In 1807, New Jersey passed a law directly in violation of their state constitution removing the franchise from women. New Jersey was not alone in allowing women the vote, but few women qualified as they had to be "property owners" and so were either widows or single women.

³ Lorraine M. McDonell, P. Michael Timpane, and Roger Bejamin, eds. *Rediscovering the Democratic Purposes of Education* (University Press of Kansas, 2000); Michael X. Delli Carpini and Scott Keeter, *What Americans Know About Politics and Why It Matters* (Yale University Press, 1996).

⁴ Tribe, Laurence H. *American Constitutional Law*. Mineola, New York: The Foundation Press, Inc., 1988, pg. 1092.





citizens. not spectators

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