- The Election ProcessUS= more election
  - US= more elections than other nations
    - Elections = "American"
    - Are elections detrimental?
  - Major purposes of elections
    - Elections serve 3 major purposes:
  - Framers & elections
    - Value of elections
    - Avoid direct role
    - Result = Republic not Democracy
  - Originally, states controlled right to vote.
    - Most states = males; 21+; owned property
      - Property gradually dropped
    - Amendments to US Constitution impact voting
      - 15th Amendment (1870)
      - 19th Amendment (1919)
      - 26th Amendment (1971)
  - Voting Issues
    - 15th Amend had little impact until 1960s
      - Common methods to deny

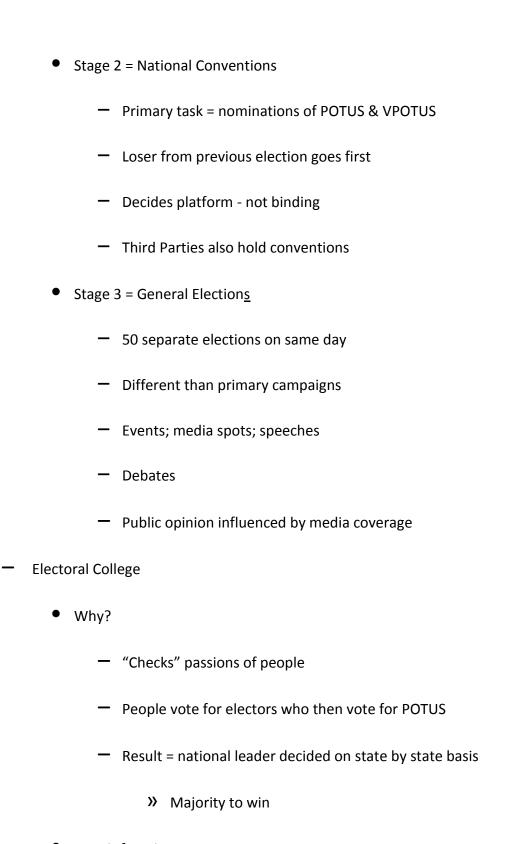
» literacy tests » Poll taxes >> Literacy + property – then "grandfather" clause **SCOTUS** initial reactions Williams v. Mississippi (1898) - Upheld literacy tests & poll tax Guinn v. United States (1915) – Nullifies grandfather clauses Congress doesn't move until 1960s 24<sup>th</sup> Amendment (1964) Voting Rights Act (1965) States resisted, but SCOTUS acts >> Katzenbach v. South Carolina (1966) – upholds VRA >> Katzenbach v. Morgan(1966) strikes down literacy tests in State & local elections >> Harper v. Virginia Board of Ed (1966) ends poll taxes Results of SCOTUS's efforts Guiding Principle = 1 person, 1 vote Theory developed by SCOTUS » Basis = census >> Census results in reapportionment >> Fair apportionment = difficult » NOTE: gerrymandering

Reynolds v. Sims (1964) Election types in US Primary elections Selects all candidates except POTUS & VPOTUS Types of Primaries Open primaries Closed primaries Non-partisan primaries – no party affiliation listed >> Ex.1=CA "jungle" primary >> Ex 2. WA "Top Two" primary Caucus General elections Candidates from different parties competing for office Exceptions: » WA & CA features Top-Two >> Neb = nonpartisan state legislature >> LA & GA = "run-off" election Congress sets date for Fed elections States follow suit

— Why 1<sup>st</sup> Tuesday after 1<sup>st</sup> Monday?

- Special elections
  - Triggered by vacancies
  - Require both primary & general
- Congressional elections
  - Every 2 yrs = entire House; 1/3 of Sen
  - Every 4 yrs = elections coincide w/ POTUS election
    - NOTE: "Mid-term" elections
  - Most congressional elections = same.
    - "All politics are local"
    - Power of incumbency
    - NOTE: 1955-1992 = as above
    - ─ 1994 = Republican Revolution
    - **–** 2006 = Blue Wave
    - 2010 = Tea Party Revolution
    - 2014 = Republican Wave
    - 2018 = Dems break GOP trifecta
- State and local elections
  - Remember: US more elections
  - State election laws & procedures vary
  - At local level

- Statewide = resemble national elections
  POTUS elections impact state & local elections
  - Ex. 2008 Dems ride Obama's "coattails"
  - Ex. 2020 = Not same
- Ballot questions
  - Nationally = no direct role
  - States permit direct involvement
  - Initiatives
  - Referendum
  - Recall
- POTUS Elections
  - "Marathons"; Begin immediately after last election
  - Formal announcements come after midterms
  - Qualifications & Limitations
  - Stage 1 = Primaries
    - NOT in Constitution
    - Winners outlasts competition
      - » NOTE: Dems use "super" delegates
    - Primary season = Feb Aug
    - When winner clear, VP chosen
    - NOTE: Third Parties = different



## • How it functions:

- 1<sup>st</sup> people vote
- Then Electors vote
  - >> EV = total of Sens + Reps

- Then Congress certifies
- Originally Art II, Sec 1, Cl 3
  - >> Electors cast two votes
  - >> POTUS winner = majority; VPOTUS = 2<sup>nd</sup> most
- 12<sup>th</sup> Amendment (1804)
  - » Electors must specify vote for POTUS & VPOTUS
- What If no majority?
  - Art II, Sec 1, Cl 3
  - 12<sup>th</sup> Amendment
- What about the "popular vote"?
  - Doesn't exist for POTUS
  - NOTE 5 times POTUS winner received less pop votes
  - Only useful for analysis
- Effort to undermine EC
  - National Popular Vote Interstate Compact (NPV)
  - EVs to winner of national pop vote