

Peaceful Transfers of Power In Our Federal System

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During this presidential election year, as the candidates joust with rhetorical and emotional appeals, we should remember that one of America's greatest political achievements is its tradition of peaceful electoral transfers of power throughout our federal system. Many political theorists consider transfers of power, even within families, to be the most difficult political problem. Yet for more than two centuries, presidents, governors, mayors, school board members, and many other elected offices have upheld a legacy of respecting an election's outcome with a peaceful abdication of power by the losing candidates.

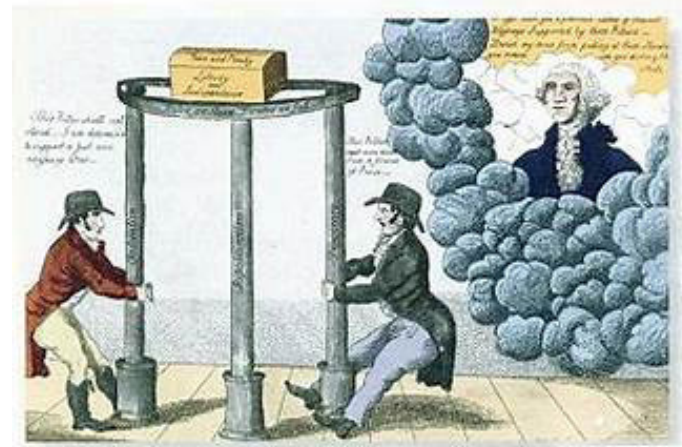
Political power—the central concept of political science—can be difficult to achieve, but once in power, powerholders usually refuse to give it up. This is why democracy has been such a rare form of government in human history. Once in power, leaders may use fear, deception, censorship, religious and political ideology, or brute force to stay in power and limit opposition. Nicolás Maduro ([Venezuela](#)), Vladimir Putin ([Russia](#)), and Ali Khamenei ([Iran](#)) are a few current examples. According to [Freedom House](#), authoritarian governments that refuse to give up power are becoming increasingly common and may overtake democracy as the world's most common form of government.

We should not be lulled into complacency, thinking peaceful transfers are inevitable in the United States. Globally and historically, transfers of power are often violent. Because the statistical mean for transfers of power is not peaceful, reversion to the mean is always a lurking threat. Thus, teaching about the origins, historical development, and institutional elements that support peaceful transfers of power within America's [federal](#) system is a worthy classroom topic.

A LEGACY OF PEACE

America's first constitutional transfer of power between political competitors for the presidency was almost not peaceful. In 1801, President [John Adams](#) lost a bitterly fought election to his political rival, Thomas Jefferson. After the election, rumors

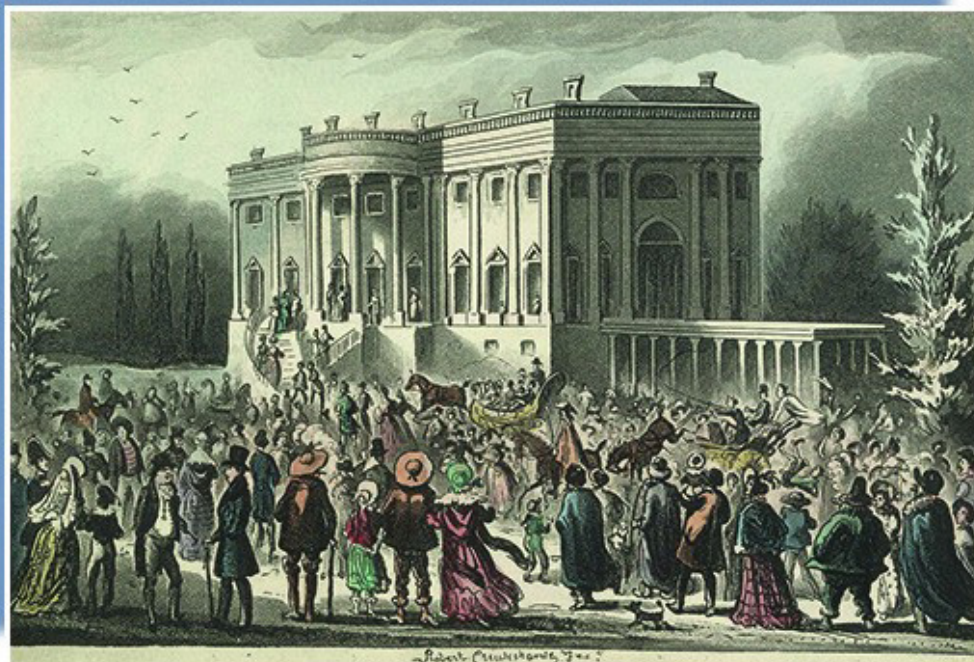
swirled of Federalist plots to prevent [Jefferson](#) from taking office, and the governors of Pennsylvania and Virginia prepared their militias to resist such efforts. But, as Lindsay Chervinsky recounts in [Making the Presidency](#), Adams committed to following the election's outcome, undercut Federalists' schemes, and rejected multiple opportunities to interfere with constitutional processes. President Adams established a legacy of fidelity to the Constitution, the rule of law, and an election's outcome.



Prior to the ratification of the Constitution, Americans enjoyed a 180-year history of peaceful transfers of power. For example, in 1793, John Hancock, Federalist governor of Massachusetts, was replaced by Samuel Adams, a Democratic-Republican, who was then replaced as governor by Federalist Increase Sumner in 1797. In the [New York gubernatorial election of 1800](#), the Federalists and their incumbent governor, John Jay, supported a strong national government, the [Alien and Sedition Acts of 1798](#), and an economy based on commerce, while the Democrat-Republicans, who ran George Clinton as their candidate, preferred decentralized power, opposed the Alien and Sedition Acts, and favored an agrarian economy. Despite a contentious political climate, George Clinton assumed office without disruption. That history throughout the political system created a priceless legacy of respect for electoral outcomes and peaceful transfers of power.

Not every election, however, has been immediately accepted by political rivals. In 1860, southern states seceded rather than accepting Abraham Lincoln's election as president. The [Civil War](#) is American history's most extreme political and electoral dispute. Following the Civil War, violence and intimidation were pre- and post-election tactics of Reconstruction Democrats, as evident in the [presidential election of 1876](#) and the [Wilmington Coup of 1898](#).

In the [2000 election](#), following the [Supreme Court's intervention](#) to resolve questions about Florida's electoral process, Vice President Al Gore conceded. He then officiated as the Senate certified Bush's election. At his inaugural address, which President Clinton attended, George W. Bush began by thanking Clinton and Gore and emphasizing that "the peaceful transition of power is rare in history, yet common in our country."



FEDERALISM'S CONTRIBUTION TO THE PEACEFUL TRANSFER POWER

America's federal system contributes to the peaceful transfer of power. The federal system keeps power non-centralized, helping to prevent any institution, individual, party, or movement from becoming excessively powerful. A person or party that illegitimately takes over or fails to relinquish the presidency, for example, would have to contend with Congress, the Supreme Court, 50 governors, and thousands of other independently elected officials.

Nonetheless, America's legacy of peaceful transfers of power has prevailed. For example, defeated presidential candidates in 1824, 1876, 1888, and 1960 conceded despite [electoral shenanigans](#) that may have cost them the election. Three of those candidates returned later to win the presidency. [Andrew Jackson](#) won elections in 1828 and 1832, [Grover Cleveland](#) in 1892, and Richard Nixon in 1968 and 1972. In the narrowly decided 1960 election, Vice President [Richard Nixon](#) believed that illegal votes in Chicago turned Illinois' electoral votes for John F. Kennedy. Yet, Nixon conceded rather than subject the nation to a contested election. He then presided over the Senate as it counted electoral votes and certified his opponent's win.

America's federal system also provides multiple safety valves. For example, the federally structured [electoral college](#) that elects the president turns razor-slim popular elections into decisive electoral wins. Whereas a disputed national election system would require a national recount and action, America's federal electoral system allows disputed elections to be contained and resolved in the states (e.g., through legal action, recounts, appeals to election officials, election audits, or new laws).

In our presidential election system, state and local governments play a key role in conducting presidential elections, certifying results, and organizing the [electoral college](#) in presidential elections. This distribution of election authority across governments ensures transparency and limits the potential for centralized manipulation. The diversity of political cultures across states and regions also makes it difficult or impossible for one faction to control the entire nation. In short, America's federal system makes it very difficult for an individual or movement to resist the collective will of the people.



[Election](#) disputes—accusations of voter fraud, voter suppression, registration irregularities, or malfunctioning election technology—are common across governments in the United States. What is less common but not unprecedented is confirmed election fraud. New York's political machine ([Tammany Hall](#)), under the direction of William Boss Tweed, used bribery, ballot



stuffing, and voter intimidation to secure election victories and embezzle state money in the 1860s. Powerful and often corrupt political machines existed in other major cities such as Boston, Chicago, Kansas City, Philadelphia, and Pittsburgh well into the 20th century.

Yet, despite some problems, America's federal electoral system is arguably more secure than ever and improving. States are experimenting with new laws to reduce voter fraud and suppression; improve election administration; reform voter registration; revise ballot access for candidates or parties; or expand the right to vote to citizens under 18. According to the [National Conference of State Legislatures](#), since 2011, 49 states have introduced 2,016 bills impacting elections and voting.

PRESERVING PEACEFUL TRANSFERS OF POWER

The legacy of peaceful transitions is at risk in the United States. In 2018, Staci Abrams refused to concede losing the Georgia governor's race. In 2001, 2005, and 2017, Democratic representatives in Congress challenged the electoral college ballots. In 2021, Republican members of Congress did the same. Also, the election of 2020 was never properly conceded by Donald Trump and included a riot on Capitol Hill to prevent certification of the election results. Arizona's 2022 gubernatorial election culminated in heated election disputes that resulted in legal action.

Even if one supposes an election was stolen, sustaining our peaceful legacy requires following the Constitution by conceding and then using the system to challenge perceived illegalities in the courts, pursue reforms, and seek vindication by the ballot box.

[Jackson](#) did that in 1824, Cleveland in 1888, and [Nixon](#) in 1960.

This is also the foundation of [Lincoln's constitutional ethic](#) as well as [Martin Luther King's civil disobedience](#)—that people obey the laws even when those laws (or outcomes) are bad and then work within the system to change them. Following the Constitution may be a slower path, but it is most often the path that maintains democracy.

The peaceful transfer of power is a legacy of our forefathers, a key feature of American governance, is a principle worth developing in K-12 civic education. Like other ideas in the civics curriculum, the peaceful transfer of power is closely connected to others, such as the rule of law, political legitimacy, constitutionalism, democracy, and federalism. A fundamental citizenship virtue is accepting the foundational social agreement that, despite political differences, citizens will support an election's outcome and expect from their officials a peaceful transfer of power and constitutional rule by the winners. Legacies, once abandoned, are hard to restore.

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