

GR470
CONFIDENTIAL

CONFIDENTIAL

FM WASHINGTON 290100Z JULY 80
TO PRIORITY FCO

TELEGRAM NUMBER 2620 OF 29 JULY 80.
INFO ANKARA, ATHENS, BRUSSELS, BONN, COPENHAGEN, LISBON, LUXEMBOURG,
OTTAWA, OSLO, PARIS, ROME, REYKJAVIK, THE HAGUE, UK DEL NATO, DUBLIN,
UK REP BRUSSELS AND UK MIS NEW YORK.
INFO SAVING ATLANTA, BOSTON, CHICAGO, CLEVELAND, DETROIT, HOUSTON,
LOS ANGELES, C G NEW YORK, SAN FRANCISCO, SEATTLE AND DALLAS.

U.S. PRESIDENTIAL ELECTION : CONSEQUENCES OF ANDERSON'S CANDIDACY.

1. SEE M.I.P.T. M

2. ALTHOUGH ANDERSON IS CURRENTLY GETTING SUPPORT FROM BOTH
DEMOCRVCVGFUGWFMFXZY OF RE-ELECTION. EVEN IF ANDER-
SON'S POPULARITY FADES (AS HAS HAPPENED IN THE PAST WITH INDEPENDENT
AND THIRD PARTY CANDIDATES) IT COULD STILL REMAIN AT A LEVEL SUFF-
ICIENT TO TIP THE BALANCE AGAINST CARTER IN SOME KEY MARGINAL STATES
CONVERSELY, IF ANDERSON'S POPULAR SUPPORT HOLDS FIRM ENOUGH TO
ENABLE HIM TO TOP THE POLL IN EVEN A FEW STATES, AND THUS WIN THOSE
STATES' ELECTORAL COLLEGE VOTES, THIS COULD PRODUCE A DEADLOCK
WHEN THE ELECTORAL COLLEGE MEETS ON 15 DECEMBER. I DO NOT SAY THAT
THIS IS GOINT TO HAPPEN; BUT THERE IS ENOUGH SPECULATION ABOUT IT
FOR ME TO TRY TO EXPLAIN THE IMPLICATIONS, COMPLICATED THOUGH THEY
ARE.

3. UNDER THE CONSTITUTION, THE PRESIDENT IS FORMALLY ELECTED, NOT BY
DIRECT POPULAR VOTE, BUT BY THE ELECTORAL COLLEGE, IN WHICH EACH
STATE HAS THE SAME NUMBER OF VOTES AS IT HAS MEMBERS OF CONGRESS,
AND IN WHICH AN ABSOLUTE MAJORITY (270 VOTES OUT OF 538) IS
REQUIRED FOR ELECTION. BY TRADITION, THOUGH NOT BY CONSTITUTIONAL
REQUIREMENT, EACH STATE CASTS ALL ITS VOTES FOR THE CANDIDATE
WHO HAS WON A MAJORITY OF THE POPULAR VOTE IN THAT STATE -
I.E. ON A WINNER TAKE ALL BASIS. THUS IF CARTER AND REAGAN RAN
NECK AND NECK IN TERMS OF ELECTORAL COLLEGE VOTES, ANDERSON IN
THEORY WOULD NEED TO WIN ONLY ONE LARGE STATE (SAY, NEW YORK) OR
A HANDFUL OF SMALL ONES IN ORDER TO DEPRIVE BOTH THE LEADING
CANDIDATES OF AN OVERALL MAJORITY.

4. IN THAT EVENT, IT WOULD FALL TO THE NEW HOUSE OF REPRESENTATIVES,
NOT MEETING UNTIL 3 JANUARY 1981, TO ELECT THE NEW PRESIDENT. THE
CONSTITUTIONAL AND POLITICAL REPERCUSSIONS OF SUCH A MOVE HAVE
BEEN SET OUT IN DETAIL IN CORRESPONDENCE WITH THE DEPARTMENT.
IT IS IMPOSSIBLE TO FORECAST AT THIS STAGE HOW THE HOUSE WOULD
BE LIKELY TO VOTE. BECAUSE VOTES WOULD BE CAST BY STATE DELEGATIONS,
WITH ONE VOTE PER STATE, RATHER THAN BY INDIVIDUAL CONGRESSMEN, IT
CANNOT BE ASSUMED THAT THE HOUSE WOULD NECESSARILY VOTE FOR THE
DEMOCRATIC CANDIDATE JUST BECAUSE THE DEMOCRATS HAD RETAINED AN

CONFIDENTIAL

/OVERALL

CONFIDENTIAL

OVERALL MAJORITY (AS LOOKS PRETTY CERTAIN). AND SINCE STATE DELEGATIONS EVENLY SPLIT BETWEEN TWO CANDIDATES MAY NOT VOTE, IT COULD BE DIFFICULT TO PRODUCE THE OVERALL MAJORITY (26 VOTES) NEEDED TO ELECT A PRESIDENT.

5. THE IMPLICATIONS FOR THE CONDUCT OF GOVERNMENT BUSINESS DURING THE 2 AND A HALF MONTHS BETWEEN THE PRESIDENTIAL ELECTION AND THE INAUGURATION OF THE NEW PRESIDENT ON 20 JULY ARE DISTURBING. INSTEAD OF THE NORMAL, FAIRLY ORDERLY TRANSITION FROM ONE ADMINISTRATION TO THE NEXT, THERE WOULD BE A VACUUM OF POWER AND AUTHORITY WHICH WOULD BE FILLED BY UNPRECEDENTED POLITICAL BARGAINING. ALTHOUGH THE CARTER ADMINISTRATION WOULD REMAIN IN OFFICE UNTIL 20 JANUARY, ONLY THE MOST ROUTINE, ONGOING BUSINESS WOULD BE CONDUCTED. WHERE THE HOUSE OF REPRESENTATIVES UNABLE TO REACH A DECISION ON THE NEXT PRESIDENT BY 20 JANUARY THE ACTING VICE-PRESIDENT WOULD TAKE OVER. SINCE HE WOULD HAVE BEEN ELECTED SEPARATELY BY THE NEW SENATE, WITH EACH SENATOR CASTING A VOTE, AND SINCE HIS SELECTION WOULD REFLECT PARTY BALANCE THERE (NOT NECESSARILY SAME AS THE POPULAR VOTE AS EXPRESSED ON 4 NOVEMBER) THE POLITICAL CONFUSION COULD CONTINUE. DEPENDING ON THE OUTCOME OF THE CONGRESSIONAL ELECTIONS, IT WOULD THEORETICALLY BE POSSIBLE FOR THE HOUSE TO ELECT A PRESIDENT FROM ONE PARTY AND FOR THE SENATE TO ELECT A VICE PRESIDENT FROM THE OTHER.

6. THE AMERICAN PRESS IS FULL OF SOMEWHAT FEVERED SPECULATION OF THIS KIND. BUT IF PRESIDENT CARTER SECURES HIS PARTY'S NOMINATION IN 2 WEEKS' TIME (AND THE ODDS REMAIN FIRMLY IN HIS FAVOUR) AND IF THE PRESS HAVE DRAWN AS MUCH BLOOD FROM THE BILLY CARTER AFFAIR AS THEY CAN, THE FRENETIC MOOD OF THE MOMENT MAY PASS. NEVERTHELESS, THE PECULIAR CIRCUMSTANCE OF THIS ELECTION, AND OF ANDERSON'S CANDIDACY IN PARTICULAR, ARE LIKELY TO PROVOKE MORE THAN THE USUAL NERVOUSNESS AND DISTRACTION WITHIN BOTH CONGRESS AND ADMINISTRATION OVER THE NEXT FEW MONTHS.

HENDERSON

*RCO/WHITEMALL
NAD.*

2.
CONFIDENTIAL