For the suggestion that Coolidge would have welcomed an unsolicited renomination in 1928, see ibid., 36, 335–36.

7. Note the analogy between these transition rules and the starting-date-delay provision of the Prohibition Amendment.
8. Some scholars and pundits—most notably, Bruce Peabody and Scott Gant—have contended that such gambits remain constitutionally permissible. But this seems doubtful in light of the letter and spirit of the Twelfth Amendment: "No person constitutionally ineligible to the office of President shall be eligible to that of Vice-President." Peabody and Gant effectively treat the Twelfth's command as beside the point. On their view, although a two-term incumbent cannot be again *elected* to the presidency, he is nonetheless *eligible* and therefore also eligible to be vice president. Bruce G. Peabody and Scott E. Gant, "The Twice and Future President: Constitutional Interstices and the Twenty-second Amendment," *Minnesota LR* 83 (1999): 565, 619–20. But this reading slights the facts that the words "eligible" and "electable" spring from the same Latin root, and that standard dictionaries have long included "electable" as one of the standard definitions of "eligible." See, e.g., *OED* entry on "eligible." Given these facts, it would seem that a two-term incumbent is "ineligible" to the presidency (within the meaning of the Twelfth Amendment) precisely because he is made *unelectable* to that office (by the Twenty-second)—and is thus barred (by the Twelfth) from being elected to the vice presidency in the first place. The Twenty-second's retroactivity rules would seem to confirm this reading of the Twelfth. These rules applied not only to a past incumbent who might in the future be "elected" president but also to one who might thenceforth "act[] as President"—paradigmatically, by being elected vice president and then moving back into the Oval Office via death, disability, or resignation.
9. Arguably, this scenario might differ from the case of an elected vice president because no offending presidential or vice-presidential "election"—as distinct from a mere "nominat[ion]" and "confirmation" under the Twenty-fifth Amendment—has occurred. The Twenty-fifth Amendment is discussed more generally on pp. 449–53.
10. In this scenario, the eligibility rule of the Twelfth Amendment, discussed in n. 8 above, simply does not apply. On the other hand, the current succession law, 3 U.S.C. 19 (e), excludes from the line of succession any officer who is not "eligible to the office of President under the Constitution" and thus would seem to raise similar issues.
11. Andrew Johnson, it must be remembered, was president only because of one man's bullet as opposed to all men's ballots.
12. For a powerful meditation on the special difficulties confronted by presidents who begin in the shadow of their predecessor patrons, see Stephen Skowronek, *The Politics Presidents Make: Leadership from John Adams to Bill Clinton* (rev. ed. 1997).