



CIVICS IN REAL LIFE **The Presidential Election: Knowledge is in the Details**

Civics is all around us. There is a lot to know about the government and how “We the People” interact with the government and each other. Let’s help each other expand our civic literacy.

During an election year, voters are provided with a lot of information. From statements made by candidates at rallies or debates to campaign ads and commercials to news coverage on their televisions and smartphones, voters are constantly required to discern fact from fiction in order to make the most informed decision possible in November.

When establishing a constitutional republic, the Framers set up a system that requires citizens to be actively involved in their own governance. In his book *Democracy in America*, [Alexis de Tocqueville](#) noted that democracy is not a machine that can run itself. Each generation must acquire the knowledge, skills, and dispositions necessary to sustain this form of government.

Knowledge of the foundational principles and how they work can help voters “fact check” their way to the ballot box. Let’s take a look at some of the key themes that have emerged during the 2024 election cycle and apply our civics and government knowledge to these issues:

Question	Explanation
How can Vice President Harris be the Democratic nominee when she wasn't on the primary ballot?	When individuals vote in a presidential primary, they are not technically voting for a candidate. They are actually voting for delegates pledged to vote for that candidate at the party's national convention . It isn't until those delegates vote at the convention that a candidacy becomes official. Nominating conventions to select presidential candidates began in 1832. Prior to that, small groups of party leaders chose the nominee. From 1832 to 1912, while those nominating conventions took place, delegates who were chosen at state and local meetings chose the party's nominee. While the 1912 presidential election saw the first national use of direct voter primaries , they were still not widespread throughout the 20th century. It wasn't until the infamous events of the 1968 Democratic National Convention that the nominating process became more open to voters. Ultimately, the nomination process remains in the party's control. So when Biden announced his decision to leave the 2024 race, delegates were free to vote their conscience , and no other candidate emerged to challenge Harris.
Why didn't former President Trump enact some of his shared policy ideas while in office?	Each branch of the U.S. government has its own structure, function, and purpose. These roles and responsibilities are outlined in Articles I-III of the U.S. Constitution. It is the primary responsibility of the legislative branch to make laws while the executive branch enforces the laws. While a president often has policy wishes, they must work with Congress to enact laws to support those goals. This can be especially difficult if a president's political party affiliation does not align with the majority party in Congress. Once a bill gets to the president, they may choose to sign or veto the bill. A presidential veto can still be overridden by a two-thirds vote in both the Senate and the House.
Why didn't Vice President Harris enact some of her shared policy ideas while in office?	Under the U.S. Constitution, the main role of the vice president is to serve as President of the Senate. In that role, specific duties also include the power to preside over the receiving and counting of electoral ballots and the power to preside over most impeachment trials of federal officials. In addition, the 25th Amendment makes the vice president president if the president dies, is removed from office, or is unable to perform their duties. Beginning in the 1920s, the role of the vice president informally shifted to an executive advisory position. In this role, the vice president may make public appearances, perform ceremonial duties, or meet with heads of state or government. The modern vice president may advocate for certain policies, but ultimately, they are more of an ambassador for the decisions of the president they serve beside.
A concern expressed by some voters is election integrity. Who has the constitutional authority over elections?	Article I, Section 4, Clause 1 of the U.S. Constitution states, “ <i>The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.</i> ” This gave states the responsibility of overseeing federal elections. This is why we may see differences between states when it comes to things like when absentee ballots are mailed out, deadlines for voter registration, or the type of ID required to cast a ballot. Throughout history , federal election laws have been passed to help protect American's right to vote and make it easier for citizens to exercise that right. In addition, four constitutional amendments were ratified to expand voting rights.



Question	Explanation
<p>Both major party candidates talk about taxes. Which type of taxes are they talking about, and who has the power to tax?</p>	<p>In laying out her economic plan, Vice President Harris primarily focuses on income tax, capital gains tax, and estate tax. These are taxes imposed on the income an individual, household, or corporation earns, profits on investments like stocks, property, land, and business, and taxes on the market value of someone's assets. Her plan focuses on higher taxes for more wealthy businesses and individuals, expansion of the child tax credit, tax credits for first-time homebuyers, and exempting tips from income tax. Former President Trump's economic agenda focuses more on tariffs. A tariff is a tax imposed by one country on the goods and services imported from another country. During the presidential debate, Trump proposed a 10% tariff on all imported goods and a 60% tariff on goods imported from China. Article I, Section 8, Clause 1 grants Congress the power to levy and collect taxes, duties, imposts, and excises. So, if elected, both candidates would have to rely heavily on Congress to pass legislation to support their economic goals. Through legislation, such as the Trade Act of 1974, president's do have powers to tax, however they are often limited to short time periods unless accompanied by a congressional bill. In addition, presidents may pursue policy objectives through their appointments of economic Cabinet positions such as the Secretary of the Treasury and the Commissioner of Internal Revenue.</p>
<p>Both major party candidates talk about inflation. What is inflation and how much can a president play a role in this area of the economy?</p>	<p>The term inflation refers to an economic occurrence when prices increase at the same time that the purchasing value of a dollar diminishes. Simply put, it means what one can purchase for a dollar today is less than what that dollar could buy yesterday. Inflation most often occurs when people have extra money to spend. When this happens, companies will start to raise their prices either to balance demand with supply, or because they realize they can increase profits without losing customers. There are also additional factors which may cause or affect inflation, such as international forces, global pandemics, or production disruptions. So, despite the weak connection between the driving forces of inflation and the roles and responsibilities of the executive branch in trying to curb it, history teaches us that Americans typically will not wait for economic forces to stabilize. Rather, Americans will change who gets elected to public office, and change who sits in the Oval Office.</p>
<p>Once elected, will the presidential candidate get to decide how much the U.S. is involved with international conflicts?</p>	<p>The constitutional powers of the president include: commander-in-chief of the armed forces, the appointment of federal officials and judges with Senate approval, negotiate and sign treaties with Senate ratification, grant pardons, receive ambassadors from foreign nations, sign or veto legislation, convene or adjourn Congress, and ask for the written opinion of their Cabinet. The president controls the formation and communication of foreign policy. However, Article I, Section 8, Clause 11 grants Congress the sole power to declare war. The president's power as commander-in-chief was further limited through the War Powers Act of 1973 which stipulates that when committing U.S. military forces to an armed conflict without consent of Congress, the president must notify Congress within 48 hours of military action and armed forces can remain for no more than 60 days. Entering and leaving international alliances such as NATO also includes checks and balances and requires actions/approval from both the legislative and executive branches.</p>
<p>When debating key social issues, both candidates frequently use the term "rights." What does that term mean and where do our rights come from?</p>	<p>As stated in the Declaration of Independence, Americans have certain unalienable or natural rights. These are rights that cannot be restricted or taken away by government or human laws such as life, liberty, and the pursuit of happiness. A majority of Americans' rights are contained in the Bill of Rights, the first 10 Amendments to the U.S. Constitution. Over the course of history, those rights have been expanded and sometimes limited through both executive and legislative action. Serving as a check and balance to those actions are the thousands of cases that have come before the U.S. Supreme Court for their review. All three branches play a role in the evolution of Americans' rights.</p>
<p>Immigration is a consistent topic of the two major party candidates. Who has the power to determine the nation's immigration policy?</p>	<p>All three branches of government play a role in U.S. immigration law. The U.S. Congress creates laws that govern immigration in the United States, including the current Immigration and Nationality Act. Executive branch agencies are responsible for enforcing immigration law by passing rules and regulations. These rules and regulations may be more expansive and detailed versions and interpretations of Congress's laws. These executive agencies include: the Department of Homeland Security (includes U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection), Department of State, Department of Justice, Department of Labor, and the Department of Health and Human Services. In addition to pushing immigration policy ideas to Congress or executive agencies, presidents can and have used executive orders to alter immigration law. Lastly, federal courts do review cases involving immigration and national security, and their rulings may impact immigration policy. However, the plenary power doctrine, established in Chae Chan Ping v. United States mandates judicial deference to immigration policies devised by the legislative and executive branches.</p>

Voters must investigate whether the statements made by a candidate make sense within the framework of our constitutional republic. Being an informed voter is hard work, but it's worth it to know that you did your homework and made the most educated decision possible when you cast your ballot.

To Think and To Do: It is possible a winner may not be declared the night of the election (November 5). Since knowledge is power and details matter, how does your state count votes and ensure its elections are free and fair?