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**Civics 101**

**Episode 92 - LIGHTNING ROUND**

**Virginia Prescott:** [00:00:23] I'm Virginia Prescott and this is Civics 101.

**Virginia Prescott:** [00:00:25] The podcast refresher course on the basics of how our democracy works. While I cannot believe I'm saying this but Civics 101 is celebrating its one year anniversary. We published our first episode exactly one year ago today with the new president. Then in the White House promising to shake things up there is a lot of confusion about what could and couldn't be shaken. We decided to do something really simple: answer your questions. Now if there's anything we've learned one year later it's that trying to answer one question about how government was designed to work raises like six other questions. And in that spirit today's show is a special celebratory one. We get so many questions from listeners that we can't possibly dedicate full episodes to every single one so we present the first annual Civics 101 lightning round. We do have a true believer in all things civic here to tear through some questions. Dave Alcox teaches civics and social studies here in New Hampshire. He's a former New Hampshire teacher of the Year and won the American Civic Education Teacher Awards. That's the national award. Maybe you remember him from Episode 31. How a Bill Becomes a Law.

**Virginia Prescott:** [00:01:33] All right Dave ready to go.

**Dave Alcox:** [00:01:34] Yep.

**Virginia Prescott:** [00:01:36] So we're celebrating Civics 101's first birthday What do presidents generally do for their birthdays?

**Dave Alcox:** [00:01:41] Well honestly it depends on who the president is that could be anything from having celebrities and musicians flocking to the White House. But in the old days you know it was pretty modest Dolly Madison served vanilla and peach ice cream on James Madison's birthday party. First first lady to introduce ice cream to the White House. So it just depends. You know President Obama's had dignitaries and you know Beyonce and people you know come to the White House. I think part of it depends on the first lady what kind of party does she want to throw. You know for the president.

**Virginia Prescott:** [00:02:13] I think maybe we should move on because this is a lightning round after all. So if a president serves two terms in office can that person run again as a vice president?

[00:02:24] It could be considered a potential constitutional crisis. On one hand you could say yes and on one hand you could say no. I think and many scholars feel that if this was ever a challenge it would really be up to the Supreme Court to decide it. This is one of those gray areas in fact Hillary had thought a little bit about having Bill Clinton run as vice president. Ronald Reagan had thought about having Gerald Ford run as his running mate. And when asked you know there was political turmoil like well you don't want to. You don't want your presidency or the or the primaries to be marred by all the constitutional questions here. So he ends up picking George H.W. Bush who does serve those eight years and then later on becomes president for the next four years which was OK.

**Virginia Prescott:** [00:03:07] You said it could be a constitutional crisis. What is the constitutional crisis.

**Dave Alcox:** [00:03:11] Well a constitutional crisis. It could be a number of things. One is one constitutional crisis is when the Constitution doesn't say what the rule is. For example one of the inherent powers of the president is to protect the union. So when people looked at the perpetual union that Lincoln formed in 1860 when the South wanted to leave and he said no it's you know it's like the roach motel you get in and you can never leave you know a lot of people thought in 1860 that the union was sort of like an enhanced Articles of Confederation and that you know it was like a gymnasium membership you could come in when you wanted to leave you could leave and Lincoln's like no it's become perpetual. And obviously the North wins the war so sometimes might makes right and you could sit there and say well that's what we have as a perpetual union. Sometimes the constitutional meaning gets into question which is another area for example like with impeachment what high crimes and misdemeanors. Well what's the meaning of that, that can come into question. So sometimes like a constitutional crisis can be like when there's no clear meaning of that and other times when one of the if there is is the breakdown of one of the branches you know when Andy Jackson says I don't believe in Cherokee Nation versus West versus Georgia or Wister versus Georgia and he said to John Marshall you know have your army stop my army when he wanted to move the Indians and the Cherokee wouldn't you know the Trail of Tears becoming one of our.

**Virginia Prescott:** [00:04:28] Most horrific.

**Dave Alcox:** [00:04:29] Arguably one of our biggest failures of our country. That's the executive branch breaking down not following you know what we would say is judicial review. When the court looked at these cases.

**Virginia Prescott:** [00:04:40] Are we in a constitutional crisis now?

**Dave Alcox:** [00:04:42] Well I think the constitutional crisis that we see now can be something along the lines of President Trump in the end the ban on, the travel ban. The courts have ruled that what he did was constitutional. Well that acting as president he had the power to do that whether the ban itself was constitutional is another story that the court would have to determine. But in terms of what the presidential power was the court say that he did have the power to do that. So in my eyes that's where you'll see a constitutional crisis. You could also see a constitutional crisis with the whole Russian investigation. You know if if there are certain pardons does the president have the power to pardon people to be you know could that be considered obstruction of justice. So there could be a constitutional crisis. You know in those in those areas.

**Virginia Prescott:** [00:05:25] All right we have to move on. What are think tanks?

**Dave Alcox:** [00:05:28] Think tanks are actually groups that are basically non-profit groups. There's about at last count almost 2000 think tank groups Cato Institute, Brookings, Heritage Foundation. There's you know there's politically leaning left and right groups and basically all they do is study study study. They research topics they offer opinions. They give some insight. You know if you were to do this for foreign policy if you want to do this for domestic policy so think tanks I wouldn't compare them to a lobbyist group or a special interest group that might have a slant. They're just there. There are a group of people like you could be in a think tank and you know offer your opinion after doing research on a particular topic.

**Virginia Prescott:** [00:06:12] Next question what does diplomatic immunity diplomatic mean?

**Virginia Prescott:** [00:06:17] Diplomatic Immunity basically is what countries will grant immunity to diplomats from other countries to protect them for example.

**Virginia Prescott:** [00:06:25] I mean from what.

**Dave Alcox:** [00:06:26] Any types of laws that they would be.

**Virginia Prescott:** [00:06:29] Arrested. Prosecuted.

**Dave Alcox:** [00:06:29] Exactly. You don't want Massachusetts grabbing the ambassador from Denmark. So ideally we want to handle that at the federal level and we want to give diplomatic immunity and let let the federal governments deal with any types of crimes or anything. You know diplomats may do.

**Virginia Prescott:** [00:06:47] All right the historic question. Did President Taft really get stuck in a bathtub.

**Dave Alcox:** [00:06:53] Well as many people probably know he was our largest president. He's also the only president to go on to become chief justice of the Supreme Court. But reality is probably not. But he was buried in a piano case. You know you're talking about somebody who kind of topped about 400 pounds you know. But a brilliant man. And on the other side of this mountain on the other side of the coin is you have James Madison at five three, hundred and five pounds soaking wet. You know presidents come in all shapes and sizes.

**Virginia Prescott:** [00:07:21] Next, what is martial law?

**Dave Alcox:** [00:07:24] Well martial law is when some area of the country is put under military law. Civil rights are suspended. You know if you look at somebody like James Madison or say every word in the Constitution is a struggle between liberty and order. How do we do liberty versus order. Generally when the security of the nation is at risk individual liberty does take a hit. Martial law is generally put in to try to protect if there's extreme circumstances.

**Virginia Prescott:** [00:07:49] Like what would be a case when that happened in the U.S.?

**Dave Alcox:** [00:07:51] Well San Francisco earthquake of 1906 is one you can also look at when Little Rock happened when Eisenhower sent the hundred and first airborne... to protect the Central High students you had Orval Faubus going "oh my god what is going on with our country we're under martial law." And it's like Eisenhower was like Look Orval if you had only protected these people's rights I wouldn't have to. But you know he was a segregationist who was running for re-election so he couldn't afford to integrate at that time and so sometimes the president as as the chief law enforcer has to step up and put the smack down.

**Virginia Prescott:** [00:08:29] Can a sitting president be challenged in the primary?

**Dave Alcox:** [00:08:32] Absolutely.

**Virginia Prescott:** [00:08:33] Has it happened?

**Dave Alcox:** [00:08:35] It has. You've seen George Buchanan challenge George H.W. Bush in 92. You also see Ted Kennedy in it in 1980 with Jimmy Carter. You might see it happen in 2020. It wouldn't shock me if the Republican Party wanted to forward a candidate for 2020.

**Virginia Prescott:** [00:08:52] Next how many times can Congress try to pass the same bill.

**Dave Alcox:** [00:08:56] Well if you listen to Civics 101 podcast on how about how a bill becomes a law. You know if you want to go through the process you can go over and over and over again. You know part of that is sometimes times change. You know a new president in office might have a new platform and so there's nothing wrong with throwing you know a bill back in the hopper and having it pulled out and have him go through committee in general. You know the floor and up to the president and it can just happen over and over again until something happens.

**Virginia Prescott:** [00:09:28] Next is someone born overseas to American parents an American citizen.

**Dave Alcox:** [00:09:33] The quick answer is yes and there's two ways on citizenship. It's jus solis and jus sanguinus. Jus olis is of the soil if you're born on the soil or born anywhere in U.S. territories because it's of the soil. Then you are automatically a U.S. citizen. We have birthright citizenship that way. Jus sanguinus is of the blood. So long as a parent is one of the more the parents are American. Then you also through jus sanguinus get that bloodline as well.

**Virginia Prescott:** [00:10:08] OK. Would getting rid of the Electoral College be a good idea.

**Dave Alcox:** [00:10:14] How long do you have? It depends on who you ask and it depends on what the you know what the situation is I mean I'll give you the pros and cons. People who like it say it makes the one national election that we have for president 50 separate elections and it makes the president to be have to go to all 50 states because every vote including New Hampshire's four electoral votes are important. You out of the 538 electoral votes. You need 270 to become president. So it makes every state count. The people who don't like it say you know back in 1787 we had three million people now we have 315 million people. California has I think 54 electoral votes. So if you win 51 to 49 percent in California you get all 54 electoral votes. It's not a percentage. You look at like Maine who has a split model says you know by district you get those electoral votes and winner gets the two Senate votes. Why can't we do that nationwide, some people say, well you know if you look at the 2012 election Mitt Romney actually wins over Barack Obama if you go by district and that's part of gerrymandering and how we split up districts and so on like that. So it depends on which side of the fence it's historical it's traditional it's something that we've had you know embedded as just a check in our Constitution. I don't want to start any brawls out there and I don't want people to you know send hate mail into NHPR.

**Virginia Prescott:** [00:11:32] Too late.

**Dave Alcox:** [00:11:33] So I'll let you the voter, those those are the two sides you have.

**Virginia Prescott:** [00:11:37] All right. Next. how much leeway do presidents have to redecorate the Oval Office. Are there items that must stay.

**Dave Alcox:** [00:11:44] Obviously the presidential desk is the big one. You want to have the resolute desk there. But you know the White House themselves they do get a budget. You know they do get a budget to redecorate the entire White House. I think what the Oval Office. There's a genuine respect for history there.

**Virginia Prescott:** [00:12:02] Is there a website where we can go in order to see the voting records of my senators and representatives.

**Dave Alcox:** [00:12:09] Absolutely. In fact in article one of which is the legislative part of the Constitution they have to have a public record. There's a lot of websites like congress.gov handy web sites like ballotpedia.org to basically follow. You could plug in your Senators and Representatives they'll tell you who's voting when and what their votes are about. I think the media now has allowed so much more transparency for the individual to kind of keep you know a watchdog if you will. There's a ton of watchdog groups out there but it allows the individual to actually be a watchdog themselves.

**Virginia Prescott:** [00:12:43] All right so imagine; you know we have the Avengers, right the team of superheroes.

**Dave Alcox:** [00:12:46] Yes.

**Virginia Prescott:** [00:12:47] So imagine 'the founders'. Who would be on your elite superhero founders squad.

**Dave Alcox:** [00:12:51] Well it's funny because I'm a huge comic book fan and so are my students. We've talked about this before actually and the original Avengers were Hulk, Thor and Iron Man and then Captain America actually comes on Avengers issue number 4. Those end up being the big four and then there's people that come and go and all that Captain America's belief, truth justice the American way and that patriotism should be important. That has to be James Madison. And what's funny is Steve Rogers starts out as a really frail person anyway and Madison was 103 pounds soaking wet, he spoke very softly because he was constantly sick. He finished Princeton in two years instead of four because he was studying 18 hours a day. But he also writes in Federalist 10 you know let's let's elect officials whose true wisdom will best discern any partial or temporary considerations. And what he meant by that was you know people who do the right thing. And so Captain America has to be in my eyes James Madison. Thor is the strong one with the hammer and almost godlike that could easily be Thomas Jefferson or George Washington. Jefferson's a Virginia farmer and he was pretty jacked a lot of people don't know. But Jefferson was probably going to be Thor. Franklin and Hamilton on the other hand could be Tony Stark. You know Tony Stark is Iron Man is a playboy intelligent inventor. Franklin is this but so is Alexander Hamilton. You know both of them had that Playboy tendency. The Hulk was kind of a big brutish kind of guy. Jeez it's hard to say. I think I would probably put in even though I didn't go to the convention, I'd probably put it like Samuel Adams or Patrick Henry because both of them could just pick a fight. Thomas Paine as well could just pick a fight but that would be my All-Star Squadron and if I had to put together you know those four people you have really in the classroom and actually the black widow. You have to put Abigail Adams as the Black Widow because she absolutely kept the farm together. She was amazing. So shoutout to Abby, Abby Adams.

**Virginia Prescott:** [00:14:49] OK speaking of shoutouts, I believe you have something to celebrate.

**Dave Alcox:** [00:14:52] Well Milford High School We the People competed two weeks ago in the New Hampshire state competition and they won. They beat teams from Hollis Brookline and John Stark. So it is it is just a shout out to them. So all you folks that are you know Milford High We the People and even if you're We the People alumni please keep up your civic values and traditions and let's keep New Hampshire Granite and keep it strong.

**Virginia Prescott:** [00:15:17] Big whoop to Milford High School. OK. Quickly. What civic concept do you wish every American understood.

**Dave Alcox:** [00:15:23] Well a lot of my students we've talked about this a number of times. And right off the bat we had a number of kids say civic discourse. That if they can actually have people communicate better, play nice in the sandbox, people aren't doing that anymore. You see that with divisiveness and you know there's no bipartisanship anymore. There's no there's no Ronald Reagans and Tip O'Neills duking it out and then later having a beverage and you know a barbecue. So they believe that this has kind of transcended to the American population too and that we really believe that communication without a doubt is important. It's OK to have ideas. You know John Locke, Montascue, Hobbes, they had tons of ideas. It's how you take those ideas and apply them well.

**Virginia Prescott:** [00:16:07] Dave Wilcox you are my new lightning round superhero. Thank you so much.

**Dave Alcox:** [00:16:11] My pleasure thank you so much for having this forum. Because I think everybody wins.

[00:16:17] Dave Alcox teaches social studies at Milford High School in New Hampshire. Well as part of a Civics 101's first birthday celebration. We've got a big revelation for you here. Kind of a director's cut. I'm gonna call it our civics 101 theme is composed by Taylor Quimby. He's senior producer. He's a musician. He's a dad, he's a fantastic colleague and he wrote an extended version of the Civics 101 theme.

**Taylor Quimby:** [00:16:43] Well you know it wasn't... this could have just straight up the theme but I think after after we played it the first time for the team it quickly we realized that it was maybe a little too.. a little too fun like we were going for fun. It was a little too fun.

**Virginia Prescott:** [00:16:57] Civic you mean civics can't be fun.

**Taylor Quimby:** [00:16:59] Civics can be fun but this is this was. It's over the top.

**Virginia Prescott:** [00:17:25] Yep. I don't think we could listen to that every single time.

**Taylor Quimby:** [00:17:28] No no. I remember it so I, I was working on my little home studio for like a half day and I finished just the barbershop quartet like Civics 101 beginning and I thought that's pretty good. And then I was like but what if I just keep playing and then I just kept going and going and going and by the time I was finished I was like there is there is no way people will go for this theme. You know we've actually done each of the episodes I mentioned there.. What does the chief of staff do. Gerrymandering. How does an amendment get made.

**Virginia Prescott:** [00:18:03] Press corps, what does the press corps.

**Taylor Quimby:** [00:18:04] Yeah we've done all those

**Virginia Prescott:** [00:18:05] Yeah but I like that you rhymed them. You know what is the gerrymander. I know I need an answer.

**Taylor Quimby:** [00:18:10] Well as an amateur songwriter rhyming is in the toolkit. By the way my inspiration for the part that nobody has heard up until now was the Where in the World is Carmen Sandiego theme song.

**Taylor Quimby:** [00:18:23] Where in the world is Carmen Sandiego. You remember?

**Virginia Prescott:** [00:18:26] I think you kind of hit it there Taylor.

**Taylor Quimby:** [00:18:28] Yeah but I will always forever in my head have this stuck in my head. Diggita diggita diggita dum dum.

**Virginia Prescott:** [00:18:35] And if you're a superfan you can download it and listen to it every time you play Civics 101.

**Taylor Quimby:** [00:18:39] Indeed.

**Virginia Prescott:** [00:18:39] and that wraps up the first annual Civics 101 Lightning Round. Thank you so much to everybody who sent in your excellent questions all year long. Seriously we could not do this without your enthusiasm and your support and we are thrilled to hear that so many school systems across the country are using Civics 101 to teach civics especially in places where it is no longer on the curriculum. Please do keep your questions coming. You can write us at Civics 101 podcast dot org. Today's show was produced by Ben Henry executive producer is Taylor Quimby music from broke for free. I'm Virginia Prescott. Proud to say that civics 101 is a production of New Hampshire Public Radio.