

Questioning Candidates

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What is the purpose of government? Every candidate from school board to the President of the United States should be able to answer this question. We find the answer in our Declaration of Independence and our State Constitution.

The Declaration of Independence, in part, states “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed...”

Similarly, Article 2, Section 2 of Arizona’s State Constitution states: “All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.”

Every answer that the candidate gives, should have the above in mind. We should be thinking how does the candidates’ answer protect my rights? Further questioning and clarification may be needed.

What are our “Just Powers?” This is something that we all should understand especially the candidate. The “just powers” referred to above are Legislative (power to make law), Executive (power to execute or enforce law), and Judicial (power to adjudicate between two parties based on the law). We have the ability to make rules for ourselves about how we live (legislate); we have the ability to enforce those rules on ourselves (executive); then we have the ability to judge whether our actions violated, or not, those rules (Judicial); we always have the ability to change the rule.

At the federal and state level, each of three branches of government is tasked with only one of the powers. Below the state level of government these same three powers exist; although sometimes by State Statute an elected entity may have overlapping powers. For instance, Arizona Revised Statute 15-341 A. The governing board shall: 1. Prescribe and enforce policies and procedures...

Questions about position being sought. Have you ever found yourself saying or hear someone say, to an elected or appointed official, “you work for us”? That is generally true however, in all cases they answer to thousands of people. That said, as an employer, you should know the position’s duties and responsibilities and have questions in mind for your potential employee.

Every elected office being sought has a description of powers, duties and responsibilities in writing.

Federal level of government. At the federal level, the candidate’s powers (legislative, executive or judicial), duties and responsibilities are found in the Constitution of the United States (referred to as constitution in this section). Generally, Article I of the constitution covers the legislative (congress) duties, Article II covers the executive (presidency) duties, and Article III covers the judicial (supreme and inferior courts) duties.

While most of the duties of congress (the House and Senate) can be found in Article I, further duties can be found throughout the constitution. You will find the words “the Congress may,” or “Congress shall,” or “but in a manner prescribed by law” in the other Articles and Amendments of the constitution indicating a duty of the congress to act (or not in the case of “may”).

The federal candidate should be familiar with all of these duties; which means you have to be ready to question them on these duties and have them relate how their actions would protect your life, liberty and property. Link to U.S. Constitution below.

<https://uscode.house.gov/view.xhtml?path=/frontmatter/organiclaws/constitution&edition=prelim>

State level of government. At the state, county, and local levels of government, the powers, duties and responsibilities of your potential employees can be found in our Arizona State Constitution (referred to as constitution in this section) and in the Arizona Revised Statutes. The same powers: legislative, executive, and judicial are present in our constitution and statutes.

Like the Congress of the United States our State Legislature has duties and responsibilities found throughout our constitution. There are also duties for our State Legislators in the Constitution of the United States: Article I, Section 2; Article IV, Section 4, this section also mentions the state Executive; and the 17th Amendment.

Link to Arizona State Constitution and Arizona Revised Statutes below.

<https://www.azleg.gov/constitution/>

<https://www.azleg.gov/arstitle/>

State candidates have the additional responsibility to know the limits placed on the federal government by the Constitution of the United States.

The Legislative Department duties and responsibilities are listed in Article 4 of the constitution and Title 41 of the Arizona Revised Statutes (ARS); also, wherever “by law” or “definition” appears in either document.

The Executive Department duties and responsibilities are listed in Article 5 of the constitution and Title 41 of the ARS. There are 5 elected executive offices: Governor, Secretary of State, Treasurer, Attorney General and Superintendent of Public Instruction (the last is covered Article 11, Section 4 and ARS 15, Chapter 2, Article 3).

The Judicial Department duties and responsibilities are listed in Article 6 and 6.1 of the constitution and Titles 12 and 22 of the ARS.

County Officers powers, duties and responsibilities are listed in Article 12 of the constitution and Title 11 of the ARS.

The City/Town powers, duties and responsibilities are found in Article 13 of the constitution and Titles 9 and 22 of the ARS.

Education (which includes Superintendent of Public Instruction, County School Superintendent and School/District Governing Boards) is covered in Article 11 of the constitution and Title 15 of the ARS.

Additional Commentary. Don’t be discouraged by the amount of information that we should know to intelligently question and evaluate all of our potential employees. I’ve been engaged in politics for 11+ years and am still learning. Start with learning about one office, then over time add more. What you should remember is that our government was created to protect your life, liberty and property and the candidate should know that also. Listen to the candidate describe themselves and answer questions.

Take heart, there are other employers looking to hire also. You can learn a lot about a candidate just by listening to their questioning and the candidate’s answers.

I would encourage you to hear/see candidates in multiple venues. The honest ones give the same answers on issues no matter the audience they are speaking to. If their answers change, which response is to be believed?

Lastly, it is helpful to see candidates engage with each other on issues in forums and debates. This is especially important in the primaries. It is much easier to compare and contrast candidates if they are all answering the same questions. We should demand this.