

A concession is a *courtesy*, not a legal step

One mechanism of elections, examined in depth — the administrative certification process that determines a winner, independent of any concession speech.

BEFORE YOU BEGIN

How This Guide Works

This is part of **Incognati Civics**, applying the field-guide format to election administration and mechanics — the procedural layer beneath the outcome, examined the same way regardless of which party or candidate it involves. Each specimen goes deep on one mechanism, with official records, court citations, and peer-reviewed or nonpartisan scholarship listed in full on the references page.

INCOGNATI CIVICS – ELECTIONS

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Certification vs. Concession Confusion

Certificatio Non Gratia

Governing precedent / case 2020

Status Certification proceeded in every state regardless of concession

OBSERVED SPECIMEN

2020 GENERAL ELECTION STATE CERTIFICATION TIMELINES

*Every state certified its 2020 presidential results by its statutory deadline — Georgia on **November 20**, recertified December 2 after a hand recount, and other states on their own legally set schedules — regardless of whether every losing candidate had issued a public concession. Certification is performed by designated state officials (secretaries of state, boards of canvassers) under state election code, following fixed procedures and deadlines that don't require, and aren't triggered by, any candidate's public statement.*

THE HOOK

A concession speech is the dramatic, camera-ready moment coverage focuses on, making it feel like the step that actually finalizes an election.

THE MECHANISM

Certification is a ministerial, statutorily deadlined process — canvassing boards and secretaries of state tally and certify official results whether or not a candidate has conceded, and a missing concession has no effect on that legal process.

Field mark: when a race's outcome is in question, check the certification deadline and process in that state's election code — not whether a concession speech has happened, which is a political courtesy with no legal function.

See the full references page for complete citations.

References

every source checkable at the link provided; DOIs given where the source has one

REFERENCE SOURCE

National Conference of State Legislatures, "Election Results Certification."

<https://www.ncsl.org/elections-and-campaigns/election-results-certification>

State-by-state summary of statutory certification deadlines and processes.

CONTEMPORANEOUS REPORTING

"Georgia Certifies Election Results, Formalizing Biden's Win in the State," The New York Times, Nov. 20, 2020.

<https://www.nytimes.com/2020/11/20/us/politics/georgia-election-certification.html>

Documents certification proceeding on schedule independent of concession status.

PRIMARY SOURCE · FEDERAL LAW

Electoral Count Reform Act of 2022, Pub. L. No. 117-328, div. P.

<https://www.congress.gov/bill/117th-congress/house-bill/8873>

Clarifies the federal deadline and process for states to certify electors, enacted after the 2020 cycle.

Reading This Mechanism: A Gut Check

four questions before a headline changes what you think happened at the polls

1 Check the certification date

Every state publishes its statutory certification deadline — find it instead of watching for a concession.

2 Separate the political from the legal

A concession is a courtesy; certification is the actual legal event that finalizes a result.

3 Watch the canvassing board

The people who actually certify results are named local and state officials, not candidates.

4 Don't wait on a speech

The legal process proceeds on schedule whether or not a losing candidate publicly concedes.

INCOGNATI CIVICS

The Series Continues

This is Specimen No. 3 of the Elections section within Incognati Civics. The full queue of twelve specimens is listed on the cover. This section joins "How Federal Laws Actually Get Created" within Civics, with local government, official data reporting, and institutional communications planned beyond it. The Incognati Atlas catalogs the underlying patterns across all of it.

Civics Field Edition · Elections · Specimen No. 3

All specimens independently sourced