



Precedent of the Election Committee

Allegation 2122-02

Relevant Constitutional Sections:

Article XV, Section 1(g). Endorsements.

(1) Endorsements shall include public, formal, or organized communication or appearances indicating support for a candidate/ticket.

(2) No student group may use funds of any type (allocated or unallocated) to support a candidate for a student office.

(3) No Student Union Organization; Judicial Council Officer; Member of the Election Committee; member of the Senate apart from Executive Cabinet Department Directors; or University department, office, or official may endorse a candidate/ticket for office, and no candidate/ticket shall seek or claim to have received any such endorsement.

Relevant Facts:

The alleged party included in their publicly available platform a “Contributors” page that listed the names of several individuals, including individuals who were prohibited from making endorsements. The page described the contributors as students who spoke to them and communicated their stories. It further included a disclaimer that stated the contributors did not necessarily endorse the ticket. The alleging party argued that the listing of contributors constituted a “claim to have received” prohibited endorsements under Article XV, Section 1(g)(3).

Holdings:

1. The contributors page did not amount to a claim to have received prohibited endorsements.
 - a. An endorsement requires an indication of support (Article XV, Section 1(g)(1)). The term “contributors” can embody multiple interpretations without any straightforward definition that proves it to be synonymous with an “endorser.” For example, to say someone contributed to a



platform could mean that the listed individuals encouraged the alleged party to petition to run for office. Claiming to have received that type of contribution would be claiming to have received an indication of support. However, one could also say that someone contributed to a platform by sharing their experiences in the Student Union, or even by disagreeing with the candidates' platform and thereby exposing weak points. Claiming to have received contributions of this second variety would not constitute claiming to have received an indication of support, so the Election Committee turned to the context of the page.

- b. In the context of the explanation that the contributors spoke to the tickets and shared their stories, it is clear that the alleged party's platform claimed the individuals listed were contributors in terms of sharing thoughts and ideas through conversation—the benign variety of contribution—rather than claiming the individuals indicated support for the campaign. In this sense, the page was more of a Works Cited than a list of endorsements.
- c. Any remaining ambiguity over whether the alleged party claimed an endorsement is resolved by the fact that the alleged party explicitly *disclaimed* one. The Committee agrees with the alleging party that a mere disclaimer tacked onto what otherwise clearly constitutes a claim of an endorsement would not suffice to render the communication immune to constitutional challenges. However, in this case, the disclaimer strongly corroborates the other section of text discussed above, and both sections of text militate against the alleging party's argument that the claimed contribution was a claim to have received an indication of support.