

The Chief Returning Officer's power to subvert democracy

The Cranky Professor

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“The CRO [Chief Returning Officer] must assess **ALL** campaign materials before the material may be used in a candidate's campaign.” So states one of the Saint Mary's University Students' Association rules for elections.

Why ought the Chief Returning Officer have the power to refuse to allow a candidate to post a poster? In order to prevent a candidate from posting something embarrassing to Saint Mary's. That, at least, is the only answer I received when I asked SMUSA about this rule.

I can't imagine anything more embarrassing to a university than that at that university an official assesses campaign posters with an eye to rejecting anything embarrassing to the university.

There are two excellent reasons why the Chief Returning Officer's oversight ought be limited to formal matters such as poster size and the walls on which posters can go. The first is fairness to the candidates, the second is full information to the voters.

A contest for office isn't fair unless candidates can communicate to the voters the message they wish to communicate, and communicate that message in the way they deem most effective. Should the Chief Returning Officer veto a candidate's poster, that candidate is no longer able either to communicate his or her message or to communicate it in what he or she thinks is the most effective way. If that candidate loses the election, he or she loses it unfairly.

Voters do not have access to full information regarding the candidates if the Chief Returning Officer has prevented a candidate from getting out his or her message or getting it out in the way he or she sees fit. Voters will not know that the candidate stands for whatever awful thing he or she put on the poster the CRO has suppressed. Voters will not know that the candidate lacks the good taste or judgement not to convey his or her message in the sickening or stupid way he or she sought to convey it. If the candidate whose poster has been vetoed wins the election, voters could be stuck with someone they would not have supported had they seen his or her poster.

So let the candidates post whatever posters they want. Let each candidate get out the message he or she wants and get it out according to his or her taste. Make sure no voter finds out too late that she supported a candidate whose message she rejects or whose judgement she doubts.

Why is having a Chief Returning Officer empowered to oversee the content of a poster or its presentation more embarrassing to the university than could be anything we might imagine on a poster? A university is a community of intellectuals and there is nothing more antithetical to the existence of such a community than regulations regarding thought or expression. That the CRO is empowered to oversee content and presentation signals to the world that we are not really a

community of intellectuals after all. And that's in addition to the fact that the CRO has the power to subvert democracy by being unfair to candidates or by denying voters full information.

Better than the embarrass-the-university argument for granting the CRO powers of oversight is the argument that words and images can serve to harm us. A sexist image, for instance, can do damage to women's struggles for social equality. The CRO ought to have powers of oversight to protect us from harm.

Words and images certainly can help to keep people down, though one might be doubtful that anything on a campaign poster could keep down a Saint Mary's University student, at least for long.

There's a better way to respond to potentially harmful words or images than suppressing them, though, and that is to criticise them. In criticising them we can help to remove their power to harm us. Indeed, part of our goal in being at university is to understand words and images so that they don't have power over us. So this second argument doesn't really stand as a reason for having the CRO vet posters, especially when put against the reasons why the CRO ought not be vetting posters.

One of the first tasks for next year's Students' Association: Reform the role of the Chief Returning Officer so that he or she no longer assesses the content of campaign materials.