

Election Silence Motion

Proposed by Damon Falck
Seconded by Natalie Pounanov

This JCR notes that:

- a) Campaigning for both sides of a recent Referendum occurred while polls were open.
- b) It is a convention both in this JCR and in many democracies in general that campaigning should not occur while voting is taking place for an election or referendum, or indeed during a short period before polls open. This is a well-known principle called “election silence”.
- c) Discussion of elections and referenda in the press — or campaigning by public figures — on the day of the election or referendum is banned by the Electoral Commission in the UK, and similar rules enforcing forms of election silence are in place in many democracies.

This JCR believes that:

- a) Debate or campaigning that occurs during the polling hours for an Election or Referendum has the potential to sway the opinion of voters who are then unable to change their vote.
- b) Voters should be able to consider all debate that has taken place publicly before making their vote and should not be in a position of regretting their vote due to new debate or campaigning that has occurred on the day of the vote.
- c) A lack of silence during polling hours undermines the validity of our Elections and Referenda as ‘snapshots in time of communal opinion’.
- d) Silence during a short period of a day or so before an Election or Referendum in addition would allow voters time to reflect and come to a considered opinion.

This JCR resolves to hold a Referendum proposing to:

- a) In the Article 49 of the Constitution, after paragraph (v) insert:

“(vi) From midnight at the start of the day preceding an Election or Referendum to the time that polls close for that Election or Referendum, no Officer or candidate shall engage in public discussion, debate, or campaigning (to include arranging events) in relation to the Election or Referendum or any topics related to its content, other than the Presiding and/or Returning Officers, who may make public announcements solely for the purposes of administrating the Election or Referendum. Candidates failing to abide by this rule shall be immediately disqualified, and Officers failing to abide by this rule shall be held in negligence of the Constitution under Article 11.

(vii) During the above time period, additionally no discussion, debate or campaigning in relation to the Election or Referendum (other than by the Presiding and/or Returning Officers for the reasons given above) shall be allowed on the JCR Facebook Group by any Member, and this shall be part of the Guidelines enforced by the Moderators under Article 66.”