



# JUDICIAL COUNCIL *of* ASUCR

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## **Jekki v. Karim Decision**

The ASUCR Judicial Council has reviewed the case submitted by Diana Jekki against Shafi Karim and, in a 6-0-0 decision, has decided to drop the case.

In this case, the plaintiff claims that the defendant asked a member of this party not to publically support her during her campaign because she was of the opposite party and that this constituted a violation of the Election Code on grounds of negative campaigning.

According to the Elections Code Chapter VII, Part 4, Item 7 Section B, “(1) In the event of a campaign violation, the individual(s) who witnessed the violation must immediately submit a Campaign Violation Report Form to the Elections Director. If the Campaign Violation Report Form is filed three days after the claimed violation, the form will not be accepted.” Based off the evidence, It is the majority opinion of the Judicial Council that in order for this case to be brought to trial the people directly involved in the case would need to bring to the Election Committee. Only then can further investigation take place.

GBUJAMA, J. I concur with judgement, but for a slightly different reason. As a Justice we are supposed to uphold the ASUCR Constitution and ensure that violations do not occur. In this case, however, there doesn't seem to be enough evidence that a violation occurred in the first place.

According to the Elections Code Chapter VII, Part 4, Item 2 Section A, 1: “Negative Campaigning shall be defined as any campaigning, electioneering, or vote soliciting against an individual candidate, group of candidates, or any others involved in elections including but not limited to the distribution of materials, posters, fliers, speeches, advertisements, and electioneering that enumerate information, untrue or unverified that can be construed as

derogatory, inflammatory, or disreputable in any way. This shall not be construed to prohibit campaigning against an individual's political record, rather to prohibit personal attacks.”

Based off of the evidence and how the by code is written, a claim of negative campaigning can't be looked into because no such violation occurred. Even if the defendant told a member of his party not to support the plaintiff publically, he isn't ordering that anything negative or untrue be said about the plaintiff. Removal of support, in this context, does not constitute a negative message about another party and as such, no violation occurred.