

# THE PLEA

### Running Jokes

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PLEA Legal Information for Everyone

In a democracy, citizens choose their leaders. In a just society, citizens can become the leaders. These two principles—citizens have the right to vote and citizens have the right to run for office—underpin liberal democracy.

The right to run for office means that most anybody can get their name on the ballot. Consequently, some candidates may seem rather unusual. Yet, even the most unusual candidates give us the opportunity to think critically about governance and the democratic process.

This issue of *The PLEA* explores the right to run for office. In particular, it looks at people who have made satire a part of their election bid. Ideal for most any reader, *Running Jokes* fulfills several requirements of Saskatchewan's Social Studies 30 and English Language Arts 30 curricula.

- † Alamy Stock Photo
- **B** Getty Images
- § Uselessinformation.org | Spokane-Review, September 17, 1938
- д Regina Leader-Post, October 9, 1982
- PLEA, University of Saskatchewan Archives

#### COVER

Results are announced in the United Kingdom constituency of Maidenhead, for the June 8, 2017 general election. Candidates included Theresa May, the UK's incumbent Prime Minister (back cover far left), Lord Buckethead, a perennial British satirical candidate (back cover far right), Andrew Knight, representing the Animal Welfare Party (front cover far left), and Bobby Smith, the man in the Elmo suit lobbying for family law reforms (front cover far right). *Photo by Reuters*.

# The Right to Run

In a liberal democracy, we are all political equals.

n Canada, the law is settled. Every adult citizen has the right to vote. But what about running for office? Does every adult citizen have that right, too?

The answer is yes. Sort of.

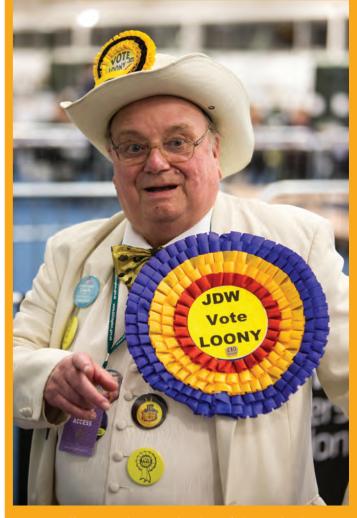
Canada is a liberal democracy. In a liberal democracy, everyone is a political equal. As well, in a liberal democracy power comes from the people. These two beliefs mean that everyone gets the right to vote, and almost everyone has the right to run for office.

Since Confederation, the right to run for office has closely mirrored the right to vote. Basically, if you were eligible to vote in Canada, you were eligible to run for office in Canada. As voting rights expanded, so too did the right to political candidacy.

In 1982, the right to run for office became a constitutional guarantee. The creation of the *Charter of Rights and Freedoms* enshrined citizens with this right. The constitutional right to run for office applies to the House of Commons in Ottawa and to each provincial legislature.

However, *Charter* rights can be limited so long as the limit can be reasonably justified in a free and democratic society. Therefore, a handful of people are not eligible to run for office.

For example, in Saskatchewan, judges and senators may not seek a seat in the provincial legislature. They already hold appointed positions of power, until the age 75. If they wish



Howling Laud Hope, leader of the United Kingdom's Official Monster Raving Loony Party. The Loony Party runs candidates to satirise British politics. †

to run for office, they must resign their positions as senators or judges.

As well in Saskatchewan, prisoners and people who have contravened certain elements of *The Elections Act* cannot run. This rule helps preserve the integrity of

elected office.

The House of Commons has similar rules. Perhaps the biggest difference between federal and provincial law is that prisoners are barred from running for

Parliament only if they are serving a term of two years or longer.

As you can see, there are a few limits on who can run for office. The House of Commons and each provincial legislature can place reasonable limits on who may run for office.

A 1990s court case confirmed that legislatures can limit who can run for office. A member of the New Brunswick legislative assembly was found guilty of enticing an underage person to illegally vote. He was kicked out of office and banned from running again for five years, under a New Brunswick law. The

MLA went to court, arguing that his *Charter* right to run for office had been violated. The Supreme Court rejected his claim and upheld New Brunswick's law.

When it comes to local government,

the law is different. There is no *Charter* right to run for local government. This includes rural municipalities, villages, towns, cities, and school boards. The Supreme Court has upheld this. Even so, in practice most anybody can vie for a

seat on their local council, provided they live in that jurisdiction.

#### Sign Me Up!

**EVERYONE** 

SEEKING

**OFFICE MUST** 

**FOLLOW THE** 

**RULES OF THE** 

**ELECTION** 

The right to run for office does not mean you can simply say "I am a candidate!" and be on the ballot. Liberal democracies are built upon rules. Everyone seeking office must follow the rules of the election. In Canada, those rules include standard nomination processes.

The first step in running for office is to file nomination forms with the appropriate election authority. By signing and submitting a nomination form, a candidate agrees to make themselves aware of and follow the laws governing the election. Once the forms are submitted, election authorities review them to ensure the nominee is eligible to run.

Importantly, people seeking a nomination must gather signatures from local residents. Having locals sign off on the candidacy helps ensure that candidates are respected by their peers and serious about running. The number of signatures required ranges from two for an RM council seat to 100 for a seat in the House of Commons.

#### **Money Talks?**

To run for some offices, a cash deposit may also be required.

Municipal election candidates in Saskatchewan's larger centres are required to pay a cash deposit of up to \$500. The specific amount and how it will be returned is determined by each municipality.

To run for a seat in Saskatchewan's legislature, candidates must pay a \$500 deposit. The deposit is returned if the candidate files all the required post-election reports with the election authority.

Deposits are said to motivate candidates to file post-election reports. They may also discourage frivolous candidates from throwing their hat in the ring.

For federal election candidates, there is no deposit. Not long ago, a \$1,000 deposit was required. However, in 2017 a judge ruled that the deposit was contrary to the *Charter*. Parting with that much money—even for a



Elections in the United Kingdom often attract serious single-issue candidates, such as Yemi Hailemariam. In 2017, she ran for office in the same constituency as the Prime Minister to bring attention to her partner's imprisonment in Ethiopia. †

short period of time—could make it impossible for a poor person to run for Parliament.

#### **Party Time?**

The rules above apply to all candidates. However, many candidates in provincial and federal elections run as a party representative. For a candidate to represent a party, they must be nominated by the party.

Political parties are private organisations, free to choose candidates as they wish. Most often, parties choose candidates either by appointing them or holding a vote.

Once nominated, a party candidate must follow the same processes as an independent candidate to get their name on the ballot. In addition, they must assign a party agent to their candidacy.

#### Fair and Equal

In practice, the system works. Canada's elections are widely-respected across the world. Just as most everyone has the right to vote, most everyone is eligible to run for office. Fair and equal rules help ensure the equality of each citizen.

Importantly, the right to run does not mean that every candidate is in it to win. Some candidates place themselves on the ballot as a form of political expression. In other words, they are running to bring awareness to particular causes and issues. This is their right. Such people are often called "single-issue candidates."

Other candidates may have a broad list of issues and concerns, yet their platforms are full of half-baked or objectively bad ideas. Such candidates are rare, but they do exist. Even if we think that they are unfit for office, it is their right to be on the ballot.

Other unusual candidates are being silly on purpose. That is, they are using satire to make their point. We can think of them as "satirical candidates." They offer silly platforms not out of ignorance, but rather out of a desire to critique politics, governance, and the electoral system.

Let's learn about the vital role that satire can play in our electoral system. The coming pages introduce a slate of satirical candidates, from Saskatchewan and abroad. They may seem like simple entertainment at first, but when you scratch the surface, you will find that their satire offers thoughtful critiques of politics, governance, elections, and society.

# FUNDAMENTAL FREEDOMS

In the 1920s, Canadian humourist, satirist, and political economist Stephen Leacock outlined his views on freedom of expression. He wrote:

A man has just as much right to declare himself a socialist as he has to call himself a Seventh Day Adventist or a Prohibitionist, or a Perpetual Motionist. It is, or should be, open to him to convert others to his way of thinking. It is only time to restrain him when he proposes to convert others by means of a shotgun or by dynamite, and by forcible interference with their own rights.

Leacock's views are consistent with rights now enshrined in the *Charter of Rights and Freedoms*. We are free to believe what we want, and we are free to promote our views. We should only be limited in these activities if we improperly interfere with the rights of others.

#### **HAVE YOUR SAY**

- 1. Why would someone run for office if they knew that they had no reasonable chance of winning?
- 2. All prisoners in Canada have the right to vote. However, not all prisoners can run for office. Why would this be? Is this just?

# Pat Paulsen for President

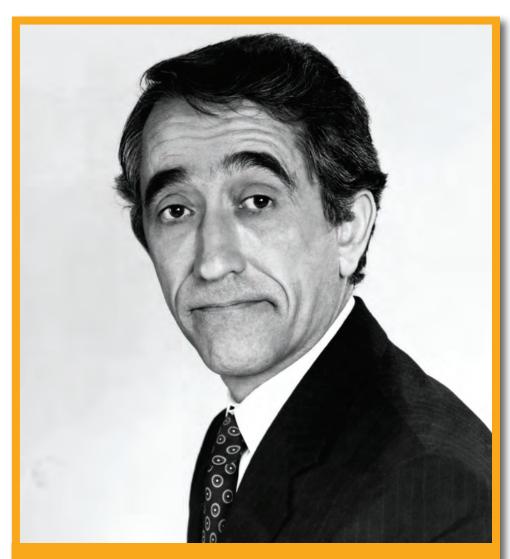
"We can be decisive? Probably."

he late 1960s was filled with social and political upheaval.
Movements against war, for civil rights, and for gender and sexual liberation took root.

In these boisterous days, some people focussed on the sensational turmoil. They worried that the turmoil signalled the end of liberal democracy. Their worries, it turns out, were unfounded. Liberal values include the right to voice ideas, express opposition, and peacefully protest. Late 1960s protest movements—with a few violent exceptions—kept with this spirit. More importantly, many "controversial" movements of the 1960s became today's common sense.

One influential place where the best of this boisterous spirit emerged was an American television show, *The Smothers Brothers Comedy Hour*. A weekly fusion of musical acts and satirical skits, it appealed to people who cared about society but took issue with conventional politics.

A popular cast member was deadpan comedian Pat Paulsen. Paulsen regularly critiqued politics and society with sharp but humourous editorials. His editorials seemed silly on the surface, but they were underpinned with a genuine concern for society's well-being.



Pat Paulsen, the first person to fuse a satirical political run with a national television show. +

Paulsen said the military budget should be used to buy off enemies instead of funding war. His commentaries on gun control often ended with him accidentally shooting someone. He believed that marijuana should be kept from students because it was too good. And he claimed that America's problems were rooted in poor immigration policies established by Indigenous people.

Paulsen's views were political, but they were not partisan. He didn't singularly obsess over any particular

politician or party. Rather, he poked fun wherever he saw folly. And viewers loved it. As the 1968 election approached, Paulsen for President clubs popped up across America.

As talk of Paulsen running spread, he dryly responded that these were "rumours of the worst kind: true rumours." He added that "I will not run if nominated and, if elected, I will not serve."

Of course, Paulsen did run. The show hired a professional campaign manager, Paulsen proclaimed himself "a common, ordinary, simple saviour of America's destiny," and

he entered the race to deliver smart, risqué, but not cruel satire.

Paulsen toured the country extolling

his Straight Talking American Government Party: the STAG Party. He joked that he was on the campaign trail "kissing hands and shaking babies." His absurd fundraisers included selling cookies

door-to-door. At packed rallies, fans cheered when he told them "I've upped my standards. Now up yours." His campaign culminated with a landmark mock TV documentary, Pat Paulsen for President, a top 20 show that week.

To nobody's surprise, Paulsen

"I'VE

**UPPED MY** 

STANDARDS.

**NOW UP** 

YOURS."

didn't win the election. Winning was never his goal. Rather, Paulsen was there to "make people interested in the political process by demystifying it," as *Smothers Brothers* writer Mason Wilson observed. That is, Pat

Paulsen ran for president so that people would understand how we are governed and think critically about how we elect our leaders.

#### WHAT IS SATIRE?

Satire is like a house of mirrors at a carnival. It reflects who we are, but that reflection is distorted. Details are exaggerated. Facts are omitted. And often, things are outrightly wonky.

Satire uses distorted reality to bring about humour, expose folly, and help us think critically about ourselves and our world.

A useful way, then, to think about satire is Dieter Declerq's definition. In his book *Satire, Comedy, and Mental Health*, he argues that satire sets out to "critique and entertain." Simply, when something entertains you and helps you think critically about social and political issues, it may very well be satire.

#### **HAVE YOUR SAY**

- 1. When asked about his political ideology, Paulsen said:
  - I'm kind of middle-of-the-bird. Too much right-wing, too much left-wing, and you fly around in circles.
  - What is Paulsen telling us about extreme views?
- 2. *Smothers Brothers* segments were frequently cut by CBS network censors. This was their right. Constitutional guarantees of freedom of expression do not extend to private spaces. Television networks are private companies. They have no constitutional obligation to air anything that the management does not like.
  - Is it fair that private platforms can censor content as they see fit?

# Running

Every candidate, no matter how unusual, creates an opportunity to think about elections and how we are governed. What lessons can we find in these unusual candidates?



#### CURTIS, Boston

In 1938, a small-town Washington mayor jokingly nominated a mule to be the Republican Party's county representative. He brought a mule named Boston Curtis to the local courthouse, and used the mule's hoof to sign a nomination form. The mayor then signed off as the mule's witness, and Boston was in the race.

Not surprisingly, the mule had no platform and gave no speeches. Yet his gag campaign took an unusual twist. Nobody else came forward to run for the position. This meant that Boston Curtis was the only Republican candidate on the ballot. With many Republican supporters unaware of the mayor's gag, the mule received 51 votes, winning the position.

The mayor later said that the mule's victory showed that some people will blindly vote for anyone, based on nothing more than their party affiliation.





#### ALLEN, Gracie -

In 1940, Gracie Allen and her husband George Burns—a popular American comedy duo—dreamed up a gag of having Gracie run for president. Gracie embraced her ditzy comedy style, and took a run for president as the Surprise Party candidate.

The campaign caught fire across America, becoming the focus of the duo's national radio show for twelve weeks. Gracie toured 34 communities, proposing silly ideas that kept with her campaign song lyrics: "Even big politicians don't know what to do; Gracie doesn't know either, but neither do you." Even America's First Lady, Eleanor Roosevelt, loved the campaign. She invited Gracie to speak at the National Women's Press Club.

Gracie never officially entered the presidential race. However, some American jurisdictions allow voters to write-in a candidate's name on a ballot. Through write-ins, Gracie received several thousand votes.

# Jokes?



#### LOBLAW, Bob

In the early 1980s, a 22-year-old Regina resident, David Loblaw, was concerned with low voter turnout. To create interest in the 1982 civic election, he threw his name in for Regina mayor as satirical candidate Bob Loblaw.

Loblaw campaigned as "Anybody's Mayor." He proposed having city council meet on mats so that they could resolve disputes through wrestling matches. He suggested improving Regina's drinking water by turning Moose Jaw into a sinkhole, creating a basin for collecting fresh rainwater. Some residents were not amused. One caller to a local radio show said he should be shot.

Loblaw's campaign caught plenty of attention, but it did not spur voter turnout. In fact, Regina voter participation has dipped as low as 20% in recent years. Looking back in 2016, Loblaw told the CBC that "Perhaps it's far too easy for anyone to run and potential voters are tired of sifting through the long list of candidates, both legitimate and wacko."



#### ANDE

#### ANDERSON, Enza - - -

The right to run for office means that people from marginalised communities have the opportunity to challenge the status quo. Trans rights activist Enza Anderson put this right into action by running for mayor in Toronto's 2000 civic election. As she told the *Globe and Mail* "If nothing else, I'm creating a bit of excitement in a campaign that would be pretty dull without me."

Anderson frequently campaigned on busy street corners, holding up a home-made sign that read "A Super City Deserves a Super Model!" While Anderson's identity was remarkable, her campaign transcended her identity. She talked about a broad range of issues affecting the most vulnerable, including poverty, homelessness, and crime.

News outlets around the world carried stories about Anderson. Global attention, however, did not translate into a landslide victory at home. She came in a distant but respectable third.

# Don't Elect Hugh Arscott

"Even reformers eventually need reforming."

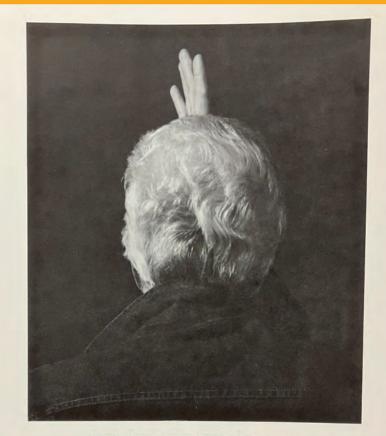
Tommy Douglas to Prime Minister John Diefenbaker, Saskatchewan is home to political giants. But not everyone who shaped our civic life has done so by being elected. Such is the story of Hugh Arscott, a community-minded citizen who gained clout by not being elected.

Arscott was a Saskatoon-based life insurance broker, highly regarded for his volunteer work and his satirical writing.

Politically, Arscott's formative years were spent with the Progressive Conservatives. By his early 40s, he had developed a relationship with John Diefenbaker, unsuccessfully run in two provincial by-elections, and helped organise Eloise Jones' victorious 1964 run for Parliament, at a time when only four women sat in the House of Commons.

Somewhere along the way, Arscott grew disillusioned with mainstream political parties. He resigned from the Progressive Conservatives in 1968, not long after Diefenbaker was deposed as party leader. He later said that "I felt we were being conned, by all the parties."

Nevertheless, Arscott never lost faith in Canada, its constitution, or its people. He turned his sense of humour into involvement with the satirical Rhinoceros Party.



### DEFEAT HUGH ARSCOTT

PEOPLES RHINOCEROS PARTY
OF CANADA

Arscott campaign poster, 1980. As he said, "Nothing should be taken too seriously or fanatically." p

Arscott first ran as a Rhinoceros candidate in the 1980 federal election, in the riding of Saskatoon

East. For him, Rhinos represented the liberal tradition of freedom of expression. They had no chance

10

of getting elected, but they encouraged participation in the democratic process. In fact, Arscott repeatedly asked people not to vote for him.

Arscott's campaign was satirical, but his underlying beliefs were serious. He held media events, spoke at candidate forums, and

canvassed the city to offer good laughs and hear people's views.

To illustrate how easy it was to get on a ballot, Arscott tried to nominate his dog Boh as Rhino candidate for Saskatoon West. He suggested that Canada's inadequate senior citizen pensions could

be solved by reissuing birth certificates. That way, nobody would reach retirement age. And he steadfastly pledged that "we will not keep our promises," adding that "the other parties have already stolen that plank."

Not everyone laughed. When he said Canada's energy crisis could be solved by having children pull trucks and buses, an enraged *StarPhoenix* reader responded

that "if we as Saskatonians and Canadians accept and tolerate this kind of humor, then we indeed must be sick."

Perhaps we were sick. Arscott lost the election, but his prominence only grew. He had a regular feature in the Saskatoon *StarPhoenix*, continued to serve

**ARSCOTT** 

TRIED TO

NOMINATE

HIS DOG BOH

**AS RHINO** 

**CANDIDATE** 

**FOR** 

**SASKATOON** 

**WEST** 

local organisations, and was even a featured speaker and debater on topics as consequential as Canada's constitution.

When Hugh Arscott passed away in 2002, former Saskatoon politician Pat Lorje called him "gracious and polite and caring to a fault." As she

told the *StarPhoenix*, "Hugh and I probably—definitely—had differing political ideas, but we certainly had a good meeting of the minds about the basic truths of what's important—democracy and respect for all people, and a strong sense of community."

Perhaps even more than his satirical bent, Hugh Arscott's values of decency and community are his lasting legacy.

## WHO ARE THE RHINOS?

The Rhinoceros Party began in Quebec in 1963 as a satirical movement to criticise Canadian politics. During the 1970s, the party gained a national following, peaking in the 1980 election with over 100.000 votes nation-wide.

The Rhinos faded away in the 1990s due in-part to electoral law changes. However, they recently re-emerged in federal elections. As well, the party president is an organiser of the Longest Ballot Committee, a movement that floods ballots with dozens of candidates to protest for electoral reform.

The party was inspired by a Brazilian rhinoceros named Cacareco. In São Paulo's 1959 civic election, voters rallied behind her as a protest vote. She received 100,000 write-in votes, more than any other candidate.

#### **HAVE YOUR SAY**

- 1. Hugh Arscott wrote that "the only way to sense the public mood is ride the buses or sit in the pubs and listen." Is there some truth to this statement? Why or why not?
- 2. Reflecting on his 1980 campaign, Arscott wrote that "my purpose was not to slander but to inform with humour."
  - a) How can good humour help inform us?
  - b) How can good humour help us realise our own faults, as well as the faults of others?

# More Resources

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"The purpose of sharing our different views is to find the common ground."

- Hugh Arscott

