



ASUCI ELECTIONS COMMISSION

Under Art. X § 2 of the ASUCI Constitution, the Elections Commission “has all authority for ASUCI elections and related activities, and under this authority has the power:

(a) To plan and manage all ASUCI elections;

(c) To enforce all ASUCI candidate disclosure requirements;

(o) To investigate, on their own initiative, possibilities of electoral nonfeasance, misfeasance, and malfeasance, including any action that could affect the outcome of an election;

(p) To adjudicate electoral disputes, including allegations of Elections Code violations, subject to appeal to the Judicial Board;”

Ruling of the Elections Commission Regarding Presidential Candidate Gabriel Mutsvangwa

March 24, 2026

RULING OF THE ELECTIONS COMMISSION REGARDING PRESIDENTIAL CANDIDATE MUTSVANGWA

Preface

On November 6, 2024, the Judicial Board released [*Opinion on Investigative Authority in Elections-Related Cases*](#), delineating the ASUCI Elections Commission’s procedural obligations into two broad categories — administrative and adjudicative. To quote the opinion:

Under its administrative capacity, the Elections Commission operates much like the Federal Elections Commission or its various analogues in the several states, making preliminary quasi-judicial decisions to enforce the elections procedures it has been charged to uphold and, if necessary, defending them in full courts of law.

The ASUCI Constitution presents us with a unique departure from this pattern, however, in that it delegates to the Elections Commission the position of a full judicial body. Whereas the aforementioned analogues to the Elections Commission may focus solely on their administrative capacities, outsourcing all judicial functions to distinct courts of law, the Elections Commission’s primary jurisdiction forces an ordering in such cases where these roles may contradict one another. (Bolek et al., 2024)

Following the revision of the ASUCI Elections Code on February 20, 2025, the Judicial Board added on March 15, 2025, that “[their] ruling in [*Opinion on Investigative Authority in Elections-Related Cases*] was found to remain in force” with the revisions.

In receiving a complaint alleging a violation of the Elections Code, the Elections Commission has determined that an adjudicative approach would be most appropriate for the circumstances at hand.

Synopsis

On March 15, 2026 and March 16, 2026, the Elections Commission received two (2) complaints against Presidential Candidate Gabriel Mutsvangwa alleging a violation of the following governing document: Art. X § A of the ASUCI Elections Code — “No campaigning shall be permitted prior to Monday of Spring Break at 9:00 am.” The Petitioners consented to be included onto the same ruling due to their complaints citing a similar case. The Petitioners, Jayla Pete and Arnav Nigam, contended the following:

- That Candidate Mutsvangwa violated the Elections Code by campaigning with an Instagram account with the username, “gabeforpres.”
- That Candidate Mutsvangwa violated the Elections Code by campaigning with an Instagram account with a non-zero amount of followers.

**RULING OF THE ELECTIONS COMMISSION REGARDING PRESIDENTIAL CANDIDATE
MUTSVANGWA**

- That Candidate Mutsvangwa violated the Elections Code by campaigning “vote gabe for president” stated on the Instagram account.
- That Candidate Mutsvangwa violated the Elections Code by campaigning with an Instagram account with a profile picture of the Candidate visible in it.
- That Candidate Mutsvangwa violated the Elections Code by campaigning with an Instagram account with another personal Instagram account attached in the description.
- That Candidate Mutsvangwa violated the Elections Code by failing to have an Instagram account remain anonymous prior to the start of the Campaigning Period.

Evidentiary Hearings for one Petitioner and Respondent were called on **March 19, 2026** and **March 21, 2026** respectively. One Petitioner had failed to schedule an Evidentiary Hearing with the Elections Commission before their given deadline of one (1) day after the request was offered to the Petitioner through electronic communication. Following the Evidentiary Hearings, the Elections Commission convened to review the available evidence. After concluding deliberations, pursuant to the Elections Commission’s authorities as an adjudicative body, the following ruling is released.

Ruling

1. Did Presidential Candidate Mutsvangwa violate Art. X § A of the ASUCI Elections Code by operating an Instagram account with the username “gabeforpres,” such that it constitutes campaigning prior to the permitted period?

In Favor: NOWAK, N.; LEE, A.; GROVER, K.; GARCIA, K.

Opposed:

Abstaining:

2. Did Presidential Candidate Mutsvangwa violate Art. X § A of the ASUCI Elections Code by campaigning with an Instagram account with a non-zero amount of followers?

In Favor: GARCIA, K.;

Opposed: NOWAK, N.; LEE, A.; GROVER, K.

Abstaining:

3. Did Presidential Candidate Mutsvangwa violate Art. X § A of the ASUCI Elections Code by having “vote gabe for president” stated on the aforementioned Instagram account?

In Favor: NOWAK, N.; LEE, A.; GROVER, K.; GARCIA, K.

Opposed:

Abstaining:

**RULING OF THE ELECTIONS COMMISSION REGARDING PRESIDENTIAL CANDIDATE
MUTSVANGWA**

4. Did Presidential Candidate Mutsvangwa violate Art. X § A of the ASUCI Elections Code by campaigning with an Instagram account with a profile picture of the Candidate visible in it?

In Favor:

Opposed: NOWAK, N.; LEE A.; GARCIA, K.; GROVER, K.

Abstaining:

5. Did Presidential Candidate Mutsvangwa violate Art. X § A of the ASUCI Elections Code by campaigning with an Instagram account with another personal Instagram account attached in the description?

In Favor:

Opposed: NOWAK, N.; LEE A.; GROVER, K.; GARCIA, K.

Abstaining:

6. Did Presidential Candidate Mutsvangwa violate Art. X § A of the ASUCI Elections Code by failing to have an Instagram account remain anonymous prior to the start of the Campaigning Period?

In Favor:

Opposed: NOWAK N.; LEE, A.; GROVER, K.; GARCIA, K.

Abstaining:

7. Is a sanction an appropriate remedy for Presidential Candidate Mutsvangwa's violation of the ASUCI Elections Code?

In Favor: NOWAK N.; LEE A.; GROVER, K.; GARCIA, K.

Opposed:

Abstaining:

The Elections Commission has ruled in favor of Petitioners Arnav Nigam and Jayla Pete and found Presidential Candidate Mutsvangwa in violation of Art. X § A of the ASUCI Elections Code. Accordingly, the Elections Commission has levied a Level 2 sanction – Digital Posting Restriction – on their campaign, beginning March 25, 2026 at 9:00 am and ending March 29, 2026 at 9:00 am.

**RULING OF THE ELECTIONS COMMISSION REGARDING PRESIDENTIAL CANDIDATE
MUTSVANGWA**

NOWAK, N. and LEE, A. delivered the majority opinion of the Commission, with GROVER, K. joining. GARCIA, K. concurred in part and dissented in part. SUH, K. did not participate in the deliberations.

I

We begin with evaluating the Petitioners’ claims that ASUCI Presidential Candidate Gabriel Mutsvangwa campaigned whilst operating a public Instagram handle with the name of, “gabeforpres” before the commencement of the Campaigning Period, per the timeline as enumerated in the ASUCI Elections Code.

During their Evidentiary Hearing, as a part of their opening statement, Respondent Mutsvangwa claimed their intention for changing the previous username to the current one in question, “gabeforpres,” was to match with their submitted candidate statement. The Respondent explicitly included the “gabeforpres” username within their candidate statement. Furthermore, the Respondent reasons that, because the candidate statements cannot be edited past the Filing Period, (Monday of Week 8 at 9:00 am to Friday of Week 10 at 5:00 pm), their action of changing the username was for the intention to secure accuracy between what was submitted on the official candidate statement and what appears on the social media platform. To note, candidate statements are officially published on the official Elections website, elections.uci.edu, in tandem with the Campaigning Period commencing. The Elections Commission finds that, had the action of changing the username “gabeforpres” occurred during the Campaigning Period and when the candidate statements were publicized, the action would have been constituted as permissible. Additionally, we find that the Respondent was and is not constrained in altering the Instagram account, in that, unlike the candidate statements that do follow a strict deadline outlined by the Filing Period, the handle is not restricted to a deadline for final alterations.

The Elections Commission reaffirms that the username, in itself, is a clear presentation of the Respondent’s Candidacy, in accordance with our definition of campaigning in *R-01: Elections Complaint Ruling Regarding At-Large Senatorial Candidate Hatch*. Furthermore, the utilization of “for” signifies an affirmative, or positive, remark in that “it suggests the support of the Candidate from” their intended audience as detailed in the Elections Commission’s aforementioned ruling. We continue to hold that the username directly displays a call to action for campaigning and other election-related activities

II

**RULING OF THE ELECTIONS COMMISSION REGARDING PRESIDENTIAL CANDIDATE
MUTSVANGWA**

We next evaluate the Petitioners' claim that Presidential Candidate Mutsvangwa's possession of an Instagram account with a non-zero follower count amounts to impermissible campaigning prior to the commencement of the Campaigning Period, in violation of Art. X § A of the ASUCI Elections Code. "Notwithstanding the potential of an incidental increase in the candidate's validity derived from a non-zero follower count, such metrics do not, per se, constitute the act of 'campaigning,'" as accordingly described Elections Commission's official ruling in *R-01: Elections Complaint Ruling Regarding At-Large Senatorial Candidate Hatch*. In isolation from other considerable related actions and matters, a non-zero follower count cannot constitute an action of campaigning during an election as it does not imply, state, or signify a call to action for elections-related activities. We reaffirm that a non-zero number does not directly correlate to actions of campaigning, therefore we see that this aspect is not in violation of Art. X § A of the ASUCI Elections Code.

III

The Elections Commission was further inquired to consider the Petitioners' claims that Candidate Mutsvangwa campaigned before the designated Campaigning Period as it stated "vote gabe for president!" on the Instagram handle in question with the username "gabeforpres." On March 16, 2026, in one example of evidence provided to us by one of the Petitioners in their respective complaint, the statement "vote gabe for president!" is located directly underneath the aforementioned Instagram username. However, on March 15, 2026, in another example of evidence submitted by one of the Petitioners in their respective complaint, the statement "check back soon!" is located directly underneath the Instagram username. The Respondent addressed this discrepancy as a part of their opening statement during their Evidentiary Hearing, acknowledging that the statement "vote gabe for president" was replaced by the second statement "check back soon." After being asked to define "campaigning" as well as the actions that constitute "campaigning" during their Evidentiary Hearing, the Respondent holds that there remains a difference between requesting an intended audience to vote and advocating for a specific platform the Candidate is running on. We hold that there remains no difference between the two actions.

The action of "voting" and the significance of a "vote" cast by a voter for a specific Candidate or Referendum within any given ASUCI election indicates a voter's support for a Candidate or Referendum. Furthermore, the vote indicates a voter's preference for a Candidate or Referendum. A vote and the action of voting represents a voter's right to an expression of an opinion. We also aim to emphasize that votes are the sole determinant of an election contest's outcome; whether the given election contest resulted in a victory for one Candidate and loss for another or led to a tie, constituting a subsequent run-off election. Had Candidate Mutsvangwa employed the term "vote" in a neutral manner, such as to promote the 2026 ASUCI Spring General Elections' occurrence as a whole, the

**RULING OF THE ELECTIONS COMMISSION REGARDING PRESIDENTIAL CANDIDATE
MUTSVANGWA**

implications and overall meaning would hold a separate interpretation in contrast to the statement at hand. Finally, the Candidate's interpretation of a discrepancy between requesting to take the action of voting and advocating for a platform is further unsupported by the Elections Commission due to the "vote gabe for president" statement containing an affirmative aspect. As previously explicated in Section I of this ruling and as upheld by *R-01: Elections Complaint Ruling Regarding At-Large Senatorial Candidate Hatch*, the utilization of the term "for" signifies a call to action from the intended audience to affirmatively approach the Candidate, their platform, and their campaign. In combination with the term "vote," "for" cannot be considered for a neutral interpretation or approach. In other words, "vote" officially symbolizes the opinion of eligible voters in the ASUCI election, the intended audience; "for," denotes support for the subject, "gabe"; and "pres" represents the Candidate's intended election position that they remain actively running for, within the overall statement: "vote gabe for pres."

Overall, we hold that the statement in question displays a direct action of identification of Candidate Mutsvangwa as well as displays an explicit call to action for an elections-related activity – voting – in support of Candidate Mutsvangwa's campaign and platform. Therefore, through this action, Candidate Mutsvangwa violated Art. X § A of the ASUCI Elections Code — "No campaigning shall be permitted prior to Monday of Spring Break at 9:00 am."

IV

We next examine the Petitioners' contention of the Candidate's profile picture, as displayed on the aforementioned Instagram handle, as an act of "campaigning" before the beginning of the Campaigning Period. The Elections Commission would like to reaffirm that a profile picture correlated to a campaigning Instagram account cannot, solely, determine an action of campaigning. The profile picture, in question, observed in isolation, does not tie itself to any specific platform nor does it encourage campaign or election-related activities or materials. Additionally, the profile picture cannot have been verified and tied to Candidate Mutsvangwa at the points of submissions of both of the aforementioned complaints from two (2) separate Petitioners. Candidates, before the submission and publication of their candidate statements on the official Elections website, elections.uci.edu, do have the option of submitting an image to accompany their statements. An image submission is not necessary for officially filing for candidacy of elected office. Additionally, if included alongside the candidate statement, it will be publicized at the same time the statements are: at the beginning of the Campaigning Period. When the Candidate's profile picture was initially called into question, the official Elections website only provided Candidates' first and last name as well as the intended elected office they are running for. Therefore, Candidate Mutsvangwa is not in violation of Art. X § A of the

**RULING OF THE ELECTIONS COMMISSION REGARDING PRESIDENTIAL CANDIDATE
MUTSVANGWA**

ASUCI Elections Code on the contention that a profile picture, with the Candidate visible in it, falls under the definition of “campaigning.”

V

When the evidence was first brought to the Elections Commission, we analyzed and found an explicit mention of another Instagram account with the username, “gabemustv.” The definition of such an Instagram account was not specified but it was contended by the Petitioners that this mention may be a potential action of campaigning. We must refer to the definition of campaigning ab initio, it is an action pertaining to elections. Mentions to other Instagram accounts are of connectivity moreover than subject matter. In the event of subsequent litigation, should we find that the account mentioned in the evidence is in the subject matter of elections, the Election Commission shall proceed with an analysis based exclusively on those criteria previously stipulated as constituting “campaigning.” We do not find the sole mention of campaigning due to the fact that it is not of activity nor is it for elections, is it of linkage and to identify the creator of the account. We, the Elections Commission, find that the mention of another Instagram account is not within the definition of “campaigning” therefore find this specific contention not in violation of Art. X § A of the ASUCI Elections Code.

VI

With this following contention, we analyze it in isolation and although what the account presented us shows is in the subject matter of elections, its anonymity is not a product of “campaigning.” The existence of digital accounts pertaining to ASUCI Elections shall not, in and of itself, constitute a violation of the ASUCI Elections code or the ASUCI Constitution. However, the Elections Commission reserves the right to initiate an investigation into any such account where the currency and nature of the published material provide reasonable grounds to suspect breach of established regulations. However, the Elections Commission holds no jurisdiction in proving or questioning the identity of any Instagram handle in suspicion of it being a Candidate or Initiative Coordinator if their username chooses to remain anonymous. Had an anonymous or identifiable account actively advocated for the Candidate’s platform and campaign and proved to be in violation of the Elections Code or any other governing documents, then the Elections Commission would employ administrative or adjudicative processes. Hence, the Election Commission finds the anonymity of the candidate’s Instagram account not in violation of Art. X § A of the ASUCI Elections Code.

VII

In pursuing our adjudicative obligations as the Elections Commission, we find it necessary to sanction ASUCI Presidential Candidate Gabriel Mutsvangwa to fulfill our constitutional duty to

**RULING OF THE ELECTIONS COMMISSION REGARDING PRESIDENTIAL CANDIDATE
MUTSVANGWA**

“[c]onduct all ASUCI elections fairly, impartially, and with integrity, in ways that ensure students’ rights are protected” (ASUCI Constitution Art X. § 3(a)). It is incumbent upon us as the Elections Commission to uniformly apply the law to all Candidates, and indeed all undergraduate students in general. To decline to do so in this instance would not only violate our governing documents, but would fundamentally be a disservice to those Candidates who remain in strict compliance with our regulations.

Accordingly, we levy a Level 2 sanction – Digital Posting Restriction – on ASUCI Presidential Candidate Gabriel Mutsvangwa, beginning Wednesday, March 25, 2026 at 9:00 am and ending Sunday, March 29, 2026 at 9:00 am.

It is so ordered.