

Political Posters, Incumbency, and the Colors of Fall

By Marc Stier

For the first 47 years of my life, I was a law abiding person who never saw the inside of a courtroom. Recently, however, I deliberately violated the law, just as I did last spring.

What is this great crime I committed? I put up posters on utility poles for a community festival, Mount Airy Day. Last year, in addition to violating the law with posters for our annual community day, I put up posters for my campaign for state representative in the 198th district. I also was a witness in federal court for the American Civil Liberties Union (ACLU), which convinced a judge to issue a temporary restraining order prohibiting the city from enforcing its poster ordinance on the grounds that the law likely would be found unconstitutional.

In the last year, Philadelphia City Council has passed a revised, poster ordinance—one less restrictive—and the ACLU has asked the federal judge, Judge Jack Padova, to extend his ruling to the new law. If necessary, I will return to court to testify to the terrible burden that the new poster ordinance places on community organizations and those running political campaigns.

For some, posters—whether they promote community or political—blight our landscape. To me, that reaction reflects a distaste for communication that is dangerous in a democratic society.

Our homes may be our castles, but if we are to have good communities, our streets cannot live up to that royalist saying. Rather, they must be public spaces in which people are free to communicate with one another.

This communication is critical to neighborhood associations such as mine, West Mount Airy Neighbors, and our sister organization, East Mount Airy Neighbors. If we cannot use posters to announce our annual event or membership drive, we cannot survive. We simply do not have the funds to use direct mail or other alternatives to reach our neighbors. Most of the other civic organizations in Philadelphia are in the same bind.

Posting also is necessary in political campaigns. Putting posters on utility poles is not the most effective way to campaign for office, but it is the cheapest. A voter who has not heard of a candidate is unlikely to read campaign literature let alone go to hear the candidate speak. Posters, however, help relatively unknown candidates put their names before the voters.

The opportunities provided by political posters are especially critical at this point in our history. Every day we learn more about the seamy side of politics in Philadelphia. Reformers, editorialists and a few politicians, such as Councilman Michael Nutter, have called for new laws that limit campaign donations and that prohibit donors from securing city contracts. These are all good ideas. But they will mean nothing without the only thing that can truly change this city: real political competition.

By banning political posters, City Council has made it even more difficult and expensive to challenge any incumbent politician. The city's poster law is therefore not only a violation of our freedom of speech, but it is one more act protecting incumbents. Like our redistricting and campaign finance practices, it is one more way that our political leaders are undermining our democratic government.

I urge political candidates and community leaders to join me in putting up posters, act of civil disobedience that, I hope, will be vindicated by the courts.

Rather than complaining about the posters we see, perhaps we should all exult in the vigorous community and political life they exemplify. We should enjoy all the colors of spring and fall, not just the flowers that appear this time of year or the leaves that turn colors in the fall, but also those colorful expressions of freedom, democracy, and community that appear on our utility poles throughout the year.

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