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Susan Young

University of Maine

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University of Maine News

Code of Election Ethics Served a Purpose, Co-Creator Says

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Media contact: Susan Young at (207) 581-3756

ORONO -- While half the state's voters went to the polls Tuesday, many did so with reluctance, voicing their displeasure at a campaign season marred by attack ads and heated rhetoric.

With one of the nastiest Maine elections in memory just ended, it may not seem like the state's Code of Election Ethics made much of a difference. Although the code did not stop candidates from attacking their opponents, the document, signed by all those running for federal office and the Blaine House, gave the public and the media a means to question tactics they found unacceptable.

Maine's code, created in 1996 by the Margaret Chase Smith Center for Public Policy at the University of Maine, the Margaret Chase Smith Library in Skowhegan, and the Institute for Global Ethics in Camden was the first of its kind in the nation. By signing the document, candidates pledge to not use subtle deceptions, half-truths and falsifications or practices such as push-polling in their campaigns. Candidates also agreed to not resort to personal attacks, innuendo or stereotyping.

Despite signing the pledge, some campaigns ran television ads and sent out fliers with inaccurate information that attacked their opponents and stereotyped candidates. The most criticized ad used lingo from the popular TV show "The Sopranos." Some observers suggested that the ad was demeaning to Italian-Americans. Such breaches are cause for concern, but do not mean the code is useless, says one of its creators.

"The code provided people with a framework to evaluate what they are seeing, to cry fair or foul," says Kathryn Hunt, a research associate with the Smith Center.

"With the code, people can be more forceful in chastising candidates for particular actions they have taken. It helps us go beyond just hand wringing," Hunt adds.

She, too, shares the public's concern that political races seem to be getting nastier as time goes on. The code seeks to change that. Given this year's campaigns, she says it is obvious that it needs to be strengthened.

Hunt envisions four ways to do that. The first is to encourage political action committees, which pour large sums of money into races, to sign on to the code. The increased nastiness of Maine campaigns has coincided with the increased presence of national party PACs in state politics. This year, for example, the Democratic and Republican national committees each spent more than \$3 million on the state's U.S. Senate race making it one of the most

expensive political races in Maine history. It was also one of the most heated, with candidates swapping charges of running inaccurate and distorted ads. The ads, for the most part, were paid for by the national committees.

The fact that candidates, especially challengers, need to take large sums of money from their parties in order to run successful races puts them in an awkward position, Hunt acknowledges. It is hard for them to stand up to a party that is running negative ads when the same party is funding their campaigns. However, the code does stipulate that candidates will "repudiate" those who use the practices that it bars. In this election, no candidate repudiated a party for violating the code.

The Margaret Chase Smith Center also aims to strengthen the code by establishing a body that can review ads and campaign practices, and to clarify for voters the claims made by the candidates about their opponents' records. The center cannot be an arbiter of the code because of its legal status. However, an independent body could do this job.

In Toledo, Ohio, a Clean Campaign Committee met weekly to evaluate mayoral candidates' adherence to a pledge similar to Maine's code. Local media credited the committee's efforts for keeping the race more civil.

A third way to bolster the code's impact would be to extend it to state level races.

Finally, the Center hopes to convene a meeting of past candidates who have signed on to the pledge to solicit their ideas for possible improvements.

The Center hopes to complete these tasks in time for the 2004 campaign.

The end result, it is hoped, will be more civil political discourse.

"Contentious debate about the issues and civility in public life can coincide, that's the Margaret Chase Smith legacy," Hunt says.