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Commentary

Missing the Point About Campaign Election Ethics

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by Kathryn Hunt
Greg Gallant

Recently, an editorial and a political column appearing in the *Bangor Daily News* and *The Maine Sunday Telegram* respectively, criticized the Maine Code of Election Ethics project - an effort to reduce the negativism and attack advertising in Maine's political campaigns - for its lack of enforcement mechanisms. The Code was described as well-intentioned but useless, hopeful but lacking. In our judgment, both writers missed the point. We'd like to set the record straight.

The Code of Election Ethics project began in 1996, when all candidates for Maine's federal offices mutually agreed to abide by a code of ethics that they themselves had a hand in drafting. The Code called for an end to negative attack ads and other unfair campaign practices. Instead, it called for issues-oriented debates as well as respect, honesty and fairness among opponents. The candidates agreed it was fair to criticize one another's records but not fair to make personal attacks or engage in innuendo.

This year, that same code was presented to Maine's congressional and gubernatorial candidates. With minor changes, all voluntarily agreed to endorse the Code. Are we hopeful that candidates will abide by their pledges to one another and to Maine's voters? Yes. Do we believe that all candidates will honor this pledge even when threatened by some kind of enforcement component? No.

This may sound esoteric, simplistic, or even naive, but the Maine Code of Election Ethics is part of larger process, the goal of which is the preservation of representative democracy. The Code was created in response to deepening cynicism among voters, and the ensuing alienation that is turning voters away from the ballot box nationwide.

The Code was never meant to be an enforcement mechanism, only to call on candidates to take personal responsibility for the tenor of their campaigns. It is up to the rest of us as citizens to hold candidates to that pledge. This group includes the media.

In fact, we believe the media has a particularly rich opportunity to promote a different standard in political campaigns by choosing to report more than the mud slinging. Some segments of the media should be applauded for their political coverage. For example, the *Portland Press Herald's* series, which analyzes campaign advertising, provides a valuable service to voters. We believe the media could integrate the Code into their political coverage in a similar manner. In this regard, we are hopeful the media will use the Code to critique the public statements put forward by Maine's candidates for highest office. It would be a positive step forward if the media took on this responsibility as their pledge to support more ethical campaigns in Maine.

However, let us not forget the voters who are equally responsible for holding candidates to their public word. A recent poll conducted by the Camden-based Institute for Global Ethics asked voters in Washington State and Ohio whether they thought campaign ethics were important, and whether they supported a code of ethics such as we have in Maine. Their responses were overwhelming:

- 79% of the respondents said their respect for a candidate would increase if she/he signed and then abided by a campaign code of conduct.
- 78% felt that negative attack campaigns are damaging to our democracy and produce leaders who are less honest and less effective in office.
- 74% said they would be more likely to vote for candidates who signed and abided by a campaign code of conduct.

Yet these same voters said they want to see vigorous debate of the issues; they feel it is fair to criticize a candidate's voting record, but damaging to the democratic process to attack a candidate's personal background, family, or private life. These voters also said they are ready to hold candidates accountable for their campaign behavior. We have no reason to believe that voters in Maine would respond any differently than those in Washington and Ohio.

So, where does all this rhetoric leave us? In 1996 we know there was at least one candidate who publicly voiced the feeling that he was unfairly attacked in advertisements funded by powerful out-of-state interests. Our first hope is that none of the candidates who endorsed this year's Code will face that type of attack. But all change takes time. So, let's envision a different response this year, one where voters voice their collective outrage that such negative practices have infiltrated their political process, and one where the media takes a critical view and reports on more than who said what to whom. We are all capable of this level of responsibility. Now, it's our job to assume it.

Finally, our electoral process is one of the few things that unites or brings commonality to an increasingly diverse nation. The process is ours. It is in the best interest of everyone to participate, to be enforcers, and to challenge candidates to protect the process itself. Margaret Chase Smith often said "You cannot legislate ethics." We couldn't agree more. But it is time to tackle difficult public policy issues with substantive arguments and to respect a system that allows that discussion to take place. This breeds enforcement. This is the legacy of Margaret Chase Smith.

The Maine Code of Election Ethics project is jointly sponsored by the Margaret Chase Smith Library in Skowhegan and the Margaret Chase Smith Center for Public Policy at the University of Maine. It is funded by the Margaret Chase Smith Foundation.

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