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SAMUEL J. ARCHIBALD



**FAIR CAMPAIGN
PRACTICES COMMITTEE, INC.**

328 Pennsylvania Avenue, S.E., Washington, D. C. 20003 • 202-544-5656

May 30, 1973

Mr. Harold Weisberg
Route 8
Frederick, Maryland 21701

Dear Harold:

Here's the report. There will be a more complete study of the overall trends in 1972 issued in a few weeks. Also a comment on the Nixon proposal for an electoral commission.

I'm not quite sure what kind of records you are seeking, but if they are held by the Clerk of the House, the FoI Law is no help. It does not cover Congress. The only recourse is to get a member of the House to ask for the material.

For right wing connections, you might get some material from Wesley McCune of Group Research, Inc. His address is Room 422, 1404 New York Avenue, N.W., Washington, D.C. 20005.

Sincerely,

Samuel J. Archibald
Executive Director

SJA:a:o
Enclosure

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DIRTY POLITICS - 1972
A Report by the
Fair Campaign Practices Committee

"I know that it can be very easy, under the intensive pressure of a campaign, for even well intentioned people to fall into shady tactics - to rationalize this on the grounds that what is at stake is of such importance to the nation that the end justifies the means. And both of our great parties have been guilty of such tactics in the past.

"In recent years, however, the campaign excesses that have occurred on all sides have provided a sobering demonstration of how far this false doctrine can take us."

- President Richard M. Nixon in his April 30, 1973 televised speech on the Watergate Affair.

President Nixon has suggested a frame of reference in which the nation should view The Watergate Affair. He has suggested that it is only the latest example of the kind of shady tactics that politicians on all sides have been using more and more in recent years.

This point of view contrasts sharply with some other views. Newsweek Columnist Stewart Alsop, for example, finds that "The Watergate scandal, it is clear by now, is different -- truly different, different in kind -- from all the scandals that have preceded it in American history." The New York Times editorialized that "Watergate is the political scandal of the century; parties at the national level never have previously engaged in such practices." And Human Events commented: "Neither the President's action nor his rhetoric, it is pointed out, has

adequately explained why so many of his trusted associates -- including his attorney general, his two closest White House advisers, his special counsel, and his personal attorney -- were somehow involved in the whole messy affair."

Does this "whole sordid affair", as the President himself described it, involve simply more of the same, or is it something different and worse?

To begin with, look at the confusing variety of incidents and allegations which have become part of The Watergate Affair. A list of unethical and/or illegal campaign practices which have been associated with the break-in at the Democratic National Committee offices at Watergate, or with subsequent events, includes theft of campaign documents, electronic eavesdropping, personal vilification, falsification of letters and advertisements, stacking of polls, illegal financial reporting, spying on opponents, and attempts to cover-up apparent crimes.

The campaign tactics already disclosed and still being investigated in connection with The Watergate Affair are not symptoms of a cancer permeating the entire body politic. Theft, spying, sabotage, and subversion are not the tactics of the political professionals. In nearly 20 years of studying the political process, the Fair Campaign Practices Committee has uncovered no campaign tactics comparable in extent or in potential damage to a free, self-governing society.

A simple, unsophisticated form of spying is accepted in political campaigns -- clipping news stories about opponents, collecting their public literature and attending their rallies to assess crowd size and reaction. However, burglary, theft, and falsified documents are not a normal part of politics. In the Candidate's Manual -- A Politician's Guide to the Art of Self-Defense, sent to every candidate in every major campaign in 1972, the Fair Campaign Practices Committee advised:

"The same common-sense rules of ethics and morality prevail as in your private business and personal affairs. Never let awe for the mysteries of High Politics keep you from putting a stop to what looks like dirty business. Speak up as you normally would. None of the ground rules of decency is suspended for an election campaign."

In order to compare The Watergate Affair with questionable campaign tactics in recent years, it is useful to look at the trend of complaints filed with the Fair Campaign Practices Committee from the mid-1960's to the 1972 campaign.

In the early 1950's when the Fair Campaign Practices Committee was created, guilt-by-association was a common political smear tactic, as were blatant appeals to racial and religious prejudice and vicious, personal attacks upon candidates and their family life. Attempts to create doubts about a candidate's patriotism because of association with the extreme left or the extreme right are no longer the usual tactics of the political smear merchants. In the last four biennial campaign periods, the proportion of complaints filed with the Committee about unfair attacks on a candidate's loyalty has dropped from 14 percent to 1 percent. And the complaints filed, in the same period, about unfair attacks based on race or religion have dropped from 18 percent to zero -- not one,

single complaint was filed about a candidate using, unfairly, the issues of race or religion in 1972. Also, complaints about personal vilification have dropped from 17 percent to six percent.

These were not the only questionable campaign tactics which worried those who were concerned about political ethics some 20 years ago. They were worried, also, about

-- any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections.

-- campaign material of any sort which misrepresents, distorts, or otherwise falsifies the facts regarding any candidate.

All of the questionable campaign tactics are covered in the Code of Fair Campaign Practices which most candidates for major political offices have signed -- and followed -- in the period since it and the Fair Campaign Practices Committee were created. As politics has grown into the Age of Television, there has been a change in the tactics of those few political manipulators who are willing to cheat to win elections. As complaints filed with the Committee about the old style of political chicanery have decreased, there has been an increase in complaints about the type of questionable campaign tactics which seem to be part of mass media manipulation of a democratic society.

Between 1966 and 1972, complaints about violation of the Code section covering unethical, corrupting campaign practices rose from 16 percent of the total received to 31 percent. In the same period, complaints about misinterpretation, distortion or falsification of the facts rose from 35 percent to 62 percent.

Proportion of Complaints Filed Under Each Section of
Code of Fair Campaign Practices, By Year

	1966	1968	1970	1972
Falsify, misinterpret, distort	35%	50%	62%	62%
Unethical practice	16%	17%	23%	31%
Personal vilification	17%	16%	3%	6%
Guilt by association (loyalty)	14%	8%	6%	1%
Race	12%	6%	2%	0%
Religion	6%	3%	3%	0%

At the middle of the intensive campaign period of 1972, the Fair Campaign Practices Committee warned that the campaigns would be the dirtiest in recent years -- at least on the basis of the number of complaints filed.

"Historically, dirty politics always peaks during the last two weeks of the campaign," Committee Chairman Charles P. Taft warned. "If the present trend continues, we will have a new high in political low blows during 1972."

He was right. In recent years the volume of complaints had remained steady, averaging 67 complaints whether or not it was a Presidential election year. In

1972, the number of complaints of Code violation jumped 19 percent, to a total of 80 complaints in the Presidential campaign and the campaigns for House and Senate seats and for governorships.*

Chairman Taft gave two possible reasons for the mid-campaign prediction of an increase:

"First, this appears to be the year of the Great Stamp Robbery. Already, half way through the 1972 campaigns, the Committee has received more complaints about members of Congress abusing their free mailing privilege than we received throughout the entire campaign period in previous years.

"Second, this seems to be a negative year, with many candidates attacking their opponents' positions instead of taking a positive stand on the issues. A negative attack in a close race most often results in dirty politics."

The ethical question posed by members of Congress using their free mailing privilege to send literature to the voters during political campaigns explains part of the 1972 increase in complaints about dirty politics. There were 15 complaints filed in this category during the 1972 campaigns, compared to no more than six complaints in previous campaign years.

*The complaints filed in recent years also show that dirty politics know no party. In the past four campaign years of 1966 through 1972 there were 130 complaints of Code violation filed by Republican candidates for seats in the U.S. House of Representatives and U.S. Senate and for governorships and the Presidency. During the same period, 132 complaints were filed by Democratic candidates, and 19 complaints were filed by minor party and independent candidates.

Number of Complaints Filed by Party, in General Election Campaigns for
U.S. President, U.S. Senator, U.S. House Member and Governorships
(approximately 500 races each campaign year)

Number of complaints filed, by:	1966	1968	1970	1972	Total
Republicans	36	36	24	34	130
Democrats	29	27	33	43	132
Other (minor party representatives or individuals not identifiable by party)	3	4	9	3	19
	68	67	66	80	281

But there was a lot more to Dirty Politics -- 1972 than stealing stamps, for complaints about other types of campaign excesses increased during the year. In mid-campaign, the Civil Service Commission reported that complaints about Federal employees violating the Hatch Act were one-third higher than in 1968, the last Presidential campaign year, and complaints about state and local employees violating laws against partisan political activity had nearly doubled.

One week before the 1972 election day, the Federal Communications Commission reported that it had received more than 10 times the number of complaints about violation of requirements for equal time in political coverage and for fairness in reporting controversial issues than had been received during the comparable period in 1968.

The increase in complaints about campaign violations seems surprising in a year when pollsters and pundits were reporting voter apathy, but that apathy may be part of the reason for the political sewage of 1972. When the public is apathetic, some candidates become shrill trying to get the voter's attention. Even if the polls indicate the candidate is sure to win, his campaign apparatus may mount an all-out drive to get the attention of the unconcerned voters and guarantee a landslide victory.

But the increase in the number of complaints filed with the Fair Campaign Practices Committee during 1972 was not due to the desire for a voter mandate in the Presidential race. Nor was it due to The Watergate Affair, for only two complaints were filed with the Committee in that category. The full extent of the scandals was not exposed by the press and in the courts until well after President Nixon's inauguration.

One of the two complaints the Fair Campaign Practices Committee received about the Watergate burglary was filed by a Democratic Congressman on June 19th, two days after the break-in; the other was filed by the Democratic National Committee on October 24th. In each case the Committee asked for an answer to the charge that the Watergate break-in violated the ethics of campaign decency. In each case, Republican National Committee officials turned aside the opportunity to answer, explaining that the matter was before the court and further comment would be improper. The heads of the Republican and Democratic National Committees signed the Code of Fair Campaign Practices on September 19, 1972. The Fair Campaign Practices Committee does not investigate dirty political tactics until the Committee receives a specific complaint. The Committee's system of collecting the facts about a violation of the Code of Fair Campaign Practices and making the information available to the free and responsible press well before election day has been very effective in the past. Until the 1972 campaigns, 70 percent of the candidates for major offices who were attacked unfairly and used the Committee's system, went on to win their elections.

The 1972 political campaigns continued the trend of questionable tactics which have been apparent to political observers for many years -- until the Watergate burglary and the follow-up investigations by the press forced legal machinery into motion after the election and after the inauguration. The sordid scandal called The Watergate Affair is not simply more of the same tactics which have made "politics" a dirty word. It is a conscious conspiracy to violate laws, to manipulate voters, and to make a mockery of the democratic system of self-government.