editorial

Electoral ethics

The electoral process which sends delegates to the two major party conventions to eventually choose the parties' presidential candidates is simple.

Any number of delegate candidates file their names with the name of the presidential candidate of their choice and pay a filing fee. The persons receiving the largest number of votes in their congressional district get to attend the convention and ballot for the candidate of their choice.

Apparently some persons in the First Congressional District were not satisfied with their own candidate's ability to gain the election of delegates pledged to Hubert Humphrey. Instead of intensifying their own campaign effort, they have sought persons to file for the delegate spots committed to Humphrey's closest rival–George McGovern.

The process by which these persons have sought to diffuse McGovern support in favor of possible Humphrey support may have been quite legal. The fact remains, though, that a serious question of electoral ethics is involved. Conflicting stories are now available from those persons involved.

The story on page one of today's **Daily Nebraskan** points out an apparent attempt by Humphrey supporters to diffuse the voting power that may have elected more McGovern delegates than Humphrey delegates to the Democratic National Convention.

When the electoral process becomes suspect, it remains hard if not impossible to have faith in the entire governmental instutitution.

Barry Pilger

janet white

collide-oscope

Whoever said "you can't have your cake and eat it too" was not witness to the political sleights of hand that are daily fare in 1972.

Legislators frequently have their cake and eat it too–by acting out of selfish interests but maintaining a facade of propriety and respectability. How do they do it? They give socially-edifying labels to espoused policies, and then write as much effectiveness or ineffectiveness into legislation as is personally palatable. Loopholes in bills are not entirely due to oversight.

Ironically, a recent bill intended to remedy the perennial ineffectiveness of the Federal Corrupt Practices Act of 1925 is itself laced with less conspicuous loopholes. The bill is the Federal Election Campaign Act, effective April 7, which requires congressional, vice-presidential and presidential candidates to report all campaign contributions twice monthly.

After the bill passed, candidates and parties hastily collected as many contributions as possible before April 7. Newspapers reported Nixon's chief fund-raiser had urged Republican contributors to beat the deadline before the law became effective, according to the Congressional Quarterly.

Because the bill requires that every contribution be listed, but does not specify a meaningful format, Congressmen may attempt to obscure information with an unnecessary number of entries and figure breakdowns. Fred Wertheimer, head of the campaign finance division at Common Cause, has said, "There is a good chance that candidates–especially House candidates–will try to render the law ineffective by information overkill. They could choke it with so much paper and figures that the press could never decipher it until long after the election."

Some provisions of the bill are loosely drawn, as is apparent on examination of Carl Curtis' campaign contributions report. Between April 17 and 22, Curtis reports no contributions. The form is punctuated by a typewritten comment at the bottom of the page: "All funds are handled by committees. Any tender of money or checks to me were turned over to an appropriate committee. I have no receipts and no expenditures."

A campaign contributor can write a check to one of four campaign committees, earmark it for a specific candidate, but never be linked to the candidate. The donor's name would appear only on the campaign committee's report.

Curtis avoided having to list most major contributors and their donations by raising funds at a dinner, well in advance of the April 7 cut-off date. The $50-a-plate dinner raked in about $89,000 in clear profit, which is the balance entered on the campaign contribution reports as of April 7. Only two contributors are named in the April 7-April 17 report.

Although these procedures are legal, they are intentional measures to conceal the facts and so are suspect. Such actions are in marked contrast to the four presidential candidates who revealed all campaign contributions and contributors.

There are at least three other obvious loopholes in the law. Campaign committees are not covered by it unless they handle $1,000 or more in contributions. Under this provision, a number of $999 committees can be formed and operate without making reports.

Although candidates and their families are prohibited from making contributions over a certain amount, candidates can give cash gifts to acquaintances. These can be returned as donations.

It is not required that gifts of currency be reported–the most obvious loophole is a donation of this kind, known to candidate and contributor only.

Despite the weaknesses mentioned, the Federal Campaign Election Act is relatively well-designed. If provisions were added to cover the loopholes cited, the cost of enforcement would surpass the current estimate of $3 million annually. It is unlikely that even then all the escapes would be sealed.

Clearly what is needed is candidates willing to disclose campaign contributors and willing to finance their campaigns without questionable procedures.

This is insured only by a vigilant and questioning public. The efforts of investigative reporters and citizens' advocates are not sufficient. The only irreversible political initiative is that of a conscientious majority. If laws are to operate as they are intended to, nothing less is required.