

The Washington Post

March 25, 1990

Political Pitches Called Insult to Advertising

Industry Board Polices Commercials for Products, Not Candidates

by Paul Taylor, Washington Post Staff Writer

NEW YORK -- It used to be that when people compared selling politicians to selling soap, the politicians were offended. Now the soap sellers are.

"Political advertising is so wretched that most of it wouldn't be approved by our own self-governing boards," Alexander Kroll, chairman and chief executive officer of Young & Rubicam, said at a recent ad industry luncheon here.

"I think we need to ban political ads," Jay Chiat, chairman and chief executive officer of Chiat/Day/Mojo, which creates advertisements for Nissan and Reebok, said in an interview.

"The worst thing that has ever happened to the advertising business is political advertising," said Malcolm MacDougall, chairman of the MacDougall Co.

To political consultants, being called names by Madison Avenue is like being called ugly by a frog. Yet with public outcry over political commercials mounting and new calls for regulation reverberating in Congress, the political consultants are beginning to explore borrowing an idea from their critics in product advertising by establishing a voluntary self-review system.

Bradley O'Leary, president of the American Association of Political Consultants (AAPC), said his group will hold its first ethics symposium "within three months" after the elections this November. The goal, he said, is to adopt a "self-regulating enforcement mechanism that everyone in the industry is comfortable with" -- a mechanism that would allow a panel of political consultants to censure the makers of deceptive political ads.

The product advertising industry has had such a panel -- the National Advertising Division of the Better Business Bureau Inc. -- for two decades. It reviewed 104 complaints against product ads in 1989 and, in 76 cases, negotiated a voluntary agreement with the advertiser to modify or discontinue the offending ad.

O'Leary made it clear that product advertisers are the last group he will look to for ethical guidance. "They have no morals whatsoever," he said. "They don't care whether they believe in a product or not. All they care about is making money."

Yet the same dynamic that drove product advertisers toward self-regulation appears to be taking hold among political consultants: the desire to fend off meddling outsiders.

Bills to regulate the format and content of political ads have been introduced in Congress for decades, only to gather dust. But in the aftermath of the 1988 presidential campaign -- riddled with more negative television commercials than any other presidential race in history -- there is new interest in legislation.

"Political campaigns turn the stomach of the average voter," Sen. John C. Danforth (R-Mo.) said in a recent speech on the Senate floor. "Oftentimes, negative commercials have nothing to do with, or little to do with, reality. They are substantiated by the thinnest amount of truth and accuracy and fairness."

Danforth said he supports a proposal that would require candidates to appear on the screen at the end of their attack ads to vouch for their veracity. Other bills have been introduced that would give targets of attack ads free response time. Still another approach is to give all candidates free time on television, with the proviso that they appear on screen in a "talking head" format - a way to encourage reasoned discourse over visual demagoguery. Many democracies around the world impose such restrictions.

Most people in the consultant community and broadcasting industry oppose these approaches, but it is an index of how seriously they take the threat of regulation that the AAPC has finally decided to hold an ethics symposium. It has been resisted for years by some members of the consultant community who argue that self-regulation is not feasible.

"One concern everybody has is how to keep politics out of it," O'Leary said. "If you put six people on a review commission, and three are Democrats and three are

Republicans, you're going to get a lot of tie votes."

In product advertising, industry self-review is only part of a web of regulatory mechanisms. Before an ad appears on television, it must be approved by censors at the three major networks who are on the lookout for unfair comparisons or deceptive claims. Many times, product advertisers submit their ad for approval while it is still in the early phase of conceptualization so that they do not spend money producing an ad that cannot get on the air. Of the 50,000 product ads submitted to CBS for approval last year, about one-third required substantiation and/or revision, according to Matthew Margo, the network's vice president for program practices.

Once product ads appear on the air, aggrieved consumers and competitors can make complaints to the Federal Trade Commission or to a state attorney general.

Political ads are subject to no regulation of any kind and are generally thought to be protected as free speech under the First Amendment. They are specifically exempted, in communication law, from censorship by broadcasters.

MacDougall, a product advertiser who has had political clients in the past -- including President Gerald R. Ford in 1976 and, briefly, Gov. Michael S. Dukakis in 1988 -- said this absence of regulation makes political ads "fundamentally corrupt."

"When you attack the other guy in a 30-second spot, distortion almost has to be the rule," he said, "because what political advertising does is find the one thing in a politician's career -- and there is always going to be a Willie Horton, there is always going to be some dumb statement or vote

cast -- that is outrageous to a majority of the people. And then you blow that one thing all out of proportion.

"I'll give you an analogy," MacDougall continued, describing what product advertising might be like without regulation. "Suppose I'm Lipton and I find out that once, way back in 1948, a watch strap fell into a can of Campbell's soup in a factory in the South somewhere. It was found and no one was hurt and it never happened again. If I said all that in an ad, no one would pay any attention. But suppose I ran an ad with eerie music in the background and I had some poor woman screaming as she discovers the watch strap and I had a grotesque close-up of the Campbell soup container and my tag line said: 'Do you want a soup like this? Or do you want Lipton? We check every can.'

"It would be pretty damn effective. But of course there's no way I could get it past the network censors."

In political campaigns, this kind of advertising has become the coin of the realm. Did Rep. Jim Courter (R-N.J.) pollute his own property with toxic waste? Was Lt. Gov. L. Douglas Wilder (D) a slum landlord? Did former Texas governor Mark White (D) use ill-gotten gains to buy a million-dollar mansion after he left office? These were the 30-second spots that ran in gubernatorial races last fall in New Jersey and Virginia and this spring in Texas. All had a modicum of truth, but all -- at least in the opinion of the targets -- were blown far out of context.

Many political consultants argue that ads of this sort must pass muster with the toughest and fairest regulating body of all -- the voters. "If people think you are running dirty ads, there's a 100 percent chance it'll backfire on you," said Republican National Committee Chairman Lee Atwater, who helped devise the attack ad strategy that was used so effectively against Dukakis in 1988.

But more and more consultants privately say that the cross-fire of 30-second innuendo is causing voters to tune out of politics altogether. In the 1960 election, when political advertising was still in its infancy, voter turnout in the presidential contest was 63 percent. By 1988, it had fallen to 50 percent -- the lowest of any industrialized democracy. This decline is a complex phenomenon with many causes, but one of them -- say some consultants -- is the attack ad.

"This is not something people in my business like to talk about, but attack ads are designed to depress turnout," said Neal Oxman, a political media consultant from Philadelphia. "It's very difficult in a campaign to get a voter who supports the opponent to switch over and vote for you. It's less difficult to create enough doubt about the opponent that some of his supporters stay home. That's what the attack ad is all about."

"In product advertising, if some people got so turned off by the ad that they didn't come into the store, everybody loses," Chiat said. "It's not that way with politics."