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Statement by Senator Edmund S. Muskie on Campaign Broadcast Reform

Edmund S. Muskie

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STATEMENT BY SENATOR EDMUND S. MUSKIE
ON CAMPAIGN BROADCAST REFORM
BEFORE THE
COMMUNICATIONS SUBCOMMITTEE OF THE
SENATE COMMERCE COMMITTEE
MARCH 3, 1971

MR. CHAIRMAN, I THANK THE COMMITTEE FOR
GIVING ME THIS OPPORTUNITY TO DISCUSS THE
COMMUNICATIONS ASPECTS OF ELECTORAL REFORM.

AT THE TIME OUR NATION WAS FOUNDED, MANY
STATES HAD PROPERTY QUALIFICATIONS FOR VOTING.
IT WAS BELIEVED THAT ONLY A MAN WHO WANTED TO
PRESERVE HIS LAND AND WEALTH WAS RESPONSIBLE
ENOUGH TO PARTICIPATE IN POLITICAL AFFAIRS.
FORTUNATELY, OUR CONCEPT OF POLITICAL EQUALITY
HAS DEVELOPED TREMENDOUSLY SINCE THAT TIME.

NOW THE BELIEF THAT ALL CITIZENS, REGARDLESS OF WEALTH, SHOULD HAVE AN EQUAL OPPORTUNITY TO PARTICIPATE IN POLITICS IS AN AXIOM OF OUR POLITICAL SYSTEM. THIS IDEA THAT WEALTH COULD BE A PREREQUISITE FOR VOTING TODAY WOULD BE MET WITH WELL-DESERVED OUTRAGE.

BUT AS OUR PRACTICES OF EQUALITY IN VOTING HAVE GROWN, OUR OPPORTUNITIES FOR EQUALITY IN SEEKING OFFICE HAVE SHRUNK. ONCE AGAIN, WEALTH IS A BARRIER TO DEMOCRATIC PRACTICE. TODAY, IT IS NOT STATE STATUTES, BUT THE EXTRAORDINARY COST OF RUNNING A CAMPAIGN THAT KEEPS ALL BUT THOSE

WHO CAN RAISE VAST AMOUNTS OF MONEY FROM SEEKING OFFICE. IF WE DO NOT DRASTICALLY ALTER OUR CAMPAIGN PRACTICES, ONLY THOSE WHO ARE WEALTHY, OR WHO ARE CHOSEN BY THE WEALTHY WILL BE ABLE TO COMPETE FOR ELECTIVE OFFICE. THIS IS AN OUTRAGE IN A DEMOCRATIC NATION.

CERTAINLY, GREAT WEALTH OR THE ABILITY TO SOLICIT THAT WEALTH IS NOT A PROPER PREREQUISITE FOR OFFICE IN A DEMOCRACY. NOR IS IT HEALTHY TO HAVE ELECTED OFFICIALS MAKING DECISIONS ABOUT THE COMMON GOOD KNOWING THAT THEY WILL DEPEND UPON WEALTHY INTERESTS TO SURVIVE REELECTION.

THE INCREASING DEPENDENCE OF OUR ELECTIONS UPON MONEY IS A DISTORTION OF THE ELECTIVE PROCESS AND PRODUCES TERRIFIC PRESSURE TOWARDS CORRUPTION. AS LONG AS MILLIONS ARE SPENT TO SWEEP MEN INTO OFFICE ON A WAVE OF SUPERFICIAL ADVERTISING MORE APPROPRIATE TO SOAP OR CEREAL THAN NATIONAL POLITICS, THE INTEGRITY OF DEMOCRATIC PRACTICE AND OUR FAITH IN THAT PRACTICE WILL CONTINUE TO DIMINISH.

WHAT OUR NATION NEEDS IS A SIMPLE AND INEXPENSIVE WAY FOR EACH CANDIDATE TO COMMUNICATE INTELLIGENTLY AND FULLY WITH THE VOTERS. WELL, WE HAVE JUST THAT DEVICE: TELEVISION. BUT WE HAVE, NEARSIGHTEDLY, FAILED TO USE THIS PUBLIC TOOL TO SERVE THE PUBLIC GOOD.

THE CENTRAL QUESTION BEFORE US IS
RELATIVELY SIMPLE: WILL WE STRUCTURE OUR
ELECTORAL PROCESS SO THAT EVERY CANDIDATE
HAS A REASONABLE CHANCE TO SPEAK TO THE VOTERS?
OR SHALL WE CYNICALLY DO NOTHING, AWAITING A
PERFECT REFORM AND ALLOWING ELECTIONS TO TURN
INTO BATTLES OF TELEVISION ADVERTISING TOO OFTEN
WON BY THE CANDIDATE WITH THE BIGGER WALLET?

I THINK THE ANSWER IS CLEAR -- WE DESPERATELY
NEED A CHANGE. I RECOMMEND TWO MAJOR CHANGES
IN THE USE OF MEDIA IN CAMPAIGNS FOR FEDERAL
OFFICE: FIRST, EACH QUALIFIED CANDIDATE SHOULD
BE GIVEN A GUARANTEED MINIMUM OF T.V. AND RADIO

TIME TO PRESENT HIS VIEWS TO THE ELECTORATE.
SECOND, MEDIA SPENDING SHOULD BE LIMITED SO
THAT NO CANDIDATE CAN OVERWHELM HIS OPPONENT
OR THE ELECTORATE WITH AN ADVERTISING CAMPAIGN
OF MONUMENTAL COST, AND, IN EFFECT, BUY HIS
WAY INTO OFFICE.

THE TWENTIETH CENTURY FUND'S IDEA FOR
"VOTERS' TIME", A MINIMUM OF FREE TELEVISION
AND RADIO TIME, OFFERED TO EACH QUALIFIED
CANDIDATE FOR FEDERAL OFFICE MAKES ABSOLUTE
SENSE. IT SERVES THE PUBLIC BEST WHEN EACH
COMPETITOR TO OFFICE HAS AN OPPORTUNITY TO SPEAK
HIS MIND TO THE VOTERS. AIR TIME OFFERED IN LARGE
SEGMENTS, SUCH AS HALF-HOURS, PRECLUDES A PACK-
AGED COMMERCIAL APPROACH. PERHAPS SOME OF THE

TIME SHOULD BE REQUIRED TO BE LIVE, NOT PRE-RECORDED. BY BROADCASTING SUCH PRESENTATIONS SIMULTANEOUSLY ON ALL CHANNELS, CONSIDERABLE ATTENTION WILL BE FOCUSED UPON THE ELECTION.

~~AND IT WILL BE A SIMPLE MATTER TO ENSURE THAT EACH CANDIDATE GETS EQUAL ACCESS TO THIS MEDIUM.~~

IT SEEMS REASONABLE TO GRANT MORE TIME IN A PRESIDENTIAL RACE -- PERHAPS 6 HALF-HOUR SEGMENTS -- THAN IN A SENATE RACE WHERE 3 HALF-HOURS WOULD PROBABLY BE ENOUGH. THERE ARE SPECIAL PROBLEMS WITH LARGE METROPOLITAN AREAS SUCH AS NEW YORK CITY, WHICH HAS SO MANY CANDIDATES AND A LIMITED AMOUNT OF AIR TIME AVAILABLE. A STUDY OF GRANTING VOTERS TIME FOR HOUSE AND SENATE CANDIDATES, AS PROPOSED IN THE BILL INTRODUCED BY SENATOR GRAVEL, MAY BE THE BEST WAY TO SOLVE THIS SPECIAL PROBLEM.

I THINK WE SHOULD EXERCISE GREAT CARE
IN DEFINING THOSE WHO ARE ELIGIBLE AS CANDIDATES.
WE MUST BE CERTAIN NOT TO CREATE OFFICIAL BARRIERS
AGAINST NEW CHALLENGERS OR NEW PARTIES BY LOCKING
THEM OUT OF FREE TIME. STATE LAWS REGULATING
ENTRY ON THE BALLOT MIGHT NOT BE ADEQUATE FOR
THIS DELICATE SELECTION, AND SPECIAL "FEDERAL"
QUALIFICATIONS FOR ELIGIBILITY FOR VOTERS' TIME
MIGHT BE NECESSARY.

A MINIMUM EXPOSURE IS NOT ENOUGH PROTECTION
OF OUR ELECTORAL PROCESS. IT PROVIDES EVEN THE
POOREST CANDIDATE WITH ACCESS TO THE VOTERS, BUT
IT DOES NOT PROTECT HIM FROM A BARRAGE OF ADVER-
TISING FROM A WEALTHY CAMPAIGN CHEST. SUCH A

MASSIVE PUBLIC RELATIONS EFFORT SERVES NO PUBLIC PURPOSE. IT IS A WASTE OF RESOURCES AND A DISTORTION OF THE DEMOCRATIC PROCESS.

THE ANSWER TO THIS PROBLEM OF MONEY RUNNING POLITICAL CAMPAIGNS IS A LIMIT ON CAMPAIGN SPENDING FOR FEDERAL OFFICES. IDEALLY, A LIMIT ON ALL SPENDING WOULD BE BEST. BUT A LIMIT ON MEDIA SPENDING WOULD BE AN EFFECTIVE CONTROL OVER SPENDING BECAUSE TELEVISION AND RADIO HAVE SUCH A UNIQUE ROLE IN PUBLIC PERSUASIVENESS. AND IT IS MOST APPROPRIATE THAT THEY SHOULD BE LIMITED BECAUSE THEY ARE THE MOST EXPENSIVE PART OF PRESENT CAMPAIGN EXPENDITURES AND BECAUSE THE AIRWAVES BELONG TO THE PUBLIC. I WOULD FAVOR LIMITING CAMPAIGN SPENDING UPON OTHER NON-ELECTRONIC

MEDIA IF THE LIMITS COULD BE MONITORED EASILY.

EXCESS CAMPAIGN EXPENDITURES CAN AFFECT
PRIMARIES AS MUCH AS GENERAL ELECTIONS. THERE-
FORE I THINK THE SPENDING LIMITATIONS SHOULD
COVER THE PRIMARIES AS WELL, AT HALF THE GENERAL
ELECTION LEVELS.

TO FURTHER REDUCE THE COST OF THE MEDIA
USED IN CAMPAIGNS, THE PUBLICALLY LICENSED
STATIONS SHOULD SELL TIME TO CANDIDATES AT
LOWEST UNIT COST PROVIDING ADEQUATE BUT NOT
EXCESSIVE PROFITS. PERHAPS COST REDUCTIONS COULD
BE MADE WITH INCENTIVES TOWARDS LONGER SEGMENTS
SO THAT SPOT COMMERCIALS WOULD BE DISCOURAGED.

THESE TWO RECOMMENDED ACTIONS ARE
RELATIVELY SIMPLE. A MINIMUM OF FREE TELEVISION
TIME WOULD GIVE EVERY CANDIDATE A CHANCE TO
SPEAK TO THE VOTERS; A MAXIMUM ON THE TIME WOULD
PREVENT COMMUNICATION FROM TURNING INTO MERE
ADVERTISING. I BELIEVE THEY WOULD GO A LONG WAY
TOWARDS RESTORING THE FAITH OF THE PUBLIC IN OUR
ELECTORAL PROCESS AND IN REFORMING THAT PROCESS.
RIGHT NOW, PUBLIC OFFICE IS BECOMING THE EXCLUSIVE
PROVINCE OF THE RICH OR THOSE WHO SERVE THE RICH.
THIS IS GOOD NEWS FOR LARGE ORGANIZATIONS OR THE
WEALTHY, BUT IS A BITTER RECORD FOR A DEMOCRATIC
NATION. IT MUST BE CHANGED.

LAST YEAR, CONGRESS PASSED A BILL TO LIMIT TELEVISION AND RADIO CAMPAIGN SPENDING. ALTHOUGH NOT PERFECT, IT WAS A GOOD MEASURE THAT WOULD HAVE DONE MUCH TO RESTORE SANITY TO OUR ELECTIONS. MUCH OF THE CREDIT FOR THAT MEASURE IS OWED TO SENATOR PASTORE FOR HIS HARD WORK AND LEADERSHIP IN BRINGING IT TO PASSAGE. THE PRESIDENT VETOED THAT REFORM BILL, SAYING IT DID NOT GO FAR ENOUGH. YET, THIS YEAR THE PRESIDENT HAS OFFERED NO LEGISLATION WHATSOEVER TO REFORM THE CAMPAIGN PROCESS. INSTEAD OF A STRONGER BILL, THE PRESIDENT HAS OFFERED NOTHING.

THE SENATE MINORITY LEADER HAS INTRODUCED
A BILL TO MAKE MEDIA LESS EXPENSIVE TO CANDIDATES,
BUT THERE ARE NO SPENDING LIMITS IN IT. THAT IS
NOT ENOUGH. IT LOOKS AS IF, ONCE AGAIN, REFORM
OF CAMPAIGN SPENDING WILL NOT BE AIDED BY THE
REPUBLICAN LEADERSHIP.

I HOPE WE WILL AGAIN DO SOMETHING TO
SEPARATE MONEY FROM POLITICS A LITTLE MORE. I
THINK IT CAN BE DONE EASILY. ALL WE NEED IS
POLITICAL LEADERSHIP THAT WILL RAISE ITS SIGHTS
BEYOND IMMEDIATE PARTISAN ADVANTAGE AND WORK
TOWARDS A MEANINGFUL REFORM OF OUR ELECTORAL
PROCESS.

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