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## Statement by Senator Edmund S. Muskie on Electoral College Reform

Edmund S. Muskie

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ELECTORAL COLLEGE REFORM  
STATEMENT BY: EDMUND S. MUSKIE  
JANUARY 1970

Alexander Hamilton once asked "whether societies of men are really capable or not, of establishing good government from reflection and choice, or whether they are forever destined to depend, for their political constitutions, on accident and force."

No serious man would term the American people "incapable" of making such a choice. But, because of an outmoded, undemocratic, and haphazard election process, we are insulated from a direct voice in the selection of our leaders.

A tradition has been diluted that was almost unchallenged until 1948 -- the tradition that electors on a party slate shall honor their party's candidate for President. Faithless electors have not yet changed the final outcome of an election. But a better organized effort or a closer margin in the electoral college could render the will of the people meaningless in some future election. Indeed, the electoral college accords a well-organized party a disproportionate potential power. Had the margin in the electoral vote totals in the 1968 election produced a deadlock, with no candidate receiving a majority, the third party electors could have effectively eliminated the power of the voters to make a choice.

The American voter deserves a better chance to influence the outcome of the election.

The President is the leader of the nation, not of the separate States. But thousands and millions of our voters are effectively disenfranchised every four years. Voters who do not vote for the candidate who carries their State find that their votes do not count.

As long as we are saddled with an electoral system which reinforces one-party States, which rewards appeals to States instead of voters, and which discourages the exercise of the right to vote, we can't make any progress. Political participation is limited to the winning side.

Our method of electing a President preserves division, varies the weight of a vote from State to State, and twice threatens the right to cast an effective ballot. It is an anachronism in a democratic society. We must do better.

A replacement for the present system should meet several tests.

First, there should be no intermediaries who might be "useless is faithful, dangerous if not."

Second, the new system should recognize the President as the leader of one nation. It should acknowledge the equal right of all Americans to elect him regardless of where they live.

Finally, the new system must not eliminate or dilute a vote once it has been cast.

In other words, we must amend the Constitution to provide for the most direct, effective and fool-proof possible means of electing a President. By eliminating the elector, we can meet the first standard, and the second can be met by uniform voting procedures. But only through the direct popular election of the President can we insure that all votes count equally, and that each citizen can cast his ballot without questioning its effectiveness. Any other "reform" of the electoral process will be a facade.

Through the growth of our nation and changes in our political customs, one particle of our Constitution -- that which prescribes the manner in which we shall elect our President -- has fallen into conflict with the ideals and the provisions of the rest of that document. If we fail to correct that basic conflict through amendment, we will have compromised all that the Constitution represents. But even if we succeed in this effort, we will not have met all our responsibilities. We deserve a meaningful electoral process, one which accurately reflects the ideals of this nation.

We are talking about nothing less than the cornerstone of our democratic society -- the ability to participate in its affairs. Our political process has not kept pace with our society. In a nation which Andrew Jackson would never recognize, we find electoral procedures which a citizen of the Jacksonian era or earlier would find unchanged. The electoral college is our most blatant shortcoming.

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