

The Passy Press

Letters to the Editor

From: John M. Cogswell jmcogswell@undisclosed.com
To: Nick Gardiner enpg@thepassypress.com
Sent: October 17, 2016 at 3:26 PM,
Subject: George Cadwalader Essay Oct 2016

Dear Sir,

George Cadwalader, an honorable and able thinker, proposes compulsory voting as a method to achieve better leaders to renew our ailing democracy. He believes that more voters will diminish the corrupting influence of big money and vested interests and override the tendency of our elected leaders to allow their self-interest to overpower their interest in the country. He believes more voters, even if randomly voting would water down the influence of these pernicious interests and generate leaders “less prone” to honor the interests of the few over the interests of the many. He believes “democracy requires participation by all its citizenry”.

Whether compulsory voting would give us better leaders is an open question. I certainly agree that we need better leaders who will put their country first and their ambitions second. And I also agree that his proposal to turn the ballot into a civics lesson merits further study. However, the notion that compulsory voting would solve our leadership problem is one I cannot support for various reasons.

According to our Founding Fathers, the touchstone of every effort to bind people together is “life, liberty and the pursuit of happiness”. According to Zeus, as reported by Protagoras, writing 2,500 years earlier, it was “reverence and justice” which would “adorn society and bind people together in friendship”. Our Founding Fathers decided a democracy, cast as a republic with division of powers and checks and balances and a Bill of Rights to protect us from abuse of power, would be the best. This decision has worked for over 200 years but its efficacy has fallen into doubt because it is clear to all that our democracy is failing mostly due to poor leadership.

When I ran for the U.S. Senate in 1980, people would ask me whether I would support the policies of my voters if I were elected expecting an affirmative answer. I thought I would make a good leader and always said no – that I represented all the people including those who didn’t vote and those who couldn’t vote and that, since they alone constituted a majority of the population, I would make decisions based upon what I thought was best for America. I think this should be the standard for all elected leaders and, for the reasons that follow, do not see how compulsory voting can have the influence George Cadwalader would assign to it.

First, that we are failing as a democracy is best understood by examining the comments of Paul Woodruff, Professor of Philosophy and Classics at the University of Texas, who stated in *First Democracy* (2005) that a healthy democracy partakes of at least seven elements, namely opposition to tyranny, harmony, rule of law, natural equality, citizen wisdom, reasoning without knowledge and general education (civics). Compulsory voting may invigorate two of these elements: citizen wisdom and reasoning without judgment. The underlying but untreated

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assumption is that voters, duly invigorated and compelled to vote, will give us leaders who will overcome the weaknesses of human nature that diminish the need for the other five elements. I doubt this will ever happen unless democracy requires enlightened citizenry (a product of general education) not just citizenry as George Cadwalader has proposed. In fact, the impossibility of this is what led to election by lottery in ancient Athens.

Second, it is an illusion to think that voting by itself can ever be a solution. Voting is not democracy unless the people have a say in the issues and candidates to be voted for, a practice not followed by petty dictators who seem to win their elections with overwhelming majorities in banana republics requiring compulsory voting. While George Cadwalader has not recommended that his proposal stand by itself, I think there are better ways to obtain better leaders through responsible constitutional change and would refer your readers to my website below www.campaignconstitution.com

Lastly, I agree with George Cadwalader that special interests have an unacceptable influence and that the desired goal is to put some steel in the backbones of our elected leaders. At the same time, I doubt compulsory voting will attenuate his concern about big money. I am not so concerned about big money but am thankful he did not seek the reversal of *Citizens United*, which recognized the freedom of the few to combat the freedom of the fewer. If ever the influence of big money was rebutted by actual experience, it has been in the year 2016.

In conclusion, I compliment George Cadwalader for his interest in proposing one solution to an ailing country and wish more people like him would get interested in this important problem and, in the words of Abe Lincoln, invite the “better angels of our natures [to] swell the chorus of the Union”.

Sincerely,

John M. Cogswell

John M. Cogswell is a lawyer in Buena Vista, Colorado and President of Campaign Constitution, www.campaignconstitution.com