There is a Duty to Vote: Grounds for the “Folk Theory of Voting Ethics”¹

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Belief in a duty to vote permeates popular opinion and public discourse in established democracies and has substantial practical impact on the working of democratic politics. Individuals who believe that voting is a duty are more likely to turn out to vote (A. Campbell, Gurin, and Miller 1954, 196). In fact, internalizing this sense of duty causes individuals to think differently about the act of voting (Achen and Blais 2010). Widespread acceptance of the duty to vote can even motivate citizens who have not internalized the sense of duty because the norm may be enforced through external social pressure and the threat of social sanction (Gerber, Green, and Larimer 2008). The practical importance of the duty to vote extends beyond its effect on individual voting behavior. Parties may leverage belief in the duty to vote to effectively target mobilization campaigns, and belief in the duty to vote may affect how we design electoral laws and institutions. Compulsory voting laws offer the clearest example.

Despite its pervasiveness and practical importance, the duty to vote is not well understood. While political scientists have explored the sociological factors that lead individuals to affirm a duty to vote, the *grounds* of such a duty remain relatively unexplored. Understanding why voting is a duty, and not merely a custom, requires more than a sociological explanation; it requires a normative explanation. Examining the normative underpinnings of the duty to vote is essential not only for understanding the way the duty to vote affects democratic politics, but also for assessing how we, as ethicists, policy-makers, or citizens, should respond to the belief in the duty to vote. Should our public institutions express and reinforce this belief? Should we be worried if belief in the duty to vote is declining? Should we take steps to mitigate that decline?

Some political theorists and philosophers are skeptical that there really is a duty to vote. In “Is There a Duty to Vote?” Geoffrey Brennan and Loren Lomasky (2000) consider a number of plausible explanations for the duty to vote and find none sufficient to ground a general duty to
vote. In *The Ethics of Voting*, Jason Brennan (2011) similarly rejects what he calls “the folk theory of voting ethics” which claims that "Each citizen has a civic duty to vote" and may only be excused from voting in extenuating circumstances (3). The folk theory of voting ethics, Brennan argues, is a widely endorsed mistake. And what's more, Brennan asserts, it is a dangerous mistake, encouraging citizens to irresponsibly vote with insufficient information (68).

In this paper, I respond to these theorists’ skepticism by offering plausible grounds for the popular or “folk” understanding of the duty to vote. An account of the duty to vote that is consistent with the popular view should be able to explain why citizens have a duty to vote even when they cannot affect electoral outcomes or do not recognize a moral difference between outcomes. Grounds for the folk understanding of the duty to vote must also explain why voting should be singled out among various forms of political participation as the object of this special duty. Previous attempts to ground a duty to vote in the instrumental value of voting to producing good outcomes have failed to fully explain these features of the duty to vote as it is popularly understood. The account of the duty to vote that I offer in this paper captures both the robustness and the uniqueness of the duty because it explains how the individual act of voting is constitutive of the democratic project. Democracy, like any collective activity, requires that citizens follow a shared plan – a shared understanding of how their individual actions fit together to achieve their shared goal of collective self-rule. Citizens in contemporary democracies have a duty to vote because of the particular role that voting plays in the plan for modern democracy.

**The Limitations of Outcome-oriented Accounts of the Duty to Vote**

The most common attempts to explain the duty to vote argue that electoral outcomes should be the focus of moral concern in voting but they challenge the classical rational choice
view that voters should only care about being decisive over electoral outcomes. Alvin Goldman (1999) has argued that individuals should care both about electoral outcomes and about their relationship to those outcomes. According to Goldman, even if they know that their votes will not change electoral outcomes, morally motivated actors have reason to want to be part of a group that is causally efficacious in bringing about a good outcome (1999, 217; see also Tuck 2008, 54).

Goldman’s explanation of the duty to vote presents voting as simply one clear case of a general duty to contribute to morally valuable outcomes that can only be produced cooperatively. Eric Beerbohm (2012) also offers an outcome-oriented account of the duty to vote, but one that is based on the distinctive moral features of a representative system. Like Goldman, Beerbohm insists that individuals should care about their relationship to electoral outcomes. But Beerbohm sees voting as particularly important because the fact of democratic citizenship has already established a relationship between individuals and the actions of their governments. Because democracy asserts and enables our shared status as co-authors of the actions of our government, citizens are responsible for actions taken by the government “in our name.” If we do not actively participate to exercise our control over our representatives, “we can be held responsible for giving up authority that we are not permitted to hand off,” (Beerbohm 2012, 5), and we risk complicity in the unjust actions of our government if our representatives act wrongly.²

While these two views offer important insight into the ethics of voting, neither fully captures the logic of the popular understanding of the duty to vote. Rather, Goldman and Beerbohm conclude that under certain conditions, there is a duty to vote for the better outcome.³ In the next section, I discuss the popular understanding of the duty to vote as measured by a number of empirical studies of citizen attitudes, highlighting three features of the duty to vote.
that outcome-oriented explanations cannot account for: 1) the duty to vote is not just one example of a general duty to participate. Voting is singled out among other forms of participation as the object of a duty, 2) the duty to vote does not derive from the value of the outcome voted for, and 3) it is not conditioned on facts that vary from one election to the next. 4

These last two features of the duty to vote might seem objectionable at first, so I want to make two quick points about them. First, even though the duty to vote is not conditioned on facts that typically vary between elections, it may still be overridden by a variety of moral and practical considerations. The scope of circumstances in which the duty to vote applies does not tell us anything about the weight of the duty to vote. Second, though the duty to vote does not depend on the quality of the outcome that a person votes for, this does not mean that citizens should not be concerned with the outcome of an election. Rather, it means that the value of the act of voting does not depend exclusively on the value of the outcome for which a person votes. An outcome-independent duty to vote does not preclude an additional duty to cast a well-considered vote. But the reasons to care about how you vote are separable from the reasons you have for voting in the first place. So it makes sense to say that there is an outcome-independent duty to vote, even if that duty does not tell the whole story of the ethics of voting.

The Popular Understanding of the Duty to Vote

In 1952, the American National Election Survey began measuring respondents’ sense of “citizen duty” using an index constructed of four questions (A. Campbell, Gurin, and Miller 1954, 194). All of the questions focus on voting, asking whether an individual ought to vote under different conditions. The results of this survey reveal both a widespread belief in the duty to vote and the inadequacy of outcome-oriented explanations of this duty. The NES measure of
citizen duty emphasizes an opposition between duty and efficacy, even the kind of group efficacy that grounds Alvin Goldman’s account of the duty to vote. In the 1952 NES, over 80% of respondents disagreed with the statement “It isn't so important to vote when you know your party doesn't have a chance to win,” indicating that they believe voting is important even when their preferred choice won’t win (A. Campbell, Gurin, and Miller 1954, 195). But Goldman admits that his view cannot explain why I should vote if my preferred candidate has no chance of winning (1999, 214–215). Goldman’s outcome-oriented view can’t explain the robustness of the popular understanding of the duty to vote.

Another of the questions measuring citizen duty in the ANES asks respondents whether they agree with the statement: “If a person doesn't care about how an election comes out he shouldn't vote in it”. Though this question enjoyed less consensus than the other questions in the duty index, nearly half of respondents disagreed with this statement (A. Campbell, Gurin, and Miller 1954, 195), meaning nearly half believe that a person's reasons for voting are not dependent on whether she can identify a meaningful difference between possible electoral outcomes. Outcome-oriented explanations of the duty to vote cannot account for this belief.

More recent research suggests that this distinctive, outcome-independent sense of the duty to vote persists. In a recent paper, Christopher Achen and André Blais (2010) examine data from two internet panel surveys around the time of the US and Canadian 2008 national elections. These surveys measure civic duty in a way that targets the outcome-independence of the duty to vote, asking respondents to say whether for them personally, voting is “first and foremost” a “duty” or a “choice.” Respondents are told that those who see voting as a duty “feel that they should vote in every election however they feel about the candidates or parties” (Achen and Blais 2010, 16). About half of American and Canadian respondents select duty (9). Achen and
Blais find evidence that the duty to vote dampens the effect of cost-benefit analysis on the decision to vote. How much a person cares about the outcome of an election has a smaller effect on turnout among those who report a strong belief in the duty to vote (11).

In formulating their understanding of the duty to vote, Achen and Blais follow other research that supports the independence of a sense of duty from a concern for political outcomes. In his 2006 study *Why We Vote*, David Campbell produces evidence for a “dual-motivations” account of what brings people to the polls. In politically heterogeneous communities where elections are tightly contested, individuals are likely to engage in “political participation” – activities that aim to influence public policy. In homogeneous communities, on the other hand, where social capital is high, but elections are less competitive, individuals are less motivated to engage in political participation, but more motivated to engage in “civic participation” - activities that are “public-spirited,” but do not aim at influencing policy. But Campbell observes that voting appears to be motivated by both civic and political motivations (2006, 34–35), by “duty” and by “choice.”

Campbell does not offer an explanation for why voting should be regarded as a civic activity, while other forms of participation are not. What makes voting more public-spirited than working for a campaign or writing to the president? An adequate account of the grounds for the duty to vote should be able to explain why voting should be singled out among other forms of participation as the object of civic duty. Outcome-oriented accounts cannot do this. It seems that I have just as much (if not more) reason to want to causally contribute to policy-making through means of participation other than voting, and I might be better able to avoid complicity in the unjust actions of my government if I actively and vocally protest them.
Some scholars have suggested that the outcome-independent duty to vote should be understood as a response to a collective action problem in the provision of a public good. In *An Economic Theory of Democracy*, Anthony Downs (1957) observes that citizens value democracy itself, and “derive benefits from its continuance” (261). Democracy requires that elections decide who will hold public office, but if no one votes, then the election does not yield a decision, and democracy fails. The duty to vote, then, acts as a form of “social insurance” against the possibility that no one votes and the citizens therefore lose the benefits of democracy (268).

Because he explains that voting promotes not just a particular electoral outcome, but also the continuation of democracy itself, Downs’ public goods argument can account for the belief in an outcome-independent duty to vote. But Downs’ argument still cannot explain why voting should be singled out as the focus of this kind of duty. Downs assumes that democracy will collapse if elections do not render a decision, but does not consider whether democracy would collapse if no one protested, petitioned, campaigned or stood for office. And Downs’ argument offers no explanation for why an individual would, or should, wait in line to vote.

Downs is right to point to the value of democracy itself, and to the role that voting plays within democracy as the source of the duty to vote, but he misunderstands the nature of the relationship between individual participation and democracy. Downs’ argument implicitly relies on a procedural view of democracy: The legitimacy of political decisions depends on their being made by procedures that take account of citizen inputs in the right way. But Downs makes the common mistake of assuming that legitimate electoral procedures only require that public officials observe the rules in making voting available to all and in properly counting ballots. So long as a single individual casts a ballot, officials should be able to go through the right set of procedures to identify an electoral winner.
But citizens are not mere forces of nature to which a procedure is applied. Demands of proceduralism can and do apply to what citizens must do to. In the next section, I explain why we should think that democracy requires citizens to actually participate in particular ways. Then, in the following section I argue that the distinctive role of popular voting in modern democracy calls for universal participation in elections. Taken together, these two facts explain how voting – even in very low-stakes elections - can be understood as a duty for the democratic citizen.

**Democracy as a Collective Project**

Democracy at its most basic means “rule by the people.” Though this definition is famously vague, it does suggest a crucial feature of democracy that contemporary democratic theory often neglects: democracy is a shared activity.\(^{11}\) Interpreting this conception of democracy - as a collective activity of self-rule - in light of modern intuitions about the universal scope and equal status of citizenship, and about how “ruling” works in the modern nation-state, we can define a democratic regime as one in which all members of a political community share equally in shaping the character of the community’s public life and exercising practical authority over that community’s public institutions of governance. Though it still invites many questions,\(^{12}\) this definition tells us something important about the relationship between individual participation and democracy in general.

Democracy is a special kind of collective activity. It is what Michael Bratman calls a “cooperatively loaded activity” (1999, 97). A cooperatively loaded activity, like singing a duet or having a conversation, by definition requires the participation of multiple individuals. It is not just that I need others to help me with the task of democracy. Rather, it just doesn’t make sense
to talk about doing democracy by myself. I cannot intend to participate in democracy unless I share that intention with my fellow citizens.

When individuals participate in a democracy, they contribute to a necessarily shared project of collective self-rule. Citizens who are committed to this shared project share an intention to do democracy together.\textsuperscript{13} When individuals share an intention, it is not just that they all happen to intend to do the same thing. Rather, they intend to do it \textit{together}, as a group.\textsuperscript{14} Christopher Kutz observes that the individual intentions that compose a shared intention can be thought of as “participatory intentions,” intentions to play our part in a shared scheme for achieving some goal (2002, 473). When I act on a participatory intention, I will only succeed in carrying out this participatory intention if the group succeeds in carrying out the shared goal. When citizens participate in the collective activity of democracy, they do so with the understanding that they are acting together with their fellow citizens to pursue their shared project of collective self-rule. Their participation is only meaningfully democratic when it actually contributes to this collective project.

Since democracy is a cooperatively loaded activity, an individual can only meaningfully intend to contribute to democracy when she shares that intention with her fellow citizens. But democracy is a special case even of cooperatively loaded activities. It does not just require the involvement of \textit{some} group of people; it requires the involvement of a \textit{particular} group of people. Democracy is a collective project of self-rule undertaken by \textit{all of the citizens} of a community. Just as democracy is not something I can do by myself, neither is it something that can be done without me. If we are to have a democracy in my community, \textit{I} must be a part of it.

It may seem at first that democracy only requires that citizens have the \textit{opportunity} to take part in the collective project of self-rule. Understanding why democracy can’t be defined
merely by opportunities requires recognizing that normative democratic theory is fundamentally concerned with the conditions for the legitimate exercise of political power. The mere fact that citizens are not barred from participating in the democratic project is not sufficient to secure that democratic legitimacy. A citizen who finds herself in the political minority may endorse the democratic principle that all citizens have an equal claim to exercise political authority (whatever the basis of that claim is), and she may agree that she should therefore regard the products of citizens’ exercise of equal political authority as legitimate, even if she finds them objectionable. But it’s not clear why she should be expected to accept decisions made only by the equal contributions of politically active citizens, especially if a large portion of the population declines to participate because they feel alienated from political life. Democratic legitimacy is grounded in the involvement of all citizens in the collective work of self-rule.

Since democracy is a special kind of collective activity that by definition involves all of the citizens of a community, democracy cannot happen in my political community – at least not completely – without me. When I fail to take part in the collective project of self-rule, I diminish democracy in my own community. Citizens who value democracy in their own political communities therefore have a reason to form and act on a participatory intention to contribute to the shared project of democracy – they have a duty to participate in the work of collective self-rule. But this duty to participate does not automatically entail a duty to vote. Rather, the duty to vote derives from the role that voting plays in citizens’ particular shared understanding of how they will go about producing democracy.

Forming a participatory intention requires more than just the desire to contribute to a collective project. It also requires an understanding of how to act to pursue that intention. The involvement of other agents complicates the connection between my action and my intended
The meaningfulness of my acts of participation depends on their combining with my fellow citizens’ actions to generate democracy. For me to intend that we rule, I must have reason to expect that our actions really will fit together in that way. My fellow citizens and I must share a plan for how we will together accomplish our shared goal of democracy.

In his positivist legal theory, Scott Shapiro (2011) builds on the philosophical framework of shared intentions to explain the importance of planning for collective activity. Shapiro observes that “shared agency, that is, acting together, is distinguished from individual agency, that is, acting alone, by virtue of the plans of the agents” (2011, 137). To act purposefully in a social world, people rely on the predictability of others’ actions, and on a shared understanding of how each individual’s actions contribute to accomplishing a shared goal. Shared plans exist to enable this kind of predictability and control. Plans resolve disagreement and uncertainty about how the group will accomplish its shared goal (Shapiro 2011, 132-133).

Shared plans are crucial to the success of any collective enterprise, including democracy. Since fulfilling our individual participatory intentions depends on the success of our collective efforts, it is essential that we all share an understanding of how our individual actions fit within the collective scheme. Even if I and every other citizen of my political community all wish to play our part in democracy, and all know of this universally shared desire, we have no way of acting purposefully on these wishes unless we have some way of identifying what parts we will each play in pursuing our collective aim. Citizens who share a commitment to the common project of self-rule must therefore also share a plan that stipulates how each of their discrete individual actions fit together with others’ to constitute democratic self-rule.

When citizens act according to an effective shared plan for democracy, then their actions will together produce their shared goal of collective self-rule. Because it coordinates individual
actions toward a shared end, a community’s particular plan for democracy gives citizens reason to participate in democracy in particular ways. The duty to vote, then, arises not from the conceptual requirements of the democratic ideal, but rather from the distinctive role that voting plays in modern plans for democracy.

In the following section, I offer a constructive interpretation of the role of voting in the plan for democracy that is grounded in the beliefs, principles, and practices that surround voting in contemporary democracies. I argue that voting plays a central role in contemporary plans for democracy, as a unique form of mass participation in which all citizens are expected to take part. These special moments of mass participation make manifest the way that individual actions contribute to a collective project of democratic self-rule, rendering the equal political authority of all citizens formal and concrete. Because the plan for democracy calls for universal participation in elections, citizens who are committed to participating in democracy according to that shared plan have a duty to vote.

The Role of Voting in the Plan for Democracy

Constructive interpretation offers a fruitful method for making sense of contemporary democratic practices and evaluating them as components of a plan for democracy. Ronald Dworkin described constructive interpretation as “imposing purpose on an object or practice in order to make of it the best possible example of the form or genre to which it is taken to belong” (1986, 52). When I apply constructive interpretation to voting, I am not looking for any kind of purpose to make sense of it, but for the particular purpose that will make the most sense of voting as part of a plan for collective self-rule. Constructive interpretation has both an empirical and a normative component. An interpretation must make sense given the actual features of the
practice, but in ascribing a purpose to a practice, constructive interpretation also requires a value judgment to identify the purpose that shows the practice “in its best light” (Dworkin 1986, 53). This value judgment may have normative implications: once the interpreter has identified the interpretation that best fits a practice, she can explain how the practice should be revised to best serve the purpose she ascribes to it.

Since a plan is essentially a set of shared beliefs about how individuals should contribute to a collective project, the best place to begin looking for an interpretation of the role of voting in the plan for democracy is in publicly expressed beliefs about the importance of voting. Voting and elections dominate global public discourse about democracy. Diplomats and public officials look to free and fair elections as the surest sign of sincere efforts at democratization. The international watchdog group Freedom House keeps a running count of the number of electoral democracies in the world, and six of the eleven items on Freedom House’s influential “political rights checklist” specifically mention elections, including the conduct of elections, access to suffrage, and the role of elections in government (Puddington 2013, 33). Even The Universal Declaration of Human Rights (1948) asserts that elections characterized by “universal and equal suffrage” and “free voting procedures” should be the basis of governmental authority.

Surveys reveal that citizens endorse these publicly expressed beliefs about the special importance of voting. The distinctive, widespread belief in the duty to vote itself suggests that voting occupies a special role in the plan for democracy. And the sense of duty to vote is not just a special case of a more general sense of duty to be politically engaged. In the 2004 ISSP Citizenship Module, respondents were asked to rate on a seven point scale the importance of a number of activities to good citizenship. In thirty-seven of the forty countries studied, a majority of respondents rated “to always vote in elections” in the top two categories of importance (ISSP
Research Group 2012, 32). By contrast, a majority rated “to be active in social and political organizations” in the top two categories in only one of the forty countries studied. Only obeying the law and paying taxes – activities that are not distinctly democratic – were consistently rated more highly than voting (ISSP Research Group 2012, 32–50).

In depth studies of citizen attitudes in the United States and Canada reveal similar patterns of belief in the distinctiveness of the duty to vote (Dalton 2008; D. Campbell 2006, 176). When respondents are asked what behaviors are characteristic of good citizenship, voting is one of the most common, freely offered responses (Blais 2000, 105–106). Voting is central to the shared understanding of how citizens contribute to the collective project of self-rule in contemporary democracies; it is the most readily recognized way individuals can act, confident that their actions will, together with others, produce the intended democratic result.

Many more citizens vote than engage in other forms of active participation. But it would be a mistake to assume that so many people vote just because they believe it is important. Rather, voting is so important (at least partly) because so many people participate in it. In Robert Young’s and Andre Blais’ 1995 and 96 surveys of Canadians, well over 90% of respondents agreed with the statement: “In order to preserve democracy, it is essential that the great majority of citizens vote” (Blais 2000, 95, emphasis added). In the contemporary plan for democracy, elections entail not just the potential for, but the reality of, widespread participation. Voting occupies a central role in the plan for democracy as a special form of mass participation in which all citizens are expected to actually actively contribute to political decision-making.

The importance of actual participation in a formal decision-making process is familiar to us through quorum requirements in group decision-making: when a decision is to be attributed to the group, a sufficient proportion of that group (a quorum) must actually contribute to making
that decision. Formal quorum requirements appear in some current electoral practices: many countries have made voting compulsory; and some political communities require that constitutional amendments be approved by a majority of all eligible voters in a popular referendum to be considered valid (Schwartzberg 2014, 186–187).

Contemporary public discourse and administrative practice reinforce the interpretation of voting as a distinctive form of mass participation. In contemporary democracies maximizing voter turnout warrants significant public expense. Administering a single federal election costs the typical US county hundreds of thousands of dollars (Montjoy 2010, 870-872), with measures to increase the convenience of voting contributing to a rapid rise in costs (Giammo and Brox 2010). India’s 2014 parliamentary election required nearly a million polling places and over 10 million government personnel to ensure that all eligible voters, even those in the most remote parts of the country, would be able to vote (Vyawahare 2014). The energy and resources devoted to bringing all citizens to the polls (or to bringing the polls to all citizens) emphasize the importance of voting as a distinctive form of mass participation.

These moments of mass electoral participation form a central part of the modern plan for democracy because they render formal and concrete the equal political authority of all citizens. If democracy is truly to be a collective project of self-rule undertaken by the entire community, it must in some way involve the agency of all citizens. But because so much of government decision-making in modern democracies is delegated and diffuse, involving only a small subset of a community’s citizens, there is a danger that citizens may forget that they are involved in a collective project of self-rule. Or they may become overwhelmed by the task of trying to figure out how and when to participate. Elections mitigate these two risks by providing a minimum
formal link between political decisions and actual citizen participation and by focusing citizens’ attention on a set of important decisions that they are expected to actively contribute to.

Elections reserve some political questions to be decided by the citizenry as a whole. Just as a company charter might stipulate that certain important decisions be made by the CEO and board of directors, the plan for democracy stipulates that certain important decisions should be made by the final democratic authority: the citizenry as a whole. The plan maintains that these electoral decisions are not to be delegated; they properly belong to the citizens, and citizens must find a way to decide them.

Voting does not just establish the formal political authority of all citizens; it also establishes the formally equal political authority of all citizens. Each individual’s vote carries equal weight in an election. And votes are counted, not just taken into account. Melissa Schwartzberg (2014) has argued that when democracies began counting individual votes, they conferred equal dignity on individual judgments and contributions to political life. There is no getting around the equal authority of citizens in elections. The equal weight of each vote is predetermined, and these equal contributions of citizens together determine electoral outcomes.

Non-electoral forms of participation like lobbying, petitioning, or protesting may afford participants greater individual influence, but they are not characterized by formal equality. In fact, citizens usually engage in non-electoral participation because it enables them to leverage an advantage; political influence in these arenas depends on being savvier, louder, more disruptive, or having more time or resources. Unlike voting, non-electoral forms of political activity usually aim at making an unequal contribution.

Democratic pluralists argue that inequalities of influence in various channels may balance out to create an “emergent property” of equal political authority in the democratic system as a
whole (see Vermeule 2011), but there is no guarantee such equality will emerge. And even in a regime characterized by system-level equality, there may be a distinctive value in making some political decisions by formally equal participation. The manifest equality of voting reinforces the legitimacy of democratic decisions, drawing attention to the way that each citizen’s participation contributes to the collective project of self-rule in which all citizens are equal co-authors.

Voting reinforces the citizen’s role as ruler in a democracy while also emphasizing the collective nature of the democratic project. Characterized by mass participation and by an equal weighting of all contributions, voting reveals the radical implications of equality for the co-dependence of citizens’ political agency. As Christopher Kutz observes, "To vote is, fundamentally, to orient oneself around the agency of others, to accept the dependence of one's own agency on that of others and vice versa" (2002, 489). If I hope to affect the outcome of an election, I cannot simply drown out the voices of my fellow citizens; I can only act with and through them. This is the essence of democracy: the necessarily collective activity of self-rule.

When we recognize minimal individual influence as an essential virtue rather than a failing of voting as a practice, we can see why citizens believe they should vote even when they do not care about the electoral outcome. Because an individual’s vote exerts so little influence over the electoral outcome, her commitment to the process of decision-making becomes more salient than her commitment to the outcome itself. Dennis Thompson observes that “when citizens go to the polls on the same day, visibly and publicly participating in the same way in a common experience of civic engagement, they demonstrate their willingness to contribute on equal terms to the democratic process” (2002, 34).

Voting is more than an expressive act, though. By voting, a citizen actually contributes to the collective project of ruling according to the shared plan. The plan for modern democracy
identifies voting as the central practice of democratic participation because of its uniqueness as a form of equal mass participation that renders the equal agency of all citizens as co-producers of democracy visible and formal. This interpretation of the role of voting in contemporary democracies explains why the duty to vote does not derive from the value of the outcome voted for, and why voting is singled out from among other forms of participation for this kind of duty. If voting is to fulfill its distinctive role as a form of mass participation, Citizens must actually vote. Citizens who are committed to participating according to the shared plan for the collective project of democracy therefore have a duty to vote.

**Who has a duty to vote?**

This interpretation of the plan for democracy offers a normative explanation for why so many democratic citizens endorse the idea that there is a duty to vote. Individuals who are committed to their community’s collective project of self-rule and who wish to contribute to that collective project need to follow the community’s shared plan for achieving that collective goal. The plan for self-rule in contemporary democracies identifies voting as a special form of participation in which all citizens are expected to take part. If citizens are to follow the shared plan for democracy, then they must vote.

This provides a rationale for why many people believe there is a duty to vote, but is it sufficient to show that those who deny the duty to vote are wrong? An individual might object that she has no duty to vote because she does not really value democracy in her own community, because she does not believe that democracy requires her active involvement, because she does not believe that she needs to heed a shared plan for participation, or because she does not believe
that the existing plan for democracy really requires all citizens to vote. In this section, I consider each of these objections in turn to identify the scope of my argument for the duty to vote.

The starting point of my argument is that citizens value their democracy. I do not try to convince those who reject the duty to vote because they deny the value of democracy or its instantiation in their political community. Many democratic theorists have argued for a moral obligation to support and maintain democratic systems (see, e.g. Stilz 2009), but I will not take up that task here. My goal is to offer normative grounds for the “folk” theory of the duty to vote, and since citizens of democracy generally do express a commitment to democracy in their own communities, I take this commitment as my starting point.

But even citizens who do value democracy in their own political communities may not believe that having democracy requires them to actually commit themselves to participating in it. Rather, they may think that they support democracy so long as they refrain from interfering with their fellow citizens’ opportunity to participate. According to this objection, modern democracy is better understood as a set of opportunities to influence government than as a collective activity of self-rule undertaken by all of the members of the community. A citizen may not be committed to participating in the collective project of democracy. But despite her disinclination to engage in political life herself, she may still think it is important that any citizens who are so inclined be able to exercise political authority.

Democratic theorists have offered a variety of accounts of the value of democratic participation (e.g. Pateman 1970), but we do not need a controversial democratic theory to explain why democracy requires the involvement of all citizens. Normative democratic theories explain why all citizens have an equal claim to exercise political authority, and (at least implicitly) why the laws and policies produced by democratic regimes should be regarded as at
least prima facie legitimate – citizens have a reason to accept and comply with these laws even when they find them objectionable. But as I argued earlier, the mere fact that all citizens have the opportunity to participate in politics is not sufficient to secure that democratic legitimacy. The fact that they had an opportunity to participate is thought to be a sufficient answer the objections of citizens who neglected to vote – we often say those who do not vote “have no right to complain.” But democratic legitimacy must also supply the active minority with a reason to accept a democracy’s laws and policies. It is not clear why dissenters should regard laws as legitimate just because they might have been influenced by all citizens, since, in fact, the laws that have been produced are the product of only some citizens’ exercise of authority. A minority of active citizens may believe that they represent the interests or judgments of a “silent majority” whose claims deserve to be counted as much as those of active citizens. Democratic legitimacy requires citizens’ actual involvement in the democratic project.

It may seem, though, that citizens can actually exercise political authority without actively participating in politics. A citizen may choose not to intervene in politics because she endorses the current direction of her community’s public life. This citizen is committed to and involved in the project of democracy. She recognizes her own political authority and thinks that it is important that her community’s political life reflects her agency. Should she become dissatisfied with her fellow citizens’ decisions, she would more actively engage in politics. Most of the time, though, she exercises reserve authority by allowing things to go on as they are.

While it may be true that citizens can exercise political authority without actively participating, this possibility cannot be the basis of democratic legitimacy. In reality, non-participation (especially non-voting) tends to accompany a general disengagement from politics that is characterized by apathy or alienation. Interpreting non-participation as an intentional
exercise of reserve authority would attribute a false legitimacy to regimes in which many citizens feel they have no part in the collective work of self-rule. Democratic legitimacy requires that the connection between exercises of power and the political authority of all citizens be manifest. Part of the function of a shared plan for democracy is to enable a shared understanding of how citizens’ participation generates exercises of democratic authority. When citizens actively participate according to the plan for democracy, they clearly demonstrate their involvement in the collective work of self-rule, bolstering the legitimacy of the decisions that result from that democratic activity.

A citizen may still doubt whether active involvement in the democratic project really requires voting. The contemporary plan for democracy allows for many forms of participation through which citizens can actively exercise their political authority. In *The Ethics of Voting*, Jason Brennan (2011) argues that liberal democracies are characterized by “a division of labor in how civic virtue is and should be exercised” (43). Citizens participate in different ways, according to their abilities and inclinations: “some citizens can exercise civic virtue through writing letters to editors, others through activism, others through political philosophizing, and others through voting” (66). For Brennan, voting is one among many ways that a citizen can contribute to her community; there is no reason to think it should be singled out as a civic duty.

Brennan misinterprets the plan for modern democracy. Contemporary democracies are undoubtedly characterized substantially by Brennan’s division of civic labor, but voting is distinct. While the plan for democracy in most modern states does allow for a wide variety of individualized and optional forms of political participation, the plan also requires moments of mass participation – elections - which emphasize political equality, the collective nature of the democratic project, and the dependence of government on the authority of all citizens. As I
demonstrated in the previous section, contemporary beliefs and practices of democracy do not regard voting as just another form of participation through which citizens might seek to influence government when they have a particular agenda. Rather, voting is a unique form of mass participation that renders formal and concrete the equal political authority of all citizens.

Jason Brennan’s objection to the duty to vote gains much of its force from his worry that a belief in the duty to vote may encourage an uninformed individual to vote irresponsibly. Electoral outcomes can seriously affect the lives of others. For this reason, Brennan argues that insufficiently informed voting violates a “duty not to impose unacceptable risk” (2011, 79). Even if Brennan is right that a citizen who wakes up on voting day with no information about the election should decide that the small risk of contributing to injustice outweighs her duty to vote, this is does not mean that she no longer has a duty to vote. Having a duty is not a license to behave irresponsibly, but knowing I have a duty should lead me to take steps to responsibly satisfy that duty, and failing to take those steps does not absolve me of my duty.

Citizens who are committed to their community’s democratic project must recognize that electoral decisions are reserved for the citizenry as a whole; all citizens are expected to take part in making these decisions. In contemporary democracy, voting is not just one optional way to exercise political influence, but rather a duty according to the shared plan for collective self-rule. When citizens fulfill their duty to vote, they contribute to democracy according to that plan; they clearly demonstrate their commitment to a collective project of democratic self-rule.

Geoffrey Brennan and Loren Lomasky (2000) have raised doubts about whether voting can really bear this “expressive weight” (83). They reject the possibility of an expressive duty to vote because “the mere act of showing up at the polls every several years and grabbing some levers is palpably inadequate to qualify as a significant act of political expression” (82). Though
active political engagement may have some expressive salience, the mere act of occasional voting is insufficient to demonstrate meaningful involvement in the community’s public life.

Brennan and Lomasky underestimate the value of voting because they regard voting as mere expression. But voting is not mere expression. It is actual participation according to the plan for democracy. Citizens’ commitment to the collective project of democracy generates a duty to participate according to that shared plan. But the role of voting in the contemporary plan for democracy does also confer expressive value on the act of voting. The citizen’s willingness to participate according to the shared plan especially under conditions of such minimal, but radically equal, individual influence demonstrates a commitment to the truly collective project of democratic self-rule more clearly than any other single kind of participation could.

Of course, many scholars and activists acknowledge the distinctive role that voting plays in contemporary plans for democracy, but they argue that this is not an optimal plan for democracy, and they therefore deny that this plan really generates a duty to vote. This reasoning seems implicit in Brennan and Lomasky’s rejection of the duty to vote. They acknowledge the centrality of voting in the popular understanding of democracy, but they argue that voting ought not be so central. Many democratic theorists who support more pluralist, deliberative or participatory understandings of democracy lament the centrality of voting in the popular understanding of democratic citizenship (e.g. Pranger 1968). They argue, in effect, that a different plan – one that assigned voting a more peripheral role - would better enable citizens to achieve their shared goal of collective self-rule.

Whether or not the plan for democracy could be improved by de-emphasizing voting, the fact that the plan might be suboptimal does not undermine the existing duty to vote. The duty to vote derives from the authority of a shared plan for democracy. Plans resolve disagreement and
uncertainty about how our individual actions together accomplish our goal, but as Scott Shapiro explains “If a plan with a particular content exists only when certain moral facts obtain, then it could not resolve doubts and disagreements about the right way of proceeding” (2011, 177). Because we inevitably disagree about what makes the best plan for democracy, our following a plan can’t be contingent on its being the best plan. That requirement would make the collective activity of democracy impossible. Citizens may contest the existing plan and endeavor to change it, but in the meantime, if they are to contribute to the collective project of democracy, they must do so according to the existing plan. Shapiro argues that the authority of a plan is determined not by the moral facts, but by the “social facts:” a plan derives its authority just from the fact that people use it to coordinate and guide their actions in pursuit of their shared goal. By engaging in constructive interpretation, I have demonstrated that the relevant “social facts” support an interpretation of the existing plan for contemporary democracy that includes a duty to vote. But someone might still look at the social facts and doubt whether there is sufficient agreement on a plan to generate a duty to vote. It is, of course, true that the plan I have outlined does not enjoy total agreement. But by engaging in constructive interpretation, I have endeavored to show that this interpretation makes the most sense of existing practices when they are interpreted as a plan for democracy. Even if it is not the best plan, and even if it is not universally accepted, the voting-centered plan for democracy still offers citizens the most reliable guide for how they can act so that their actions fit together with others’ to advance the collective goal of democracy.

Citizens who are committed to the collective project of democracy must recognize and respond to the co-agency of their fellow citizens. This kind of responsiveness requires a willingness to follow the shared plan for democratic participation. For the members of a group
to accomplish their collective project, they need to share an understanding of how each member’s actions will fit together with others’ to achieve their shared goal. A citizen who is committed to contributing to a collective project of democratic self-rule must therefore also be committed to participating according to the shared plan for democracy. In contemporary democracies, the shared plan identifies voting as central to the plan, a form of participation in which all citizens are expected to take part. Citizens have a duty to vote because of the particular role that voting plays in contemporary plans for democracy.

Of course, there are limits to democratic commitments. Though engaging in a shared project with my fellow citizens requires that I be at least somewhat flexible as we work out a plan for ruling together, my commitment to democracy can still be limited by some conditions on the substantive outcomes I am willing to accept as the product of democracy, and the plan for participation I am willing to follow to achieve democracy. What these conditions are will depend on the reasons I have for valuing democracy. But we should be careful about interpreting these conditions too narrowly. For democracy to be a meaningful and interesting concept, citizens’ intentions to participate in the collective project of self-rule must be fairly robust to a range of ways in which that democratic rule can be accomplished.

**Conclusion**

Previous attempts by democratic theorists to articulate grounds for the duty to vote have focused on the reasons that individuals have to care about their relationship to particular electoral outcomes, and on how they can contribute to those outcomes by voting. While there is undoubtedly some truth to these accounts, they offer only a limited picture of the ethical context
of voting, and therefore cannot ground a duty to vote as broad or as robust as that affirmed by so many democratic citizens.

I have argued that understanding the duty to vote requires thinking about the ethics of citizenship in terms that account for the citizen’s role as a participating agent in the ongoing collective project of democracy. Because democracy is a jointly intentional activity undertaken by the members of a political community, citizens must have a shared plan for democracy. This plan explains how citizens’ individual acts of participation fit together to achieve collective self-rule. A political community’s plan for democracy gives particular content to a general commitment to participate in democracy. The duty to vote does not arise from abstract principles of democracy, then, but rather from the particular role that moments of mass electoral participation play in the contemporary plan for democracy.

In this paper I have offered a constructive interpretation of the role of voting in the plan for contemporary democracies, and explained how this plan generates a duty to vote. But this constructive interpretation has implications for more than just the individual ethics of voting. It may also recommend revisions to practices of electoral administration to make them more coherent and consistent with the best interpretation of the plan for democracy. Electoral institutions and systems of administration facilitate democratic participation, but these institutions also affect the attitudes and norms – like the duty to vote – that are essential to sustaining a shared understanding of the plan for democracy. Seemingly straightforward decisions like the timing of elections and the location of polling places have “expressive effects” (Thompson 2002) on the experience of voting, and on how voters understand the role of voting within a democracy. An agenda for electoral reform should be sensitive to these effects, and
should aim at designing institutions that encourage and enable citizens to participate according to the shared plan for democracy.
Notes

1 Jason Brennan identifies three tenets of what he calls “the folk theory of voting ethics” (2011, 3). In this paper, I am only interested in defending the first: that every citizen has a duty to vote.

2 Alex Guerrero (2010) offers another account of the duty to vote that challenges the traditional rational choice emphasis on a voter's decisiveness. Guerrero observes that elections do not simply produce binary results; margins of victory matter morally for an elected official's legitimate authority to act on her best judgment. Guerrero's argument, though, rests on the dubious premise that attention to electoral margins can be sufficiently fine-grained such that individual votes have meaningfully more impact on the victor’s legitimate authority (or “manifest normative mandate”) than on deciding the winner.

3 Critics of the duty to vote have thoroughly criticized this interpretation of the duty to vote (Lomasky and Brennan 2000, 67–75; Brennan 2011, 16–35)

4 The duty to vote clearly depends on the existence of elections and reasonable opportunities to vote. Moreover, as I will explain, the duty to vote depends on some general features of the political regime (especially the role that voting plays within it.) But, if the “folk theory” is correct, the duty to vote does not depend on conditions that vary from one election to the next within an established regime, such as the question to be decided or the chance of winning.

5 The authors define citizen duty as the belief that one “ought to participate in the political process, regardless of whether such an activity is worthwhile or efficacious” (A. Campbell, Gurin, and Miller 1954, 194).
Andre Blais observes similarly high endorsement of this idea among Canadian University students – 92% of those surveyed agreed with the statement “It is important to vote even if my party or candidate has no chance of winning,” with 46% agreeing strongly (2000, 95).

Russell Dalton (2008) observes a similar phenomenon in his evaluation of citizenship norms. He finds that the belief that voting is a behavior associated with good citizenship is highly correlated with an emphasis on the duty to obey the law, whereas belief in the importance of other forms of participation are highly correlated with each other, but less so with voting and obeying the law. This effect leads Dalton to classify voting in the category of citizen norms based on “duty,” while other forms of participation are classified as norms of “engagement.”

Beerbohm suggests as much when he argues that complicity is “positional,” and will differ according to how individuals are related to the political structure (2012, 76–77).

Jason Brennan observes that Downs’ argument that one should vote as “insurance” against the small chance of democratic collapse “proves too much. Not only would it show I should always vote, but it also implies that I should always perform any other activity that has any chance, no matter how small, of preserving democracy” (2011, 24).

Downs also overstates the importance of any given election to democratic legitimacy (See Lomasky and Brennan 2000, 75–78 for further discussion of this line of argument).

Josiah Ober has argued that the original meaning of the word democracy in Greek entailed that the people had “the capacity to do things” (Ober 2008).

This definition does not, for example, posit a standard for who should be regarded as a member of the political community.

A number of philosophers have articulated conditions for joint intention. Michael Bratman explains “you and I share an intention to J - at least in the basic case - when we each intend that
we J, we each intend that we J in accordance with and because of each of our intentions that we J and their meshing sub-plans, and all this is common knowledge" (2007, 9). This framework of shared intentions offers a promising way of thinking about democracy as a collective activity. A shared intention to rule together implies recognition of and responsiveness to the equal status of citizens as co-agents in a democracy, and characterize a robust commitment to acting together with others is necessary for a meaningful concept of democracy. Democratic theory usually focuses on how citizens’ commitment to democracy is robust to the objects of collective rule (citizens should be willing to abide by laws that they disagree with). But the conditions for joint intention suggest that the intention to participate in democracy should also be robust to the means of collective rule (to the group’s shared plans). Anna Stilz (2009) and Eric Beerbohm (2012) have fruitfully applied the framework of joint intentions to thinking about the collective activity of democracy. While Stilz and Beerbohm defend general obligations of democratic participation in this model of democratic agency, neither develops the significance of democratic plans for duties to engage in particular kinds of participation, especially voting.

14 Shared intentions can be attributed to citizens without relying on the dubious assumption that “the people” form some kind of group agent that exists prior to their acts of participation. Shared intentions also allow that citizens may be motivated to rule together with their fellow citizens for different reasons, making joint intentions a plausible framework for thinking about democracy in a diverse society.

15 Voting seems to play a similar role in nearly all well-established contemporary democracies, though the practice of voting is embedded within otherwise very different plans for democracy in these various communities.
Ronald Dworkin developed constructive interpretation as a method of legal interpretation, but political theorists have applied the method to evaluate other practices (James 2012).

President Obama’s 2011 call for the Tunisian government “to respect human rights, and to hold free and fair elections in the near future” (Obama 2011) typifies statements by democratic world leaders during and after the Arab Spring.

In her 1989 Tanner Lectures (and subsequent book), Judith Shklar (1998) also demonstrated how the right to vote (along with the right to work) defines citizenship in the United States.

The cost might be even higher if the value of volunteer labor were included.

This does not rule out the possibility that in making their decisions, citizens defer to opinion leaders or moral authorities. The point is that each citizen has the final say.

Proposals for plural voting schemes notwithstanding, the actually existing plan for democracy adheres firmly to the ideal of “one person” one vote (see Thompson 2002).

Activists who engage in petition and protest importantly argue that they aim to equalize influence. Though they may enjoy distinctive advantages in these forms of participation, these advantages do not outweigh the advantages enjoyed by powerful lobbyists and influential elites. But I doubt many activists would claim that through non-electoral participation they actually succeed in equalizing influence. In the past few decades, social scientists have demonstrated the dominance of business in interest-group politics, thoroughly debunking the idea that pluralist democracy is characterized by emergent equality (see, e.g. Schattschneider 1975)

Stilz argues that individuals have a moral duty to create and maintain a stable democratic structure of governance that can promote justice. Because this moral duty can only be fulfilled in cooperation with others, Stilz argues that "Justice gives us reason to form a shared intention to participate together with our fellow citizens in a democratic process."(2009, 174)
24 Brennan does not actually use the language of plans to describe this “division of civic labor,” and his defense of it does not appeal to a shared plan for democracy, but rather to the conceptual requirements of democracy. But Brennan fails to see how the community’s shared plan for collective self-rule gives particular content to citizens’ general duty to act on their commitment to democracy. Even pluralist accounts of democracy - in which democracy emerges from uncoordinated and often adversarial actions of citizens and groups - recognize the need for a generally shared understanding of what counts as legitimate political participation (Dahl 2006, 137–138).

25 These moments of mass participation may also make other participation more meaningful, since elections give public officials an incentive to respond to the expressed concerns of citizens.

26 Of course, the authority of a plan also depends on its being a basically effective plan for achieving the group’s collective goal. If by following the plan, citizens’ acts of participation do not produce anything resembling collective self-rule, then they have no reason to regard the plan as authoritative. Individuals do not have a duty to vote in the sham elections of a dictatorship.

27 Someone might object that the idea of a content-independent duty to vote grounded in an intention shared by all citizens requires excessive agreement that seems unrealistic and undesirable given the pluralism of contemporary political communities. But the view I articulate here does not rule out robust competition, nor does it require a thick political consensus. This account of voting in the plan for democracy allows ample room for political competition, so long as that competition occurs within the framework of the generally accepted plan for democracy. Even an adversarial account of democracy must admit of some limit or structure to competition – otherwise, there is nothing distinctive about democracy.
Most liberal theories of democracy, for example, allow that a commitment to supporting and participating in an existing democratic regime depends on that regime’s satisfying at least some minimal threshold of justice.

As many scholars, perhaps most notably John Rawls, have observed, for a democratic regime to be stable and legitimate, the limits on citizens’ commitment to democracy must be sufficiently wide to accommodate the normal range of disagreement within a society (Rawls 2005).
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