# Compulsory Voting Aff-Neg

## Topic Overview

 Compulsory voting establishes a legal requirement for citizens or persons of a country to participate in elections. While this takes a variety of forms a common version of it is based off of the Australian model which compels people to appear at the polls, but due to secret ballots, doesn’t place a requirement that people actually vote for one of the candidates. While compulsory voting has also been used by authoritarian governments to give them the image of legitimacy, this is less relevant to the topic which explicitly outlines democratic governments.

 Policy advocates for compulsory voting in democracies are primarily concerned with the role of low turnout in elections and how marginalized groups are disenfranchised from elections. An important area of consideration for this topic is what role elections have in democracies, and whether the process of voting is positive. Voting tends to be a key process of representation which ensures that everybody’s interests are considered in governance – however, opponents to this idea point to political movements which view voting as antithetical to their position.

There exists broader literature which is focused on the ethics of compulsory voting, as well as abstaining from an election. Some argue that abstaining from an election amounts to “free-riding” on the efforts of others – comparing it to other democratically required actions such as jury-duty or paying taxes. Opponents argue that this perspective incorrectly places the onus of all political action on individuals, and that even if this were true it doesn’t mean individuals must participate in every election.

 A significant area of debate on this topic thus becomes whether people have a right to abstain from voting or not. While compulsory voting laws could include a ‘none of the above’ option, those who defend a right not to vote argue that the compulsion to bring people to the polls still violates that right. On the other hand, advocates for compulsory voting argue that it is in society’s best interest if everyone votes, and the presence of such options would sufficiently allow citizens to express discontent with the candidates. Additionally, some even go a step further and argue that the presence of ‘none of the above’ options in compulsory voting actually makes this discontent more clear to political agents.

 For the purposes of this file, there a broad array of arguments which attempt to answer these questions both directly and indirectly. The affirmative highlights the importance of voting and elections in holding governments accountable, as well as the benefits in having one’s views represented. The negative highlights ethical arguments about coercion, points to reasons people may choose not to vote, and questions the ability for compulsory voting to help.

## Further Reading

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# CV Aff

## 1AC

### Value-Criterion

#### I offer a value of ‘Justice,’ which establishes equal advantage from social policy

Rawls 71 John Bordley Rawls was an American moral and political philosopher in the liberal tradition. "A Theory of Justice." Originally published by the Harvard University Press in 1971. Text retrieved from Ethical Theory: An Anthology, Second Edition (2013). Available here: (web.kpi.kharkov.ua/ukin/wp-content/uploads/sites/195/2019/02/Ethical\_Theory\_An\_Anthology.pdf#page=589) - AP

I shall now state in a provisional form the two principles of justice that I believe would be chosen in the original position. In this section I wish to make only the most general comments, and therefore the first formulation of these principles is tentative. As we go on I shall run through several formulations and approximate step by step the final statement to be given much later. I believe that doing this allows the exposition to proceed in a natural way. The first statement of the two principles reads as follows. First: each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others. Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone ’ s advantage, and (b) attached to positions and offices open to all … . By way of general comment, these principles primarily apply, as I have said, to the basic structure of society. They are to govern the assignment of rights and duties and to regulate the distribution of social and economic advantages. As their formulation suggests, these principles presuppose that the social structure can be divided into two more or less distinct parts, the first principle applying to the one, the second to the other. They distinguish between those aspects of the social system that define and secure the equal liberties of citizenship and those that specify and establish social and economic inequalities. The basic liberties of citizens are, roughly speaking, political liberty (the right to vote and to be eligible for public office) together with freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person along with the right to hold (personal) property; and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law. These liberties are all required to be equal by the first principle, since citizens of a just society are to have the same basic rights. The second principle applies, in the first approximation, to the distribution of income and wealth and to the design of organizations that make use of differences in authority and responsibility, or chains of command. While the distribution of wealth and income need not be equal, it must be to everyone ’ s advantage, and at the same time, positions of authority and offices of command must be accessible to all. One applies the second principle by holding positions open, and then, subject to this constraint, arranges social and economic inequalities so that everyone benefits.

#### To best understand Justice, I offer a criterion of participatory governance – which provides public empowerment to deliberate on governance

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Much of the discussion in sociology and political science over participation and civil society has been—and remains—theoretical in nature. But there are practical lessons from these concrete experiences (Rip & Pierre-Benoit, 2004; Skelcher, 2003). An important and much discussed attempt to sort out these experiences is the work of Fung and Wright (2001, 2003). They have examined a range of cases designed to promote active political involvement of the citizenry and have labored to sort out what works. Acknowledging that complexity makes it difficult for anyone to participate in policy decision making, they speculate that the problem has more to do with the design of institutions than with the assignments they take on. Toward this end, they have explored a range of empirical responses to this challenge that constitute real-world experiences in the redesign of democratic institutions, innovations that elicit the energy and influence of ordinary people and often draw from the lowest strata of society in the solution of problems that plague them. In particular, they focus on five such experiments: neighborhood councils in Chicago that have substantial power over public schools and neighborhood policing; a regional job training partnership in Wisconsin that brings together a number of organizations in an effort to provide training that helps workers turn jobs into meaningful careers; a habitat conservation planning project under the U.S. Endangered Species Act that convenes stakeholders to empower them to develop ecosystem governance arrangements; the participatory budgeting process of Porto Alegre, Brazil, that enables citizens to participate directly in determining the city budget; and local participation reforms basic to the planning process in Kerala and West Bengal, India. Even though these reforms vary in their organizational designs, policy issues, and scope of activities, as Fung and Wright (2001, 2003) note, they all seek to deepen the abilities of ordinary citizens to effectively participate in the shaping of programs and policies relevant to their own lives. From their common features, they isolate a set of characteristics that they define as “empowered deliberative democracy.” The principles they draw from these cases are designed to enable the progressive “colonization of the state” and its agencies. Relying on the participatory capacities of empowered citizens to engage in reason-based, actionoriented decision making, the strategy and its principles are offered as a radical political step toward a more democratic society. As a product of this work, they isolate three political principles, their design characteristics, and one primary background condition. The background enabling condition states that there should be rough equality of power among the participants. The political principles include that (a) the need of such experiments is to address a particular practical problem, (b) the deliberation relies on the empowered involvement of ordinary citizens and the relevant, and (c) each experiment employs reasoned deliberation in the effort to solve the problems Fischer / Participatory Governance as Deliberative Empowerment 23 under consideration. The institutional design characteristics specify that (a) the devolution of decision making and the powers of implementation power is to local action-oriented units; (b) these local units be connected to one another and to the appropriate levels of state responsible for supervision, resource allocation, innovation, and problem solving; and (3) the experiments “colonize and transform” state institutions in ways that lead to the restructuring of the administrative agencies responsible for dealing with these problems. The political power of these local units to implement the programmatic results of their discussions will thus come from state authorization itself. Fung and Wright (2001, 2003) contrast these procedural features of empowered deliberative democracy with the more fleeting democratic experiences of elections or social movements that mobilize citizens for a particular purpose and then fade away. The goal, as they spell it out, is to learn how to create spaces in which citizens can meaningfully engage in shaping decisions together with state actors through durable forms of practice that advance more responsive governance. Although such procedural principles are commendable in themselves, they also have to be judged by their consequences, in particular their contributions to the effectiveness of state action, social equity, and sustained participation. Toward this end, Fung and Wright set out an empirical agenda for further testing and refining the principles of deliberative design. The remainder of this article is an effort to help contribute to that research agenda by examining more specifically one of their cases—participatory governance in Kerala. Seeking to further the advancement of such deliberative empowerment, it illustrates the ways such structures depend on political-cultural preconditions.

### Contention 1: Democratic Legitimacy

#### Satisfaction with democracy is hitting record low numbers creating a massive decline in global democratic legitimacy

Coughlan 20 Sean Coughlan is an award-winning BBC News correspondent, writing for the BBC News website and broadcasting on radio and television. He was a columnist for the Guardian, writing about money, and book reviewer, travel and features writer for The Times. "Dissatisfaction with democracy 'at record high.'" Published by BBC on January 29, 2020. Available here: (https://www.bbc.com/news/education-51281722) - AP

Dissatisfaction with democracy within developed countries is at its highest level in almost 25 years, according to University of Cambridge researchers. Academics have analysed what they say is the biggest global dataset on attitudes towards democracy, based on four million people in 3,500 surveys. The UK and the United States had particularly high levels of discontent. "Across the globe, democracy is in a state of malaise," report author Roberto Foa said. The study, from the University of Cambridge's Centre for the Future of Democracy, has tracked views on democracy since 1995 - with the figures for 2019 showing the proportion dissatisfied rising from 48% to 58%, the highest recorded level. Is democracy having a mid-life crisis? Middle classes being squeezed out by the ultra-rich Life expectancy in the US in decline A brief history of populism What would Plato have to say about democracy and referendums? "We find that dissatisfaction with democracy has risen over time and is reaching an all-time global high, in particular in developed countries," Dr Foa said. The research, covering 154 countries around the world, is based on asking people if they are satisfied or dissatisfied with democracy in their own country. Data for some countries goes back to the 1970s and the long-term picture recorded a steady upwards swing of the pendulum towards more satisfaction with democracy through the last decades of the 20th Century. Image copyrightGETTY IMAGES Image caption The economic crash and widening social divisions have been linked to a loss of confidence in democracy This was an era of the collapse of Communist power in Eastern and Central Europe and the apparent ascendancy of Western democracy - with "global sentiment" appearing to be supportive of the rise in democracy. But over the past decade, this appears to have shifted steadily in a more negative direction - with rising dissatisfaction. The study suggests this could reflect political and social reverberations of the "economic shock" of the financial crash of 2008 and disquiet from the refugee crisis of 2015 and "foreign policy failures". It warns of a loss confidence in democracy and says the rise of populism is not so much a cause but a symptom. In the UK, the study says, from the 1970s satisfaction with democracy rose consistently for 30 years - reaching a high point in the years following the millennium. But it has slipped downwards since 2005 - following global trends such as the financial crisis and national controversies such as MPs' expenses. And researchers say there has been a more recent plunge in satisfaction, which could reflect the political stalemate around Brexit, in surveys carried out before December's general election: In 1995, the proportion of those dissatisfied with democracy in the UK was 47% In 2005, it reached its lowest point - 33% In 2019, in surveys before the general election, it reached 61% The US, meanwhile, has seen high levels of satisfaction - about 75% between 1995 and 2005 - followed by a "dramatic and unexpected" decline, to below 50%. Image copyrightREUTERS Image caption Homelessness in Los Angeles: The US has seen a sharp fall in satisfaction with democracy Such cynicism might not be unusual in some countries but Dr Foa said it represented a "profound shift in America's view of itself". The study says satisfaction has deteriorated in the wake of the financial crash, with political polarisation and deepening levels of distrust. But a group of European countries has been bucking this trend, with satisfaction with democracy higher than ever before in Denmark, Switzerland, Norway and the Netherlands. "If confidence in democracy has been slipping, it is because democratic institutions have been seen failing to address some of the major crises of our era, from economic crashes to the threat of global warming," said Dr Foa. "To restore democratic legitimacy, that must change."

#### Compulsory voting is key to ensuring democratic legitimacy due to the unique importance of elections for democratic

Chapman 19 Emilee Booth Chapman is an Assistant Professor at Stanford, CA. "The Distinctive Value of Elections and the Case for Compulsory Voting." Published by the American Journal of Political Science, Vol. 63(1), pp. 101-112. Published January 2019. Available here: (https://onlinelibrary-wiley-com.ezproxy.lib.utah.edu/doi/epdf/10.1111/ajps.12393) - AP

Concern about the gap between public opinion and policy outcomes and about the disproportionate influence of wealthy citizens has recently reinvigorated the debate over compulsory voting. Proponents of compulsory voting suggest that declining and unequal voter turnout rates have exacerbated the responsiveness gap in contemporary democracies. There is ample evidence that enforced compulsory voting is among the most effective ways of increasing voter turnout. Supporters and opponents of mandatory voting disagree, however, about whether higher voter turnout is actually a valuable goal, and whether compulsion is an appropriate way of achieving it. In this article, I argue that the case for compulsory voting rests on an implicit recognition of the unique and valuable role that elections play in contemporary democratic practice as periodic moments in which there is an ambition toward universal participation. Understanding the distinctive value of elections strengthens the case for compulsory voting in many established democracies. Addressing prominent objections to mandatory voting,1 I argue that critics who deny the value of high turnout achieved though compulsion fail to give sufficient attention to voting’s unique role in contemporary democracies. My argument rests on the critical assumption that greater political equality, understood as government that is more equally responsive to all citizens, and greater democratic legitimacy are worthwhile goals to pursue. Thus, my argument is not directed at those criticisms of compulsory voting denying the value of a more equally responsive government.2 Though I do try to address some of the specific objections raised in these criticisms of compulsory voting, my argument is primarily addressed at the important line of criticism that high voter turnout, especially when achieved through compulsion, does not significantly contribute to political equality or meaningful democratic legitimacy. The argument proceeds in the following steps: First, I argue that the ambition toward universal participation establishes a distinctive and important role for voting in modern democratic systems, and, to the extent that they approximate this aim of universal turnout, elections contribute in unique ways to the promotion of democratic values, especially equal responsiveness. Second, I argue that compulsory voting is a particularly good method for increasing turnout because it is more effective than other similarly feasible methods, and it can complement more substantial electoral reforms. Moreover, the method of compulsory voting is well suited to reinforce the distinctive virtues of elections. Finally, I address some major objections to mandatory voting to show that the expected benefits of mandatory voting are likely to outweigh the expected costs and that its effects will not undermine the value of high voter turnout. Before proceeding, it is worth making a few remarks about the scope of this argument. First, technically, this argument applies only to compulsory turnout; enforcing a legal requirement to cast a valid vote would require eliminating the secret ballot, which I do not advocate. In keeping with the norm in the existing literature, though, I use the more common terms mandatory voting or compulsory voting to refer to compulsory turnout. Second, this argument applies only to voting in elections (or potentially referenda) in large-scale democratic societies (i.e., nation-states, or large provinces in a federal system). The distinctive virtues of elections that I lay out in the first section of this article may be less important in smaller communities that can ensure consistent and equally effective access to other modes of participation. Finally, the argument I advance in this article only supports an all-things-concerned judgment in favor of implementing mandatory voting when the system has been designed to achieve its goals and limit negative side effects in the particular context, which, in most cases, will require appropriate complementary reforms. A desirable system of mandatory voting will, for example, require accessible polling places and an enforcement structure with reasonable penalties to ensure that the law is not overly burdensome, especially for already vulnerable populations. Nonetheless, this article contributes to the case that proponents of democracy should regard mandatory voting as a potentially powerful tool for democratic reform, and that it is worth figuring out how to implement it effectively and justly. The Role of Elections in Contemporary Democracy Proponents of compulsory voting typically justify compelling people to vote by appealing to two benefits from near-universal electoral turnout: First, higher turnout will produce a political system that is more equally responsive to all citizens; second, higher turnout will increase the perceived legitimacy of the political system (Engelen 2007, 24–25; L. Hill in Brennan and Hill 2014; Lijphart 1996, 1997). Critics of compulsory voting, on the other hand, object that these arguments place too much emphasis on the act of voting while neglecting the diversity of participation that characterizes healthy democracies. Annabelle Lever (2010, 908) argues, “Voting is, at best, only oneform of democratic political participation and, from some perspectives, not an especially important or attractive one.” Other critics likewise claim that compulsory voting arbitrarily singles out one kind of participation as essential to democracy (Brennan in Brennan and Hill 2014, 31). High voter turnout, opponents contend, is not necessarily important for democracy. Moreover, compelling higher turnout is not harmless. Critics argue that compulsory voting could compromise the quality of democratic participation and that it needlessly interferes with individual liberty. Opponents of compulsory voting rightly observe that voting is only one aspect of democracy, but they wrongly conclude that approximately universal voting is not valuable to contemporary democracy. Voting is not interchangeable with other forms of political influence. Elections play a distinctive and important role within a broader framework of democracy, a role characterized by mass participation, in fact, by an ambition toward universal participation. Established democracies devote tremendous resources to making voting accessible. India’s 2014 Lok Sabha election, for example, required nearly a million polling places to ensure that all eligible voters, even those in the most remote parts of the country, would have a meaningful opportunity to vote (Vyawahare 2014). Public discourse and the widespread belief in a duty to vote suggest a further publicly shared belief that it is important not only for citizens to have ample opportunity to vote, but also that citizens actually take advantage of that opportunity (see, e.g., Blais 2000, 95). This public attitude toward voting is distinct from attitudes toward other forms of participation; in the popular imagination, voting is singled out as the object of a duty.3 Of course, critics of compulsory voting who doubt the value of high voter turnout are also likely to be critical of this prominence of voting in public discourse and in the popular imagination. Voting is not the only way citizens participate in decision making in today’s democracies. Citizens might also contribute to public deliberation, petition their representatives, donate money to a campaign, or even stand for office themselves. Popular voting alone need not (and surely cannot) bear all of the normative weight of democracy, and fostering a more equally responsive government certainly requires attention to the significant inequities in these other domains of participation (Lever 2010). Seen in this light, the special emphasis on electoral participation may seem arbitrary and thus an insufficient basis for compelling citizens to vote. The special emphasis on voting in popular political culture is not arbitrary or misguided, though. Rather, it is grounded in the distinctive and valuable role that periodic moments of approximately universal participation play in contemporary democratic practices. When characterized by approximately universal turnout, elections interrupt the ordinary, delegated business of government with extraordinary spectacles of democracy that command the attention of the general public and manifest the equal political authority of all citizens. Though they cannot fully instantiate democracy on their own, these moments effectively contribute to contemporary democratic practices in a number of ways. First, the ambition toward universal participation in periodic elections helps to guard against political disengagement and alienation by defining concrete expectations for participation. Skeptics of the value of high voter turnout often argue that active participation is not essential to democracy because individuals can passively exercise political authority by deferring to their fellow citizens or to political elites. But political inaction can only be interpreted as passive participation if citizens believe it is appropriate and possible for them to intervene when they are dissatisfied with the direction of their public life. In modern societies, though, many people do not see themselves as political agents in their own right, able to exert influence over their political circumstances (Schlozman, Verba, and Brady 2012, 168). A pluralist model of democracy might simply call for citizens to take advantage of opportunities to participate whenever and however they wish, but many citizens will never participate because they never feel competent to do so, or because it simply never occurs to them. The ambition toward universal participation in elections mitigates this problem of habitual disengagement by establishing an expectation that citizens will perform their political agency on specific and predictable occasions.4 Knowing that they will be called upon to actively participate on a recurring basis provides citizens with a reason to develop an enduring political identity.5 Moreover, by directing citizens’ attention to particular political questions that they will be expected to answer, elections make the often frustrating and potentially discouraging task of figuring out what to pay attention to easier for ordinary citizens.6 This benefit is magnified by the relative information saturation that occurs around elections. Critics of compulsory voting might argue that, rather than trying to enforce universal electoral participation, we can more effectively combat political disengagement and alienation by promoting participation in other arenas.7 But, even if nonelectoral participation can be more effective than voting at increasing political engagement and efficacy in individual cases, approximating universal participation in other forms of activism or participation would require much more radical reforms of political culture and institutions. Efforts to increase voter turnout, on the other hand, build on an extensive infrastructure of electoral administration and the existing, widespread norm that there is a duty to vote. Moreover, periodic moments of approximately universal participation would likely still play a valuable role in a political system already characterized by widespread citizen engagement, for several reasons. First, these moments facilitate collective action. Individuals can influence public life more effectively when they are able to combine their efforts with other like-minded citizens. Insofar as elections represent occasions in which all citizens can count on each other to participate, they can help to overcome some of the coordination problems that make it difficult for large, diverse, unorganized, or underresourced groups to effectively utilize other channels of influence. Second, when citizens internalize an expectation of universal participation in elections, electoral campaigns also create a relatively attentive audience to whom political leaders and activists can address political claims,8 facilitating the introduction of new issues and the contestation of existing political divisions. Finally, periodic moments of approximately universal participation make the political involvement and formal political equality of all citizens manifest. This spectacle reinforces parties’ and elected officials’ incentives to take the interests and concerns of all citizens into account. Elections are not the only way for citizens to hold political leaders to account, but elections are still distinctively valuable mechanisms of democratic control when they predictably involve the entire citizenry in the sanctioning process. When characterized by nearly universal participation, elections provide an unambiguous reminder to public officials that they are accountable to all citizens, not just the most vocal and active. Because elections make manifest the responsiveness of the political system to the equal agency of all citizens in at least a few concrete instances, the optics of periodic moments of approximately universal participation can also contribute to the empirical legitimacy of a democratic regime. Those who find themselves on the losing side of a political decision may have a harder time maintaining the belief that they speak for a silent majority when citizens routinely reveal how they align themselves on significant dimensions of political conflict (see also Przeworski 1999). The optics of approximately universal participation also imbue elections with powerful expressive effects that can reinforce citizens’ commitment to democracy. In Just Elections, Dennis Thompson (2002) observes that elections have two kinds of expressive effects: First, “they enable citizens to express attitudes about the political process”; second, they “express the polity’s attitude toward its citizens” (22). When they credibly call for the participation of all citizens, elections convey the community’s belief in the value of all citizens’ contributions. And by voting, citizens participate in this public expression: “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” (Thompson 2002, 34). By regularly participating in elections, citizens habitually enact their roles as participants in the political community as well as their commitment to decision-making procedures that instantiate the equal political authority of all citizens.9

#### Compulsory voting causes parties to focus on issues and policies rather than narrow constituencies

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Turning out to the polls is mandatory in nearly 30 countries. In many of these, politicians are engaged in deliberations over the abolition of compulsory voting. Conversely, in many countries with voluntary voting, there are active debates over the adoption of a legal requirement to vote. Such deliberations have produced recent changes to electoral law. Chile, Cyprus, and Fiji all recently made voting voluntary, whereas Bulgaria and Samoa introduced compulsory voting, as did two Indian states for local elections. As a widespread and frequently deliberated electoral rule, it is important that compulsory voting's consequences are well understood. To this end, it is well known that compulsory voting increases turnout (e.g., Birch 2009, chap. 5; Blais 2006; Cancela and Geys 2016) and makes the voting population more reflective of the electorate (e.g., Dassonneville, Hooghe, and Miller 2017; Hoffman, León, and Lombardi 2017; Jaitman 2013; Singh 2015). There is also a burgeoning literature on the effects of compulsory voting on vote choices (e.g., Dassonneville et al., forthcoming; Dassonneville Hooghe, and Miller 2017; Katz and Levin, 2018; Selb and Lachat 2009; Singh 2016, forthcoming‐b), the success of the left and right (e.g., Bechtel, Hangartner, and Schmid 2016; Birch 2009, 120–28; Fowler 2013; Hoffman, León, and Lombardi 2017; Miller and Dassonneville 2016), political sophistication (e.g., Birch 2009, chap. 4; Córdova and Rangel 2017; de Leon and Rizzi 2014; León 2017; Loewen, Milner, and Hicks 2008; Sheppard 2015; Shineman 2018), and attitudes toward democracy (e.g., Birch 2009, 112–15; Singh, forthcoming‐a). Still, little is known about how compulsory voting affects the ways in which political parties seek electoral advantage. I advance a theory about compulsory voting's effects on parties’ vote‐seeking strategies. The theory argues that, due to their beliefs about the character of compelled voting populations, parties perceive more utility in emphasizing their issue stances and ideological positions where voting is mandatory than where it is not. From this, I predict that parties will pivot toward programmatic vote‐seeking strategies and away from clientelistic tactics, such as vote buying, under compulsory voting. I test my predictions with three separate studies. In Study 1, I examine whether compulsory voting is linked to particular vote‐seeking strategies using expert‐provided measures of party behavior from the Varieties of Democracy project (Coppedge et al. 2017a). Results from an analysis of 140 countries over a period of more than 40 years indicate that parties behave more programmatically where voting is mandatory—and that vote buying is less common. Both associations are strongest where abstainers are most likely to be meaningfully sanctioned. Additional analyses of separate measures of party vote‐seeking strategies from the Democratic Accountability and Linkages Project (Kitschelt 2013; Kitschelt and Freeze 2011) corroborate these findings. While Study 1 demonstrates an association between compulsory voting and party strategies, Studies 2 and 3 do more to probe the causal effects of compulsory voting on party behavior. In Study 2, I use synthetic control and difference‐in‐differences methods to estimate the effect of Thailand's adoption of compulsory voting on programmatic vote seeking. In Study 3, I conduct a list experiment in conjunction with a natural experiment in Argentina to determine the effect of compulsory voting on the extent to which parties engage in vote buying. Study 2 shows that the adoption of compulsory voting in Thailand led to an increase in programmatic vote seeking, and Study 3 shows that compulsory voting causes parties to partially eschew vote‐buying tactics in Argentina. The evidence from the three studies is together broadly supportive of my theoretical expectations. This updates the understanding of both the effects of compulsory voting and the broader relationship between electoral structure and party behavior. In the final section of the article, I consider how these findings connect to debates over the utility and justifiability of compulsory voting. How Compulsory Voting Affects Parties’ Vote‐Seeking Strategies I start from the assumption that political parties and their candidates are chiefly concerned with maximizing vote shares. Downs's (1957) models of party competition, and those directly inspired by Downs (e.g., Davis, Hinich, and Ordeshook 1970; Shepsle 1991), focus on how parties locate themselves in policy space in order to attract voters. Other models of vote‐seeking behavior in the Downsian tradition further consider how parties respond to nonpolicy traits of the electorate, such as partisanship and sociodemographic characteristics (e.g., Adams, Merrill, and Grofman 2005; Erikson and Romero 1990). Electoral structure is a key determinant of the ways in which parties conduct themselves when seeking votes (Cox 1990; Downs 1957), and much of the relationship between electoral structure and parties’ vote‐seeking strategies is driven by the effect of electoral rules on the character of the electorate. Calvo and Hellwig (2011), for example, show not only that parties locate themselves in ideological space with reference to the utility functions of voters, but also that voters’ utility functions are themselves shaped by electoral rules. Karp, Banducci, and Bowler (2008, 95) suggest that the higher levels of voter efficacy that manifest under proportional representation impact the ways in which parties seek votes. Like other electoral rules, compulsory voting shapes citizens themselves. And, as vote‐seeking political parties take into account their perceptions of the demographics, attitudes, and political preferences of citizens when formulating their vote‐seeking strategies, compulsory voting will also affect the ways in which they seek votes. As compulsory rules are most likely to shape participation and other electoral outcomes where sanctions for abstention are steep and enforced (e.g., Panagopoulos 2008; Singh 2011), the extent to which compulsory rules shape the composition of the voting population and, in turn, party strategies will depend upon the severity of penalties for abstention and the degree to which these are enforced. Compulsory voting's upward impact on participation levels out inequities in turnout, thus increasing the proportion of the voting population that is of low socioeconomic status—and less engaged with politics (e.g., Dassonneville, Hooghe, and Miller 2017; Hoffman, León, and Lombardi 2017; Jaitman 2013; Singh 2015). Yet, at the same time, compulsory voting may tackle disengagement. Scholars have long argued that, by incentivizing information gathering, compulsory voting imparts a sense of civic duty and produces political knowledge and interest (e.g., Barthélemy 1912; Broomall 1893; Elliott 2017; Engelen 2007, 32; Holls 1891; Lijphart 1997, 10; Nerincx 1901; Tyson 2016). As such, compulsory voting can arguably make the voting population more representative of the electorate and serve as a vehicle for political education. A number of studies find evidence of a positive link between mandatory voting and political sophistication (e.g., Córdova and Rangel 2017; Gordon and Segura 1997; Sheppard 2015; Shineman 2018), and compulsory voting is further shown to increase the extent to which individuals identify with political parties (Dalton and Weldon 2007; Huber, Kernell, and Leoni 2005; Singh and Thornton 2013). Still, others find little or no evidence of a positive effect of compulsory voting on political sophistication (e.g., Birch 2009, chap. 4; de Leon and Rizzi 2014; León 2017; Loewen, Milner, and Hicks 2008; Selb and Lachat 2009, 575, fn. 1). Thus, while it is clear that compulsory voting increases turnout and thereby irons out socioeconomic disparities in the voting population, evidence regarding the effect of compulsory voting on political sophistication is mixed. How then will compulsory voting shape parties’ vote‐seeking strategies? First, as compulsory voting reliably boosts turnout, especially where sanctions are strong and enforced (e.g., Panagopoulos 2008; Singh 2011), parties will see relatively little utility in voter mobilization. As individuals will already have external incentive to vote, parties will instead focus on persuasion. Second, parties’ perceptions of the character of the voting population will shape the nature of such persuasion efforts. Where turning out is mandatory, voting populations will contain a comparatively high proportion of individuals of low socioeconomic status. This wider array of voters should increase for parties the utility of broad, catchall policy programs. At the same time, it should decrease the utility of subgroup‐targeted appeals. This is borne out in a formal model of electoral competition by Bugarin and Portugal (2015), who show that mandatory voting incentivizes parties to take into consideration the preferences of the whole electorate. In addition, as parties can expect the electorate to be more engaged with political parties where voting is mandatory, they will stand to gain more by promoting their “brands” (Singh and Thornton 2013, 193). Parties will also take into account the degree of political sophistication in the voting population. This is consequential because political sophisticates are more likely to alter their vote choices in response to policy‐based and issue‐relevant information (e.g., Kam 2005; Lau and Redlawsk 2001), to conceive of politics with reference to left–right ideological structure (Harbers, de Vries, and Steenbergen 2013), and to vote based on ideological considerations (e.g., Delli Carpini and Keeter 1996; Federico and Hunt 2013; Jacoby 2009; Stubager, Seeberg, and So 2018). Although, as discussed above, empirical evidence is mixed with regard to the relationship between compulsory voting and sophistication, parties are likely to operate under the supposition that the link is positive. Democratic political elites tend to hold sanguine views of status quo electoral institutions (Miller, Hesli, and Reisinger 1997). In Australia, for example, national politicians favor maintaining its mandatory voting law by a ratio of nearly four to one, and this affinity is not due solely to its impact on their electoral fortunes (Bowler, Donovan, and Karp 2006). Records of debates over the implementation of compulsory voting confirm that elected leaders often see it as a way to reinforce civic duty and engender political awareness (Hughes 1968; Maldonado 2015; Malkopoulou 2011). For example, in deliberations over the introduction of compulsory voting in Belgium, the country's prime minister argued that it would serve to educate voters about the competing candidates (Malkopoulou 2011, 157). Perceiving a relatively sophisticated electorate, political parties will thus see utility in playing up their policy stances and ideological positions where turnout is mandatory.

#### Democratic decline has been met with rampant human rights abuses, rising trends of ethnic cleansing over the past decade, and clamp downs on fundamental freedoms.

Freedom House 19 Freedom House is a U.S.-based, U.S. government-funded non-profit non-governmental organization that conducts research and advocacy on democracy, political freedom, and human rights. "Freedom in the World 2019: Democracy in Retreat." Published by Freedom House on Feburary 5, 2019. Available here: (https://freedomhouse.org/report/freedom-world/2019/democracy-retreat) - AP

In 2018, Freedom in the World recorded the 13th consecutive year of decline in global freedom. The reversal has spanned a variety of countries in every region, from long-standing democracies like the United States to consolidated authoritarian regimes like China and Russia. The overall losses are still shallow compared with the gains of the late 20th century, but the pattern is consistent and ominous. Democracy is in retreat. In states that were already authoritarian, earning Not Free designations from Freedom House, governments have increasingly shed the thin façade of democratic practice that they established in previous decades, when international incentives and pressure for reform were stronger. More authoritarian powers are now banning opposition groups or jailing their leaders, dispensing with term limits, and tightening the screws on any independent media that remain. Meanwhile, many countries that democratized after the end of the Cold War have regressed in the face of rampant corruption, antiliberal populist movements, and breakdowns in the rule of law. Most troublingly, even long-standing democracies have been shaken by populist political forces that reject basic principles like the separation of powers and target minorities for discriminatory treatment. Some light shined through these gathering clouds in 2018. Surprising improvements in individual countries—including Malaysia, Armenia, Ethiopia, Angola, and Ecuador—show that democracy has enduring appeal as a means of holding leaders accountable and creating the conditions for a better life. Even in the countries of Europe and North America where democratic institutions are under pressure, dynamic civic movements for justice and inclusion continue to build on the achievements of their predecessors, expanding the scope of what citizens can and should expect from democracy. The promise of democracy remains real and powerful. Not only defending it but broadening its reach is one of the great causes of our time. Myanmar Rohingya refugee women shout slogans as they protest Myanmar Rohingya refugee women shout slogans as they protest against the repatriation program at the Unchiprang Rohingya refugee camp. Photo credit: K M Asad/LightRocket via Getty Images. The Wave of Democratization Rolls Back The end of the Cold War accelerated a dramatic wave of democratization that began as early as the 1970s. The fall of the Berlin Wall in 1989 and the Soviet Union’s collapse in 1991 cleared the way for the formation or restoration of liberal democratic institutions not only in Eastern Europe, but also in the Americas, sub-Saharan Africa, and Asia. Between 1988 and 2005, the percentage of countries ranked Not Free in Freedom in the World dropped by almost 14 points (from 37 to 23 percent), while the share of Free countries grew (from 36 to 46 percent). This surge of progress has now begun to roll back. Between 2005 and 2018, the share of Not Free countries rose to 26 percent, while the share of Free countries declined to 44 percent. The reversals may be a result of the euphoric expansion of the 1990s and early 2000s. As that momentum has worn off, many countries have struggled to accommodate the political swings and contentious debates intrinsic to democracy. Rapidly erected democratic institutions have come under sustained attack in nations that remain economically fragile or are still riven by deep-seated class or ethnic conflicts. Of the 23 countries that suffered a negative status change over the past 13 years (moving from Free to Partly Free, or Partly Free to Not Free), almost two-thirds (61 percent) had earned a positive status change after 1988. For example, Hungary, which became Free in 1990, fell back to Partly Free this year after five consecutive years of decline and 13 years without improvement. An Ebb Tide in Established Democracies With the post–Cold War transition period now over, another shift in the global order is challenging long-standing democracies, from within and without. A crisis of confidence in these societies has intensified, with many citizens expressing doubts that democracy still serves their interests. Of the 41 countries that were consistently ranked Free from 1985 to 2005, 22 have registered net score declines in the last five years. The crisis is linked to a changing balance of power at the global level. The share of international power held by highly industrialized democracies is dwindling as the clout of China, India, and other newly industrialized economies increases. China’s rise is the most stunning, with GDP per capita increasing by 16 times from 1990 to 2017. The shift has been driven by a new phase of globalization that unlocked enormous wealth around the world. The distribution of benefits has been highly uneven, however, with most accruing to either the wealthiest on a global scale or to workers in industrializing countries. Low- and medium-skilled workers in long-industrialized democracies have gained relatively little from the expansion, as stable, well-paying jobs have been lost to a combination of foreign competition and technological change. These developments have contributed to increasing anger and anxiety in Europe and the United States over economic inequality and loss of personal status. The center of the political spectrum, which dominated politics in the established democracies as the changes unfolded, failed to adequately address the disruption and dislocation they caused. This created political opportunities for new competitors on the left and right, who were able to cast existing elites as complicit in or benefiting from the erosion of citizens’ living standards and national traditions. So far it has been antiliberal populist movements of the far right—those that emphasize national sovereignty, are hostile to immigration, and reject constitutional checks on the will of the majority—that have been most effective at seizing the open political space. In countries from Italy to Sweden, antiliberal politicians have shifted the terms of debate and won elections by promoting an exclusionary national identity as a means for frustrated majorities to gird themselves against a changing global and domestic order. By building alliances with or outright capturing mainstream parties on the right, antiliberals have been able to launch attacks on the institutions designed to protect minorities against abuses and prevent monopolization of power. Victories for antiliberal movements in Europe and the United States in recent years have emboldened their counterparts around the world, as seen most recently in the election of Jair Bolsonaro as president of Brazil. These movements damage democracies internally through their dismissive attitude toward core civil and political rights, and they weaken the cause of democracy around the world with their unilateralist reflexes. For example, antiliberal leaders’ attacks on the media have contributed to increasing polarization of the press, including political control over state broadcasters, and to growing physical threats against journalists in their countries. At the same time, such attacks have provided cover for authoritarian leaders abroad, who now commonly cry “fake news” when squelching critical coverage. Similarly, punitive approaches to immigration are resulting in human rights abuses by democracies—such as Australia’s indefinite confinement of seaborne migrants in squalid camps on the remote island of Nauru, the separation of migrant children from their detained parents by the United States, or the detention of migrants by Libyan militias at the behest of Italy—that in turn offer excuses for more aggressive policies towards migrants and refugees elsewhere in the world. Populist politicians’ appeals to “unique” or “traditional” national values in democracies threaten the protection of individual rights as a universal value, which allows authoritarian states to justify much more egregious human rights violations. And by unilaterally assailing international institutions like the United Nations or the International Criminal Court without putting forward serious alternatives, antiliberal governments weaken the capacity of the international system to constrain the behavior of China and other authoritarian powers. The gravity of the threat to global freedom requires the United States to shore up and expand its alliances with fellow democracies and deepen its own commitment to the values they share. Only a united front among the world’s democratic nations—and a defense of democracy as a universal right rather than the historical inheritance of a few Western societies—can roll back the world’s current authoritarian and antiliberal trends. By contrast, a withdrawal of the United States from global engagement on behalf of democracy, and a shift to transactional or mercenary relations with allies and rivals alike, will only accelerate the decline of democratic norms. The Costs of Faltering Leadership There should be no illusions about what the deterioration of established democracies could mean for the cause of freedom globally. Neither America nor its most powerful allies have ever been perfect models—the United States ranks behind 51 of the 87 Free countries in Freedom in the World—and their commitment to democratic governance overseas has always competed with other priorities. But the post-Soviet wave of democratization did produce lasting gains and came in no small part because of support and encouragement from the United States and other leading democratic nations. Despite the regression in many newly democratized countries described above, two-thirds of the countries whose freedom status improved between 1988 and 2005 have maintained their new status to date. That major democracies are now flagging in their efforts, or even working in the opposite direction, is cause for real alarm. The truth is that democracy needs defending, and as traditional champions like the United States stumble, core democratic norms meant to ensure peace, prosperity, and freedom for all people are under serious threat around the world. FIW 2019 global erosion democratic norms For example, elections are being hollowed out as autocracies find ways to control their results while sustaining a veneer of competitive balloting. Polls in which the outcome is shaped by coercion, fraud, gerrymandering, or other manipulation are increasingly common. Freedom House’s indicators for elections have declined at twice the rate of overall score totals globally during the last three years. In a related phenomenon, the principle of term limits for executives, which have a long provenance in democracies but spread around the world after the end of the Cold War, is weakening. According to Freedom House’s data, leaders in 34 countries have tried to revise term limits—and have been successful 31 times—since the 13-year global decline began. Attacks on term limits have been especially prominent in Africa, Latin America, and the former Soviet Union. Freedom of expression has come under sustained attack, through both assaults on the press and encroachments on the speech rights of ordinary citizens. Freedom in the World data show freedom of expression declining each year over the last 13 years, with sharper drops since 2012. This year, press freedom scores fell in four out of six regions in the world. Flagrant violations, like the imprisonment of journalists Wa Lone and Kyaw Soe Oo for their investigative reporting in Myanmar, have become more widespread. Even more stark have been the declines in personal expression, as governments have cracked down on critical discussion among citizens, especially online. The explosion of criminal cases for “insulting the president” in Turkey—more than 20,000 investigations and 6,000 prosecutions in 2017 alone—is one of the most glaring examples of this global trend. The offensive against freedom of expression is being supercharged by a new and more effective form of digital authoritarianism. As documented in Freedom House’s most recent Freedom on the Net. report, China is now exporting its model of comprehensive internet censorship and surveillance around the world, offering trainings, seminars, and study trips as well as advanced equipment that takes advantage of artificial intelligence and facial recognition technologies. As the internet takes on the role of a virtual public sphere, and as the cost of sophisticated surveillance declines, Beijing’s desire and capacity to spread totalitarian models of digitally enabled social control pose a major risk to democracy worldwide. Another norm under siege is protection of the rights of migrants and refugees, including the rights to due process, to freedom from discrimination, and to seek asylum. All countries have the legitimate authority to regulate migration, but they must do so in line with international human rights standards and without violating the fundamental principles of justice provided by their own laws and constitutions. Antiliberal populist leaders have increasingly demonized immigrants and asylum seekers and targeted them for discriminatory treatment, often using them as scapegoats to marginalize any political opponents who come to their defense. In Freedom in the World, eight democracies have suffered score declines in the past four years alone due to their treatment of migrants. With some 257 million people estimated to be in migration around the world, the persistent assault on the rights of migrants is a significant threat to human rights and a potential catalyst for other attacks on democratic safeguards. In addition to mistreating those who arrive in their territory in search of work or protection, a growing number of governments are reaching beyond their borders to target expatriates, exiles, and diasporas. Freedom House found 24 countries around the world—including heavyweights like Russia, China, Turkey, Iran, and Saudi Arabia—that have recently targeted political dissidents abroad with practices such as harassment, extradition requests, kidnapping, and even assassination. Saudi Arabia’s murder of journalist Jamal Khashoggi in Turkey put a spotlight on authoritarian regimes’ aggressive pursuit of prominent critics. Turkey itself, which has sought to keep Khashoggi’s murder on the front pages, has by its own account captured 104 of its citizens from 21 countries over the last two years in a global crackdown on perceived enemies of the state. Beijing’s growing apparatus for policing opinions and enforcing its views among Chinese citizens and communities overseas has led to outcomes including the forced repatriation of Uighurs from countries where they sought safety and the surveillance of Chinese students at foreign universities. Interpol’s notification system has become a tool for authoritarian governments to detain and harass citizens in exile. The normalization of such transnational violence and harassment would not just shut down the last refuges for organized opposition to many repressive regimes. It would also contribute to a broader breakdown in international law and order, a world of borderless persecution in which any country could be a hunting ground for spies and assassins dispatched by tyrants looking to crush dissent. Freedom in the world 2019 worst of the worst countries Most disturbingly, Freedom House’s global survey shows that ethnic cleansing is a growing trend. In 2005, Freedom in the World reduced the scores of just three countries for ethnic cleansing or other egregious efforts to alter the ethnic composition of their territory; this number has since grown to 11, and in some cases the scale or intensity of such activities has increased over time as well. In Syria and Myanmar, hundreds of thousands of civilians from certain ethnic and religious groups have been killed or displaced as world powers either fail to respond adequately or facilitate the violence. Russia’s occupation of Crimea has included targeted repression of Crimean Tatars and those who insist on maintaining their Ukrainian identity. China’s mass internment of Uighurs and other Muslims—with some 800,000 to 2 million people held arbitrarily in “reeducation” camps—can only be interpreted as a superpower’s attempt to annihilate the distinct identities of minority groups.

### Contention 2: Voter Disenfranchisement

#### Despite recent spikes in voter turnouts voter disenfranchisement remains high – causing nearly 50% of the population to not vote

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Around the world, citizens appear to be re-engaging with democracy. In May, voter turnout at the European parliamentary elections reached a 20-year high, and in 2018 turnout for the United States midterm elections was the highest in a hundred years. Yet in each instance, voter turnout reached just a feeble 50 percent. In the context of recent history, that was a surge. In the 2014 United States midterms, only 37 percent of the electorate voted, rising to 50 percent in 2018. In Europe, this year’s turnout was 50 percent — up from 42 percent in 2014. While turnouts are higher in United States presidential elections — 60 percent in 2016 — can we say that democracy is thriving when 40 to 50 percent of voters still opt to stay at home? The United States is generally near the bottom of the list of well-off countries in its rate of voter participation. Shortly after the 2014 elections, Senator Bernie Sanders admonished the country, saying “Americans should be embarrassed.” The low voter turnout, he wrote in The Guardian, “was an international disgrace.” Low voter turnout encourages politicians to design policies that cater to the interests of the few over the many. This, in turn, promotes societal division and harms the economy. In the United States, nearly half the people who don’t vote have family incomes below $30,000, and just 19 percent of likely voters come from low-income families. So it’s hardly surprising that the Economist Intelligence Unit’s Democracy Index downgraded the United States from a “full democracy” to a “flawed democracy” in 2017, based on diminished voter engagement and confidence in the democratic process. This long-term apathy puts the political system at risk. The government’s credibility is threatened when so few people participate. In the interest of preserving democracy, we need engaged citizens to go to the polls. An effective way to address this problem — one that might not appeal to Americans who hate the idea of being told what to do — is mandatory voting, which is currently the law in more than 20 countries. ImageVoters cast their ballots at a polling location at the Community House in Rockport, Mass., on Election Day in 2018. Voters cast their ballots at a polling location at the Community House in Rockport, Mass., on Election Day in 2018.Credit...Joseph Prezioso/Agence France-Presse — Getty Images In 1893 Belgium became the first democracy to institute compulsory voting by parliamentary act. Backers saw it as a way to empower the working classes. Australia introduced compulsory voting through an amendment to its Electoral Act in 1924, in response to declining voter numbers. Turnout in 1922 had fallen below 60 percent from more than 70 percent in 1919. The impact of legislation was swift: In 1925, 91 percent of the electorate voted. What’s more, a century later, compulsory voting still works. The bigger the voter pool, the stronger the contract is between citizens and leaders. In this year’s European parliamentary elections, mandatory voting in Belgium and Luxembourg led respectively to turnouts of about 90 percent and 86 percent. By comparison, turnout in France was 50 percent, and in the Netherlands it was 42 percent. If the United States had mandatory voting, there likely would be a greater turnout among lower-income groups and minorities, which could lead to a change in the types of politicians elected. One might think this would favor Democratic candidates, but that’s not necessarily the case. While compulsory voting has been assumed to help Australia’s Labor Party, for example, it has not prevented right-of-center parties from holding power. Research on mandatory voting does not provide a clear picture of its political consequences. Still, it’s clear that a voting requirement can change the makeup of the electorate. After the Netherlands removed mandatory voting in 1967, voter participation fell by nearly 20 percent. We should also consider other, more radical, ways to make voters better informed and more engaged. For instance, citizens could be required to pass a government-sanctioned civics test to vote. In the United States, Australia and several European and Asian countries, immigrants — regardless of education level or country of origin — are already required to pass civics tests to become citizens. Of course, the checkered history of civil rights and suffrage means even the suggestion of such tests would be ripe for criticism and, if implemented carelessly, subject to abuse and discrimination. Some would surely object to this proposal as reviving the sorts of tests once used to disenfranchise racial minorities and the poor in the United States, and certainly we must ensure such discrimination does not occur again. Yet letting voters be under informed shortchanges them. A more extreme requirement would see democracies allocate greater weight to the votes of citizens who are more engaged in the political process. In 2018, the United States Supreme Court ruled that Ohio can exclude voters from the electoral rolls if they don’t vote for a few election cycles and don’t return an address-confirmation card. Six other states have similar laws in place. The court’s decision rewards citizens who remain engaged in the electoral process and punishes those who don’t. This might seem like a step back from the democratic ideal of one person one vote, but it brings into sharp focus the importance of voting as a civic duty. That said, it should be implemented in a way that encourages people to engage and vote rather than serving to “clean up” an electoral register. In the face of serious long-term economic threats, the world’s strongest republics must demonstrate that they can be resilient, not by resisting change but by adapting. This requires a willingness to explore ideas that could fortify democracy. For skeptics — and for those who believe the answer is always more freedom, not less — the answer may be to put the securing of tomorrow’s freedoms above the right to skip out on voting today.

#### Disenfranchisement impacts marginalized groups hardest thus reinforcing discriminatory policies

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Introduction Since the 1980s, theorists of representation have urged representative assemblies to include members from different segments of society in a manner that is proportional to their actual share of the population. On these grounds, the ‘politics of presence’ has recommended legislative, party and other quotas in order to bring marginalized groups like women and ethnic minorities into decision-making bodies. Their explicit goal has been ‘to break the link between social structures of inequality or exclusion and the political reflection of these in levels of participation and influence’ (Phillips, 1995: 13). By focusing only on the composition of representative bodies, however, advocates of the traditional politics of presence have inadvertently neglected another crucial challenge to equal representation: low voter participation. In most industrialized, voluntary voting democracies turnout is low and steadily declining (Dassonneville and Hooghe, 2017). In the context of the politics of presence, this problem is exacerbated by the fact that it is declining in a socially uneven fashion whereby abstention is increasingly concentrated among the worst off (see Hill, 2014: 132). Parliamentary seat quotas alleviate to some extent inequalities in voter participation; put simply, when marginalized groups are guaranteed a seat in the assembly, members of that group are motivated to go out and vote (for their peers) (Banducci et al., 2004). But this comes at a cost. One problematic feature of parliamentary seat quotas is that they characteristically benefit those already privileged within under-represented groups, creating what has been described as a ‘creamy layer’ effect within those groups (Phillips, 2012; Bajpai, 2011). In other words, in the context of women’s representation, gender quotas tend to bring white, highly educated, upper-class women into parliament rather than black, working-class ones. A similar socio-economic bias besets voter participation. Just as gender quotas may bring with them a creamy layer effect in terms of class, low turnouts have benefitted more socio-economically privileged groups of voters (of both sexes), creating a corresponding creamy layer effect within the voting population. These inequalities, in turn, are reflected in the composition of legislative assemblies and the policies they favour. In sum, although guaranteed presence in legislatures partly works to reverse political exclusion along gender and race lines, persisting inequalities in voter participation remain an obstacle for equal political representation. Hence, an exclusive focus on presence in elected bodies without presence in elections themselves does only half of the work that descriptive representation seeks to perform. In this article, we offer one potentially powerful remedy for the problem of persisting patterns of de facto political exclusion of socially marginalized groups and the challenge of including them in the representative process. We do this by arguing in favour of a ‘politics of presence’ at the polls, which has the effect of making representation more inclusive, broader and qualitatively different. Universal turnout in elections, we argue, makes representational activity and outcomes more descriptive of the interests, opinions and ideas of voters. Our alternative approach, while criticizing the mono-dimensionality of the traditional approach to descriptive representation, nevertheless incorporates its insights and strategies in order to offer a fusion of descriptive and substantive representation. Our argument proceeds in five parts. First, we discuss the limitations of traditional approaches to descriptive representation, which focus on the selection of decision-makers. Next, we draw on these approaches to present our normative justifications for the politics of presence at the polls, and in the third part, we offer some empirical justifications for voter presence. In the fourth section, we argue that the politics of voter presence makes representation not just more substantive but more equally substantive. It therefore exemplifies how substantive representation can produce descriptive outcomes (in terms of ideas, rather than identities), a dynamic that we describe as ‘descriptive responsiveness’. In the fifth section, we offer support for institutional measures that ensure high turnout, such as compulsory voting. Note that our argument is limited to advanced democracies in industrialized settings due to the fact that a properly functioning electoral regime is a basic condition for assessing the democratic effects of turnout levels. This is because turnout levels cannot be credibly 2 International Political Science Review 0(0) correlated with and accountability measures like wealth inequality and the degree of corruption when the system is not functionally democratic or representative in the first place: inequality and corruption will prevail regardless. Further, in less well-established systems where the volatility occasioned by the constant entry and exit of new political options is high, the capacity for accountability is precluded still further.1 Thus, advanced democracies are presumed to be the setting for the normative considerations that follow. From ‘being present’ in legislatures to ‘being present’ at the polls The parliamentary under-representation of women, immigrants and ethnic minorities has long been a central issue for theorists of political representation (Mansbridge, 1999; Phillips, 1995; Williams, 2000; Young, 2000). For many, these patterns of representational exclusion can be remedied via the physical presence of members of marginalized groups in political decision-making bodies, that is, via descriptive representation (often used in connection to ‘group representation’). According to Hannah Pitkin, descriptive representation is achieved when the representatives share with the represented certain characteristics (Pitkin, 1967: 90), such as, for example, gender.2 If the social composition of the legislature resembles that of the society, the former is said to be ‘descriptive’ of the latter. Pitkin noted that descriptive representative merely ‘stands for’ the represented, hence what, in fact, she does and how, in fact, she acts – for example in the parliamentary arena – is of little relevance. Therefore, most descriptiveness advocates admit that numerical presence per se is not sufficient but rather needs to be seen as an instrument for the substantive representation of excluded interests (Childs and Lovenduski, 2013; Mansbridge, 1999). Presence matters because it shapes how representatives ‘act for’ and respond to the interests of the represented (Pitkin, 1967: 112). Even so, political agency is situated mostly within decision-making bodies with attention directed exclusively at who the representatives are, leaving out of sight the issue of including the represented. We would like to challenge this one-dimensional conception and draw attention to the fact that political representation involves two sides: on the one hand, representatives who ‘respond to’ the wishes of the represented, and on the other – and importantly so – represented who choose their ‘responsive’ representatives. The role of the latter has been curiously overlooked in the relevant literature. Therefore, unlike previous studies of inclusion that emphasize the ‘presence’ of marginalized groups inside legislatures and recommend seat allocation and other measures to adjust the composition of representative assemblies, we call attention to the ‘presence’ of the represented themselves at the polls, a presence that is undermined by low voter turnouts. Indeed, under-representation is to a large extent produced by low voter participation. As mentioned, not only has voter turnout decreased, but failure to vote is generally – and increasingly – concentrated among the young, the poor, the unemployed, the homeless, renters, new citizens, ethnic minorities and people with lower literacy, numeracy and majority language competence (for a detailed survey of studies that attest to these trends see Hill, 2014: 132, note 21). In other words, the worse off and more marginalized a person is, the less likely s/he is to vote, especially in voluntary voting systems (meaning most systems). Unequal turnout therefore creates a creamy layer effect at the level of participation. The way ‘political presence’ and ‘descriptive representation’ have been understood and practised so far has failed to address the relationship between unequal voter turnouts and underrepresentation. Malkopoulou and Hill 3 To be sure, the politics of presence does not intentionally promote, logically assume or in any way cause low participation in elections. On the contrary, it often embodies the hope that the presence of marginalized groups in legislatures will result in higher rates of participation in elections (e.g. Banducci et al., 2004). What is problematic here is that a focus on presence in decision-making bodies rather than at election polls has inadvertently diminished the value of (electoral) participation for representation;3 it neglects the importance of substantive representation, which to our mind requires the presence of under-represented groups at the polls. The unwelcome and unforeseen consequence of this focus is a denial that there exist ‘elite voters’ within the voter population who reinforce discrimination against abstainers at the policy level and create obstacles for improving the lives of marginalized groups whose members are the most frequent abstainers. In order to demonstrate how legislative presence is not sufficient for representation, it is worth pausing to present a hypothetical illustration of our argument. Think of a descriptive legislative assembly that, using quotas, elects 12% of young MPs (equivalent to the share of persons aged 20–29 in the voting population), all of whom, however, are backbenchers. Given the constraints of party structures and discipline, this means that they are likely to have little say on agenda formation. As a result, they fail to promote policies and policy positions that improve the general wellbeing of young people in society. Now think of a different situation: a national election with full turnout where about 12% of voters who show up at the polls and cast their ballots are young. Their potential to co-determine policy priorities and policy content will nudge election campaigns and party tickets into directions that positively respond to their claims. As a result, pro-youth policies will be squarely put on the legislative agenda. Legislators will be motivated (by their own electoral interests) to vote in a way that promotes such policies. This will be the case regardless of whether voters will choose to send more young or more old MPs to the assembly. It will be based on the rationale of electoral competition and will work as a bottom-up incentive for political parties to secure more winning seats. Inclusiveness at the polls thus works as a nudge for more descriptive political outcomes, a claim for which we provide evidence below. It is in this light that we problematize the social marginalization that occurs as a byproduct of persistent electoral abstention, even when one’s age group, gender, caste or race is guaranteed seats in an assembly. By contrast, inclusion of all eligible voters in the actual electoral arena generates pressure on representatives to incorporate within the agenda the issues, interests and concerns of marginalized citizens who are otherwise more likely to abstain from voting than are non-marginalized ones. In the last section, we discuss specific measures, such as assuring universal turnout, that illustrate how this inclusion can be achieved. But before doing so we would like to dig deeper into politics of presence arguments in order to show how they are conceptually linked with our own arguments for voter presence.

#### Compulsory voting resolves voter disenfranchisement and leads to a more responsive electorate

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The Case for Compulsory Voting The democratic value of increased voter turnout thus derives from the contributions of elections—as periodic moments of (approximately) universal participation—to an equally responsive government and other democratic values. But the extent to which elections satisfactorily perform this important function depends on voting rates. Consistently low turnout rates diminish many of the distinctive democratic virtues of elections. This is especially true when a substantial number of citizens in contemporary democracies never vote and when these habitual nonvoters tend to be concentrated in poor and otherwise disadvantaged groups. Many citizens do not vote in part because they do not perceive the political system as responsive to them. Public officials in turn reinforce this perception; officials have an incentive to prioritize the concerns of likely voters over those of habitual nonvoters (Griffin and Newman 2005; K. Q. Hill, Leighley, and Hinton-Andersson 1995; Martin 2003). Periodic moments of universal participation ideally prevent this kind of informal disenfranchisement, but communities with voluntary voting rely on social norms to enforce the expectation that everyone votes. In marginalized groups within large societies, such norms may not be available. Many scholars have pointed to compulsory voting as an important step in counteracting this cycle of disengagement in marginalized communities (Birch 2009, 53–54; L. Hill 2010, 919–21; Lijphart 1997). Numerous studies have shown that compulsory voting effectively and often dramatically increases turnout rates—by 15 percentage points or more (e.g., Birch 2009, 79–97; Hirczy 1994)10—and electoral participation is distributed more evenly across society (Fowler 2013, 72; Hooghe and Pelleriaux 1998, 421–22). By promoting reliable compliance with the expectation of universal electoral participation, effectively enforced compulsory voting remedies the collective action problem that plagues vulnerable communities with chronically low turnout rates. Members of politically alienated groups have more reason to regard their vote as an instrument of political influence if they know that others like them will also vote. The claims that increasing voter turnout through compulsory voting will improve government responsiveness to and representation of the poor and marginalized are especially plausible in light of the functions of moments of approximately universal participation, and there is at least some evidence to support these arguments for mandatory voting. Some studies, for example, have found that compulsory voting is associated with lower levels of income inequality and corruption—outcomes that benefit the poor who are less likely to vote in voluntary systems (Birch 2009, 130–31; Chong and Olivera 2008). Compulsory voting is not the only instrument for increasing voter turnout, but, even when penalties for not voting are relatively low and excuses are permissive, compulsory voting tends to be more effective than most other measures, especially those that are comparably feasible. Relatively uncontroversial reforms focused on making voting more convenient and accessible at best increase turnout by only a few percentage points, and they do not typically draw many new voters from underrepresented groups (James 2010, 373–74). In fact, sometimes these “convenience voting” reforms can result in decreased turnout (Berinsky 2005). More dramatic convenience reforms—like Sunday voting and automatic voter registration—tend to produce more significant increases in turnout, but they still fall short of compulsory voting’s effectiveness (James 2010, 378–82). The only measure that appears comparably effective—switching from majoritarian to proportional representation— requires radical systemic change, and it may not be effective or desirable in all political or institutional contexts.11 And, of course, compulsory voting can be regarded as a complement, not simply an alternative, to other turnoutboosting reforms. Compulsory voting is not a unique or universal solution to the problem of low voter turnout, but its combination of effectiveness and flexibility relative to other measures for increasing turnout make it a particularly valuable tool in the toolkit for democratic reform. The case for compulsory voting rests not only on its effectiveness, though, but also on its compatibility with the virtues of moments of universal participation. Compulsory voting can magnify elections’ effect on democratic norms by adding the expressive power of law to the norm of universal voting. Compulsory voting clearly sends the message that all citizens—not just the college educated or wealthy—are expected to contribute to electoral decision making. This expressive effect, reinforced by the experience of actually participating in the vote, encourages citizens to see themselves as political agents. Because of its expressive effect, compulsory voting is also valuable as an object of political support. When citizens support mandatory voting laws, they clearly express a public belief in and commitment to the value of all citizens’ participation in democracy (Engelen 2007, 29). Because compulsory voting strengthens the public commitment to democratic norms while also increasing the government’s adherence to those norms, proponents have argued that mandatory voting also increases at least the descriptive legitimacy of a political system, and anecdotal evidence supports this claim (see, e.g., Lijphart 1997, 10). Compulsory voting has also been associated with a higher reported satisfaction with democracy (Birch 2009, 114).

#### Compulsory voting and better representation lead to anti-discriminatory policies and practices – Empirics Prove

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Why high turnout matters: Empirical evidence From the available data it seems that higher levels of voting participation causes representatives to think and behave differently in formulating policies and allocating resources than they do when turnout is low. In what sense do governments behave differently in highturnout elections? To begin with, political science has long known that voters’ preferences count more (e.g. Bullock, 1981; Hill and Leighley, 1992). This is because politicians regard aggregations of consistent voters as ‘attentive publics’ (Arnold, 1990: 64–65) and attentive publics receive the close attention of politicians (Martin, 2003). We also know that, wherever turnout is low, voting is concentrated among the more advantaged members of the electorate. Low turnout tends to benefit habitual voters who are more likely to be white, well off, home owning, educated, older and middle class: in other words it helps those who are already better off (Birch, 2009; Chong and Olivera, 2008; Fowler, 2013; Mahler, 2008; Mahler et al., 2014). But when it is high, participation is obviously more socially even and the real diversity of the electorate better captured. We know that high turnout decisively closes socio-economic status voting gaps and other voting gaps like ethnic and gender gaps (see e.g. Cordova and Rangel, 2017). This affects government behaviour simply because the perspectives communicated by the electorate are far less homogenous; in turn, this causes governments to be more responsive to everyone, not just the well off.5 Indeed, high voter turnout seems to give us different outcomes that serve the concerns of typical non-voters. This tendency has been demonstrated in numerous single and multisetting studies that all detect a strong relationship between the demographic profiles of voters and the design and implementation of public policies that cater to these groups (e.g. Button, 1989; Chong and Olivera, 2008; Gallego, 2010; Griffin and Newman, 2005; Hill and Leighly, 1992; Mahler, 2008; Martin, 2003: 111; Peters and Ensink, 2015; Rosset, 2013). For example, in those US constituencies where the electoral turnout of disadvantaged people is higher, welfare policies are found to be more generous, and there is more wealth distribution (Martin, 2003). Similar findings have been made in the Swiss setting (Bechtel et al., 2016). Two early studies of this dynamic support the ‘high turnout ¼ more responsive government’ thesis very well. When African Americans fully entered the electorate after the enactment of the Voting Rights Act of 1965 the provision of public services like fire stations, recreational facilities, garbage collection and street paving in residential areas dominated by Malkopoulou and Hill 7 African Americans improved measurably (Button, 1989; Keech, 1968). The Australian case provides another powerful natural experiment: when compulsory voting was first introduced in Australia, the 30 percentage point increase in voter participation that it immediately stimulated was also accompanied by ‘dramatic increase’ in pension spending (Fowler, 2013: 177). The sudden influx of less prosperous citizens into the voting process resulted in more representative policies because it led to the election of a political party (Labor) more likely to represent and protect their interests. Whereas previously, economic policies had been skewed towards elite voters, under compulsory voting there was more wealth distribution in the direction of the poor citizens who were newly enfranchised and whose interests were now better represented. This effect (i.e. higher levels of pension spending) has persisted over time no doubt due to the fact that even when less progressive parties win office they cannot afford to ignore the poor and disadvantaged who routinely continue to vote. Indeed, in most systems where turnout is near universal and socially even, government attention and spending are more evenly distributed; that is, responsiveness is more evenly spread across social groups and there are more – and a more diverse range of – citizens at the receiving end of government attention. This results, unsurprisingly, in measurably lower levels of wealth inequality (Birch, 2009). As Kenworthy and Pontusson have argued with respect to all prosperous democratic states, high voter turnout should be regarded ‘as a proxy for the electoral mobilization of low income workers, condition[ing] the responsiveness of government policy to market income inequality trends’ (Kenworthy and Pontusson, 2005: 459). The overall message here is that governments are significantly more attentive and responsive to voters than to non-voters; therefore, it is democratically optimal if everyone votes. High turnout thus means more responsive government. Note that we are not suggesting that representatives in low-turnout elections do not respond to the people who elected them; in fact our point is that they do and this is the problem. What we mean is that in highturnout elections representatives respond more to ‘the demos’, as we define it; namely, all eligible voters, not just the prosperous, better-educated, whiter and older who tend to turn up to vote. The fact that the representation afforded in high-turnout elections tends to be more responsive to the needs of the entire electorate also confirms our faith that each individual has the capacity to determine his/her own opinions, interests and perspectives. It turns out that, regardless of what some say about the political [in]competence of habitual abstainers (who tend to be poorer and less educated) (e.g. Brennan, 2014: 89–92), when the less well off do start voting they find ways of getting their message across and having their thoughts and interests represented.

## Extensions

### Ext: Democratic Legitimacy

#### Compulsory Voting leads to a better informed public – experimental research proves

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The Uninformed Voters Objection Many critics object that although compulsory voting may lead to more widespread political participation and more equal government responsiveness, the kind of participation and responsiveness achieved by compulsory voting is not actually more democratic or desirable. Critics claim that compulsory voting increases turnout only by introducing more indifferent and ignorant individuals into the electorate. Ample survey research has shown that voters demonstrate more political interest, more political knowledge, and more definite political preferences than their nonvoting compatriots. Critics argue that there is no reason to value government responsiveness to the uninformed or arbitrary votes of those who are not politically engaged enough to vote in a voluntary system. In fact, critics argue, adding more uninformed voters into the electorate might lead to electoral results that are even less representative of public opinion than results from lowturnout elections (Brennan in Brennan and Hill 2014, 43–45; Jakee and Sun 2006, 67–69; Saunders 2010, 72). Proponents of compulsory voting have responded to these objections by arguing that levels of political engagement and knowledge under a voluntary voting system are not necessarily indicative of what they would be in a system with compulsory voting. They argue that compulsory voting can affect the costs and benefits of acquiring political knowledge and forming political judgments in a variety of ways and indirectly “serve as an incentive to become informed” (Lijphart 1997, 10). First, compulsory voting decreases the cost of informed voting relative to individuals’ other options (Shineman 2013, 35–36). Second, because it solves a collective action problem and enables citizens to rely on others with similar values and interests to vote, compulsory voting might increase the expected benefit of casting an informed vote (L. Hill 2014, 149– 52; Lijphart 1997, 9). Third, compulsory voting might shape the political culture in a way that increases citizens’ perception of the social value of political knowledge and creates a more information-rich environment (Birch 2009, 61; Hasen 1996, 2168). It is difficult to assess the evidence for these claims about compulsory voting’s benefits because it is difficult to construct reliable measures of the quality of the information environment or of a culture of engagement, and although scholars do have a variety of tools for measuring political engagement and political knowledge, the relevance of these measures may vary across political contexts, making it difficult to compare levels of knowledge in different political systems (see Shineman 2013, 75). Moreover, compulsory voting is only one of many factors affecting levels of engagement, so it may be difficult to detect an effect of compulsory voting when comparing communities that vary along many dimensions. Unsurprisingly, studies of the effects of compulsory voting on political engagement and political knowledge have yielded mixed results. What are the normative implications of this ambiguous evidence? In Compulsory Voting: For and Against, Jason Brennan (in Brennan and Hill 2014, 46) argues that the existence of empirical studies finding no evidence that compulsory voting increases political engagement provides grounds for “strong doubt” about the justifiability of mandatory voting laws. In the next section, I will address the burden of justification that proponents of mandatory voting bear. Here, I want to focus on how much doubt mixed results of existing studies raise about the educative benefits of compulsory voting. How much doubt null findings raise about the existence of an effect depends in part on how likely it is that the study will find an existing effect. Most of the null findings that Brennan cites examine aggregate crossnational data that have not found that countries with compulsory voting typically experience higher rates of political knowledge or engagement (Brennan in Brennan and Hill 2014, 46; see also Birch 2009, 66). But given the difficulties of isolating the effects of compulsory voting when comparing different political systems, these crossnational studies may not be able to detect improvements in political knowledge resulting from compulsory voting. More importantly, some types of compulsory voting regimes may have more educative effects than others. If poorly designed or implemented mandatory voting laws do not have beneficial effects, this should not affect the normative case for a well-designed system of compulsory voting. There are two additional reasons that mixed evidence about compulsory voting should not raise as much doubt as Brennan claims. First, some experimental and quasiexperimental research designs, which are better able to control for confounding variables, have suggested compulsory voting may have educative benefits. In one field experiment in California, Victoria Shineman found that individuals who were offered a financial incentive to vote performed significantly better than members of a control group on a follow-up political information test, even though the payment for voting was not in any way conditional on the individual’s performance (Shineman 2013, 172). In another study exploiting a high degree of historical variation in compulsory voting laws across Austrian states, Shineman finds that long-term exposure to compulsory voting has marked effects on self-reported levels of attention to the news (and political news in particular), political interest, and some measures of objective knowledge (Shineman 2013, 102). At the same time, both cross-national and intranational studies on the political outcomes associated with compulsory voting have yielded evidence that should alleviate critics’ worry that compulsory voting will necessarily make government less responsive to its citizens. A few studies have found, for example that compulsory voting tends to produce outcomes more favorable to poor citizens who are less likely to vote under a voluntary voting scheme (Birch 2009, 132–33). Evidence also suggests that, in Australia, compulsory voting has disproportionately benefited the Labor party and resulted in a leftward shift of party platforms and public policy (Fowler 2013, 172–77; see also Mackerras and McAllister 1999). Since poor voters are more likely to favor labor parties and progressive policies, the introduction of compulsory voting in Australia shifted Australian politics in the direction we would most expect if the citizens just introduced into the electorate were making choices as informed as those of voluntary voters.13 Objections to compulsory voting based on the apparent competence gap between voters and nonvoters fail to account for the distinctive role of elections in contemporary democracy. These objections assume that nonvoters informally delegate electoral decision making to their more informed and engaged compatriots. But elections are not meant to harness the benefits of delegation to more informed, passionate, and engaged citizens. As periodic moments for mass participation, elections help to cultivate such citizens. Requiring citizens to periodically perform their political agency plays an important role in democracy: Without a sense of the value of their own political agency, citizens have little reason to become politically informed and engaged. Critics of compulsory voting overstate the risk that compulsory voting will produce less responsive government, in part because they underestimate how periodic moments of approximately universal participation shape patterns of political engagement.

### Ext: Voter Disenfranchisement

#### Compulsory voting creates a more responsive electorate

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The politics of voter presence: Normative justifications In this section, we transpose the rationale of the politics of presence to the voter level and to the moment that precedes the formation of representative assemblies: elections. We engage with arguments made by four theorists who have been highly influential in the field: Anne Phillips, Jane Mansbridge, Melissa Williams and Iris Marion Young. Four key advantages of political presence are identified, respectively, as benefits for: party campaigns and political 4 International Political Science Review 0(0) advocacy; the quality of communication and deliberation; the probability of having one’s interests articulated; and de facto legitimacy and social meaning. Might these positive effects of presence in legislatures also work when presence occurs at the voter level? Political presence in legislative assemblies (call it ‘legislative presence’) affects party agendas in a different yet comparable fashion to ‘electoral presence’. Anne Phillips argues that the legislative presence of marginalized groups promotes the inclusion of their beliefs and concerns in the way political parties and candidates package their ideas. (Phillips, 1995: 41–45). Electoral presence has a similar positive effect on empowerment. It is able to afford voting groups a greater capacity to influence, reinterpret and change the issues raised in electoral campaigns and legislatures. Indeed, there is little doubt that, when groups that have previously abstained from voting start to vote, they significantly affect the issues on the electoral campaign agenda (see e.g. Bechtel et al., 2016; Fowler, 2013; Griffin and Newman, 2005; Kenworthy and Pontusson, 2005). The agenda-setting effect here is not direct, as through legislative presence, but indirect, by way of incentives for political candidates to mobilize and attract voters from groups that would, under different circumstances, abstain. Electoral presence thus, like legislative presence, carries agenda-setting power. Apart from the importance of empowerment, another justification for the politics of presence (and therefore our own model) is that it improves the quality of representation. Understood as the result of a process of deliberation, representation on this account directly depends on the quality of the deliberative process. When deliberation is enriched by as many valuable perspectives as possible, then the outcomes of deliberative representation are informed and enlightened, and therefore the quality of representation is high. The inclusion of multiple different perspectives is therefore of utmost importance, especially in societies where some groups face structural disadvantage – or in contexts of distrust created by a long history of dominance and group suppression (Mansbridge, 1999: 641–643). Mutatis mutandis, in the context of elections, the presence of all voters at the polls improves deliberative representation in that it multiplies the perspectives that electoral candidates can take into consideration and to which they can respond. This attests to the quality of elections as a process of deliberation, which is both vertical between constituents and representatives, and horizontal between representatives (Mansbridge, 1999: 644). Vertical deliberation between voters and election candidates happens, for instance, during electoral canvassing, fundraising and campaigning. It is stimulated by the act of voting. Electoral participation creates a discursive connection between the represented and representatives, a connection that shapes political ideas and moves representatives to act on them. In order for this deliberative, communicative connection to be activated and enlightened, the demos (by which we mean every eligible voter) must be electorally present. That this discursive relationship is better established through mass voting participation is confirmed by a number of recent empirical studies exploring the effect of compulsory voting on political engagement, alertness and sophistication within the electorate. A field experiment in the US demonstrated that ‘subjects who were mobilized to vote also became more informed about the content of the election’. It turns out that any institution that mobilizes ‘electoral participation also motivates citizens to become more politically informed’ (Shineman, 2018b: 207). Those who know they are going to vote tend to be more attentive to the activities of government and politicians, and are more likely to pick up political knowledge incidentally simply by virtue of that intention. Significantly, this effect is not concentrated among the advantaged but occurs evenly across all the major social cleavages (Sheppard, 2015). Hence, when voting is high and socially even, as it is under compulsory voting, the political engagement, knowledge and sophistication gaps between the advantaged and disadvantaged (that are normally found in settings with low turnout) are significantly closed. In the case of women, for example, countries with enforced mandatory voting laws not only ‘display a much smaller’ gender voting gap but also much smaller gaps in several other forms of electoral engagement, including ‘political party information, campaign attentiveness, political party attachment, and participation in electoral campaigns’ (Cordova and Rangel, 2017: 266). Assured voter presence thus demonstrably brings the represented and their representatives into a more intimate and responsive discursive relationship. In addition to vertical deliberation, horizontal deliberation between election candidates is also improved in a system of high voter turnouts. Candidates are motivated to debate the perspectives of socially marginalized voters, who in low-turnout systems would mostly abstain, but in high-turnout systems may determine election outcomes (Fowler, 2013; Kenworthy and Pontusson, 2005). Thus, due to its positive effects on both vertical and horizontal deliberation, electoral presence is justified from the perspective of deliberative democratic representation (see Hill, 2013). In the same vein, Melissa Williams (2000) argues that formal procedural equality is not sufficient for the fair representation of marginalized groups that suffer from state-sponsored discrimination. Members of the group must be actually present in decision-making assemblies or, as we argue, in electoral events. The right to ‘self-representation’, for Williams, is based on the fact that insiders are more likely than others to know and articulate the interests of their group, and to share the group’s subjective identity, created by a history of oppression and persisting structures of inequality. Likewise, Young argues that ‘in socially differentiated societies, individuals have particular knowledge that arises from experience in their social positions’ and influences their interests (Young 2000, 114); including all these differentiated experiences is crucial for democratic representation. But legislative presence is not enough. The young, the working class, the homeless, and many other low-turnout groups will discover and promote their shared interests through their electoral participation. Their participation will influence electoral results, not just – or not always – in terms of selecting representatives from the same group, but primarily by tilting political agendas in new directions. Lastly, for politics of presence advocates, including members of marginalized groups in legislatures also carries some ‘psychological’ benefits. According to Mansbridge (1999: 648– 652), seeing people of colour or women as lawmakers creates social meaning, namely the idea that these groups are ‘fit to rule’ and are not political outcasts. It also creates a sense of inclusion that makes the democratic system more legitimate in the eyes of these groups. Likewise, high voter turnouts shape the perception that elections are legitimate. That high turnouts enhance the perception of legitimacy is reflected in the fact that citizens in compulsory voting regimes report higher levels of satisfaction with the way their democracy is working than do citizens in voluntary regimes (Birch, 2009: 132 133).4 High turnouts also enhance the perception that those who previously were habitual abstainers, i.e. politically marginalized citizens, do, in fact, have the ability to rule. Think for example of an 18-yearold or a homeless person entering the voting booth: their status is immediately elevated to that of an equal by their mere presence in elections, regardless of which party they vote for or even of whether they cast a valid ballot at all. A recent experimental study of US ex-felons whose voting rights were restored found that subjects experienced stronger levels of trust in government, as well as more intense pro-social attitudes after learning they could now vote. 6 International Political Science Review 0(0) Conversely, being ‘disconnected from the democratic process’ created ‘both a psychological stigma and a rational belief that the system is non-inclusive and non-responsive’ (Shineman, 2018a: 6). In other words, electoral presence produces social meaning in a fashion similar to that of legislative presence. Thus, the presence at the polls of all voters, and especially outcast and disadvantaged voters, is required to achieve representation that is democratic and equal. But does the inclusion of normally silenced or absent groups in the electoral process really improve the quality of representation? And in what sense do such groups offer qualitatively distinct views on society? Importantly, the effects of their inclusion, in precisely the manner hoped for by advocates of legislative presence, are also observable in the case of electoral presence. In order to demonstrate this, we report below on a large body of empirical evidence that strongly suggests that voter presence is capable of delivering more responsive (and more evenly responsive) governments.

#### Compulsory voting is the most effective method to ensure representation of marginalized voices

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Achieving descriptive responsiveness Our proposed concept of ‘descriptive responsiveness’ relies on the idea that only voters themselves can choose representatives that best speak to their own situated social experiences, and even they sometimes do so only intuitively or via heuristics that are nevertheless objectively utility-maximizing.8 In other words, voters are best suited to choose a representative, since they alone know better than anyone what, why and how they want to see represented from a range of issues. From what we know empirically about the relationship between voting and government responsiveness (see above) there are good grounds for this belief. Note that our view does not rely on an ‘ethics’ of voting (i.e. how one ought to vote), but on a positive belief in each individual’s capacity to express his/her own political voice through the casting of votes. On these grounds we argue for assured universal, or at least near-universal, electoral participation; what we call ‘democratic turnout’. This approach will not only be more participatory, but also more representative, because the inequalities in voter participation that normally obtain in most advanced, voluntary voting systems invariably translate into inequalities in parliamentary representation. But there is a catch here: since, in reality, the most marginalized citizens are also the least likely to vote in most voluntary voting systems, we need a mechanism that ensures high and socially inclusive voter presence on election day. Near-universal turnout is not impossible to achieve in certain voluntary voting settings but is easiest and best achieved by the practice of mandatory voting (Louth and Hill, 2005). Since mandatory voting is the only truly reliable way of ensuring that everybody votes, our argument may also mean that voting should be obligatory by law. Although critics of compulsory voting often claim that there are equally effective, voluntary means by which to raise voter turnout, in reality there is no alternative with the same turnout-raising power and endurance (Louth and Hill, 2005). In fact, compulsory voting is more effective at raising turnout than all the proposed alternative methods put together (Lijphart, 1997). It is also the only method that can push turnout into the 90%þ turnout range and, just as importantly, keep it there for decades at a time. Furthermore, its effect is immediate (Louth and Hill, 2005). To be sure, the success of compulsory voting in producing ‘descriptive responsiveness’ is conditional. It assumes that the representative democracy in question is ‘authentic’ and is characterized by a well-established system of democratic institutions with adequate civil and political rights protection (including universal suffrage); the apparatus of constitutionalism; limits on political power; and free, competitive and fair elections. If these conditions do not hold, mandatory voting is inappropriate. Mandatory voting also works best in electoral systems with high levels of proportionality, because these allow for a wider diversity of election choices.9 But it is also potentially useful in other systems since, as we have argued, it does not simply affect party choice (which in a two-party system would be somehow restricted), but incentivizes all parties to adjust their election and policy agendas. Party systems may also affect the scope and impact of compulsory voting: in highly volatile systems, where new actors frequently emerge and disappear, competitive structures may be weak; as a result, the incentives to be descriptively responsive may be less effective. Still, it is likelier that parties and policies will be more descriptive in such systems compared to voluntary voting systems, where these incentives are much more random and arbitrary. However, we are not arguing here necessarily for the technical instrument of compulsory voting so much as the normative goal of high and socially even turnout, however that is achieved. Whatever method is used, it must be capable of reliably transferring the political will of all members of society (especially those who were previously effectively excluded) into the representative forum, which will become far more responsive to that will. Descriptiveness is thereby promoted from a norm that simply determines the composition of representative assemblies, to one that defines the very modes of selecting representatives. To put it in context, it entails consequences for the input side of electoral system design that is concerned with the role of citizens in elections, not simply its output side, understood here as the allocation of parliamentary seats. The potential advantage of this approach over conventional approaches to descriptive representation is nicely demonstrated in the Australian case. In Australia, the most disadvantaged members of the electorate – indigenous people – when offered a choice on the ballot between a white candidate from the generally more progressive Labor Party and an indigenous candidate from a different party, will tend to vote for the white, Labor candidate (Evans and Hill, 2012). Although the candidate is obviously not from the same oppressed group and supposedly less likely to share their perspectives, s/he is deemed by voters themselves to be more likely to respond to their group-specific concerns. This underlines the importance of ensuring that every group member uses the opportunity to express his/her preference in person. Others do not have to surmise (through pre-determined quotas) who indigenous voters will be best represented by since the latter are present to decide that for themselves. Descriptive representation is best achieved, not simply by controlling the composition of representative assemblies, but also by expanding the scope of representative assemblies’ responsiveness to disadvantaged groups of the population. Therefore, the best way to obtain ‘descriptive responsiveness’ is to ensure that everybody votes. ‘Descriptive responsiveness’ is also preferred because it is able to overcome another major drawback of classic descriptive representation: the feasibility problem. Conventional, legislature-centric ‘mirror representation’ cannot adequately accommodate the superdiversity of the demos; remedying all types of exclusion through quotas is practically impossible due to the sheer number of under-represented groups, not to mention the challenge of intersectionality. Because descriptiveness at the polls puts the onus back on individual voters to determine who can act best for them, it is better able to surmount these feasibility constraints. Our approach is also more straightforward from an institutional-design point of view because all it requires is a mechanism (or mechanisms) to assure universal inclusion in order to have some chance of capturing and ‘describing’ the views of even the most marginal and disadvantaged citizens.

### AT: Right to Not Vote

#### Compulsory voting is a justified act of coercion under Political Liberalism and increases overall liberty in society

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Coercion and the Burden of Justification In the preceding sections, I have argued that higher voter turnout is a worthwhile end to pursue, and that mandatory voting effectively increases turnout in a way that is likely to produce the purported benefits of widespread electoral participation. But justifying compulsory voting requires demonstrating that compulsory voting produces outcomes that are sufficiently valuable and sufficiently likely to outweigh the countervailing reasons to avoid forcing citizens to vote. In this section, I respond to claims that compulsory voting faces a high standard of justification, and that arguments in favor of compulsory voting fail to meet this standard. Proponents of compulsory voting have effectively argued that a properly administered compulsory voting system need not violate any fundamental liberties, and therefore it does not face the high burden of justification associated with violating a fundamental right (L. Hill in Brennan and Hill 2014, 154–73, 2014). Brennan (in Brennan and Hill 2014) has argued, though, that “skeptics do not have to establish that all citizens possess a specific right not to vote” because “all restrictions on liberty are presumed wrong and unjust until shown otherwise” (10). According to Brennan, the presumption against coercion places a heavy burden of proof on proponents of compulsory voting. Proponents of compulsory voting need to provide a compelling argument that compulsory votingwill produce a significant benefit. They also need to show that there is no alternative way of achieving these benefits without coercion. Opponents of compulsory voting, by contrast, need only “cast strong doubt” on proponents’ arguments (11). Brennan claims that arguments in favor of compulsory voting have not satisfied the heavy burden of proof required to justify coercion. He argues that the lower levels of political knowledge among nonvoters and the mixed results of empirical studies on the educative effects of compulsory voting are sufficient to establish strong doubt about whether compulsory voting could actually produce better or more representative government (2014, 83). Finally, Brennan claims that there is an equally effective noncoercive way to achieve the purported benefits of compulsory voting: randomly sampled voter lotteries. Brennan’s argument against compulsory voting ultimately fails, though. As I have argued, Brennan overstates the grounds for skepticism of compulsory voting’s benefits, and he fails to address a key component of the case for compulsory voting: the distinctive role of elections in contemporary democratic practice. Moreover, Brennan mischaracterizes the burden of justification borne by supporters of mandatory voting, and he consequently proposes an alternative to compulsory voting, which, while apparently less coercive, actually faces a much higher burden of justification. Brennan’s characterization of the burden of justification facing proponents of compulsory voting depends on a controversial libertarian understanding of the presumption against coercion and the kind of justification it demands. Brennan claims that the presumption against coercion is a feature of commonsense morality, and the “defining feature of liberalism” (in Brennan and Hill 2014, 10). While mainstream contemporary liberalism does share with libertarianism a belief in the presumptive value of liberty and wrongness of coercion, many mainstream liberals reject Brennan’s understanding of what this presumption entails for the justification of political institutions and policies. In their Stanford Encyclopedia of Philosophy article “Liberalism,” Gerald Gaus and Shane Courtland (2011) define liberalism not as a presumption against coercion, but rather as “a presumption in favor of liberty.” This characterization more accurately conveys the range of political views under the label of “liberalism.” Because they disagree about the conditions for liberty, liberal philosophers disagree about how the presumption in favor of liberty should guide government action. One of the most prominent strands of contemporary liberalism, political liberalism, emphasizes the need to justify coercive power in general, not just particular instances of coercion. In Political Liberalism, John Rawls (2005) argues that the liberal project of justifying coercion applies to “a society’s main political, social, and economic institutions, and how they fit together into one unified system of social cooperation,” what he calls “the basic structure of society” (11). The basic structure demands justification because it has “deep and long-term social effects and in fundamental ways shapes citizens’ character and aims” (68). Because the basic structure of society has such a pervasive impact on individuals’ options and inevitably conditions their liberty, the liberal imperative to justify constraints on liberty is not a matter of justifying some instance of coercion. Rather, it requires justifying one set of coercive political and social arrangements against another. A basic structure with compulsory voting needs to be justified, but so does a basic structure without compulsory voting. Since both of these sets of arrangements condition liberty in such fundamental ways, it does not make sense to say that one of these structures is presumptively justified because it involves less interference. A basic structure that seems to involve more government coercion may actually be more consistent with individual liberty, because it creates a society in which individuals enjoy a more robust opportunity to choose from a wider range of valuable options. The belief that instances of coercion may be justified as part of a broader set of social and political arrangements is not unique to political liberalism. Nearly everyone agrees that taxing citizens to pay for frequent, accessible elections is justified so that all citizens can enjoy a share of political power. The particular instances of coercion necessary to sustain a democratic political system make the existence of coercive power and the pervasive influence of social and political conditions in general more justifiable, since they enable all citizens to exert influence over the exercise of political power and to contest laws and policies they consider inappropriate. The argument for compulsory voting is similar to the argument for publicly administering elections. These instances of coercion actually promote liberty: The existence of coercive power and the pervasive influence of social arrangements are more consistent with individual freedom when all citizens participate in shaping the character of public life and governing the exercise of public power.14 There is a strong argument that compulsory voting can make the pervasive influence of political arrangements more justifiable by more equally distributing de facto political power and better enabling elections to fulfill their valuable role as moments of approximately universal participation. Although critics have raised concerns about potential negative effects of mandatory voting, there is little evidence that mandatory voting does have these perverse effects, and proponents have offered plausible arguments for how a well-designed compulsory voting scheme can avoid them. So long as the penalties for nonvoting are mild, the burdens of voting are minor, and appropriate exemptions are allowed, opponents of compulsory voting do not enjoy a strong argumentative advantage. Given its potential to strengthen a crucial democratic practice, defeating the case for compulsory voting requires serious grounds for doubt. In the previous section, I argued that the main source of Brennan’s skepticism about the argument for compulsory voting—that nonvoters’ ignorance will prevent greater government responsiveness to their wishes—does not actually provide grounds for serious doubt.

#### Turn: Compulsory voting reinforces intrinsic motivations to vote and reinforces democratic values

Chapman 19 Emilee Booth Chapman is an Assistant Professor at Stanford, CA. "The Distinctive Value of Elections and the Case for Compulsory Voting." Published by the American Journal of Political Science, Vol. 63(1), pp. 101-112. Published January 2019. Available here: (https://onlinelibrary-wiley-com.ezproxy.lib.utah.edu/doi/epdf/10.1111/ajps.12393) - AP

The Crowding Out Objection Many of the benefits of moments of mass participation that I have outlined in this article—in particular, their ability to reinforce citizens’ perception of themselves as political agents and their commitment to democratic principles—rely on people’s voting for the right reasons. Habitual voting more effectively reinforces democratic norms if citizens vote in part because they endorse those norms (see Atiq 2014, 1094). Critics of compulsory voting might worry, then, that forcing people to vote will not reinforce the commitment to democracy. Instead, they might worry that compulsory voting will have the opposite effect: Adding an extrinsic motivation to vote—fear of punishment—may crowd out intrinsic motivations, even among those who would have voted voluntarily. Social scientists have shown that offering extrinsic (typically monetary) incentives for good behaviors can sometimes change the way people view those good behaviors, crowding out intrinsic motivations for doing them (see, e.g., Gneezy and Rustichini 2000). Skeptics of compulsory voting might worry that if voting were required, citizens would no longer vote out of a sense of duty and commitment to democracy, but rather would go to the polls grumbling at the legal burden, or perhaps would choose to pay the fine and spare themselves the trouble. Extrinsic motivations do not always crowd out intrinsic motivations, though. Compulsory voting might avoid the perverse effects sometimes generated by incentives for good behavior because it involves the expressive effect of the law. Laws do not just provide external incentives for citizens to behave in certain ways; often, they also express a community’s approbation of certain forms of behavior (Hasen 1996, 2172). Many compulsory voting laws seem to exist mainly for this expressive purpose. Some are not enforced at all, whereas others are not enforced very strictly (Birch 2009, 36). Australia has one of the most effectively enforced compulsory voting systems in the world, but even there, excuses for nonvoting are readily granted, and many cases of unexcused abstention are not pursued. Only about one in four Australian nonvoters actually pays a fine (Birch 2009, 6). Given this low enforcement rate, it seems likely that Australia has achieved its high participation rates through a combination of the expressive and punitive functions of its laws. The case of Australia demonstrates that appropriately designed mandatory voting laws can avoid crowding out intrinsic motivations to vote. Australia has had compulsory voting for federal elections since 1924, yet still enjoys one of the highest rates of belief in the duty to vote in the world (ISSP Research Group 2012, 10). A majority of Australian citizens support compulsory voting, whereas very few strongly oppose it (Mackerras and McAllister 1999, 221). In a 1996 survey, 87% of Australian respondents said they would “probably” or “definitely” still vote even if it were not compulsory (Mackerras and McAllister 1999, 227). Compulsory voting laws act in concert with existing public norms about the value of democracy and the importance of voting, increasing the motivational efficacy of these norms by backing them up with the expressive and coercive power of law. Compulsory voting does not corrupt, but rather reinforces intrinsic motivations to vote (see Elliott 2017).12

### AT: Ballot Bad

#### Compulsory voting makes electoral abstention more effective by clarifying disdain instead of appearing as disinterest

Gray 20 Sean W.D. Gray is a Postdoctoral Research Fellow at the Ash Center for Democratic Governance and Innovation, Harvard University. "Silience and democratic institutional design." Published by Criticla Review of International Social and Political Philosophy, published online July, 21, 2020. Available here: (https://www-tandfonline-com.ezproxy.lib.utah.edu/doi/pdf/10.1080/13698230.2020.1796331?needAccess=true) - AP

Abstention and elections Silent citizenship in democratic systems is perhaps most prominently associated with the practice of not voting in elections. Since Anthony Downs (1957), one of the most enduring puzzles in the study of elections is to explain what motivates some people to turn out and cast a ballot, and others to keep quiet. Voting, after all, is a taxing activity in terms of time, attention, and other resources, and it is not always clear that the benefits of voting outweigh the costs. A powerful reason to abstain is the perception that the electoral options on offer are all the same. Studies of voting behavior consistently find an inverse correlation between rates of abstention, and the number and distinctiveness of candidates contesting an election (Franklin, 2004; Leighley & Nagler, 2014). From a design perspective, the problem with uncompetitive elections – or, at least, elections where competition is limited – is that they fail to incentivize any responsiveness to abstainers, precisely because their silence does not register electorally.7 This is one reason why uncompetitive elections such as plebiscites, or single-party electoral districts, are generally thought to be ‘undemocratic’: left with no alternatives but to abstain, voters lack sufficient options on the ballot to signal what they want from their representatives. But this choice for silence does not register. Ideally, electoral systems should provide a range of distinctive choices across candidates and parties sufficient to forestall the silence of electoral abstention.8 But short of this ideal, once we understand the logic of silence in uncompetitive elections, we can look to include mechanisms that link abstentions to outcomes in such a way that representatives have incentives to follow up and respond. One established – though controversial – reform is compulsory voting rules (Lijphart, 1997). This would clarify the conditions under which voters are silent by making attendance at the polls mandatory on Election Day. That I would advocate for such a proposal is perhaps surprising. For among its advocates, and in countries like Australia, Brazil, and Belgium, compulsory voting is often touted as a means of prohibiting silence in elections (see Brennan and Hill, 2014). But this framing is misleading. Compulsory voting merely makes citizens’ attendance at the polls mandatory. It says nothing about marking or even accepting a ballot. Nonetheless, when citizens abstain, this silence is now tied to electoral outcomes insofar as it is still counted – in this case, as a blank or declined ballot, the precise meaning of which is left institutionally undefined. In this way, the right to silence is preserved, while making clear that every citizen’s choice in the election is intentional. Proponents of compulsory voting often praise the benefits of this mechanism for inducing high and socially even turnout, especially across marginalized or underrepresented groups (see, e.g., Chapman, 2019; Elliott, 2017). While I agree that these benefits are considerable, there is an even more basic justification for this design proposal in my view. Compulsory voting effectively parses voter silence. It clarifies that, whatever else a silence means, it is a choice, and not the result of disengagement or disempowerment. Thus, when voting is compulsory, winning candidates and parties cannot overlook the silence of abstainers. Nor can self-serving politicians so easily misrepresent public opinion in the absence of vocal dissent and claim to have the support of a ‘silent majority’. Instead, silence in elections becomes a standard communicative basis for directing candidates to seek out abstainers, to inquire into their numerous possible motives for silence, and to ask for their input in order to make electoral gains in the future.9 In this way, silence generates not just actionable information for prospective candidates and parties, but also positive incentives for responsiveness from incumbents eager to secure their re-election. To be sure, compulsory voting has its critics. But it is worth underscoring that the justification I present for this reform is novel, as far as I am aware, in 8 S. W. D. GRAY that it anticipates some standard objections. Annabelle Lever raises the familiar worry that proposals for compulsory voting would undermine people’s ability to control the meaning of their political choices, by forcing them to make a choice. ‘Precisely because we have so little control over the circumstances of our vote, and the ways in which it will be used and interpreted by others, the ethics of voting is by no means as simple as proponents of compulsion suppose.’ (Lever, 2010, p. 910). I would reply that there is even greater reason to be concerned about the lack of control that people have over the circumstances of their silence, and the political meanings that will be read into that silence. I leave it as an open question as to whether freedom from compulsion is outweighed by an interest in counting all voters’ choices equally, including their choices for silence.

### AT: Harms Direct Action

#### Turn: Compulsory voting increases non-voting political participation and direct action

Chapman 19 Emilee Booth Chapman is an Assistant Professor at Stanford, CA. "The Distinctive Value of Elections and the Case for Compulsory Voting." Published by the American Journal of Political Science, Vol. 63(1), pp. 101-112. Published January 2019. Available here: (https://onlinelibrary-wiley-com.ezproxy.lib.utah.edu/doi/epdf/10.1111/ajps.12393) - AP

The False Legitimacy Objection Earlier, I cited increased descriptive legitimacy as a likely benefit of mandatory voting, but some critics deny that increased descriptive legitimacy is actually a valuable outcome to pursue. Pointing to the historical use of compulsory voting in authoritarian regimes, they argue that mandatory voting can be used to create a false veneer of legitimacy in regimes that are not, in fact, legitimate (see, e.g., Jakee and Sun 2006, 64). Some critics also worry that even in democratic regimes, compulsory voting may generate political complacency and discourage citizens from confronting and correcting serious flaws in their political systems (Brennan in Brennan and Hill 2014, 49–50). This criticism suggests that voluntary voting systems may provide an important collective benefit insofar as turnout levels can convey information about the existence of dissatisfaction among citizens, providing a spur to social activism. That mandatory voting can be used by authoritarian regimes to generate false claims to democratic legitimacy does not present a strong objection to its use in democratic regimes; authoritarians employ mandatory voting for the same reason that they pretend to hold elections in the first place: Because under the right conditions, these institutions do, in fact, strengthen democratic legitimacy. Moreover, there is good reason to doubt that compulsory voting does increase complacency within democratic regimes. In a comprehensive cross-national study of the effects of compulsory voting, Sarah Birch (2009) finds that citizens in countries with compulsory voting report higher levels of satisfaction with democracy (113), but they also display less faith in the efficacy of voting (67) and a greater inclination to engage in protest (70–71). Birch attributes the lower sense of electoral efficacy in countries with compulsory voting to the fact that in these countries with very high turnout, citizens cannot cling to “the illusion of an unfulfilled potential efficacy” that is available to citizens in voluntary voting systems (69). Because it more closely conforms to the ideal of voting as a form of universal participation, compulsory voting might actually encourage citizens to develop a more realistic understanding of what voting can and cannot accomplish. Compulsory voting strengthens contemporary democracy by better ensuring that elections fulfill their distinctively valuable role as moments of mass participation, but it also strengthens democracy by more clearly delineating the limitations of that role. The perceived informative benefits of voluntary voting systems are largely fictive; low turnout is often attributed to apathy or laziness, whereas high turnout can be driven by anger or fear. Since compulsory voting eliminates the option of staying home on Election Day, it decreases the temptation to interpret high turnout as an expression of political satisfaction. And, since compulsory voting prevents citizens from conveying their political disaffection by avoiding the polls, they have more reason to seek out other arenas for dissent.

### AT: Random Sampling CP

#### Random sampling fails – understates the value of universal political actions and destroys the chance of individuals participating in elections

Chapman 19 Emilee Booth Chapman is an Assistant Professor at Stanford, CA. "The Distinctive Value of Elections and the Case for Compulsory Voting." Published by the American Journal of Political Science, Vol. 63(1), pp. 101-112. Published January 2019. Available here: (https://onlinelibrary-wiley-com.ezproxy.lib.utah.edu/doi/epdf/10.1111/ajps.12393) - AP

Brennan does not succeed in casting sufficient doubt to defeat the case for compulsory voting. However, he offers another objection. Brennan contends that the benefits of compulsory voting can be achieved just as well through a noncompulsory alternative: Instead of open elections, we might have a system that selects a random sample of citizens to vote in each election (in Brennan and Hill 2014, 36). With correctly implemented sampling, these voter lotteries would be even more representative than elections with nearly universal turnout. According to Brennan, voter lotteries thus achieve the most significant purported benefit of compulsory voting—a more representative electorate—without resorting to coercion.15 Since coercion bears the burden of proof, according to Brennan, the existence of this equally good noncoercive alternative is enough to defeat the case for compulsory voting. It is far from clear that voter lotteries do offer an equally good noncoercive alternative to mandatory voting, though. Brennan suggests that the right to vote exists to ensure that all citizens’ preferences receive equal consideration in political decision making, and he argues that a voting lottery could protect this interest as well as popular elections (in Brennan and Hill 2014, 36–37). However, as I argued in the first section, the special status of voting in contemporary democratic practice (of which the right to vote is a central feature) undergirds the valuable role of periodic moments of mass participation, which provide a number of benefits beyond the equal representation of citizens’ preferences. Whatever particular virtues voter lotteries might have, it is not clear how they could replace the distinctive role of mass popular voting. There are a number of reasons to be skeptical of the voter lottery proposal, as it would require a radical revision of existing political arrangements. The most serious is that a voting lottery would undermine the role of voting as a minimum level of participation that encourages citizens to see themselves as political agents. Popular elections remind citizens that the public business is their business. Some scholars have raised doubts about whether voting can really accomplish this—elections are too infrequent, and voting too undemanding to really require a high level of political engagement (see Lomasky and Brennan 2000, 82–83)—but these doubts apply to a much greater extent to voting lotteries. In the United States, I am called upon to vote for the president once every 4 years. Under Jason Brennan’s proposed lottery scheme, there is only about a 1 in 500 chance that I would be selected to vote for the president in my lifetime.16 Even if elections still received the same hype that they currently do, it would not seem as though they had much to do with me.

# CV Neg

## 1NC

### Value Criterion

#### Given the relevance of democracy in this debate, I endorse the value of ‘Individual Autonomy’

Pendlebury 04 Michael Pendlebury is Professor of Philosophy and Head of the Department of Philosophy and Religious Studies at NC State University. "Individual Autonomy and Global Democracy." Published by Theoria: A Journal of Social and Political Theory in April 2004, pp 43-58, Available here: (https://www-jstor-org.ezproxy.lib.utah.edu/stable/pdf/41802812.pdf) - AP

As I am using the term, an autonomous individual is one who is, in the ordinary sense, in charge of her own life.4 She has reasonable life choices and is subject to a minimum of unwelcome interference in her life by other people or by private and public institutions, including governments. She has access to the resources needed to avoid abject suffering, dependence, domination and oppression. She has the abil- ity to appreciate the main threats and opportunities in her environ- ment, to recognize the main consequences of the alternatives available to her, to make reasoned choices, and to follow through on her deci- sions. This everyday conception of individual autonomy unites a vari- ety of different factors in a phenomenologically plausible way; for we are apt to experience our autonomy as a unified whole when all the relevant factors are present, but to feel the significant absence of any one of them as a lack of autonomy. Individual autonomy is a distinctively human value that is required for human well-being.5 It is also a good for which human beings have a deeply rooted, natural drive. 'I want to do it myself , says the toddler, grasping for nascent autonomy in the face of his parents' inclination to take the easy option and do 'it' for him. Those who are enslaved and oppressed usually resent their lack of autonomy unless they have been completely dehumanized, and are ready to resist when there is a reasonable chance of changing or alleviating their conditions. Those who enjoy some autonomy cling to it and will not give it up unless the price becomes unbearable. Those whose autonomy is impaired by intellectual or emotional retardation are often painfully aware of this as a deficiency. Moreover, we greatly value autonomy in others as well as for ourselves. We want our own children, and children gener- ally, to become autonomous adults. We have a need for friendships and associations with other autonomous agents. We feel sympathy for the oppressed, as well as those whose autonomy is internally impaired, but we also see them as a burden to society if they cannot take care of themselves. Individual autonomy is, therefore, an important human good. There are several reasons why it should also be regarded as a funda- mental political value given the ideals of democracy and human rights, which I will take for granted. In terms of the ideal of democ- racy, the legitimacy of the state depends upon the rational consent of its citizens, and this in turn presupposes autonomy on their part.6 At the same time, given that institutionalized government is essential in all but very small scale societies, the claims of democracy are under- pinned by the value of autonomy, for democracy is the form of gov- ernment most compatible with and acceptable to autonomous citizens. Treating individual autonomy as a fundamental political value has at least two further significant theoretical benefits.

#### To best evaluate autonomy, I propose the criterion ‘Freedom from Domination.’

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Domination, defined broadly, is the condition of being under the control or at the mercy of another.1 The slave who is almost entirely beholden to his master, the housewife whose livelihood depends upon her being properly deferential toward her husband, or the day laborer who earns meager wages working grueling hours at his or her employer’s behest all suffer domination to the extent that they are subject to will of somebody else. Intuitively, domination and freedom are in opposition. If one suffers domination, then one is unfree in a significant respect. This is the central insight of Philip Pettit’s republican account of liberty (1999, 2001, 2007, 2008). According to Pettit, freedom is best understood as the absence of domination. Crucially, on his view, freedom as non-domination is distinct from freedom as noninterference, or what Isaiah Berlin (2002) famously called ‘negative liberty’. The problem with negative liberty, Pettit contends, is that one can suffer domination without necessarily encountering interference (1999: 9). For example, the slave may be fortunate enough to serve under a benevolent and relatively tolerant master, the housewife may be able to avoid any interference provided that she is in fact deferential, and the day laborer may be the beneficiary of the charity and goodwill of his or her employer. While each are still at the mercy of another agent, they may nevertheless be subjected to little or no actual interference. Accordingly, domination and negative liberty are sometimes compatible. As Pettit puts it succinctly, ‘I suffer domination to the extent that I have a master; I enjoy non-interference to the extent that the master fails to interfere’ (1999: 23–4). Since domination is not reducible to interference, relationships of domination must be understood in terms of something other than the mere presence of interference alone. Freedom as non-domination, then, consists not just in freedom from interference, but in freedom from the ‘the possibility of arbitrary interference’ (Pettit, 1999: 149), or, on Pettit’s most recent formulation, as the absence of ‘alienating control’ (2008: 102). Recently, however, Matthew Kramer and Ian Carter have questioned whether the conceptual distinction between freedom as non-domination and the more traditional negative conception of freedom as noninterference really holds, or at least whether the harms identified by Pettit under the banner of domination are not equally well accounted for by the negative view (Carter, 2008; Kramer, 2008). According to Carter and Kramer, someone who is subjected the kinds of conditions described above does suffer a loss of liberty on a proper formulation of the negative conception, what Carter calls the ‘pure negative’ view (2008: 61). If correct, their assertion severely undermines Pettit’s insistence that freedom as non-domination constitutes a conceptually unique and potentially valuable alternative account of liberty.

### Contention 1: The Right to Not Vote

#### A right to abstain from voting exists and Compulsory voting violates it

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The Right to Vote Though my purpose here is to defend a right not to vote, it will be helpful to precede this with some brief remarks on the right to vote. This is important because, as we will see later, some suggest that the right not to vote follows in some way from the right to vote. Hill (2015a, p. 63) asserts that her opponents construe voting simply as a privilege. However, this mischaracterises the position of her opponents.Footnote10 As we have seen, to say that Alpha has a privilege to ϕ means that Alpha violates no duty in ϕ-ing (Hohfeld 1913, p. 32; cf. Jones 1994, pp. 17–22). Thus, if voting were simply a privilege, it would mean merely that citizens violate no duty by voting. First, not everyone thinks that all citizens have a privilege to vote in the first place. For instance, Claudio López-Guerra (2005) and Jason Brennan (2009) both argue, on different grounds, that some citizens have a duty not to vote. Assuming that this duty is owed to their fellow citizens, who therefore have correlative claims, then these citizens have no privilege to vote. If they have no privilege to vote, then their right to vote cannot be simply a privilege. Second, and more important, even those who think that there is a privilege to vote do not ordinarily think that this exhausts the right to vote. That one has a privilege to ϕ does not, in itself, entail that others have any duty to enable one’s ϕ-ing or even not to interfere with one’s ϕ-ing (Hohfeld 1913, p. 35; Jones 1994, p. 19; Kramer 1998, pp. 10–15). If voting were merely a privilege, then the state would have no duty to facilitate citizens’ voting through, e.g., holding elections and providing opportunities for voter registration and access to the polls, and there would be nothing wrong with the state or others interfering with those who try to vote. We ordinarily think that people have a claim to non-interference, and perhaps even to assistance, when it comes to voting. There is no reason why someone who defends a right not to vote should be any less committed to these Hohfeldian claim-rights than anyone else. This discussion helpfully illuminates the fact that the rights commonly spoken of often involve a number of distinct Hohfeldian relations. For example, my property right over my car includes a claim that others not drive it without my permission, a privilege to drive it myself (subject to the laws of the road), a power to permit others to drive it or to transfer ownership by selling it, and immunities against many others unilaterally altering these relations. Thus, we cannot assume that a ‘right to ϕ’ necessarily corresponds to any single Hohfeldian relation concerning ϕ-ing. It may be that ‘the right to ϕ’ is actually elliptical for a bundle of distinct rights. The right to vote, it seems, takes such a form (Beckman 2014, p. 399). As noted above, it is not simply a privilege, though it is commonly supposed that most citizens have a privilege to vote. Citizens ordinarily have certain claims connected with voting, such as a claim that their government gives them reasonable opportunities to vote and claims that others not interfere with their exercise of the vote. Further, through the vote citizens can exercise Hohfeldian powers (Beckman 2014, p. 398), while these rights are immune to various forms of interference (e.g. my employer cannot strip me of my right to vote). Thus, the right to vote comprises several Hohfeldian relations. The Right Not to Vote Let us turn now to the right not to vote. Hohfeld’s typology allows us to distinguish two obvious ways to understand the right not to vote. First, it may refer to a privilege-right; thus, one violates no duty by not voting. Second, it may refer to a claim-right, because others have some duty, such as a duty not to force one to vote. One might think that citizens have a right not to vote in both of these senses, but neither entails the other. First, one may think that citizens have a privilege-right not to vote but not think that this privilege is protected by any claims against interference. Alternatively, one may think that citizens have a duty to vote (and so no privilege not to) but, even so, that they have a claim not to be interfered with if they do not—that is, they have a ‘right to do wrong’ (Waldron 1981; Herstein 2012).Footnote11 It is perhaps the privilege-right that has received more attention, since arguments as to whether or not there is a duty to vote carry immediate implications for the existence of a privilege not to vote. If one has a duty to vote, then one has no privilege (with respect to the agents to whom one owes the duty) not to vote. Conversely, if one does not owe someone a duty to vote, then one has a privilege not to vote. However, it is not clear that it is a privilege-right that is being invoked by opponents of compulsion. As noted above, you can have a privilege to ϕ without having any claim against others that they not prevent you from ϕ-ing (Hohfeld 1913, p. 35). Thus, I am not sure what it would be to violate a privilege. Indeed, Thomson (1990, p. 47) explicitly affirms that there is no such thing as infringing a privilege-right. Hence, a privilege-right not to vote does not seem able to ground an objection to compulsory voting. Perhaps, it may be suggested, having a privilege to ϕ means being under no duty not to ϕ and so having a duty to ϕ imposed upon one violates one’s privilege. However, it is not clear that one’s privilege is violated, rather than simply revoked. If one is liable to such interference, because someone else has this power, then this may be entirely permissible. To suggest otherwise would conflate privileges with another Hohfeldian relation, namely immunities (Hohfeld 1913, p. 55; Jones 1994, pp. 24–25). While one may have both a privilege and an immunity, the immunity is not itself part of the privilege, for it is possible to have a privilege without an immunity, in which case it may simply be revoked without being violated. Thus, while I am certainly inclined to think that most people have a privilege-right not to vote, it is not clear whether compulsory voting laws violate this. So, for the sake of argument, I will concede that there is a duty to vote. This duty is compatible with there being a right not to vote in another sense. The second sense in which a right not to vote can be invoked is as a claim-right against interference with one’s act of not voting. This right, if it exists, is clearly violated by compulsory voting laws (at least, when they are enforced). Thus, it seems that whether or not those who object to compulsory voting laws actually invoke a claim-right not to be forced to vote, it would be more dialectically effective to invoke such a right, rather than a mere privilege not to vote. Hill (2015a) does not, so far as I can see, consider whether there may be a right not to vote in this latter sense. At least, the arguments that she offers against the right not to vote seem to target the idea of a privilege or to support a duty to vote, but do not show that there is no claim against being forced to vote. Even if we grant that there is a duty to vote, all that follows is that non-voters are acting wrongly. It does not follow that coercion becomes permissible to make them comply, for they may still be owed a duty of non-interference, correlating to their claim not to (be made to) vote. Is There a Right Not to Vote? Having given a clearer account of what I mean by a right not to vote, it still has to be determined whether or not such a right exists. How might this claim be established? I will consider two possibilities. The first sub-section considers conceptual arguments. It is sometimes suggested that a right not to ϕ is always part of, or entailed by, the right to ϕ. Let us call these conceptual arguments. Such arguments are criticised by Lardy (2004) and Hill (2015a). While I do not agree with every detail of their critiques, I agree that such arguments should be rejected. The second sub-section considers substantive arguments for the right not to vote. These, I suggest, are more promising. While perhaps they cannot be conclusive, without a complete account of all rights possessed by all persons, I think it plausible that there is a prima facie right against being coerced and that the arguments offered against the right not to vote do not clearly succeed in defeating this. Conceptual Arguments It is sometimes suggested that, for any ϕ, a right to ϕ must include or entail a right not to ϕ. Given the frequency with which this assertion is made, it must be conceded that it has some prima facie plausibility. Further, this proposition can be supported by the supposition that the purpose or function of rights is to protect people’s choices.Footnote12 If the purpose of one’s right to ϕ is to empower the bearer to decide whether to ϕ, then it is natural to suppose that the bearer must also have a right not to ϕ. However, if this were so, then there would be no difference between a right to ϕ and a right to its opposite; what we know as the ‘right to life’ might equally be labelled a ‘right to death’. Unsurprisingly, there is something wrong with this argument. It is true that many, if not all, rights can be waived by their possessors. For instance, if I lend you money, I can waive my right to be repaid, thus releasing you from your duty. But the resultant situation, in which I no longer have a right to repayment, would not ordinarily be described by saying I have a right not to be repaid; it is simply one in which I have no right to be repaid. It seems that this conceptual argument involves a slippage from no-right-to-ϕ to a-right-not-to-ϕ. As Hill notes, ‘it would be awkward to argue that, because I have a right to be free from physical assault, I also have a right not to be free from physical assault’ (Hill 2015a, p. 66). A right not to be free from physical assault, presumably, amounts to a claim-right to be assaulted. But such a right would not result simply from one waiving one’s claim-right against being assaulted—this would only give someone a privilege to assault you, not a duty to do so. The cause of confusion seems to lie, in part, in failing to distinguish different things that people may do with their rights, such as not exercising them, waiving them, and inverting them. That one does not exercise one’s right does not mean that one relinquishes that right. I may attend a meeting and not say anything, without any implication that I have waived my speech right, even temporarily; I simply chose not to exercise it. Similarly, those who do not wish to vote on a given occasion need not wish to surrender their right to vote. Perhaps some would not object to being stripped of the right, but others might sincerely value the right even though they do not wish to exercise it on a given occasion. Thus, non-voters are not necessarily seeking to waive or alienate—even temporarily—their right to vote. Sometimes, however, people do seek to relinquish certain rights, either temporarily or permanently. For instance, the case where I release you from the obligation to repay me is different from the case where I simply do not demand immediate repayment. In the latter case, I retain the right to be repaid at a later date, whereas releasing you from your duty extinguishes my right. However, even this does not create an inverse right. As noted above, it results in me having no right to be repaid, not a right not to be repaid (whatever that would be). None of this is to deny that at least some rights do plausibly include their inversions. For instance, the right to free speech may include a right not to speak (Taruschio 2000, p. 1001; Blocher 2012, pp. 4–5), or the right to freedom of association may include the right not to associate with particular persons (White 1997; Wellman 2008). However, these ‘rights’ are actually clusters of distinct rights (cf. Thomson 1990, pp. 54–56), which happen to include, for instance, both claims not to be prevented from associating with those ones wishes to and claims not to be forced to associate with those one does not wish to. The reason for including both of these claims within a ‘right to freedom of association’ is that they serve much the same ends. Thus, the right not to associate with particular persons does not follow from a right to associate on the grounds that all rights include their negation, but rather it is grounded in the same substantive considerations. Perhaps this is often the case, for many rights, though not for all rights, for instance the right to a fair trial or a secret ballot.Footnote13 So, in order to uncover whether we have a right not to ϕ, as well as a right to ϕ, we need to consider the substantive values that justify the right in the first place. This leads us to examine the substantive arguments that might ground the right (not) to vote. Substantive Arguments I have argued that the right not to vote cannot be established on conceptual grounds, but it remains to be seen whether there are good substantive arguments to ground such a right. This sub-section considers substantive values that might ground this right. I have previously argued that the compulsion involved in compulsory voting might violate a right against interference, thereby appealing to a negative notion of freedom (Saunders 2017). However, both Lardy (2004) and Hill (2015a, b) appeal to a rival, republican understanding of freedom, so I begin by considering whether this undermines any objection to compulsion. After arguing that it does not, and that republicans may in fact reject compulsory voting, I then turn to consider some of the other substantive values commonly invoked by those who object to the right not to vote, such as the value of fairness. Republican Liberty Various substantive arguments might be offered to support the putative right not to vote, but the most obvious is grounded in the value of individual liberty. If we assume a general right to be free (Hart 1955), then it seems that coercion always stands in need of justification. To be sure, sometimes we are justified in restricting individual freedom, most obviously when it is necessary to prevent harm to others. Nonetheless, a compelling justification is required in order to overcome the presumption in favour of liberty. Advocates of compulsory voting sometimes argue that the loss of liberty is small and can be justified by the benefits that compulsion is supposed to bring (Lijphart 1997, p. 11). However, if this compulsion violates individual rights, then the fact that it is only a small violation, or that it realises significant benefits, is irrelevant. Rights are not subject to cost-benefit calculations. A more promising strategy for advocates of compulsory voting involves questioning the liberal, negative understanding of freedom implicitly invoked here. Both Lardy (2004) and Hill (2015a, b) suggest that we should instead adopt a republican conception of freedom, according to which it is arbitrary domination, rather than interference, that renders us unfree (Pettit 1997). If freedom consists in non-domination, then one may be unfree even when not actually interfered with, as demonstrated by the slave with the benevolent master. But conversely one need not be unfree, even when interfered with, provided that this interference is not arbitrary (or dominating) in nature. Thus, republicans hold that freedom is compatible with the rule of law. Invoking such an understanding of freedom, Lardy (2004, p. 314) argues that non-voting creates a risk of domination, while being forced to vote, because it is not arbitrary interference, does not diminish freedom. One response to such charges would be to defend a liberal conception of freedom, arguing that the republican view is misguided (Patten 1996; Goodin 2003; Brennan and Lomasky 2006; Wendt 2011). This would be beyond the scope of the present article. I will confine myself to arguing that, even if we accept a republican conception of freedom, we need not reject the right not to vote. Though Pettit (2015, pp. 689–690) seems happy to endorse compulsory voting, he (and other republicans) are not necessarily committed to it. First, let us consider the positive case for compulsory voting. Lardy (2004, p. 313) argues that those who do not vote are vulnerable to being ignored by the voting majority or having their interests overridden and, thus, to be dominated in Pettit’s sense. It is perhaps true that some non-voters may be at risk of domination, but it is not clear that universal voting is required to avoid this. It is often said that the price of liberty is eternal vigilance, but vigilance need not require action.Footnote14 To be sure, those who pay no attention to politics may not be living up to the republican ideal of the virtuous citizen, exposing themselves and others to the risk of domination, but it seems that one can do all that is required without ever actually participating. A virtuous citizen might keep a close eye on political developments, and be ready to act if needed, without ever actually feeling the need to act (McBride 2013, p. 504; Amna and Ekman 2014). Indeed, Pettit himself has likened the role of democratic citizens to editors, rather than authors, of the laws (2000; 2004, pp. 61–62), which suggests that their main function lies in oversight, rather than active participation. An editor need not intervene if the author’s text is satisfactory and, similarly, citizens need not actually participate in politics, provided that they are alert and ready to intervene if needed. Moreover, even if one decides that intervention is needed to contest some decision, it is a further question whether voting is the best means of intervention. Citizens might instead voice their displeasure by taking to the streets in protest or even by engaging in acts of civil disobedience. While Hill (2010, pp. 919–920) suggests that non-voting is part of a trend of demobilisation, others have suggested that citizens are increasingly participating in other ways (Dalton 2008). Thus, while widespread voting may be one means through which republicans might seek to avoid domination, it is not the only means. It is therefore unclear whether a republican ought to favour compulsory voting over alternatives. Second, let us consider the costs of compulsory voting. Its opponents frequently point to the loss of liberty, but Lardy (2004, p. 314) argues that republican freedom is not diminished when one is compelled to vote. The argument here is not simply that a small pro tanto loss of liberty is justified by greater gains elsewhere, since liberals too may think that. Rather, on a republican understanding, freedom is threatened only by domination and not by mere interference (Pettit 2002). Thus, a non-dominating law, such as one requiring citizens to vote, does not reduce their freedom. However, this overlooks the fact that Pettit (1997, p. 26; 2002, p. 347) distinguishes between unfreedom, which results from domination, and non-freedom, which he describes as merely ‘conditioning’ freedom. Conditioning freedom may be easier to justify, but perhaps it still needs justification. To be sure, republicanism is a diverse tradition and not all republicans share Pettit’s views. Nonetheless, I hope to have shown that compulsory voting is not obviously required or costless, even on a republican conception of liberty. Once we also take into account that such an understanding of liberty is itself controversial, it is far from clear that it can justify compulsory voting. While the alternative liberal, negative notion of freedom, invoked to justify the right not to vote, is also controversial, there is an asymmetry. The republican notion is being invoked to justify coercing citizens who may reasonably reject it, whereas a right not to vote does not subject anyone to coercion. Here, I appeal to something like what Rawls (2005, p. 137) calls the ‘liberal principle of legitimacy’. I suggest that there is a greater justificatory burden on those advocating state coercion than on those who oppose it (cf. Brennan and Hill 2014, pp. 6–7). Thus, I think it legitimate to invoke a controversial liberal conception of freedom to support a right not to vote, because no one is being coerced on grounds they cannot accept, but illegitimate to invoke an equally controversial republican notion in order to justify compulsion. Other Arguments While the main arguments offered for or against the right not to vote rest on the value of individual liberty, as discussed above, this is not the only value at stake. This section considers some other objections brought against such a right. Hill (2015a, p. 68) claims that a right not to vote cannot be universalised. It is far from clear that this is true. First, there are familiar problems in formulating maxims of action and applying the universalisation test to them. Second, even if this can be done, the test applies to maxims and not rights, so it is still unclear how it can be applied here. One might reasonably think that one should only claim rights for oneself that one would be prepared to grant to all others. However, we can universalise a right without assuming that everyone will act on it. I am happy to grant that if I have a right not to vote, then so do all of my fellow citizens. But there is no contradiction, either in conception or will, in universalising this right. Even granting that the results would be disastrous if no one were to vote, I can reasonably predict that many people will vote even where they have the right not to (this is readily observable from countries in which voting is not compulsory). Thus, the right not to vote can be universalised, even if the maxim of abstaining cannot be. This, however, brings us to another of Hill’s objections to abstention. She argues that democracy requires work and our fellow citizens have a claim on us that we bear some share of this burden by voting (Hill 2015a, p. 70), invoking Hart’s duty of fair play (Hart 1955, p. 185) to explain why all must bear a share of these costs. Hill (2015a, p. 70) alleges that non-voters are free-riding on the efforts of their fellow citizens.Footnote15 However, it is not clear whether this establishes a general duty to vote. There are familiar objections to such fair play arguments, particularly when scaled up from small cooperative groups to something like the nation-state (Smith 1973, pp. 954–958; Nozick 1974, pp. 90–95). And, even if we grant that all citizens have a duty to do some fair share of the work necessary to sustain democracy, it is not clear that this delivers the conclusion that Hill needs. Doing one’s fair share need not mean voting in every election; it might be enough if everyone votes in every other election (cf. Birch 2009, p. 26). Indeed, it might even be that one can do one’s share of the work through ways other than voting, perhaps through running for office, lobbying, campaigning, organising a pressure group (Dalton 2008), or even simply observing political events and being ready to vote if necessary (Amna and Ekman 2014). So, even if all citizens owe it to their fellow citizens to bear some share of the burden of sustaining democracy, they may discharge this obligation in other ways, so this would not show that they have an obligation to vote in every election. The more fundamental problem with this argument, however, is that even if it is wholly successful, it only establishes a duty to vote. As we saw earlier, this duty to vote only excludes a privilege-right to abstain, but it is compatible with having a claim-right not to be made to vote. Thus, Hill’s argument—even if successful—does not tell against the right not to vote that I have defended here and that serves as an objection to compulsory voting. Conclusion Doubtless more could be said about whether sustaining democracy and ensuring equal representation is compelling justification for coercion, and some of Hill’s arguments touch on such issues (Hill 2015a, p. 70). Further discussion of these questions is beyond the scope of this article, though I would note that such arguments—if successful—would seem to point to an obligation to vote well, rather than an obligation to vote simpliciter. For instance, Hill (2015a, p. 70) claims that women owe it to other women to vote in order to prevent the domination of men, but a woman who votes for patriarchal policies or candidates hardly satisfies her obligations simply because she voted. Moreover, it may not always be obvious how one should vote in order to support justice and democracy. In such cases, it may be better that one abstains rather than votes badly (Brennan 2009). For present purposes, however, my aim has merely been to show that a right not to vote, in the sense of a claim not to be forced to vote, is compatible with the existence of both an unwaivable right to vote and a duty to vote. Thus, I find arguments purporting to show that there is no right not to vote untroubling.

#### Compulsory voting is overly coercive and ignores structural and political reasons to abstain

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We find compulsory voting unjustifiably paternalistic. Unlike the myriad of occasions when we are justifiably made to perform certain actions (paying taxes, stopping at red lights, driving on the assigned side of the road, etc.), in case of the duty to vote, there is no comparable justification for such regulation of individual actions. Paternalism could be roughly defined as “the interference with a person’s liberty of action justified by reasons referring exclusively to the welfare, good, happiness, needs, interests or values of the person being coerced” (Dworkin, 1972, p. 65). Defenders of compulsory voting claim that the coercion involved is negligible or absent, because nobody is actually forced to vote, only to attend the elections. Therefore, the charge of paternalism in the case of compulsory voting is misguided (Lacroix, 2007; see Engelen, 2009). Contrary to claims of proponents of compulsory voting in systems practicing it, there is criminal liability attached to nonvoting, which puts a significant amount of pressure on nonvoters and nonvoting may result in prison sentences, problems at work or reduced access to social services (see Lever, 2009). Even though in many states that practice compulsory voting this duty is rarely enforced and many exemptions are granted, it is precisely this fact of a quite opaque and normatively suspect system of who and when will be exempted from the duty to turn out at the elections that should lead us to reject the idea of compulsory voting. Exemptions from legally binding duties are always controversial, because they usually present significant obstacles to the legal equality of citizens. Therefore, compulsory voting still amounts to coercion and making people vote should be rightfully seen as an example of unjustified paternalism. Paternalism is of course not always bad and there are many cases of paternalistic policies, which the majority of society would find rational and justified (e.g., laws against dueling, compulsory use of seatbelts, regulations for handling hazardous materials, etc.). Using one influential defense of paternalism by Gerald Dworkin (1972), we may claim that “paternalism is justified only to preserve a wider range of freedom for the individual in question.” From this point of view compulsory voting is not justified, because there are many other (yet less effective) ways of increasing voter turnout that are not coercive. And Lijphart and others cannot tell us why we should not try to attract more people to vote by alternative ways rather than compelling them by using the coercive nature of the state. We agree here with Dworkin (1972) that in all cases of paternalistic intervention there must be a heavy and clear burden of proof placed on the authorities to demonstrate the exact nature of the harmful effects (or beneficial consequences) to be avoided (or achieved) and the probability of their occurrence. (p. 83) Furthermore, we cannot simply assume that every act of voting is in the self-interest of this or that particular voter, because he or she could have many reasons to feel that a particular act of voting is detrimental to his or her ideological, social, or economic interests. Therefore, making the vote legally mandatory does not sufficiently respect people’s voluntary decision not to vote. Proponents of compulsory voting claim that the right not to vote is either nonexistent, superficial, or trivial. We do not agree with this statement, because having not only the right not to vote, but also completely ignore the whole electoral process has its important place in democratic politics. As Lever (2010) points out, Rights to abstain, to withhold assent, to refrain from making a statement or from participating may not be very glamorous, but can be nonetheless important for all that. Rights to abstain, no less than rights of anonymous participation, enable the weak, timid and unpopular to protest in ways that feel safe, and that require little coordination and few resources. (p. 911) However, the problem with compulsory voting runs deeper. Compulsory voting infringes on individual rights in an inappropriate way, because it builds upon a restrictively perfectionist version of liberalism, which could not be reasonably justified to all citizens in democratic states. Perfectionism rejects the standard liberal claim that a person is autonomous only if outside values and norms (or duties) governing her or his deliberation are accepted by him or her upon critical reflection (see Rawls, 1996). Perfectionists challenge that view because there are some completely objective values that should govern one’s actions even against the wishes and voluntary decisions of individuals or groups (see Hurka, 1993). Perfectionist liberals target the prevalent liberal idea that the liberal state’s policies should be neutral and respect individual autonomy. Take the Lacroix account, for example, where she claims that compulsory voting strengthens individual autonomy (see Lacroix, 2007). She claims that people should be compelled to vote because otherwise governments would not be appropriately controlled by the majority of citizens and that would mean a loss to everyone’s autonomy. Thus, her defense of compulsory voting is founded on an idea that the act of voting (or tuning out at the elections to be more precise) has to take preference over some other goals individuals might have at the time. The problem here is that by establishing a duty to vote, we claim that a certain action (voting in this case) is necessary for citizens to fully realize their fundamental purposes. Defenders of compulsory voting say that other actual desires than voting are not rational and they make people less free. That may be true in the case of constitutional fundamentals as individual liberties, protection of minorities, freedom of speech and religion, existence of competitive elections and rule of law, and so on, but not in the case of voting. If there are alternative ways to solve at least partially the problem of low turnout without restricting individual liberties, we should take such a course (see Dworkin, 1972). Many of those compelled to vote will not vote due to a greater interest in politics or societal issues, but simply because of the fact of compulsion being in place. Lijphart understands anything beyond mandatory presence at the voting booth is a breach of fundamental personal liberties, most likely the freedom of conscience (Lijphart, 1997). Therefore, in all probability compulsory voting does not translate to the desired goal of upholding the duty to vote, because proponents of compulsory voting themselves stated in many books and articles that a duty to vote will not be legally compulsory. It is a very well-known empirical fact that turnout falls sharply after compulsion is removed, as happened in the Netherlands, for example. We should thus assume that many voters do not vote because compulsory voting made them appreciate fulfilling their duty to vote, but they have voted only because the presence of a legally enforceable compulsion. To sum up, if the goal is to undermine sources of political domination in democratic society (e.g., the effect of class status on voter turnout) and achieve higher levels of social, economic, and political equality, we should probably be concerned with ensuring that more people vote conscientiously, in a more informed way and, crucially, try to mitigate the problem of significant structural inequalities within liberal democracies. Focusing too much on compulsory voting could lead to a situation in which we focus too much on inequality in turnout but fail to tackle much more severe and significant inequalities. Proponents of compulsory voting presuppose that higher turnout will lead to changes in the policy-making process, because politicians will be forced to reflect more the needs of people from lower social strata, who otherwise do not vote in significant numbers. However, there are no a priori reasons why this should be case. From these reasons, we conclude that, normatively speaking, compulsory voting brings unjustified limits to individual liberties that are not consistent with the tradition of democratic governance and that its impact on policy outcomes is speculative and overly optimistic.

#### Electoral coercion increases resentment and obscures results through invalid voting

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Invalid ballots are relatively common in countries with compulsory voting, yet there is no cross-national evidence as to who is more likely to cast a blank or spoiled ballot where voting is forced. I argue that increased rates of blank and spoiled balloting where voting is obligatory result from the behavior of the politically unknowledgeable, uninterested, untrusting, and disaffected, who are incentivized to turn out to the polls where they can be sanctioned for abstention. To test this, I conduct an individual-level examination of the influence of compulsory voting on invalid balloting across countries. I find support for my expectations with analyses of survey data from several American democracies, many of which compel electoral participation. 1 For more than a century, scholars and commentators alike have argued that compulsory electoral participation can help socialize individuals into the democratic system, leading them to acquire political knowledge and interest, political trust, and positive orientations toward democracy (see Barthélemy 1912; Broomall 1893; Engelen 2007, 32; Lacroix 2007, 194; Lijphart 1997, 10; Nerincx 1901; See 2007, 597). Additionally, numerous studies find that individuals who are uninformed about and uninterested in political matters, who are untrusting of democracy’s primary actors and institutions, and who are negatively oriented toward the democratic system turn out to the polls at significantly higher rates when subject to compulsory voting (e.g. Carlin and Love 2015; Irwin 1974; Singh 2015), which suggests that compelled participation does indeed foster democratic engagement. Yet, according to country-level, cross-national research, invalid balloting rates are higher where voting is mandatory (e.g. Power and Garand 2007; Reynolds and Steenbergen 2006; Uggla 2008). This is puzzling, given compulsory voting’s purportedly positive effects on political engagement. Confronting this puzzle requires an individual-level explanation together with an examination of behavior under both compulsory and voluntary rules, which is missing from extant research. Recognizing that individuals need not be especially engaged or democratically-oriented to show up at the polls where voting is mandatory, I theorize that compulsory voting causes the politically unknowledgeable and uninterested, the politically distrusting, and those disaffected with democracy to cast blank or spoiled ballots at relatively high rates. I further argue that, as a result of changing citizenship norms in the democratic world, political distrust and disaffection with democracy will have a particularly strong relationship with invalid balloting where voting is compulsory. Using AmericasBarometer data, I find an array of support for my expectations with multilevel regression analyses and regression discontinuity analyses, which exploit the fact 2 that five of the countries in my sample with compulsory voting make turnout voluntary for senior citizens. In the appendix, I demonstrate the robustness of my findings to alternate conceptualizations of the dependent and independent variables, a different estimation technique, different model specifications, and a separate source of cross-national survey data from the Latinobarometer. This study represents a novel theoretical and empirical treatment of the microfoundations of the link between compulsory voting and invalid balloting across countries. My findings suggest that compulsory voting is more likely to boost nonconformity via increased invalid balloting than to meaningfully socialize individuals into political engagement and pro-democracy orientations. In the conclusion, I consider the potential importance of my findings for debates over the utility and justifiability of compulsory voting and for countries that are considering a change in voting rules. Previous Research on Blank and Spoiled Balloting Under Compulsory Voting Invalid balloting under compulsory rules has been described as the “functional equivalent of abstention” under optional voting (Lavareda 1991, 40; see also Hirczy 1994). This is apparent with regard to the behavior of the politically uninformed and uninterested. In voluntary systems, such individuals turn out to vote at a relatively low rate (e.g. Blais and StVincent 2011; Bowler and Donovan 2013; Carreras and Castañeda-Angarita 2014), and in compulsory systems, where abstention entails a penalty, they are more likely to cast blank and spoiled ballots. For example, McAllister and Makkai (1993) find that recent immigrants, who tend to have relatively little political knowledge, are more likely to spoil their ballots under Australia’s compulsory voting rule, and Power and Roberts (1995) find that illiteracy is positively related to invalid balloting in Brazil’s compulsory voting system. Carlin (2006) 3 finds that, under Chile’s former compulsory rule, those with less political interest and younger voters were relatively likely to cast invalid ballots. Political distrust and disaffection also affect turnout and invalid voting. As Prothro and Grigg (1960, 294) note, “those with the most undemocratic principles are also those who are least likely to act.” Such “inaction” via electoral abstention is often used to express dissatisfaction or to advocate for reform (e.g. Grönlund and Setälä 2007). When individuals are compelled to the polls, abstention from voting becomes costly, and such sentiment may instead be conveyed with blank and spoiled ballots. Hirczy (1994), comparing voting behavior across Austrian provinces, finds that political disaffection manifested in an increased percentage of invalid ballots in the provinces with compulsory voting, while such an effect was not apparent where voting was voluntary.1 In Belgium, which mandates voter participation, Hooghe, Marien, and Pauwels (2011) find that individuals who are politically distrusting are more likely to cast blank or spoiled ballots. In Australia, Goot (1985, 203) mentions that blank and spoiled ballots have been used to protest both specific candidates and the institution of compulsory voting itself. Such relationships are also found outside of the highly developed world. For example, Power and Roberts (1995) find that blank and spoiled balloting were most pronounced in Brazil’s former military regime, which made voting obligatory, when its manipulation of the democratic process was particularly egregious. Carlin (2006) finds that, under Chile’s former compulsory voting rule, those who were discontented with regime performance, democratic institutions, and political authorities were more likely to cast invalid ballots. In Bolivia’s judicial elections, in which participation is compulsory, Driscoll and Nelson (2014) find that support for the ruling party and the president relates negatively to 1 Hirczy’s study considered elections through 1986. Compulsory voting has since been abandoned in Austria nationwide. 4 the probability of casting a blank or spoiled ballot, while invalid balloting is more common in opposition strongholds. In Argentina’s compulsory system, blank and spoiled ballots are so closely associated with voter disillusionment and distrust that they are colloquially referred to as voto bronca, or “angry votes” (Uggla 2008, 1141). In sum, existing research establishes a robust link between invalid balloting rates and compulsory voting, and it suggests that this link is driven by the behavior of politically unengaged and democratically disaffected groups. However, it neither grounds this expectation in theory nor tests it in an appropriate empirical framework. Studies of invalid voting under compulsory rules conducted at the individual-level focus on a single country operating under a static electoral rule (e.g. Carlin 2006; Driscoll and Nelson 2014; Hooghe et al. 2011; McAllister and Makkai 1993). At the same time, studies of invalid voting that do leverage spatial or temporal variation in compulsory voting only examine aggregate-level returns (e.g. Kouba and Lysek 2016; Power and Garand 2007; Reynolds and Steenbergen 2006; Uggla 2008), 2 which can at best provide an indirect test of individual-level mechanisms. Theory and Hypotheses In what follows, I advance and test a novel, individual-level theory, which considers how compulsory voting should induce invalid balloting among critical segments of the population—the politically unknowledgeable and uninterested, those who are untrusting of the democratic political system, and the democratically disaffected. My expectations contrast 2 In any case, only Kouba and Lysek (2016) make an attempt to use a macro-level variable to test a micro-level expectation in interaction with compulsory voting. They find that compulsory voting has a stronger effect on invalid balloting in elections with many competitors. They interpret this to mean that individuals in compulsory systems are more likely to cast invalid ballots when they do not believe their vote is efficacious. 5 with the argument noted at the outset, which states that compulsory voting can socialize individuals into political engagement and pro-democracy orientations. Lending support to this socialization thesis, some studies find a link between compulsory voting and higher levels of political knowledge and engagement in the public (e.g. Berggren 2001; Gordon and Segura 1997). However, a preponderance of published work finds no such link or finds it to be weak (e.g. Birch 2009, chp. 4; Carreras forthcoming; de Leon and Rizzi 2014; Loewen, Milner, and Hicks 2008; Selb and Lachat 2009, 575, note 1; Sheppard 2015). This lack of support may come about because voters need not inform themselves about the issues of the day in order to avoid a sanction where voting is mandatory. Rather than creating an electorate that seeks out political information in order to meaningfully complete ballots out of sense of democratic duty, I argue that compulsory voting instead boosts the propensity of the least engaged and least democratically oriented people to lodge a blank or spoiled ballot. There are two mechanisms that undergird this behavior. First, in order to avoid a sanction where voting is compulsory, politically ignorant, disinterested individuals will show up to the polls. However, there is no method for ensuring that they cast valid ballots, and they will not instinctively put deep thought into their votes. Instead, they will routinely cast blank and spoiled ballots because they lack the information necessary to make a meaningful choice or because they are not interested in the competing parties and candidates to the extent that they wish to choose one over the others. Where voting is voluntary, alternatively, such individuals will generally stay home, as doing so will not lead to a potential penalty. Second, individuals who are distrusting of or discontented with the democratic system, who prefer to abstain, may become irritated where their participation is forced, and 6 thereby become less willing to lodge a meaningful ballot. Individuals prefer to feel that their actions are intrinsically motivated (deCharms 1968), and when they are forced into a behavior, their motivation to engage in that behavior drops (Deci 1975). Coercion and punishment are also associated with decreased cognitive engagement with one’s environment, decreased belief in the legitimacy of the coercer and its authorities, and lower levels of interest in one’s assigned tasks, and being forced into a behavior can damage one’s sense of the social bond and enhance any existing belief that the governmental or legal system and its authorities are illegitimate (Scheff and Retzinger 1991; Sherman 1993; Tyler 2006). Henn and Oldfield (forthcoming) and Singh (forthcoming) show that electoral coercion, in particular, can harm attitudes toward the democratic system and deepen existing resentments. Thus, while individuals who distrust democratic processes and actors or are disillusioned with the democratic system may participate on election day to avoid a sanction where voting is compulsory, they will be inclined to signal their distrust or disillusionment by leaving their ballots blank or spoiling them in reaction to democratic coercion.

### Contention 2: Ballot Bad

#### Electoral Abstention occurs both deliberatively and conscientiously – Compulsory voting obscure the reasons for non-voting

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Williams 1998; Mansbridge 1999). However, these well-known examples of the unequal burdens created by apparently fair electoral rules appear to cross, rather than to track, the difference between non-voters and voters. It is therefore unclear that – or how- compulsory voting will remedy them. Indeed, CV may exacerbate injustice in so far as non-voting is a response to a competitive political system that looks fair, but isn’t.9 Hence, the procedural arguments for compulsory voting on egalitarian grounds, which Hill and Birch try to develop, seem unlikely to circumvent the difficulties of more directly consequentialist arguments for CV. The Fairness Argument for CV The difficulties with the egalitarian argument for CV leave open the possibility that compulsory voting might be justified for reasons that are less intimately tied to facts about low and unequal turnout than Lijphart thought. Hence the interest of Lijphart’s second argument for CV – what we have called the ‘fairness’ argument for compulsion. The idea here is that ‘nonvoting is a form […] of free riding – and […] free riding of any kind may be rational but is also selfish and immoral’ (Lijphart 1997, 11). The appeal of this second argument for CV is obvious: if it works, it offers an argument for CV that anyone can accept, as long as they care about democracy. It is therefore independent of our political preferences, and of our views about how people ought to vote, or to behave more generally. It is irrelevant to the fairness argument whether the association between left-leaning politics and high-turnout is as tight as Lijphart assumes; and it is irrelevant whether there are, in fact, other ways that might be as good at raising and equalising turnout, alone or in combination with other socio-political changes (Margetts 2006; Saunders 2010; Stone 2011; Lopez-Guerra, 2014). The point of the fairness/collective goods argument is to combat free-riding (on the assumption that it is morally wrong), and not simply to improve turnout. It is therefore concerned with the assurance of fairness that legal compulsion can provide, and with the public affirmation of (supposedly) public duties. The fairness argument for compulsory voting, however, is at odds with the egalitarian argument for compulsion, so it is difficult to insist on both as justifications for compulsion. On the egalitarian argument for CV, non-voters are to be pitied and supported, because they are disadvantaged, marginalised and excluded by an unfair political system. On the fairness argument, by contrast, non-voters are parasites, preying on the collectively beneficial efforts of voters. Proponents of compulsion must therefore decide which picture of non-voters they believe to be closest to the truth. Likewise, on the egalitarian case for CV, high-turnout is desirable for partisan reasons – because low turnout is likely to disadvantage parties of the left. By contrast, on the fairness argument for CV, high-turnout is a sufficiently important public good that we are justified in forcing people to vote. Proponents of CV, therefore, must also decide which of these strikes them as the most persuasive, given plausible ways of interpreting ‘high’ and ‘low’ turnout. Democratic politics is a competitive as well as a cooperative affair (Lever 2010b, p.915).However, Lijphart’s egalitarian case for CV focuses solely on the competitive aspects of democracy, whereas the fairness argument for CV focuses solely on the cooperative ones. But if the combination of shared and conflicting interests makes it possible for us to envisage political solutions to our problems, then to ignore the ways that people can have conflicting, but also shared, interests risks depoliticising their situation in ways that are likely to undermine, rather than support, democracy. Hence the difficulty with the portrayal of non-voters and high turnout implied by the fairness argument for compulsion. If non-voters are to be persuasively viewed as free-riders, they must be trying unfairly to benefit from the cooperative efforts of others – as though they were trying to jump a queue for the bus. Even setting aside cases where people do not vote for conscientious reasons, or because they are unsure who to vote for, this picture of non-voters is problematic. If there is no candidate at election time who you trust, or whose programme you support, then your failure to vote is an expression of disappointment, disgust, alienation, exasperation – perhaps also of confusion and ignorance – but not of a willingness to take advantage of others. 10There are normative problems with the fairness argument too. People are clearly entitled to abstain for conscientious reasons and may sometimes be morally obliged to do so (Brennan2009; Hanna 2009). Non-voting on such grounds cannot be equated with unfairness or exploitation. Moreover, even when people are morally wrong to abstain, and even when that wrong consists in harming others,11 it is odd to think of voters as the primary victims of harm(Lever, 2010b, 914). Rather, it seems that when non-voting harms others, the primary victims are those who are unable to vote to protect their own interests – the young, the old, the ill, and those who are foreign. Non-voting may also harm some voters by letting them down, or making it harder for them to realise their legitimate ends. But, even where this is so, these harms seem much less serious than those suffered by the voiceless and the voteless. So the fairness argument for CV seems to misrepresent the harm of abstention, when it is harmful, and wrongly to stigmatise behaviour that may not be morally wrong, or harmful, at all. These problems arise because the fairness argument, as presently formulated, assumes that high turnout is democratically desirable, and a public good. It will be helpful, then, to look atthe relationship between turnout and legitimacy more closely, and also to consider if it is possible to reformulate the fairness argument in order to avoid question-begging claims about the importance of high-turnout. High-turnout and democratic legitimacy Current ways of describing turnout for the purposes of cross-national comparisons use country-specific rates of turnout at national elections as their basis. They therefore imply both that the frequency of elections, and their political importance are irrelevant to the ways we should classify elections as ‘high’ or ‘low’. However, it is well-known that countries, such as the USA or Switzerland, have low rates of turnout at national elections, in part because they decide many more things electorally than other countries (Lijphart 1997, 8). Arguments forCV, therefore, need to explain why we should lump countries like the USA and Switzerland into a category of ‘low turnout’ countries that includes Poland (a country with unusually low rates of voting at national elections), when citizens may be participating electorally to quite different extents. Likewise, arguments for CV assume that rates of turnout should be measured and assessed irrespective of the interest and importance of the election in question, or of the ability of voters to remove incumbents. Indeed, countries which appeared to have low rates of turnout, such as the UK and the USA, may have voters who are remarkably willing to vote, once one takes into account the advantages of incumbency.12 In short, it is unclear that current ways of describing rates of turnout for cross-national purposes are adequately tracking morally and politically significant differences amongst people’s willingness to participate politically, or to support democracy (more generally, see Rovensky, especially 42-93).

#### Compulsory voting increases invalid votes, political distrust, and harms direct action participation

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As parties design their programs to reflect the views of the electorate, rather than of the whole population (Birch, 2009b), such equalizing effects of compulsory voting should also generate policies supportive of more income redistribution and hence lower income inequality. For example, where voting is compulsory, governments tend to spend more on health services as a share of their total expenditure (O’Toole & Strobl, 1995), lending support to such policy-changing effects of voting compulsion. Cross-national evidence finally supports the hypothesis that countries with strict enforcement of sanctions for nonvoting (though not all compulsory voting systems) feature a more equal distribution of incomes than countries with voluntary voting or where compulsion is not enforced (Birch, 2009b; Chong & Olivera, 2008). Abolishing compulsory voting in Venezuela has led to an increase in income inequality supporting the Lijphart thesis (Carey & Horiuchi, 2017). There is also significant evidence for the second association that is crucial to our argument, namely, that compulsory voting also substantially increases the rate of invalid voting. This has been the unequivocal finding of cross-national comparative studies on invalid voting (Power & Garand, 2007; Reynolds & Steenbergen, 2006; Uggla, 2008), although the relationship appears to be strongly conditioned by voter efficacy with compulsory voting exercising the strongest effects, when the stakes of the electoral competition are diminished (Kouba & Lysek, 2016). Although the strong correlation between compulsory voting and high rates of invalid ballots is rarely disputed, there is no consensus over the nature and meaning of such invalid ballots. Invalid votes could still signify a meaningful response of politically engaged voters to a deficient political offer (Driscoll & Nelson, 2014). However, there is also substantial evidence from the study based on the cross-national survey data that invalid voting induced by compulsory voting laws is driven by a lack of information and interest, political distrust and negative attitudes toward democracy (Singh, 2017). In Latin America, invalid voting is often most frequent among those with less education and levels of political knowledge (Katz & Levin, 2016). At the same time, it increases turnout among those voters who are less engaged in politics, and who are at the same time more likely to cast an invalid ballot (Cohen, 2018). This is consistent with other problematic attitudinal effects of compulsory voting identified by recent research. Although compulsory voting (substantively or slightly) increases trust in political institutions, yet at the same time, it negatively affects forms of societal engagement other than turnout, suggesting that the participatory effects of mandatory voting cancel each other out (Lundell, 2012). Concomitant evidence from subjective reactions among young British voters suggests that the introduction of compulsory voting might be counterproductive and serves to reinforce existing feelings of resentment (Henn & Oldfield, 2016). Such reinforcing effects of compulsory voting on the negative orientations toward democracy and system legitimacy are amply documented in another comparative study (Singh, 2018). We, therefore, view invalid voting as a product of compulsory voting through which politically disinterested, less educated, less informed, and unengaged voters express the lack of interest in the political choice, or the elections themselves. Moreover, self-reported invalid voting—from which such inferences are drawn—underestimates the extent of invalid votes due to voting compulsion because invalid votes are also likely to arise from an unintentional voting error, which the voter cannot communicate in surveys (Hill & Young, 2007; Kouba & Lysek, 2016; McAllister & Makkai, 1993; Power & Garand, 2007; Reynolds & Steenbergen, 2006). Such votes—that appear in the aggregate-level figures of the overall voting results, but not in individual-level survey responses—in turn are likely to be handed out by the less educated (Hill & Young, 2007; McAllister & Makkai, 1993; Power & Garand, 2007; Reynolds & Steenbergen, 2006) and less politically informed citizens. This only aggravates the problem. Invalid ballots induced by compulsory voting systems not only do not decide representation, but also generally fail to represent specific political interests. Our aim is not to question the associations between compulsory voting and socioeconomic equality identified by comparative research, but rather to question the principal causal mechanism linking compulsory voting and income equality as well as the normative basis for instituting voting duty based on such associations. The first section presents the argument that in several respects the defense of compulsory voting fails to justify it within the framework of a liberal–democratic political system. The second section tests the principle observable implication from the causal claim that compulsory voting bridges socioeconomic biases in representation. It does so by testing the main research hypothesis that invalid voting is negatively associated with income inequality in the case of the compulsory voting system of Ecuador.

#### And, forced electoral presence replicates a history of colonial violence and prevents direct action

Indigenous Action 20 IA is an anti-colonial and anti-capitalist indigenous collective that offers communications strategy & direct action consultation and support through Taala Hooghan Infoshop, direct support, workshops, web and graphic design services, documentaries and youth empowerment projects such as Outta Your Backpack Media. "Voting is Not Harm Reduction." Published by Indigenous Action on February 5, 2020. Available here: (https://www.indigenousaction.org/voting-is-not-harm-reduction-an-indigenous-perspective/) - AP

When proclamations are made that “voting is harm reduction,” it’s never clear how less harm is actually calculated. Do we compare how many millions of undocumented Indigenous Peoples have been deported? Do we add up what political party conducted more drone strikes? Or who had the highest military budget? Do we factor in pipelines, mines, dams, sacred sites desecration? Do we balance incarceration rates? Do we compare sexual violence statistics? Is it in the massive budgets of politicians who spend hundreds of millions of dollars competing for votes? Though there are some political distinctions between the two prominent parties in the so-called U.S., they all pledge their allegiance to the same flag. Red or blue, they’re both still stripes on a rag waving over stolen lands that comprise a country built by stolen lives. We don’t dismiss the reality that, on the scale of U.S. settler colonial violence, even the slightest degree of harm can mean life or death for those most vulnerable. What we assert here is that the entire notion of “voting as harm reduction” obscures and perpetuates settler-colonial violence, there is nothing “less harmful” about it, and there are more effective ways to intervene in its violences. At some point the left in the so-called U.S. realized that convincing people to rally behind a “lesser evil” was a losing strategy. The term “harm reduction” was appropriated to reframe efforts to justify their participation and coerce others to engage in the theater of what is called “democracy” in the U.S. Harm reduction was established in the 1980s as a public health strategy for people dealing with substance use issues who struggle with abstinence. According to the Harm Reduction Coalition (HRC) the principles of harm reduction establish that the identified behavior is “part of life” so they “choose not to ignore or condemn but to minimize harmful effects” and work towards breaking social stigmas towards “safer use.” The HRC also states that, “there is no universal definition of or formula for implementing harm reduction.” Overall, harm reduction focuses on reducing adverse impacts associated with harmful behaviors. The proposition of “harm reduction” in the context of voting means something entirely different from those organizing to address substance use issues. The assertion is that “since this political system isn’t going away, we’ll support politicians and laws that may do less harm.” The idea of a ballot being capable of reducing the harm in a system rooted in colonial domination and exploitation, white supremacy, hetero-patriarchy, and capitalism is an extraordinary exaggeration. There is no person whose lives aren’t impacted everyday by these systems of oppression, but instead of coded reformism and coercive “get out the vote” campaigns towards a “safer” form of settler colonialism, we’re asking “what is the real and tragic harm and danger associated with perpetuating colonial power and what can be done to end it?” Voting as practiced under U.S. “democracy” is the process with which people (excluding youth under the age of 18, convicted felons, those the state deems “mentally incompetent,” and undocumented folx including permanent legal residents), are coerced to choose narrowly prescribed rules and rulers. The anarchist collective Crimethinc observes, “Voting consolidates the power of a whole society in the hands of a few politicians.” When this process is conducted under colonial authority, there is no option but political death for Indigenous Peoples. In other words, voting can never be a survival strategy under colonial rule. It’s a strategy of defeat and victimhood that protracts the suffering and historical harm induced by ongoing settler colonialism. And while the harm reduction sentiment may be sincere, even hard won marginal reforms gained through popular support can be just as easily reversed by the stroke of a politician’s pen. If voting is the democratic participation in our own oppression, voting as harm reduction is a politics that keeps us at the mercy of our oppressors. If voting is the democratic participation in our own oppression, voting as harm reduction is a politics that keeps us at the mercy of our oppressors. While so many on the left–including some Indigenous radicals–are concerned with consolidation of power into fascists hands, they fail to recognize how colonial power is already consolidated. There is nothing intersectional about participating in and maintaining a genocidal political system. There’s no meaningful solidarity to be found in a politics that urges us to meet our oppressors where they’re at. Voting as harm reduction imposes a false solidarity upon those identified to be most vulnerable to harmful political policies and actions. In practice it plays out as paternalistic identity politicking as liberals work to identify the least dangerous candidates and rally to support their campaigns. The logic of voting as harm reduction asserts that whoever is facing the most harm will gain the most protection by the least dangerous denominator in a violently authoritarian system. This settler-colonial naivety places more people, non-human beings, and land at risk then otherwise. Most typically the same liberal activists that claim voting is harm reduction are found denouncing and attempting to suppress militant direct actions and sabotage as acts that “only harm our movement.” “Voting as harm reduction” is the pacifying language of those who police movements. Voting as harm reduction is the government issued blanket of the democratic party, we’re either going to sleep or die in it. To organize from a position that voting is an act of damage limitation blurs lines of the harm that settler and resource colonialism imposes. Under colonial occupation all power operates through violence. There is absolutely nothing “less harmful” about participating in and perpetuating the political power of occupying forces. Voting won’t undue settler colonialism, white supremacy, hetero-patriarchy, or capitalism. Voting is not a strategy for decolonization. The entire process that arrived at the “Native vote” was an imposition of U.S. political identity on Indigenous Peoples fueled by white supremacy and facilitated by capitalism. The Native Vote: A Strategy of Colonial Domination Prior to settler colonial invasion, Indigenous Peoples maintained diverse complex cultural organizations that were fairly unrecognizable to European invaders. From its inception, the U.S. recognized that Indigenous Peoples comprised distinct sovereign Nations. The projection of Nation status was committed on the terms of the colonizers who needed political entities to treaty with (primarily for war and economic purposes). As a result, social organizations of Indigenous Peoples faced extreme political manipulation as matriarchal and two-spirit roles were either completely disregarded or outright attacked. The imperative of the U.S. settler colonial project has always been to undermine and destroy Indigenous sovereignty, this is the insidious unnature of colonialism. In 1493 the Papal Bull “Inter Caetera,” was issued by Pope Alexander VI. The document established the “Doctrine of Discovery” and was central to Spain’s Christianizing strategy to ensure “exclusive right” to enslaved Indigenous Peoples and lands invaded by Columbus the year prior. This decree also made clear the Pope’s threat to forcibly assimilate Indigenous Peoples to Catholicism in order to strengthen the “Christian Empire.” This doctrine lead to successive generational patterns of genocidal and ecocidal wars waged by European settler colonizers against Indigenous lives, lands, spirit, and the living world of all of our relations. In 1823 the “Doctrine of Discovery” was written into U.S. law as a way to deny land rights to Indigenous Peoples in the Supreme Court case, Johnson v. McIntosh. In a unanimous decision, Chief Justice John Marshall wrote that Christian European nations had assumed complete control over the lands of “America” during the “Age of Discovery”. And in declaring “independence” from the Crown of England in 1776, he noted, that the U.S. had in effect and thus by law inherited authority over these lands from Great Britain, “notwithstanding the occupancy of the natives, who were heathens…” According to the ruling, Indigenous Peoples did not have any rights as independent nations, but only as tenants or residents of the U.S. on their own lands. To this day, the ”Doctrine of Discovery” has not been repudiated and Johnson v. McIntosh has not been overruled. The genealogy of the Native vote is tied to boarding schools, Christian indoctrination, allotment programs, and global wars that established U.S. imperialism. U.S. assimilation policies were not designed as a benevolent form of harm reduction, they were an extension of a military strategy that couldn’t fulfill its genocidal programs. Citizenship was forced onto Indigenous Peoples as part of colonial strategy to, “Kill the Indian and save the man.” There was a time when Indigenous Peoples wanted nothing to do with U.S. citizenship and voting. Katherine Osborn, an ethnohistorian at Arizona State University states, “[Indigenous] polities hold a government-to-government relationship with the United States. Thus, their political status is unique, and that means that they are not just another minority group hoping for inclusion in the U.S. political order. For indigenous communities, protecting their sovereignty as tribal nations is the paramount political concern.” When the U.S. constitution was initially created, each state could determine who could be citizens at their discretion. Some states rarely granted citizenship and thereby conferred the status to select Indigenous Peoples but only if they dissolved their tribal relationships and became “civilized.” This typically meant that they renounced their tribal affiliation, paid taxes, and fully assimilated into white society. Alexandra Witkin writes in To Silence a Drum: The Imposition of United States Citizenship on Native Peoples, “Early citizenship policy rested upon the assumption that allegiance could only be given to one nation; thus peoples with an allegiance to a Native nation could not become citizens of the United States.” The preference though was not to respect and uphold Indigenous sovereignty, but to condemn it as “uncivilized” and undermine it through extreme tactics of forced assimilation. When the 14th Amendment to the U.S. Constitution was ratified in 1868, it granted citizenship only to men born or naturalized in the U.S., this included former slaves but was interpreted to not apply to Indigenous Peoples except for those who assimilated and paid taxes. The 15th Amendment was subsequently passed in 1870 to ensure the right of U.S. citizens to vote without discrimination of “race, color, or previous condition of servitude” but was still interpreted to exclude Indigenous Peoples who did not assimilate. In some ways this was an act of disenfranchisement, but more clearly it was a condition imposed upon Indigenous Peoples facing scorched-earth military campaigns and the threat of mass death marches to concentration camps. The message was clear, “assimilate or perish.” In 1887, U.S. Congress passed the General Allotment Act, more commonly known as the Dawes Act, which was designed to expedite colonial invasion, facilitate resource extraction, and to further assimilate Indigenous Peoples into the colonial social order. The Dawes Act marked a shift from a military strategy to an economic and political one where reservations were separated into individual lots, with only male “heads of households” to receive 160 acres with any remaining lands put up for sale to white invaders who flocked in droves to inherit their “Manifest Destiny.” Indigenous Peoples who accepted allotments could receive U.S. citizenship, and although this was the first congressional act to provide the status, it came at the expense of sacrificing Indigenous People’s cultural and political identities in many ways, particularly by further fracturing the integrity of Indigenous matriarchal societies. Under the Dawes Act, Indigenous lands were reduced from 138 million to 52 million acres. In 1890, the overall Indigenous population was reduced to about 250,000 from tens of millions at the time of initial European invasion. In contrast, the colonizer’s U.S. population had increased to 62,622,250 the same year. The legal destruction of Indigenous sovereign nations was fulfilled in Supreme Court decisions by judge John Marshall who wrote in 1831 that the Cherokee Nation was not a foreign nation, but rather that “They may, more correctly, perhaps, be denominated domestic dependent nations… Their relationship to the United States resembles that of a ward to its guardian.” The U.S.’s genocidal military campaigns known collectively as the “Indian Wars” supposedly came to an end in 1924. That same year U.S. Congress passed the Indian Citizenship Act (ICA) which granted citizenship to Indigenous Peoples but still allowed for states to determine if they could vote. As a result, some states barred Indigenous Peoples from voting until 1957. Until passage of the ICA, which was a regulatory action approved with no hearings, Indigenous Peoples were considered “Domestic Subjects” of the U.S. Government. The Haudeneshonee Confederacy completely rejected imposition of U.S. citizenship through the IAC and called it an act of treason. Joseph Heath, General Counsel of the Onondaga Nation, writes, “The Onondaga Nation and the Haudenosaunee have never accepted the authority of the United States to make Six Nations citizens become citizens of the United States, as claimed in the Citizenship Act of 1924. We hold three treaties with the United States: the 1784 Treaty of Fort Stanwix, the 1789 Treaty of Fort Harmor and the 1794 Treaty of Canandaigua. These treaties clearly recognize the Haudenosaunee as separate and sovereign Nations. Accepting United States citizenship would be treason to their own Nations, a violation of the treaties and a violation of international law…” They rejected the ICA and “resisted its implementation immediately after its adoption, because they had the historical and cultural understanding that it was merely the latest federal policy aimed at taking their lands and at forced assimilation.” Heath further adds, “For over four centuries the Haudenosaunee have maintained their sovereignty, against the onslaught of colonialism and assimilation, and they have continued with their duties as stewards of the natural world. They have resisted removal and allotment; they have preserved their language and culture; they have not accepted the dictates of Christian churches; and they have rejected forced citizenship.” It’s important to note, and paradoxical, that the colonizing architects of the U.S. constitution were influenced heavily by the Haudeneshonee Confederacy. Zane Jane Gordon of the Wyandotte Nation critiqued the ICA at the time it was passed, “No government organized . . . can incorporate into its citizenship anybody or bodies without the[ir] formal consent…The Indians are organized in the form of ‘nations,’ and it has treaties with [other] nations as such. Congress cannot embrace them into the citizenship of the Union by a simple act.” In Challenging American Boundaries: Indigenous People and the “Gift” of U.S. Citizenship, Kevin Bruyneel writes that Tuscarora Chief Clinton Rickard, who strongly opposed passage of the ICA, “was also encouraged by the fact that ‘there was no great rush among my people to go out and vote in white man’s elections.’” Rickard stated, “By our ancient treaties, we expected the protection of the government. The white man had obtained most of our land and we felt he was obliged to provide something in return, which was protection of the land we had left, but we did not want to be absorbed and assimilated into his society. United States citizenship was just another way of absorbing us and destroying our customs and our government. . . . We feared citizenship would also put our treaty status in jeopardy and bring taxes upon our land. How can a citizen have a treaty with his own government. . . . This was a violation of our sovereignty. Our citizenship was in our own nations.” Haudeneshonee also voiced opposition to imposition of U.S. citizenship policies due to separation of their Nation by the Canadian border. These impacts are still faced by Indigenous Peoples whose lands are bisected by both the Canadian and Mexican borders. The imposition of citizenship has politically segregated their people along colonial lines. Perhaps one of the clearest illustrations of assimilationist strategies regarding citizenship and voting comes from Henry S. Pancoast, one of the founders of the Christian white supremacist group, the Indian Rights Association (IRA). Pancoast stated, “Nothing [besides United States Citizenship] will so tend to assimilate the Indian and break up his narrow tribal allegiance, as making him feel that he has a distinct right and voice in the white man’s nation.” The IRA’s initial stated objective was to “bring about the complete civilization of the Indians and their admission to citizenship.” The IRA considered themselves reformists and successfully lobbied Congress to establish the boarding school system, pass the Dawes Act, reform the Bureau of Indian Affairs, and pass the Indian Reorganization Act of 1834. U.S. citizenship was imposed to destroy Indigenous sovereignty and facilitate mass-scale land theft. To this day, the “Native vote” is bound to assimilationist conditions that serve colonial interests.

### Contention 3: Inequality

#### Compulsory voting fails to resolve inequalities and improve representation – empirical evidence on invalid votes prove

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Is Political Inequality Reduced by Compulsory Voting? Although we submit that the high turnout induced by mandatory voting may equalize turnout among socioeconomic groups, we question the assumption that this automatically translates into a more equal political voice for these groups. Not all votes are used to select political representation. Although turnout is indeed boosted by compulsory voting, it may not be the case that it also increases the number of votes that are actually used to influence the election result and hence policy making. Specifically, we refer to the often-neglected dimension of electoral participation—invalid votes—that are cast by voters but that do not count for the election result. Available comparative evidence univocally reports significant contributions of compulsory voting to invalid voting rates across countries (Kouba & Lysek, 2016; Power & Garand, 2007; Reynolds & Steenbergen, 2006; Uggla, 2008). This association is presumably explained by the fact that voters who would normally abstain under voluntary voting instead register their disinterest or discontent by casting a blank or null ballot in compulsory voting systems for fear of sanctions against nonvoting. At the same time, compulsory voting induces the turnout of higher shares of those who are more likely to commit an unintentional voting error due to ballot complexity or lack of competence. These votes are then counted as invalid although the voter expressed a positive preference. In Latin American comparison, legislative turnout is boosted by 5.4 percentage points for every one point increase on the 4-point scale of the severity of compulsory voting used (from voluntary voting systems to systems featuring enforced sanctions for nonvoting) controlling for other variables (Fornos, Power, & Garand, 2004). Yet, every such increase on the same scale is also associated with a 2.8 percentage point increase in the incidence of invalid voting (Power & Garand, 2007). Although compulsory voting boosts turnout, it at the same time reduces the share of votes that are actually used for seat distribution. The sole fact of having too many invalid votes does not by itself pose a problem for the hypothesis about the equalizing effects of compulsory voting. It may still be the case that the share of valid votes used to elect representatives is more equal across income or education groups under compulsory voting than under voluntary voting; or it may not. If invalid voting is systematically related to inequality (and we propose that the less advantaged—the less educated and poorer—are more likely to cast an invalid ballot, intentionally or not), then the political leverage of the less wealthy and less educated is smaller than that of their more fortunate compatriots. The consequence for social fairness is the same as in low-turnout, high-inequality elections: less of a political voice for the disadvantaged. This is an empirical question, which we try to approach by using data on the 2009 legislative election in Ecuador. We hypothesize that negative associations between invalid voting and inequality in election settings where the incidence of invalid voting almost equals abstention rates indicate that compulsory voting fails to secure an equal political voice among socioeconomic groups. Our main research hypothesis is that the more socioeconomically equal a region is, the fewer invalid votes are cast there. Income inequality has been shown to be a strong predictor of invalid voting in Latin American comparisons, as a one-point increase in income inequality (measured on the 0-100 scale of the Gini index) is expected to decrease invalid voting rates by half a percentage point (Power & Garand, 2007). Turnout tends to be lower in unequal societies leading to a situation where the electorate is composed disproportionately of voters with high socioeconomic status who are less likely to cast an invalid ballot (Power & Garand, 2007). Those who are less educated and have a lower socioeconomic status are expected to be more likely to cast an invalid ballot because of their higher propensity to commit a voting error, and because of their lower political competence and indifference. We selected the case of Ecuador for three reasons. It features one of the strictest sanctions associated with not voting in Latin American comparison. Voting is compulsory in Ecuador for literate persons and those below the age of 65 years. The sanctions for nonvoting (an equivalent of 10% of a unified monthly wage, or about US$34 in 2014) are enforced. This places Ecuador in the group of only four Latin American countries (together with Bolivia, Uruguay and Peru) where compulsory voting is most strictly enforced with sanctions in place (Payne, Zovatto, & Mateo Díaz, 2006). Second, Ecuador exhibits a large subnational geographical variation on various dimensions of inequality. Finally, rates of invalid voting in Ecuador rank among the highest in Latin America with the implication that high turnout figures (which include both valid and invalid ballots) in this country do not automatically correspond to voters’ decisions to cast a positive ballot for a party or a candidate. At the same time, some caveats are in order when using a single case study such as this one. The argument rests on the notion that invalid voting in Ecuador is (to a large extent) a product of its compulsory voting laws, although we do not observe this directly due to the indeterminacy of single-case research designs. Other traits of Ecuadorean society, institutions, and politics could also contribute to its elevated invalid voting rate. On the contrary, both the overwhelming evidence from existing research that this causal effect is operative (e.g., Hill & Young, 2007; Kouba & Lysek, 2016; McAllister & Makkai, 1993; Power & Garand, 2007; Reynolds & Steenbergen, 2006; Uggla, 2008) as well as the large magnitude of the effect of compulsory voting on invalid ballots, suggest that compulsory voting is a crucial causal factor.

#### Sanctions for abstention may exacerbate political inequality and turnout at the polls

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Models of turnout propose that potential voters face a utility maximizing problem. The benefits of voting rely on the probability of pivotality (influence), the returns received from the chosen candidate or party winning, other participatory rewards unrelated to policy outcomes, and costs (Downs, 1957; Riker and Ordeshook, 1968; Niemi, 1976; Sanders, 1980; Aldrich, 1993). Whenever the combination of influence, policy returns, and general participatory rewards is more utility-generating than the costs, turnout is “rational.” Though influence is typically close to zero for any individual, voting still occurs. Marginal voting decisions are thus thought to hinge on the weighing of participatory rewards, rather than policy returns, and costs (Gimpel and Schuknecht, 2003; Gimpel et al., 2006; Brady and McNulty, 2011). Numerous studies have explored different dimensions of participatory rewards, from intrinsic self-motivation and duty to group mobilization and turnout buying (Feddersen and Pesendorfer, 1996; Feddersen, 2004; Feddersen and Sandroni, 2006; Nichter, 2008; Battaglini et al., 2010; Larreguy et al., 2016). In Africa’s various democracies, researchers have found evidence that particular institutional arrangements, election timing, and elite mobilization correlate with aggregate and individual turnout (Kuenzi and Lambright, 2007, 2011). More recent work has also demonstrated that ethnically-targeted mobilization efforts play an important role in political campaigns (Horowitz, 2016), and that turnout buying may be present in African elections Kramon (2016). Multiple costs faced by voters constrain their participation (Blais, 2000). Voters face direct costs related to travel (Dyck and Gimpel, 2005; McNulty et al., 2009; Bhatti, 2012), opportunity costs in what is forgone by voting (Stein and Vonnahme, 2008), and psychic or cognitive costs relating to search (Brady and McNulty, 2011), processing information and making decisions. Reducing any of these costs increases utility, thereby increasing the probability of voting. Yet all individuals may not be similarly sensitive. For example, research on compulsory voting shows that while turnout increases in aggregate, the composition of the electorate can also be affected. Levying fines against those who do not vote appears to differentially turn out those with higher levels of educational attainment in Brazil, increasing political inequality (Cepaluni and Hidalgo, 2016), though the opposite appears true in the Australian case (Fowler, 2013). Whatever the effects in a given context, the possibility that either lowering voting costs or increasing penalties for not voting may have “perverse” consequences for political inequality has been widely documented (Berinsky, 2005). The South African political context merits a focus on two groups of citizens that may be differentially activated by increasing electoral access, which has implications for political inequality and, potentially, representation

#### Compulsory Voting sanctions work by disproportionately harming the disadvantaged – nonmonetary solutions to this reverse the equalizing benefits.

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Introduction One of the most robust findings in the literature on political institutions is that compulsory voting (CV) compresses inequality in turnout (Lijphart 1997; Jackman 2001). Low-income voters around the world tend to participate in elections at lower rates than wealthier voters, which can induce democracies to cater policy to their more well-off citizens (Fowler 2013; Bechtel, Hangartner, and Schmid 2015). The typical account in the literature is that effective CV—usually enforced by monetary fines—mechanically eliminates inequality by reducing absenteeism to negligible levels and thus eliminates the representational biases stemming from unequal rates of participation. While fees are the primary means by which CV is enforced around the world, the existing literature frequently overlooks nonmonetary sanctions for abstention.1 In countries as diverse as Greece (prior to 2001), Venezuela (prior to 1993), Bolivia, Peru, and Brazil, failure to turnout can deny citizens access to a range of privileges such as the ability to apply for state employment, carry out financial transactions in banks, travel abroad, and obtain official identification documents. What is notable about these nonmonetary sanctions is that many, if not most, of the penalties affect activities that are primarily valued by middle- and upper-class voters. While abstaining voters can usually restore their access to state services by paying the fine, in most instances, it is simply easier to vote than deal with the bureaucratic hassle of fine payment. The existence of these nonmonetary sanctions complicates standard predictions about the distributional consequences of CV. This complication is especially important in contexts where fines for absenteeism are small or unenforced, leaving substantial room for noncompliance with the law.2 If the size of the monetary fee is low and the importance upper- and middle-class voters place on the nonmonetary sanctions is high relative to poorer voters, CV may increase inequality in political participation. The logic is straightforward: the cost to abstaining poor voters of being denied access to state services is small when sanctioned state services are rarely used by low income voters, especially when the fine is low. For wealthier voters, lack of access to frequently used state services generates incentives to comply even when the monetary sanction is trivial. We provide evidence that CV increases turnout more among the comparatively well off in the largest country in the world to use CV: Brazil. To show this, we employ a regression discontinuity (RD) design that uses two age-based thresholds in the electoral law which partitions the electorate into voters for whom voting is mandatory and those for whom it is voluntary. To assess how differential exposure to CV increases turnout among voters of distinct socioeconomic groups, we employ a comprehensive voter registry that records turnout, education status, and precise date of birth for over 140 million Brazilian citizens. We find that across both thresholds CV increases inequality in turnout. In addition, we present survey evidence to show that the most likely mechanism is differential use of state services among the comparatively well off. Because less well-off voters tend not to use the state services affected by failure to comply with the law, CV has comparatively weaker effects among these voters. We conclude by discussing limitations of the design and implications for future analyses of the effects of CV. 2 CV in Brazil CV is mandated in the 1988 Brazilian constitution, and the sanctions for abstention are stipulated in the electoral code. Per the constitution, voting and registration are compulsory for literate individuals between the ages of eighteen and sixty-nine, and voluntary for illiterates and for those aged sixteen to seventeen and older than seventy. For citizens required to vote, abstention is only permitted after formally requesting an exemption due to travel or illness. Abstaining voters who fail to receive an exemption are required to visit an electoral judiciary office and pay a fee of 3– 10% of the regional minimum wage (roughly $3.50 BRL or $1.60 USD). For citizens who fail to pay the fee, the electoral law3 forbids participation in civil service exams or public bidding processes, working in the government, obtaining a passport, enrolling in a public university, or obtaining loans from state banks.4 Are the penalties for abstention sufficient to compel citizens to vote? For most Brazilians, the monetary penalty for abstaining is small. The average monthly wage in 2013 was about $500 USD, so the fine amounts to less than 0.4% of an average worker’s monthly income. The nonmonetary penalties, however, can be more costly, but primarily to voters who use state services that are affected by noncompliance with the law. The services affected by failing to vote, such as obtaining a passport and taking a civil service exam, are primarily those accessed by the middle and upper class. To provide evidence on this point, we asked a national sample of Brazilian voters whether they used any of the state services in the last three years that are affected by failure to comply with the law.5 Only about 15% of the sample used any of the state services in the previous three years, but this average masks considerable variation by education status, which we use as a proxy for class (see next section). Figure 1 plots the average number of state services used by education status and demonstrates that more educated Brazilians are more likely to use state services that would be affected by failure to vote on Election Day. Given that the two types of penalties—a monetary fine and access to state services—affect voters of different socioeconomic strata differentially, it is not immediately clear how CV will affect inequality in turnout. If poorer voters are highly sensitive to even a modest fee and wealthier voters do not particularly value access to state services, then the finding that CV compresses inequality in turnout should apply. If, however, wealthier voters do value access to state services affected by abstention, then the standard hypothesis could be wrong and CV could increase political inequality rather than reduce it.

## Extensions

### Ext: Right to Not Vote

#### Compulsory voting alienates people from the democratic process rather than reinvigorating interest

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Conclusion Compulsory voting is thought to increase electoral participation and thereby contribute to equalizing the political voice across income or education groups. However, a countervailing tendency of compulsory voting is to generate large proportions of invalid ballots. As invalid voting is strongly related to income inequality and low education, we conclude that whatever benefits in terms of equal voice are associated with higher turnout under compulsory voting, these are effectively erased by the high share of socioeconomically biased invalid votes that do not count for determining political representation. We presented evidence supportive of this conjecture from Ecuadorean 2009 elections where one quarter of all votes casted were invalid and one quarter of all registered voters abstained. In other words, the fact that turnout becomes less socioeconomically biased through compulsory voting does not automatically translate into less socioeconomically biased political representation (or political voice). This finding offers different lenses to the affirmation that while compulsory voting makes turnout more egalitarian, it does not make the candidate selection more equitable due its effects on invalid ballots (Cohen, 2018). Consequently, ballot spoilage generated by compulsory voting may have negative effects on the legitimacy of elected authorities, offsetting the contribution of higher turnout. Our findings give further support to arguments that focus on the weakened link between vote choice and political preferences under compulsory voting relative to voluntary voting. This research does not question the reductive effect of compulsory voting on socioeconomic biases in turnout, but notes that voters induced by voting compulsion are less likely to vote in accordance with their wants and needs (Selb & Lachat, 2009). Not only are wealth disparities in the electorate bridged by compulsory voting, but also electorates become more equal with respect to their levels of infomation, political knowledge, or apathy as the least informed, least knowledgeable, and most apathetic are thrown into the electoral process by voting compulsion (Singh, 2015). This problem is manifested in a number of ways, and invalid voting is but one of them. The equalizing effect of compulsory voting diminishes voter stratification based on political knowledge or education, and induces voters to favor parties further away from their own ideological positions relative to voluntary voting systems (Dassonneville et al., 2017). Similarly, compulsory voting serves to increase the share of uninterested and less knowledgeable voters whose vote is less consistent with their own preferences (Selb & Lachat, 2009). It has been shown to disproportionately attract voters who are unlikely to cast well-reasoned ballots because they are generally more disinterested, unengaged, and view elections as pointless (Singh, 2016). Votes under compulsory voting are cast randomly, and voters are less attached to political parties and ideological convictions (Singh, 2016). Because invalid votes under compulsory voting are cast exactly by such—less engaged and less interested voters (Singh, 2017)—such invalid ballots should be considered as poor reflections of voter preferences. This empirical evidence presented here supports some of the normative arguments against compulsory voting. In general, we claimed that presenting compulsory voting as justified (either in instrumental or intrinsic way) would clash with the deep conflict of worldviews among citizens in a democratic society. Because there are no a priori reasons to think that under the system of compulsory voting, citizens will generally identify more with the duty to vote, there is a looming danger, that making voting compulsory might lead to further alienation from democratic politics.

### Ext: Ballot Bad

#### Not voting doesn’t mean ‘do nothing,’ refusing to engage in oppressive political systems opens up the opportunity for better direct action

Indigenous Action 20 IA is an anti-colonial and anti-capitalist indigenous collective that offers communications strategy & direct action consultation and support through Taala Hooghan Infoshop, direct support, workshops, web and graphic design services, documentaries and youth empowerment projects such as Outta Your Backpack Media. "Voting is Not Harm Reduction." Published by Indigenous Action on February 5, 2020. Available here: (https://www.indigenousaction.org/voting-is-not-harm-reduction-an-indigenous-perspective/) - AP

Rejecting settler colonial authority, aka not voting. Voting in the colonizer’s elections keeps Indigenous Peoples powerless. Our power, broadly speaking, does not come from non-consensual majority rule top-down man-made laws but is derived in relation with and proportion to all living beings. This is a corporeal and spiritual power that has been in effect since time immemorial and is what has kept Indigenous Peoples alive in the face of more than 500 years of extreme colonial violence. The late Ben Carnes, a powerful Choctaw advocate, is quoted in an article about the Native vote by Mark Maxey stating, “My position is that I am not a citizen of a government who perpetuates that lie that we are. Slavery was legal just as well as Jim Crow, but just because it is law doesn’t make it right. We didn’t ask for it, the citizenship act was imposed upon us as another step in their social and mental conditioning of Native people to confiscate them of their identity. It was also a legislative method of circumventing the ‘Indians not taxed’ clause of the Constitution, thereby justifying imposing taxes. The U.S. electoral system is a very diseased method where candidates can be purchased by the highest corporate (contributor) bidder. The mentality of voting for the lesser of two evils is a false standard to justify the existence of only a two-party system. Checks and balances are lacking to ensure that public servants abide by the will of the people. The entire thing needs to be scrapped as well as the government itself.” These make great stickers! Voting will never be “harm reduction” while colonial occupation & U.S. imperialism reigns. In order to heal we have to stop the harm from occurring, not lessen it. This doesn’t mean simply abstinence or ignoring the problem until it just goes away, it means developing and implementing strategies and maneuvers that empower Indigenous People’s autonomy. Since we cannot expect those selected to rule in this system to make decisions that benefit our lands and peoples, we have to do it ourselves. Direct action, or the unmediated expression of individual or collective desire, has always been the most effective means by which we change the conditions of our communities. What do we get out of voting that we cannot directly provide for ourselves and our people? What ways can we organize and make decisions that are in harmony with our diverse lifeways? What ways can the immense amount of material resources and energy focused on persuading people to vote be redirected into services and support that we actually need? What ways can we direct our energy, individually and collectively, into efforts that have immediate impact in our lives and the lives of those around us? This is not only a moral but a practical position and so we embrace our contradictions. We’re not rallying for a perfect prescription for “decolonization” or a multitude of Indigenous Nationalisms, but for a great undoing of the settler colonial project that comprises the United States of America so that we may restore healthy and just relations with Mother Earth and all her beings. Our tendency is towards autonomous anti-colonial struggles that intervene and attack the critical infrastructure that the U.S. and its institutions rest on. Interestingly enough, these are the areas of our homelands under greatest threat by resource colonialism. This is where the system is most prone to rupture, it’s the fragility of colonial power. Our enemies are only as powerful as the infrastructure that sustains them. The brutal result of forced assimilation is that we know our enemies better than they know themselves. What strategies and actions can we devise to make it impossible for this system to govern on stolen land? We aren’t advocating for a state-based solution, redwashed European politic, or some other colonial fantasy of “utopia.” In our rejection of the abstraction of settler colonialism. we don’t aim to seize colonial state power but to abolish it. We seek nothing but total liberation.

### AT: Increases Political Knowledge

#### Compulsory voting has no observable effect on political knowledge and civic attitude

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However, we find contrary to theoretical expectation that, on average, voting experiences have small to nonexistent upstream and downstream transformative effects. Political interest, political knowledge, memberships, and social awareness—outcomes of vital import, especially among young people—do not move in the months leading up to an election nor in the months/years after. Among our samples, exogenous increases in voter turnout show precisely estimated null effects on average levels of political interest, memberships, social awareness, and political knowledge. These nulls are systematic—being found across a variety of potential salient subgroups. They also are quite precise, allowing us to rule out even very small effects, and robust to a host of specification checks. In short, we find little evidence to support the TVH— suggesting that when you get young people to vote, little else changes in the way they see and interact with the world around them. Our work makes several important contributions. That we observe null effects does not hinder their contribution. Our results are unlikely to emanate from a lack of statistical power: after all, power analyses suggest that our models are sufficiently powered to detect small effects and our confidence intervals are able to confidently rule out even very modest effects. Our null effects are precisely estimated. Further, our null effects are systematic: being present across a wide variety of approaches to measuring outcomes and across a range of subgroups. Our null effects also push back on an area where many scholars have made strong, directional predictions. Finally, our paper analysis addresses a question of critical import, helping us to better understand what does and does not drive dismal patterns of youth engagement. To our knowledge, ours is one of the better-powered studies on the TVH to date—leveraging sample sizes not typically available to survey researchers (especially those studying the TVH). This feature affords us a greater degree of statistical precision and decreases the possibility of Type M (magnitude) and S (sign) errors in our estimates (Gelman and Carlin 2014; Gerber et al. 2016). Second, our study is uniquely situated to separate the direct effect of voting from a voting encouragement that affects both turnout and other attitudes and behaviors (for further discussion of this point, see section 2 in the appendix; the appendix is available online). Third, our study is one of the (if not the) first to systematically look for upstream effects. This contribution is especially important given the preparatory/anticipatory nature of upstream effects. Our results show that while reforms that exogenously bring new voters into the electorate—for example, compulsory voting—do not appear to increase broader levels of political activity/interest/knowledge, these reforms also do not appear to decrease overall political activity/interest/knowledge—a potential worry leveled by those concerned about voting interventions that increase turnout but simultaneously promote disinterested/uninformed/noisy voting (Abraham 1955; Hardin 2006). Fourth, our downstream estimates are also unique in that they look for transformative effects that last beyond the days immediately after an election. While previous research has primarily followed up with voters shortly after an election, our research design looks for persistent effects in the months/years afterward. This allows us to see whether any durable change occurs in response to exogenous voting nudges. Fifth, our focus on young people allows us to consider the potential transformative effects among a more malleable subpopulation whose political attitudes and behaviors have not yet hardened (e.g., Holbein 2017; Plutzer 2002; Prior 2010, 2018). Finally, our work helps to address the fundamental question of whether the strong and large correlations observed across different forms of civic engagement are actually causal. Our work provides clear evidence that for the typical youth subject large increases in a core form of civic participation—voting—do not necessarily transfer to large increases in others—interest, knowledge, memberships, and social awareness. In this way, we find evidence contrary to prominent arguments made by scholars who have asserted that voting spills over into other forms of civic engagement and, as such, is an indicator of broader levels of overall social capital (e.g., Galston 2004; Lijphart 1997; Putnam 2000). Put explicitly, our results show that even if you get young people to vote (a worthwhile endeavor in its own right), that may not be enough to increase broader civic engagement. Our results suggest—contrary to many scholarly arguments (e.g., Denny and Doyle 2008; Luskin 1990; Urbatsch 2012; Verba et al. 1995; Voogt and Saris 2003)—that voting and political interest, knowledge, belonging, and the other forms of engagement we explore are likely not bidirectionally related. That is, while interest, knowledge, and belonging may cause voting (a separate topic), the reverse does not appear to hold in the samples we study. From a policy perspective, our results suggest that institutions that incentivize voting may only have a mechanical effect on turnout, rather than increasing levels of prosocial behavior overall. Outside of casting their ballot, individuals exposed to institutions like compulsory voting are no more likely to be engaged socially, civically, or politically. As such, these results also speak to scholars and practitioners looking for ways to encourage active citizenship through various get-out-the-vote or electoral reforms. Some have strongly asserted that reforms like “compulsory voting may be able to serve as an equivalent, but much less expensive, form of civic education” (Lijphart 1997, 10); that is, once you get people to vote that will socialize them into other desired civic attitudes and behaviors. Our results suggest otherwise. That mandatory voting programs do not appear to substantially alter civic attitudes or behaviors suggests a need for alternate ways to increase anemic (and by some accounts declining) levels of citizen engagement or social capital (e.g., Putnam 2000; Sherrod, Torney-Purta, and Flanagan 2010). Taken together, our findings suggest that the proposed social benefits of increasing voting may be less than previous research has suggested.4