

## **“America Needs Compulsory Voting: A Little Coercion Can Do a Lot for Democracy”**

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Electoral participation in the United States lags far behind that in other developed democracies. Typically, about six in ten eligible voters have cast ballots in recent presidential elections—and turnout rates for midterms, primaries, and state and local elections are lower still.

A 2018 Pew Research Center survey found that large majorities of Democrats, Republicans, and independents agree that high voter turnout in presidential and local elections is very important. But how legitimately can Americans claim that their government is “of the people, by the people, for the people,” when close to half of their fellow citizens don’t participate in the political process at all?

Even more troubling than abysmal voter turnout, though, is the extent to which young, low-income, and minority groups and interests are underrepresented in the political process. Analyzing data from the 2014 midterm elections, I found that 67-year-olds had more than six times the electoral influence of 18-year-olds—despite the fact that the younger group was larger. Old, wealthy, and white communities consistently vote at higher rates than young, poor, and minority ones, and these disparities may partly explain why elected officials in the United States are, on average, older and wealthier than the populations they represent and why the policies they support often fail to reflect the preferences of their constituents.

Reformers have spent decades fighting for policies aimed at increasing voter participation among underrepresented groups, but most of these hard-won improvements—including same-day registration, youth preregistration, early voting, voting by mail, and even mobile voting—have only modestly increased overall participation. Perversely, many of these efforts have succeeded more in mobilizing the old, white, and wealthy populations who were already voting at high rates than in luring historically underrepresented communities to the polls.

Many get-out-the-vote interventions actually exacerbate inequalities in political participation. When Ryan Enos, Lynn Vavreck, and I reassessed 24 experimental get-out-the-vote interventions that had previously been shown to boost voter turnout, we found that the interventions, on average, actually exacerbated inequalities in political participation: the strategies successfully encouraged more people to exercise their right to vote, but the larger pools of voters they helped to produce were, in many cases, even less representative of the American electorate as a whole. The persistent intractability of participatory inequality in the United States led Arend Lijphart, an expert on comparative voting systems and a former president of the American Political Science Association, to call unequal voter participation “democracy’s unresolved dilemma.”

**A COLLECTIVE ACTION PROBLEM**

Students and journalists often ask me why so few people vote. But the real mystery is why so many people vote. Voting is tedious. It often involves unfamiliar paperwork and shuffling in long lines through crowded, poorly lit rooms. The chances that an individual's vote is going to affect the outcome of a U.S. presidential election, even in a battleground state in a very close race, are less than one in one million. Contemplating these odds, a person might reasonably conclude that voting makes little sense.

Voting, in other words, is a classic collective-action problem. Individuals have little incentive to vote, but if everyone voted, society as a whole would benefit from a government that more accurately reflects public preferences and goals. Citizens face collective-action problems daily, in virtually every domain of public life. Though many people would naturally prefer not to pay taxes or serve on juries, communities fare better when citizens accept these duties, and societies have developed mechanisms to ensure that they do so.

U.S. courts don't rely on volunteers knocking on people's doors encouraging them to show up for jury duty. U.S. courts don't rely on volunteers knocking on people's doors encouraging them to show up for jury duty, and bureaucrats at the IRS don't waste time trying to design messages or reforms to induce people to voluntarily send in their tax payment checks (what if we made tax day a national holiday?). Instead, these collective-action problems are solved through various forms of compulsion: citizens who don't appear for jury service or pay their taxes on time face fines or other penalties.

Why not compel people to vote as well? I am one of the co-authors of a recent report by the Brookings Institution and the Harvard Kennedy School's Ash Center for Democratic Governance and Innovation that advocates for what we call "universal civic duty voting." Just like paying taxes, we believe, voting should be an expectation of citizenship: people should be legally compelled to vote and fined if they don't. Unequal participation is a problem for the United States and its democracy because electoral and policy outcomes do not necessarily represent the will of the public. American society would benefit from universal voter turnout because electoral outcomes would be better, fairer, and more legitimate. But because individuals don't have much incentive to vote, the only way to achieve near-universal participation is through some form of compulsion.

In the report, we recommend that the fines be small (around \$20) and that election officials waive fines when extenuating circumstances make voting too burdensome. In other countries, such as Australia, modest legal incentives have notably increased participation, ensuring that more than 90 percent of eligible voters participate in all state and federal elections. Working-class citizens were underrepresented in Australian elections before compulsory voting, but when different states implemented the policy between 1914 and 1941, election results and public policies shifted in their favor.

## A CIVIC DUTY

There will be many objections to compulsory voting in the United States. Many Americans will feel that they should have the right not to vote. To be clear, we recommend that citizens be compelled to cast a ballot, not that they should be compelled to vote for any candidate. If they

would like to vote for “none of the above,” they should have that right. But we don’t believe compulsory voting violates civil rights any more than compulsory tax paying, compulsory driving under the speed limit, or compulsory jury service.

One objection is that if people choose not to vote, perhaps they don’t care, they’re uninformed, or they don’t deserve to have their interests represented. Certainly, many Americans are uninformed or apathetic about politics, and Michele Margolis and I have found that many would change their vote choices and partisan leanings if they were more informed. But since nobody has a rational, instrumental incentive to vote in a large election, I don’t see any reason to politically reward those who vote because they happen to enjoy doing so. Furthermore, there is some evidence that once you induce people to vote, they become more informed, so compulsory voting would likely improve the extent to which eligible voters pay attention to politics and hold informed views.

Another objection to compulsory voting, and certainly an impediment to its implementation, is likely to come from some of the incumbents who were elected under voluntary voting, who may be reluctant to endorse a change that could harm their reelection chances or drastically alter their incentives in office. But the same can be said for virtually any major political reform, and the fact that some will be worse off isn’t a good reason not to implement a policy that will make most better off. Furthermore, in the long run, citizens and candidates from all parties and ideologies would benefit from fairer and more legitimate elections.

## A BETTER, FAIRER APPROACH

Could compulsory voting work in the United States? I don’t expect it to be implemented soon, but it’s not just an academic curiosity. Many countries have successfully implemented compulsory voting. And although it’s hard to imagine anything like a constitutional amendment requiring it, there are other ways the policy could come about. Suppose, hypothetically, that Cleveland, Ohio, implemented a compulsory voting law, compelling all eligible voters in Cleveland to vote in all statewide elections. Cleveland would then have increased representation when Ohio selects its governor, attorney general, U.S. senators, and the like. When Cincinnati realizes that it is losing out, it follows suit and implements its own compulsory voting law—and eventually, with every city and town acting out of self-interest, Ohio has statewide compulsory voting.

Compulsory voting may sound like a wacky idea to many Americans. But there was a time when speed limits, universal health care, and environmental regulations were also wacky ideas. The United States should seriously discuss compulsory voting as a way to solve a collective-action problem and generate better, fairer, and more legitimate election results and public policies than the ones it now has.

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**“Why Not Fewer Voters?”**

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**By KEVIN D. WILLIAMSON**  
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MUCH of the [discussion](#) about proposed changes to voting laws backed by many Republicans and generally opposed by Democrats begs the question and simply asserts that having more people vote is, *ceteris paribus*, a good thing.

Why shouldn't we believe the opposite? That the republic would be better served by having fewer — but better — voters?

Many Americans, being devout egalitarians, recoil from the very notion of *better* voters as a matter of rhetoric, even as they accept qualifications as a matter of fact.

Categorically disenfranchising felons has always been, in my view, the intelligent default position, with re-enfranchisement on a case-by-case basis. It is likely that under such a practice some people who ought to be considered rehabilitated would be unjustly excluded. But all eligibility requirements risk excluding somebody who might make a good voter, or a better voter than someone who is eligible. There are plenty of very smart and responsible 16-year-olds who would make better voters than their dim and irresponsible older siblings or their parents. That doesn't mean we should have 16-year-old voters — I'd be more inclined to raise the voting age to 30 — it means only that categorical decision-making by its nature does not account for certain individual differences.

Similarly, asking for government-issued photo ID at the polls seem to me obviously the right thing to do, even if it would result in some otherwise eligible voters not voting. I'm not convinced that having more voters is a good thing in any case, but, even if I were, that would not be the *only* good, but only one good competing with other goods, one of which is seeing to it that the eligibility rules on the books are enforced so that elections may be honestly and credibly regulated.

We could verify eligibility at the polls rigorously and easily, if we wanted to, just as we have the ability to verify who is eligible to enter the country or to drive a car. Of course that would put some burdens on voters. So, what? We expect people, including poor and struggling people, to pay their taxes — why shouldn't we also expect them to keep their drivers' licenses up-to-date? If voting really is the sacred duty that we're always being told it is, shouldn't we treat it at least as seriously as filing a 1040EZ?

There would be more voters if we made it easier to vote, and there would be more doctors if we didn't require a license to practice medicine. The fact that we believe unqualified doctors to be a public menace but act as though unqualified voters were just stars in the splendid constellation of democracy indicates how little real esteem we actually have for the vote, in spite of our public pieties.

There are tradeoffs in voting, as there are in all things. Democrats prefer to minimize attention paid to voting fraud and eligibility enforcement, but even a little bit of fraud or improper voting is something that should be discouraged and, if possible, prevented. It is — spare me your sob stories — something that should be prosecuted in most cases. It is a fact that many of the things that would be useful in discouraging and preventing voting fraud would also tend to make voting somewhat more difficult for at least some part of the population. Republicans generally think that tradeoff is worth it, and Democrats generally don't. Is there motivated reasoning at work there? Of course. But the mere presence of political self-interest does not tell us whether a policy is a good one or a bad one.

One argument for encouraging bigger turnout is that if more eligible voters go to the polls then the outcome will more closely reflect what the average American voter wants. That sounds like a wonderful thing . . . if you haven't met the average American voter.

Voters — individually and in majorities — are as apt to be wrong about things as right about them, often vote from low motives such as bigotry and spite, and very often are contentedly ignorant. That is one of the reasons why the original constitutional architecture of this country gave voters a narrowly limited say in most things and took some things — freedom of speech, freedom of religion, etc. — off the voters' table entirely. It is easy to think of critical moments in American history when giving the majority its way would have produced horrifying results. If we'd had a fair and open national plebiscite about slavery on December 6, 1865, slavery would have won in a landslide. If we held a plebiscite on abolishing the death penalty today, the death penalty would be sustained.

If the question is the quality of policy outcomes, then both major camps have reasons to dread genuine majority rule. Conservatives ought to at the very least be mindful of the fact that if policy truly represented the preferences of the average American, then we would have fewer economic liberties and diminished Second Amendment rights; progressives should consider that if policy actually represented the preferences of the average American, then abortion rights would be limited and tax hikes would not fly, while we'd be spending more money on the Border Patrol and less on welfare as work requirements reduced the rolls. Popular opinion does not break down along neat ideological lines.

The real case — generally unstated — for encouraging more people to vote is a metaphysical one: that wider turnout in elections makes the government somehow more legitimate in a vague moral sense. But *legitimacy* is not *popularity* and *popularity* is not *consent*. The entire notion of *representative* government assumes that the actual business of governing requires fewer decision-makers rather than more.

Representatives are people who act in other people's interests, which is distinct from carrying out a group's stated demands as certified by majority vote. Legitimacy involves, among other interests, the government's responsibility to people who are not voters, such as children, mentally incapacitated people, incarcerated felons, and non-citizen permanent residents. Their interests matter, too, but we do not extend the vote to them. So we require a more sophisticated conception of *legitimacy* than one-man, one-vote, majority rule. To vote is only to register one's individual, personal preference, but democratic citizenship imposes broader duties and

obligations. When we fail to meet that broader responsibility, the result is dysfunction: It is no accident that we are heaping debt upon our children, who cannot vote, in order to pay for benefits dear to the most active and reliable voters. That's what you get from having lots of voting but relatively little responsible citizenship.

Voting is, among other things, an analgesic. It soothes people with the illusion that they have more control over their lives and their public affairs than they actually do. Beyond naked political self-interest, it probably is the sedative effect of voting that makes expanding participation attractive to a certain kind of politician. The sedative effect is why the Philadelphia city council has not been drowned in the Schuylkill River and why the powers that be in California have not been exiled to North Waziristan. When people vote, they feel like they've had their say, and they are, for some inexplicable reason, satisfied with that.

We don't accept that in other areas of life: If Amazon fails to deliver your package, you expect Amazon to actually *do* something about it — either get you what you ordered or give you a refund. You wouldn't be satisfied simply yelling at a customer-service representative and thus having had your say — you expect your deliverables to be delivered. It is good to have your say, but that is not sufficient. That holds true almost everywhere, but not in politics.

Thus the unspoken slogan of every incumbent's campaign: "YOU'VE HAD YOUR SAY, NOW SHUT THE HELL UP."

Progressives and populists like to blame lobbyists, special interests, "the SWAMP," insiders, "the ESTABLISHMENT," vested interests, shadowy corporate titans, and sundry boogeymen for our current straits, but the fact is that *voters* got us into this mess. Maybe the answer isn't more voters.