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**Against Detaching the Duty to Vote**

**Author:**

Ben Saunders

Politics And International Relations

University of Southampton

Southampton

SO17 1BJ

b.m.saunders@soton.ac.uk

**Abstract**

*Many people believe that citizens of a democracy have a duty to vote, yet this overlooks an important distinction between voting well and voting badly. Those who vote well may be doing what they ought to do, but it does not follow that those who vote badly are doing* anything *that they ought to do. While one cannot vote well unless one votes, a duty to vote as such cannot be detached from a more particular duty to vote well. Thus, even if there is an obligation to vote well, there may be no obligation to vote* simpliciter*.*

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It is commonly assumed that voting is not merely a right, but a civic duty. But, while voting well may be virtuous, it does not follow that voting *as such* is good, since one may also vote badly. My aim, in this brief article, is to show that, even if there is an obligation to vote well, this does not imply an obligation to vote *simpliciter*.[[1]](#footnote-1) An argument for a duty to vote well does not establish a duty to vote, for we cannot ‘detach’ duties in this way.

To be sure, one cannot vote well unless one votes, so someone who does not vote is not doing *all* that they ought to do. However, someone who votes may, or may not, be doing something they have a duty to do, depending on whether they vote well. This is not to say that there is no duty to vote as such (a larger question, which cannot be settled here). There may be other arguments for such a duty, but they would need to be consistent with voting badly. My focus here is simply on showing that a duty to vote *simpliciter* does not follow from a more specific duty to vote well. Thus, one cannot support a duty to vote as such by invoking the importance of voting well. Those who do not vote may be failing to do something that they ought to do (i.e. to vote well), but those who vote badly are also be failing to do this. We cannot conclude, from the mere fact that someone voted, that they did something that they ought to have done.

**Simply Voting or Voting Well**

Many think not only that citizens ought to vote, but that they ought to vote *well*. This may be given various interpretations and I do not commit myself to any particular one. Here, I illustrate some ways that voting well might be understood, before showing that we cannot detach a duty to vote as such from some more specific duty to vote well.

First, it may be that citizens ought to vote *for the best option available*.[[2]](#footnote-2) This is a demanding theory, since it suggests that there is only one right way to vote. Nonetheless, Annabelle Lever (2017: 143) suggests that “Most of us suppose that people are ethically bound to vote for the candidate who will best advance the common good of citizens… [S]o there should be one and only one ethically correct approach to our choice as voters”. Whether or not this is as commonly held as she supposes, it is one possible interpretation of voting well.

Second, it may be that citizens ought to vote *for a morally acceptable option*. This is a less demanding alternative, since there may be various options that meet the threshold of acceptability. Thus, citizens may have some discretion over how they vote, but those who vote for particularly bad or unjust options are not doing what they have a duty to do.

Third, it may be that citizens ought to vote *in an informed and rational manner*. This is not a constraint on what option citizens vote for, but on the manner in which they vote. If they are ignorant or irrational, then they are in breach of their duty, even if they fortuitously vote for a good option. Conversely, voting for an option that is in fact bad need not be blameworthy, so long as one has tried to gather evidence and vote accordingly. (This seems to be the view of Julia Maskivker (2016). It is similar to that of Jason Brennan (2009), though his view is only that citizens should not vote badly, not that they should vote well.)

Fourth, it is sometimes suggested that voters have a duty to vote *sincerely*. This precludes strategic voting and, perhaps, some forms of protest voting, in which voters misrepresent their preferences. This obligation might be justified by appeal to a more general duty of honesty; strategic misrepresentation of one’s preferences can be seen as a form of lying. Further, strategic voting can also be criticised as unfair, since those who vote strategically seek to increase their influence over the democratic process, giving them more influence than others who cannot or do not vote in this way. If we have a duty to vote sincerely, then someone who votes strategically may not be doing anything that she has a duty to do.

Fifth, it may be that citizens ought to vote *in a way that respects democracy* (cf. Maring 2016). The connection between voting and respecting democracy is only contingent. Someone who abstains on principled grounds may respect democracy (cf. Sheehy 2002), while someone who votes flippantly may fail to do so. Thus, once again, voting in a manner that respects democracy is more specific than simply voting.

Sixth, it may be that citizens ought to vote *and be prepared to accept the outcome*. Joanne Lau (2014) has argued that those who participate in an election or referendum without being willing to abide by the outcome, if it goes against them, are guilty of voting in bad faith. This, plausibly, is something that we ought not to do.

This list is by no means exhaustive, but it demonstrates some things that might be meant by voting well. Voting well is more specific than simply voting. Thus, if we have a duty to vote well (not something that I argue), simply voting is not sufficient to comply with it. Moreover, those who vote badly are not simply doing only part of what they ought to do; they may not be doing anything that they ought to do.

**Unconditional and Conditional Duties**

We may distinguish between two claims regarding the putative duty to vote well. First, citizens may have a duty to vote well (an unconditional claim). Alternatively, citizens may have a duty to vote well *if they vote* (a conditional claim). This is weaker, since it can be satisfied by not voting at all, whereas abstention would not satisfy a duty to vote well.

Some clearly defend a conditional duty to vote well. For instance, Brennan (2009: 543) denies that citizens must vote, though he argues that they have a duty not to vote badly. Thus, they are obligated to vote well only if they vote. Others are less clear. J. S. Mill, for instance, asserts that each citizen “is bound to give [his vote] according to his best and most conscientious opinion of the public good” (Mill 1977: 489). This claim may be read conditionally, or Mill might be read as making the stronger claim that one should vote and do so according to one’s conscientious view of the public good (cf. Birch 2018: 26).

Others clearly defend an unconditional duty to vote well. For instance, Luke Maring (2016: 247) argues that “citizens in a healthy democracy have a pro tanto moral duty to vote”. For Maring, this duty is derived from a more general duty not to disrespect democracy. However, he notes that there are various circumstances where a failure to vote is not disrespectful, for instance if one is prevented from voting by a family emergency (Maring 2016: 255). But it also seems that one disrespects democracy if one votes flippantly, e.g. by voting randomly, to spite an acquaintance, as the outcome of a bet, or for a joke candidate that one does not truly endorse. Thus, not everyone who votes does what they ought to do; it is only if they actually vote well that they do what they have a duty to do. Even if we accept Maring’s argument for a duty to vote well, it does not follow that there is a duty to vote as such.

My objection applies not only to Maring’s argument, but to *any* argument that postulates a duty to vote well, rather than to vote as such. For instance, Maskivker (2016: 224) argues “that citizens have a duty to vote and that this duty requires that [they] vote in a certain fashion, namely, well”. Her argument is only for a duty to vote well. While those who do not vote fail to discharge this duty, so do those who vote badly. Her argument, even if successful, does not show that there is a duty to vote as such. Similarly, Lisa Hill (2015: 70) argues that members of disadvantaged groups owe it to each other to vote, so that politicians will attend to their interests. However, this looks like another example of a duty to vote well. Again, it is not clear that one does what one ought, if one votes against the interests of one’s group.[[3]](#footnote-3) If one wants to establish a duty to vote *as such*, then one must show that even voting badly satisfies this duty.

**From Specific to General Duty**

It might be thought that the duty to vote *simpliciter* can be derived from the more specific duty to vote well, since the former is part of, and a means to, the latter. I argue that this is a mistake. An argument for a duty to vote well cannot support a more general duty to vote, since voting is compatible with voting badly, which does not contribute (constitutively or instrumentally) to voting well.

The duty to vote well may take one of two general forms. Some interpretations can readily be represented as two separate duties, for instance, a duty to be informed and a duty to vote, or a duty to vote and a duty to accept the outcome. Others cannot be separated into two elements, but take the form of a duty to vote in a particular way, for instance, sincerely or for the best outcome. This distinction is not particularly important here. In both cases, the question is whether someone who simply votes, without doing everything that (by hypothesis) she has a duty to do, has thereby done something that she had a duty to do. I contend that the answer to this is no.

Let V stand for voting as such, and W stand for the additional element that transforms this into voting well. A duty to vote well can therefore be represented as a duty to V-and-W. However, this should not be understood as a duty to V and a duty to W, as if these were two separate (detached) duties. The duty to vote well is, rather, a duty to V-and-W together. Doing V alone is not necessarily to do anything that one has a duty to do. One *might* have independent obligations to do V, even without doing W, but this does not follow from the obligation to do V-and-W. Thus, a duty to vote well does not imply a duty to vote as such.

One might think that a duty to vote as such can be inferred from a duty to vote well, since voting is a necessary means to voting well:

P1. If one has a duty to ɸ, then one has a duty to take the necessary means to ɸ-ing.

P2. Voting is a necessary means to voting well.

C1. If one has a duty to vote well, then one has a duty to vote [from P1 and P2].

P3. One has a duty to vote well.

C2. One has a duty to vote [from C1 and P3].

This argument appears formally valid. Further, Premise 3 is being granted, at least for the sake of argument. Therefore, to resist the conclusions (C1 and C2), I must reject either Premise 1 or Premise 2. The following argument suggests that Premise 1 is faulty, for we do not have an independent, or detached, duty to take the means to ɸ. While we cannot do all that we have a duty to do, unless we take the means to ɸ-ing, it is a mistake to think that there is a duty to take the means, independently of ɸ-ing.

**Against Detachment**

Frank Jackson and Robert Pargetter’s ‘Professor Procrastinate’ example[[4]](#footnote-4) offers a classic illustration of why detachment is a mistake:

Professor Procrastinate receives an invitation to review a book. He is the best person to do the review, has the time, and so on. The best thing that can happen is that he says yes, and then writes the review when the book arrives…. [But although] he *can* do exactly this, what *would* in fact happen were he to say yes is that he would not write the review. Moreover, we may suppose, this latter is the worst that can happen. (Jackson and Pargetter 1986: 235)

The options available to Professor Procrastinate can be ranked as follows:

1. Accept the invitation and write the review.
2. Decline the invitation.
3. Accept the invitation but do not write the review.

Option 1 is best of the three options theoretically available to him, so this is what he ought to do overall. But he will not write the review, even if he has good intentions to do so.[[5]](#footnote-5) In practice, only Options 2 and 3 are available to him and, *of these*, he ought to choose Option 2.

We have no reason to accept the detached judgement that Professor Procrastinate ought to accept the invitation *simpliciter*. Accepting the invitation is part of the best course of action (Option 1), but it is also part of the worst course of action (Option 3). If Professor Procrastinate asked us whether he ought to accept the invitation, it would be appropriate to advise him to decline (Jackson and Pargetter 1986: 237). This is *not* simply saying that he ought to decline *given that he will not write the review*, for that conditional is also true of people who would write the review in a timely fashion. Rather, we judge that Professor Procrastinate ought to decline the invitation.

Thus, we must reject the thought that, if P ought to do A and B, then P ought to do A (Jackson and Pargetter 1986: 247). It *is* true that, if P ought to do A and B, *and does do A and B*, then P ought to do A. But we are concerned with cases where P will not do B. Here, it is not necessarily true that P ought to do A, even though P ought to do A and B. Although Professor Procrastinate ought to accept the invitation *and* review the book, nonetheless, he ought not to accept the invitation. Or, rephrased in terms of duties, he has no duty to accept the invitation, even if he has a duty to accept the invitation and write a timely review.

The same arguments apply, *mutatis mutandis*, to voting cases. Consider someone who, if she votes, will certainly vote badly.[[6]](#footnote-6) I assume that there are some ways of voting badly, such that they are worse than not voting at all (cf. Sinhababu 2017: 79). We now have three possible courses of action available, ranked as follows (cf. Lomasky and Brennan, 2000: 73):

1. Vote well.
2. Do not vote.
3. Vote badly.

Ideally, our agent would vote well. But this option is not available. The alternatives open to her are only abstaining or voting badly and, by stipulation, voting badly is the worst possible outcome. So, if the question is whether she has a duty to vote, *simpliciter*, the answer appears to be no. She may have a duty to vote well, but her voting will not – given the facts of the case – contribute to meeting this duty. In fact, if she votes, she will do something worse than if she does not vote at all.

These examples illustrate the problem with P1 of our earlier argument, which stated ‘If one has a duty to ɸ, then one has a duty to take the necessary means to ɸ-ing’. In order to do all that one has a duty to do, one must take the necessary means to performing those duties. But it does not follow that one has a duty to take the means, independently of whether one performs the original duty. We cannot detach taking the necessary means to ɸ from actually ɸ-ing, for this would imply that someone who takes the means, without actually ɸ-ing, at least does something that they had a duty to do. But the agent has no duty to take the means, independent of actually ɸ-ing.

**Conclusion**

The Professor Procrastinate case suggests that duties cannot be detached. We do not have a duty to do something in isolation, simply because it would be part of, or a means to, what we have a duty to do. Thus, a duty to vote as such does not follow from a more specific duty to vote well.

I do not claim that there is no duty to vote as such, for that larger question cannot be settled here. There may be other arguments for a duty to vote, independently of voting well; for instance one might think that voting always serves some purpose, such as maintaining a functioning democratic system, regardless of how one votes. But I have argued that this putative duty to vote cannot be derived from a more specific duty to vote well. If there is a duty to vote as such, then this duty can be discharged even by voting badly. Thus, those who wish to defend such a duty must offer arguments compatible with voting badly, rather than assuming that people will vote well. Otherwise, their arguments can only establish a duty to vote well, not a duty to vote as such.

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Ben Saunders (b.m.saunders@soton.ac.uk) is an associate professor in the Department of Politics And International Relations, University of Southampton, Southampton, SO17 1BJ, UK.

1. I do not distinguish here between duties and obligations, or between these and what we should or ought to do. Though various distinctions may be drawn between these notions, the following argument applies, *mutatis mutandis*, to each of them. [↑](#footnote-ref-1)
2. A variant of this view is that citizens should vote *for the major party whose platform they consider best*, since this is more likely to produce positive results than voting for a minor party, no matter how good their policies (Sinhababu 2017). [↑](#footnote-ref-2)
3. It might be argued that higher turnout amongst, e.g., the poor would itself incentivise politicians to care about their interests, regardless of how they actually vote, but this is unclear. Certainly they have a better chance to “promote certain values or desirable ends” (Hill 2015: 70) and to “shape, in [their] favour, the terms on which [they] face other classes” (Hill 2015: 70-71) if they vote for, rather than against, their own interests. Similar remarks apply to others who propose a duty to vote a particular way, e.g. Maltais (2013). [↑](#footnote-ref-3)
4. I thank David Estlund for introducing me to this example. [↑](#footnote-ref-4)
5. One may doubt the coherence of saying that he could do this but certainly will not. However, the certainty could be reduced to something like 99.9% likelihood that he will not write the review (Woodard 2009: 220). [↑](#footnote-ref-5)
6. I am using this term specifically for voting that is worse than not voting at all. Since there may be ways of voting that fall short of voting well, but that are still better than not voting, one may prefer to think of this as voting *very* badly. [↑](#footnote-ref-6)