Compulsory Voting: Resolutional Overview

By Josiah Hemp

Resolved: In a democracy, voting ought to be compulsory.

Hello debaters! This resolutional overview will cover key terms, values, and arguments relevant to this resolution. In the arguments section, many articles and sources are shared.

## PART I: Democracy

### Definitions

One of the most reliable American Dictionaries, Merriam Websters, defines Democracy as,

“government by the people

“especially: rule of the majority

“b: a government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections”[[1]](#footnote-1)

This definition is fair and evenhanded. It is a solid definition to use on either side of the resolution. There are some interesting affirmative arguments that can be made coming out of this definition, and there will be more on that with a later affirmative case.

The Oxford Dictionary has a definition that will lend itself more to the affirmative side of the case. They define democracy as,

“A system of government by the whole population or all the eligible members of a state, typically through elected representatives.”[[2]](#footnote-2)
The claim that it takes all members of a state to make democracy could arguably mean that compulsory voting is necessary to have a true democracy.

One last important note on democracy: democracy is technically the pure rule of the people. For instance, the United States is not a true democracy. It is a constitutional democratic republic. However, in the common use of the term countries like the United States, the UK, or Australia are democracies. This is something to keep in mind as some may argue that certain examples are not topical because they are not from “true democracies.”

## PART II: Compulsory Voting

 Compulsory voting is, quite simply, forcing eligible voters to vote. If it where not custom for debaters to provide definitions it is likely none would be necessary for this term.

Most English language dictionaries do not have definitions of compulsory voting because it is a more specialized term.

 One solid definition comes from a legal information site called Findlaw. They define compulsory voting as,

“Compulsory voting occurs when a state or nation requires all of its citizens to vote. In many countries today, voting is required by law. But in most cases, the penalty for not complying is so mild that the term "compulsory" is a bit of a misnomer.”[[3]](#footnote-3)

 This definition is simple and straight to the point. For a longer and more thorough definition, we can turn to Encyclopedia Britannica,

“In some countries, notably Australia and Belgium, electoral participation is legally required, and nonvoters can face fines. The concept of compulsory voting reflects a strain in democratic theory in which voting is considered not merely a right but a duty. Its purpose is to ensure the electoral equality of all social groups. However, whether created through laws or through social pressure, it is doubtful that high voter turnout is a good indication of an electorate’s capability for intelligent social choice. On the other hand, high rates of abstention or differential rates of abstention by different social classes are not necessarily signs of satisfaction with governmental processes and policies and in fact may indicate the contrary.”[[4]](#footnote-4)

 This definition is not as good as the first, because compulsory voting is a simple concept and it is not necessary to spend a long amount of time explaining it for our purposes. However, the Britannica definition does include some useful quotes.

## PART III: Values

### Introduction

Values may be my favorite part of Lincoln Douglas Debate. After all, it is values debate. This section will give a brief overview of several of the values that may come up in competition.

### Democracy

Many LDers (including myself) have an allergic reaction to this kind of value. Values should be things that we care about because they are inherently good. Democracy isn’t a value—it is a system, and a flawed system at that.

However, democracy could be a value under this resolution. Think about how many politicians say “we must do this to save democracy.” Or say “vote, the future of democracy depends on it.” These statements implicitly claim that democracy is something that is good and should be valued. Further, they claim we should do something in order to protect democracy.

Democracy could become a value on either side of the resolution. The affirmative could claim that participation of everyone is necessary for democracy, therefore compulsory voting should be the law. (See “Affirmative: Democracy” By Josiah Hemp). It could also be argued on the negative side that compulsory voting is bad for democracy because it will lead to its decline into despotism (due to uninformed voters).

### Liberty

Merriam Webster’s Dictionary defines liberty as “the quality or state of being free.”[[5]](#footnote-5) For a more thorough definition (and commentary) on liberty, see Noah Webster’s original 1828 dictionary.[[6]](#footnote-6) He makes an important distinction between “Natural Liberty” and Civil Liberty. He writes,

Natural liberty consists in the power of acting as one thinks fit, without any restraint or control, except from the laws of nature. It is a state of exemption from the control of others, and from positive laws and the institutions of social life. This liberty is abridged by the establishment of government.

Civil liberty is the liberty of men in a state of society, or natural liberty so far only abridged and restrained, as is necessary and expedient for the safety and interest of the society, state or nation. A restraint of natural liberty not necessary or expedient for the public, is tyranny or oppression. civil liberty is an exemption from the arbitrary will of others, which exemption is secured by established laws, which restrain every man from injuring or controlling another. Hence the restraints of law are essential to civil liberty.

Essentially, Natural Liberty is liberty as it exists in “the state of nature.” This is essentially total freedom. In contrast, Civil Liberty is liberty as it exists when mankind forms nations. This kind of liberty is limited. These limits protect one person’s liberty from harming other person’s liberty. This is important, and we will return to this distinction later.

The Negative could argue that it violates the liberty to have free speech to require voting. In one sense, it does. Every action that is required is a violation of *natural* liberty. Speed limits, jury duty, taxes, and all the rest are violations of liberty as it would exist in nature. But remember the important distinction: to be part of society everyone gives up some rights. Obviously some cannot be given up. But it is arguable that compulsory voting is similar to jury duty, and thus is an acceptable violation of liberty.[[7]](#footnote-7)

There is another issue of liberty—the claim that an uninformed citizenry being required to vote will lead to the end of a free nation and lead to voters voting themselves into tyranny. This issue is also covered in the Negative Case on Liberty.

### Egalitarianism

Another value that could be used is egalitarianism. This is basically a fancy word for equality. Merriam-Webster’s defines egalitarianism as “1: a belief in human equality especially with respect to social, political, and economic affairs 2: a social philosophy advocating the removal of inequalities among people.” Egalitarianism is very politically charged. However, there are relevant arguments about this in the literature on compulsory voting. I have attempted to present this section in a way that is as balanced as possible. This will be giving you a flyover view of this issue without attempting to take sides.

The main divide on this issue is over equality of opportunity v. equality of condition. Most conservatives think that the governments duty is to provide an equal opportunity, and stop there. Many liberals think that the government should go beyond that by enforcing equality of condition through programs like affirmative action.

Egalitarianism is relevant to this resolution because many proponents of compulsory voting claim it would help increase political participation among minorities. It appears that this is attempting to go beyond the “equality of opportunity” that exists with universal suffrage (where everyone has the opportunity to vote) and attempting to enforce an “equality of condition” by making it so everyone not only has the opportunity to be involved in the political process but will be required to be involved in the political process.

I personally think that LD Debaters should start from the basis of a value that is almost universally agreed to and then build towards their side of the resolution. Because egalitarianism is an issue on which there is considerable disagreement, I would not recommend running it as a value. Whether you agree with it or are against it, to win a debate round you must persuade a judge. Your best shot at persuading a judge will probably be by tying your side of the resolution to a value that the judge already believes in. Thus, arguing from the basis of something that is more universally accepted will likely be more successful. However, LD debaters have wide varieties of opinions, and you may decide to use this value. Further, whether you choose to run this value or not, it is likely that other people will.

## PART IV: For and Against

### Increased Turnout

One of the main arguments for compulsory voting is that it will lead to more voter turnout. This argument was made by a Stanford Professor,[[8]](#footnote-8) a Time Magazine article,[[9]](#footnote-9) A Business Insider article,[[10]](#footnote-10) and others.

As the negative it may be helpful to push back and ask why it is that more turnout is such a good thing.

One article that attempts to respond to the turnout argument is from Reason (a Libertarian Magazine).[[11]](#footnote-11) However, the article is rather partisan and a bit vitriolic. However, there are some helpful arguments buried within. The section where he speaks on what voter turnout actually is in Australia under compulsory voting is especially helpful. He points out that voters who don’t actually want to vote either draw on their ballots or fill them out randomly. This could be used as a strong rebuttal to the turnout argument—there may be more turnout, but the turnout loses its meaning because of voters who still don’t care.

### Freedom

 As mentioned in the section on Liberty as a value, many opponents of compulsory voting argue that it is a violation of liberty to require voting. The Heritage Foundation argues that it is such a violation of liberty that it is unconstitutional.[[12]](#footnote-12) One Acton Institute Article makes similar arguments.[[13]](#footnote-13)

Responses to this argument often revolve around the comparison of jury duty to compulsory voting. A *New York Times* Op-Ed made this claim.[[14]](#footnote-14) A *Time Magazine* piece says much the same.[[15]](#footnote-15) An Australian Politics Professor makes the same claim.[[16]](#footnote-16) All that to say, it is a very common counter-argument. These arguments are based on the philosophical principle that to be in society some rights must be surrendered (Social Contract Theory).

### Voter Suppression/Equality

Another common argument is that compulsory voting will help undo voter suppression. This is the focus of a Brookings Institute article on compulsory voting. They write,

“The United States should require all of its citizens to vote. Doing so will push back against voter suppression and tear down barriers to participation because the best way to protect the right to vote is to underscore that it is also a civic duty.

“This is the message of a report issued this week by the Universal Voting Working Group, a joint initiative by the Brookings Institution and the Ash Center for Democratic Governance and Innovation at Harvard’s Kennedy School. Its opening words:

“Imagine an American democracy remade by its citizens in the very image of its promise, a society where the election system is designed to allow citizens to perform their most basic civic duty with ease. Imagine that all could vote without obstruction or suppression. Imagine Americans who now solemnly accept their responsibilities to sit on juries and to defend our country in a time of war taking their obligations to the work of self-government just as seriously.”[[17]](#footnote-17)

However, opponents of compulsory voting claim voter suppression is actually not a serious issue today and that proponents of compulsory voting are seriously exaggerating. Hans von Spakovsky wrote for the Heritage Foundation,

“President Obama got a lot wrong when he broached this idea at a town hall in Cleveland. He claimed that immigrant groups and minorities are being kept “away from the polls.” That is completely false. In fact, his own Justice Department hasn’t filed a single lawsuit under the relevant portion of the Voting Rights Act that prohibits anyone from keeping voters away from the polls. The only suit like that in recent memory is the one filed in the final days of the Bush administration against the New Black Panther Party for intimidating voters and poll watchers in Philadelphia in 2008 – and the Justice Department promptly dismissed that lawsuit almost as soon as Eric Holder took over.

Census Bureau surveys of non-voters also show that the president is wrong in his assessment of why people don’t vote. The vast majority of them choose not to vote because they don’t like the candidates or the campaign issues or are simply not interested in the political process. Their choice not to vote sends its own message to candidates and political parties about their relevance or irrelevance to the lives of those nonvoters.”[[18]](#footnote-18)

 Others make claims that are less extreme, but still make a point. Lisa Hill, a professor of Politics at the University of Adelaide, Australia wrote,

America has a serious voter turnout problem, yet none of the attempted remedies have been able to solve it. The problem is not just that turnout is low but that it is also socially biased.

Failure to vote is concentrated among groups already experiencing one or more forms of deprivation, namely, the poor, the unemployed, the homeless, indigenous peoples, the isolated, new citizens and the young. This transfers greater voting power to the well-off and causes policies to be geared disproportionately to the interests of voters (politicians aren’t stupid: they know who their customers are). The legitimacy of American democracy is thereby undermined, assuming you agree that political inequality and unrepresentativeness are bad for democracy.[[19]](#footnote-19)

 She continues to make this argument throughout most of her article. Her claims are much less extreme than the Brookings Institute’s claims, but she makes a similar point.

### Polarization

Another interesting argument for compulsory voting is that it would decrease political polarization. Incidentally, many articles on compulsory voting tend to be very vitriolic and polarized themselves. However, the argument remains that requiring voting will lead to more moderate and centrist politics. Waleed Aly in the *New York Times* makes this argument halfway through his article.[[20]](#footnote-20) Eric Liu in *Time* argues the same. He writes,

Second, as William Galston of the Brookings Institution argues, it would temper the polarization of our politics. In today’s electorate, hardcore partisan believers are over-represented; independents and moderates are under-represented. If the full range of voters actually voted, our political leaders, who are exquisitely attuned followers, would go where the votes are: away from the extremes. And they would become more responsive to the younger, poorer and less educated Americans who don’t currently vote.[[21]](#footnote-21)

Norm Ornstein in *The Atlantic* writes,

One of the major problems contributing to the extraordinary dysfunction of the American political system is the series of voting processes that gives immense influence to the extreme, ideologically driven bases of the two major parties. In today's base-driven elections, party strategists try to maximize the turnout of their own base -- usually by frightening them to death about the consequences if the "enemy" prevails -- while minimizing the turnout of the other side by any means necessary and available.[[22]](#footnote-22)

The main flaw in this argument is that it appeals most to centrist independents. If you happen to want more moderate and centrist politics, this argument sounds good. If you do not, then it doesn’t. Therefore this argument lacks universal appeal.

### Australia

In the United States this resolution is a highly partisan issue. Generally speaking liberals are for it and conservatives are against it. However, in Australia voting has been compulsory since the 1920s, it is a much less partisan issue there. However, there is still some debate over the issue in Australia. One particularly helpful resource prepared by Australians on this resolution is an informational guide on the subject prepared by professors of government.[[23]](#footnote-23)

## In Conclusion

Hopefully this overview will set you on your way to successful research and competition. Many of the articles referenced have more material than I mentioned in this overview. There are actually not very many articles out there on compulsory voting, but there is enough that you can be well prepared to successfully debate. Enjoy your first debate resolution and competitions of the year!

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6. “Liberty” Noah Webster’s 1828 Dictionary. <http://webstersdictionary1828.com/Dictionary/liberty>. Accessed August 27, 2020. [↑](#footnote-ref-6)
7. See “Negative: Liberty” by Josiah Hemp for a more thorough treatment of these issues. Including in that case and Opposition brief are several quotes on both sides of this issue. [↑](#footnote-ref-7)
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