

Compulsory voting around the world

Elliot Frankal, The Guardian

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Belgium has the oldest existing compulsory voting system, introduced in 1892 for men and 1949 for women. People aged 18 and over who do not vote face a moderate fine or, if they fail to vote in at least four elections, they can lose the right to vote for 10 years. Non-voters also face difficulties getting a job in the public sector

The Australians brought in a system of compulsory attendance at elections in 1924. Voters are obliged to attend the polling station but can leave without voting after ticking their names off. Non-attendees face fines of AU\$20-\$AU50 (about £9 - £21) and possible imprisonment if they refuse to pay their fines (as punishment for failing to pay rather than for not voting). In a nation built on immigration, Australian supporters of the system say compulsory voting is a symbol of the integration of new arrivals into the Australian way of doing things.

In 1952, Bolivia began to give voters a card to prove their participation at an election. If voters cannot show this proof-of-voting card during the three months after the election, they can be prevented from drawing their salary from the bank.

In Greece, not voting makes it difficult for citizens to obtain a new passport or driver's licence. There are no formal sanctions in Mexico or Italy but there are social or arbitrary sanctions. In Italy, the latter are called "innocuous sanctions", which make it difficult to get a daycare place for a child, for example. In Singapore, non-voters are removed from the electoral register until they reapply, providing a reason for their abstention. In Peru, voters must carry a stamped voting card for several months after the vote in order to obtain some services and goods.

Both Venezuela and the Netherlands abandoned compulsory voting. The last election in which the Dutch were obliged to vote was in 1967. Turnout in the subsequent national poll decreased by around 20%. Venezuela saw a drop in attendance of 30% once compulsion removed, in effect, in 1993.

Mandatory voting guarantees ignorant votes

Trevor Burrus, The Cato Institute

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President Obama has suggested that compulsory voting could be a good idea. "It would be transformative if everybody voted — that would counteract money more than anything," he continued. The president is wrong. Compulsory voting is not just unwise, it is unconstitutional. But even if we amended the Constitution to allow for compulsory voting, it would be unwise.

Many people don't vote because they don't care enough or know enough to get involved, and there is no compelling evidence that mandatory voting increases voter knowledge. Simply put, people who vote tend to know more about politics than those who don't. It is worth asking why we would want low information citizens voting in the first place. Just so they're "involved" even if they're trudging to the polls to avoid a fine?

American voter ignorance has become a familiar fact. In one Washington Post poll, only 36% could name the three branches of government. In another, 29% couldn't identify the current vice president. Should they be forced to vote? On the contrary, there is a very good argument that those with extremely low information have a moral obligation not to vote. Why should the rest of us have to suffer the possible consequences of their ignorance?

Moreover, in the American electoral system, not voting conveys valuable information. Every presidential election is about "getting out the base" — that is, getting core party members excited enough about a candidate to go out and vote. If turnout is low, then the party knows that, next time, they better run a candidate who excites rather than bores the base.

In Australia, where they have mandatory voting and a preference voting system — voters rank candidates in order of preference — they have a consistent problem of the "donkey vote." A small percentage of voters merely list the candidates in the order they are printed on the ballot.

Ultimately, compulsory voting does not solve the problem that advocates hope it will solve: low voter engagement and knowledge. Why? Because there is simply not enough hinging on a single vote for it to be worth it for most voters to be engaged. Statistically speaking, one vote in a national election will never impact the outcome, and voters react accordingly.

Ask yourself this question: would it make more sense to spend two years researching politics to cast a "fully informed" vote or would it make more sense to spend that time researching your next car purchase? And remember that your vote will count as much as a person who chooses his candidate by throwing a dart at board with all the candidates' pictures. Instead, just let the dart throwers stay home.

Voting Should Be Mandatory

By WALEED ALY, The New York Times

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When you survey the wreckage of 2016, it's easy to forget that the most seismic democratic events were brought about by minorities. Only 37 percent of eligible Britons voted to leave the European Union. The case is even clearer in the American election, which Donald J. Trump won despite having persuaded only a quarter of the American electorate to support him. Mr. Trump triumphed in a low-turnout election. As we scramble to explain the upheavals in democratic politics, we may be describing shifts that, while significant, are smaller than we think.

It's time for democracies to adopt compulsory voting. I say this from Australia, one of about a dozen countries where people can be penalized for not voting (about a dozen more have compulsory voting on the books but don't enforce it). We've done so at the federal level since 1924, following a drop in voter turnout. We're now required by law to enroll at 18 years old, and we're fined if we fail to vote. Around three-quarters of Australians have consistently supported compulsory voting, and there is no meaningful movement for change.

The evidence is mixed on whether compulsory voting favors parties of the right or the left, and some studies suggest that most United States federal election results would be unchanged. But all that misses the point because it overlooks that compulsory voting changes more than the number of voters: It changes who runs for office and the policy proposals they support. In a compulsory election, it does not pay to energize your base to the exclusion of all other voters. Since elections cannot be determined by turnout, they are decided by swing voters and won in the center. Australia has its share of xenophobic politicians, but they tend to dwell in minor parties that do not even pretend they can form a government.

That is one reason Australia's version of the far right lacks anything like the power of its European or American counterparts. Australia has had some bad governments, but it hasn't had any truly extreme ones and it isn't nearly as vulnerable to demagogues. Even today, as Prime Minister Malcolm Turnbull faces an insurgency from the right wing of his conservative party, the principal threat is that these politicians will form a breakaway party — not that they will take over. They can't, and even if they could, they would quickly face electoral oblivion unless they moderated. That's more or less the story of the government of Mr. Turnbull's predecessor, Tony Abbott, which indulged in too many ideological frolics and crashed after only two years.

The greatest aspiration non-centrist movements can seriously have in Australia is to exert a gravitational effect on the mainstream. We saw that in the late 1990s and early 2000s when John Howard's government neutralized the One Nation party by adopting a handful of its policies. On the left, the Greens have siphoned off some of Labor's support, but apparently hit a ceiling around 10 percent of the vote. Lately they have been adopting a more centrist posture.

None of this means Australian politics is impervious to shock. Like much of the West, we're in our own anti-incumbent, anti-system cycle. But compulsory voting means this movement is more gradual: a slow-motion accumulation of developments rather than the rapid agitation of an energized minority storming the barricades. Major parties will have time to adjust, and if not, minor parties will have time to mature.

But to my Australian eyes, the strongest case for compulsory voting came in the final stages of the recent American presidential campaign, when the candidates became obsessed with turnout. On the Democratic side, this meant that President Obama was typically surrounded by pop stars while racing between rallies for Hillary Clinton. For the Republicans, it devolved into a bizarrely anti-democratic spectacle: efforts by Republican state officials to suppress the minority vote; Mr. Trump's exhorting his supporters to monitor selected communities for "voter fraud." Such actions — especially suppression of the black vote — should be enough reason to mandate voting, consigning this sordid gaming to history.

This isn't particularly revolutionary if you see voting not merely as a right, but as a civic obligation. That might sound un-American, but Americans already have many such obligations, including more onerous ones like paying taxes or jury duty. Even the most persuasive argument — that compulsory voting violates free speech ideals that include the right to silence — misunderstands how compulsory voting works. Voters are not compelled to support a candidate or even to cast a valid ballot. They are obliged to turn up. Leave your form blank if the options are so uninspiring. Draw pictures on it. Even this is useful: By tracking the growth of these "informal" votes we can gauge voter dissatisfaction.

Yes, there are cons. There's the risk elections are turned by the least engaged and least informed voters. This, however, is difficult to prove, because even if less engaged voters tend to stay away when given the choice, there is also evidence that compulsory voting lifts civic engagement over all. It's also clear that voluntary voting hasn't helped the United States avoid a serious uninformed-voter problem. Compulsory voting would deliver a broader, more representative sample of voters.

On balance, the overriding result of compulsory voting is a more complete democracy. One that includes the voices of those most easily discouraged from turning up: poorer people and minority communities, for instance. One that refuses to hand power to someone whose plan is to keep turnout low, hoping to appeal to an impassioned minority rather than a nation at large. And after all that, if there is to be wreckage, at least it will be inflicted by a majority of the population.

Compulsory Voting is Unconstitutional

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Hans A. von Spakovsky, The Heritage Foundation

President Obama recently praised the idea of “mandatory voting,” saying it would be “transformative” and “completely change the political map in this country,” showing again how unbound he feels by the limits imposed on the power of government by the Constitution and the Bill of Rights.

The president apparently does not believe that the right to speak, which is protected under the First Amendment, includes the right not to speak. And there is no question that we are speaking when we make our choices in the ballot booth. When we don’t vote, we are again making a choice, a choice not to speak that also sends a political message.

The government cannot force you to speak or to vote (or to say a prayer). While Obama may admire the small number of countries that make voting mandatory, such a requirement violates the basic constitutional rights that Americans enjoy and our most cherished liberty: the right to be left alone by the government.

In fact, countries such as Australia enforce their voting requirement by imposing fines on non-voters. In 1964, we ratified the 24th Amendment, which prohibits making voting contingent on paying a poll tax. Yet President Obama is now proposing what would in essence be a reverse poll tax on any American who decides not to vote.

It says a lot about President Obama’s political and social views that he talks about imposing a requirement that even socialist-minded countries such as Italy have rescinded. As my co-author John Fund points out, the former Italian foreign minister Antonio Martino, said that “there was finally a consensus that it was a basic infringement of freedom.”

Martino understands something that Obama apparently does not. As Martino said, “Forcing people to vote violates their freedom of speech, because the freedom to speak includes the right not to speak.”

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.

This mandatory voting idea appeals to progressives such as Barack Obama because they just don't understand it when voters reject them, as voters did in the mid-term congressional elections in 2014 and 2010. The concept that voters don't like or agree with their views of an all-powerful government that tells us what to do from birth to death just can't be true in their eyes. They seem to think that if they can just force non-voters into voting booths, then they will win elections and America will be "transformed" into a progressive utopia.

But the academic research shows this isn't true. Even if the constitutional problems with mandatory voting could be overcome, "compulsory voting would change the outcome of very few elections," according to Professor John Sides of George Washington University. That is because non-voters aren't that different than voters in their partisan outlook and because, as Sides correctly points out, many elections (such as congressional ones) "aren't that close."

There is no doubt that we should encourage Americans to exercise their right to vote. But coercing Americans to vote is not only unconstitutional, it is bad public policy. If the president and the federal government were trying to force people to exercise other rights protected by the First Amendment, liberals would be up in arms about it. As my former Justice Department colleague J. Christian Adams says, if the president proposed mandatory prayer, such a proposal could be subject to "laughter, ridicule and endless citation of the Free Exercise clause" of the First Amendment.

Of course, not to be outdone, the president also said at his town hall that it would be "fun" to amend the First Amendment to restrict the free speech rights of Americans to contribute money to the candidates and causes they like and agree with. That an American president would propose such a troubling change to the Bill of Rights that would gut the First Amendment is shocking — as is his complete lack of embarrassment over making such a proposal.

Just more evidence of how much this president disdains the liberty that the Constitution was designed to protect and that Americans take for granted as a birthright.

A Feasible Roadmap to Compulsory Voting

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Not enough people vote. It's a perennial source of concern in American politics. There's no shortage of reforms designed to address the problem, but one idea that seems particularly promising, at least in theory, is compulsory voting. It would produce much higher turnout for the obvious reason that it requires people to vote. It's long been dismissed, though, as an pipe dream, unlikely to ever happen in the United States. But if reformers were to start at the municipal level, they could set into motion forces that might lead to its nationwide adoption.

Start with some statistics: In years with presidential elections, voter turnout peaks at just above 60 percent. In off-year elections, turnout dips to 40 percent or less. In November 2014, only 36 percent of eligible voters went to the polls—the lowest share in more than 70 years. Participation this paltry calls into question the political system's legitimacy. It also hints that election outcomes might be quite different if more people bothered to show up.

There are many policies that, if implemented, would increase turnout. Extended early and absentee voting would lengthen the period for casting ballots. Automatic voter registration would add drivers to the rolls when they apply for licenses. Moving Election Day to Saturday would make it easier for full-time employees to participate. But the most obvious way to get more people to vote doesn't attract nearly enough attention. It's to oblige people to vote. Compulsory voting isn't as draconian as it sounds. No one is dragged to the polls against his or her will, and no one is thrown in jail for refusing to cast a ballot. Instead, a modest fine is levied on people who fail to show up and have no good excuse for their absence. There also isn't any danger of political speech being compelled—a no-no under the First Amendment. People are free to do what they like with their ballots, including turning them in blank.

To find out what effect compulsory voting has on turnout, I used data from the International Institute for Democracy and Electoral Assistance to compare participation rates in countries that do and don't require voting. Between 1945 and 2015, turnout hovered around 85 percent in compulsory voting countries. But it fell from 75 percent to 65 percent in countries with voluntary voting. Results like these may be why President Obama recently said, "If everybody voted, then it would completely change the political map in this country."

There is an air of unreality, though, to proposals to import compulsory voting to the United States. It's hard to imagine a gridlocked Washington, vote-suppressing red states, or even risk-averse blue states, passing any of these laws. But compulsory voting actually has a viable path to enactment. The trick is to harness the partisanship that runs through U.S. politics, and to exploit the system's multiple levels of government. First Democrats and then Republicans, first at the local and then at the state or federal level, could be induced to support the policy.

To start, a blue city in a purple state—such as Miami, Florida, Columbus, Ohio, or Philadelphia, Pennsylvania—would have to adopt compulsory voting for its own elections. Why would the city make this switch? Partly because higher participation is itself a democratic good. But also for the sake of partisan advantage. Registered non-voters lean substantially more Democratic than registered voters. If they were required to go to the polls, election outcomes would shift markedly to the left. At this point, redder jurisdictions would face enormous pressure to follow the blue city's lead. Not doing so would award the Democrats an electoral bonanza: a surge in turnout in their urban stronghold unmatched by greater participation in suburbs and exurbs. To get a sense of how strong the Republicans' incentive would be, think back to the 2000 and 2004 presidential elections, both of which came down to a single swing state. Bush prevailed in Florida and again in Ohio. But he likely wouldn't have won if Miami and Columbus had required all their eligible voters to go to the polls.

Once red states jumped on the bandwagon, it's unlikely that blue states—or the federal government—would lag far behind. Importantly, it's easier for a single city to adopt compulsory voting than for myriad suburbs and exurbs to follow suit. This collective action problem is why compulsory voting probably wouldn't stay at the local level for long. Red states, in particular, would find it in their interest to impose statewide voting mandates. By requiring all eligible voters to participate, they would stop a few blue municipalities from benefiting at the expense of the many red ones. And once red states jumped on the bandwagon, it's unlikely that blue states—or the federal government—would lag far behind.

Are there problems with this plan? Sure. For one, blue cities may not want to switch to compulsory voting. Higher turnout may be good for Democrats in the abstract, but it's not necessarily good for current incumbents. For another, red states could respond to the blue city experiments by banning compulsory voting. But these issues aren't deal breakers. Mayors and city council members are reelected at extremely high rates. So some of them might be willing to tolerate a bit more electoral uncertainty for the sake of enhanced legitimacy and partisan gain.

And if red states were to ban compulsory voting, they might run into constitutional problems. In recent cases, courts have been skeptical of states' efforts to eliminate local policies aimed at increasing turnout. It would also take unified Republican control of the state government for a ban to be feasible. And many states grant "home rule" to their towns and counties. State interference with local electoral choices is suspect under this regime.

Compulsory voting, then, is not as far-fetched an idea as it might seem. For it to take root in America, all that's necessary is for a single city (in the right state) to take the plunge. Partisan forces would then promote the policy's rapid spread. And the same dynamic would apply not just to compulsory voting, but to any turnout-boosting policy a city might adopt. So to transform American politics, the best advice might be to forget about the national picture—and instead, think local.

Public Supports Aim of Making It ‘Easy’ for All Citizens to Vote

Pew Research Center

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As states around the country debate laws regarding access to the ballot – ranging from automatic voter registration to voter ID requirements – most Americans back making it easy for all citizens to vote. A 59% majority says that everything possible should be done to make it easy for every citizen to vote, while 39% say that citizens should have to prove they really want to vote by registering ahead of time. While the public thinks voting should be easy for citizens and prizes the right to cast a ballot, they oppose mandatory voting. Nearly eight-in-ten (78%) say that every citizen should be able to decide for themselves whether or not to vote in national elections, compared with just 20% who say that all citizens should be required to vote.

Partisans are sharply divided over the question of how easy it should be for citizens to vote. A large majority of Democrats (84%) say that voting should be made as easy as possible. By contrast, just 35% of Republicans favor making voting as easy as possible, while 63% say citizens should have to prove they really want to vote by registering ahead of time. Among independents, more say it should be easy for citizens to vote (57%) than say they should have to prove they really want to vote (41%). About seven-in-ten (71%) adults under age 30 believe that everything possible should be done to make it easy for every citizen to vote, while only about a quarter (27%) say that citizens should have to prove they want to vote by registering ahead of time. Although a majority of adults 30 and older (56%) also support making it easy for citizens to vote, roughly four-in-ten (42%) think citizens should have to register in advance. Blacks are more likely than either whites or Hispanics to say voting should be made as easy as possible for citizens: 79% of blacks say this, while just 19% say citizens should have to prove they really want to vote by registering ahead of time. Among whites, a narrower majority (54%) support making voting as easy as possible for all citizens (44% say citizens should prove they want to vote by registering ahead of time). By 64%-35%, most Hispanics support taking steps to make voting easy. There is little difference in views by gender or level of education.

While there is support for making it easy to vote, the public is largely opposed to making voting required in national elections. Only two-in-ten (20%) would favor mandatory voting, while nearly eight-in-ten (78%) says citizens should be able to decide for themselves whether or not to vote in national elections. Notably, there are no significant differences on this question by partisan affiliation: Large majorities of both Republicans (82%) and Democrats (74%) favor letting citizens decide for themselves whether or not to vote. Majorities across racial and ethnic groups say that citizens should be able to decide for themselves whether they want to vote or not, though support for mandatory voting is higher among Hispanics (36%) and blacks (32%) than among whites (14%). Younger adults (ages 18 to 29) are slightly more likely than those in older age groups to favor making voting in national elections a requirement. However, at least two-thirds of all age groups say citizens should be able to decide whether or not to vote.