

## PAUL VIMINITZ VS. KENT A. PEACOCK

### To Vote or Not to Vote

Why I Don't Vote, But You Go Right Ahead—PAUL VIMINITZ

THE PROBLEM WITH THE EXPRESSION, “Don't get me wrong” is that using it in a philosophy paper only increases the likelihood the reader will. In that sense it's similar to George W. Bush's “Make no mistake.” Still, given that I want to justify my practice of not voting, it wouldn't be unreasonable for you to suppose that (1) I'm opposed to democracy. Or perhaps that (2) I don't think this is a democracy, and I'm worried that by voting I'd be complicitous in its legitimization. Or maybe that I think (3) this is a democracy, and a well-functioning one at that, but I don't think it matters who gets elected, because in a well-functioning democracy like ours, public policy is made, thank God, not by politicians but by bureaucrats.

You'd be wrong on all three counts. For (1) much as I resent it when I'm pulled over for speeding, I'm a staunch supporter of speed limits, and of the police required to enforce them. Similarly, then, much as I think elected officials sometimes behave so stupidly I'd rather return to the Cave and rule myself—this, recall, is just Plato's Paradox—I have enough self-awareness to know that even the fool I didn't vote for is preferable to the tyrant no one wanted but who'd impose himself on us by force nonetheless.

Moreover, (2) I think ours is a legitimate democracy. And (3) though the spectrum of public policy options is highly circumscribed by the need to maintain what John Rawls called the “circumstances of justice,”<sup>1</sup> where on that spectrum we settle at any given time is, and ought to be, a function of where the citizenry would have us settle, and that requires that citizens periodically express themselves on that score.

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<sup>1</sup> Meaning “the normal conditions under which human cooperation is both possible and necessary.” John Rawls, *A Theory of Justice* (Cambridge: Harvard UP, 1971) 126.

So, in short, I have no quarrel with democracy. Nor, for that matter, with voting. True, there are democracies that have never seen a ballot box. So voting is only one way to ensure governments reflect the will of their citizens. But it's as good a way as any, and better than most. So, as I say, I have no quarrel with voting.

For that matter I have no quarrel with *your* voting, provided you walk to the voting station. Driving there pollutes the air I have to breathe, and it wastes non-renewable resources, which raises the price of those resources for when I want to consume them. True, driving to the movie theatre has the same effect. But we're not talking about your movie-going, are we? We're talking about your voting. Still, as I say, I have as much quarrel with your going to vote as I do with your going to the movies. Both produce only relatively trivial externalities. So, say I, if you like to vote—or even if you just feel you should—by all means do.

And, finally, for that matter, and not surprisingly, I'd have no quarrel with *myself* for voting, provided (a) my doing so spawned no unacceptable externalities and (b) I liked voting. And to be fair, since I never have voted it's hard to guess whether I'd enjoy it not. My guess is not. But neither do I anticipate I'd find it odious. I'm sure it's just, well, as fun or unfun as marking an X on a piece of paper, folding it, and putting it in a box. How much fun or unfun could that be?

Rather, then, my quarrel is with and only with people who insist I *should* vote. I should vote, say they, because (1) millions of people gave their lives so I could vote. Let's call this the Argument from Gratitude. Or, say they, I should vote because (2) otherwise I forfeit my right to complain. Let's call this the Put-Up-or-Shut-Up Argument. Or I should vote because (3) if it's defensible for me not to vote then it's defensible for everyone else not to vote; and if no one votes then democracy will self-destruct and be replaced by the very tyranny I've already confessed I oppose. For now I'll call this the Civic Duty Argument, but for reasons I'll explain in due course, I'll be recasting it as a species of the Anti-Freeridership Argument.

So let's deal with each in turn, beginning with ...

### *The Argument for Gratitude*

First of all, no one but an idiot *gives* his life. It's *taken* from him. Moreover, in battle the giving of a life purchases nothing. It's the taking of the life of the *other* guy that wins victories. Still, one might argue, what's meant by 'giving one's life' is 'putting oneself in harm's way.' So, says the Argument from Gratitude, we should express our gratitude to those who have put themselves in harm's way so we can vote, by voting.

Of course this supposes they put themselves in harm's way so we can vote. And this seems, well, false. Ask the American soldier charging up Omaha Beach why he's putting himself in harm's way. It's highly unlikely he'd answer, "So my progeny can vote!" To suppose he would answer thus is to suppose that if asked why he's putting himself in harm's way the German soldier defending Omaha Beach would answer, "So your progeny can't vote!" But that's not why German soldiers put themselves in harm's way defending Omaha Beach.

But, one might counter, one needn't be intending to do *x* to achieve *y* to be doing *x* to achieve *y*. There's a perfectly serviceable sense in which one could eat citrus fruit for its vitamin C notwithstanding she may be utterly ignorant of the existence of vitamins. And there's a perfectly serviceable sense in which we might praise her for her good nutritional sense. Moreover, if that good sense accrued to our benefit—suppose we'd been her as-yet-unborn children—we might feel an obligation to take advantage of the good health our mother passed on to us. An obligation to *her*. So we could owe a debt of gratitude for the right to vote to those who died charging up Omaha Beach, even if they didn't exactly charge up that beach so that we'd have the right to vote.

Still, one needs to be careful here. During the war against the Soviets, thousands of Taliban soldiers gave their lives to purchase a certain way of life. And during their more recent war against the Americans thousands more gave their lives to defend it. But this hardly places an obligation on me as an Afghan to live as the Taliban would have me live. True, I can be—indeed I should be—grateful even for a gift I don't like. But for the Argument from Gratitude to work I must myself cherish the gift. So since the Argument from Gratitude presupposes the virtue of voting, it can't be used to argue for voting. That would be circular.

Moreover, even supposing millions put themselves in harm's way so I could vote, they didn't put themselves in harm's way so I'd be under an *obligation* to vote. If they put themselves in harm's way to place me under an obligation to vote the Argument from Gratitude would implode. What the Argument from Gratitude requires, then, is a principle bridging my right to vote and my obligation to exercise that right. But if such a principle were cited, the result would be an obligation to exercise a right. But an obligation to exercise a right isn't a right at all, it's a duty. And one is not—at least not without further argumentation—obliged to be grateful to someone for imposing a duty on us. The only way around this is to suppose the obligation to exercise a right arises strictly out of gratitude. But, once again, this merely begs the question. Why does gratitude oblige me to exercise a right?

So the Argument from Gratitude, quaint and stirring as it may sound, fails. Now let's see if anything more compelling can be got from ...

*The Put-Up-or-Shut-Up Argument*

To be fair, the Put-Up-or-Shut-Up Argument does not suppose that, if one fails to avail herself of a means of affecting public policy, she thereby forfeits her moral right to complain about that policy. To see this, suppose we have non-binding referenda. If the government systemically ignores the results, one does not forfeit her right to complain just because she had an opportunity to express her views. Nor does the Put-Up-or-Shut-Up Argument suppose she does. Rather, the claim is that if (1) one fails to avail herself of a means of affecting public policy, and (2) the means she fails to avail herself of is an effective means of affecting public policy, and (3) no more effective means of affecting public policy is feasible, *then* (4) she forfeits her moral right to complain about that policy.

Of course what makes this put-up-or-shut-up claim intuitively plausible is the complementary claim that if she does avail herself of that means then she is entitled to complain about that policy. So what we have, it would seem, is a bi-conditional. One has the moral right to complain about a public policy if and only if she has availed herself of the effective—and of these the most effective—means available to affect that policy.

But this can't be right. Suppose one of us has to fall on her sword to save the others. Suppose that drawing straws is the one and only fair way to determine who that someone should be. And suppose I've drawn the short straw. Aren't we inclined to say I don't have grounds for complaint, precisely because all the conditions of procedural justice are met? Why, then, should it be in and only in the public policy case that the meeting of the conditions of justice entitles me to complain rather than disentitles me to?

Let me put the problem another way. Is the right to complain something that has to be earned or is it something we have by default? If and only if the former, need we then enquire after what we must do to earn that right. According to the Put-Up-or-Shut-Up Argument what we must do is vote. But why should we accede to the demand that the right to complain be earned? And if we do, why should we accede to the demand that we have to vote to earn it?

Perhaps the intuition driving the Put-Up-or-Shut-Up Argument is the view that, though it would be too strong to claim that we're entitled to our ends in direct proportion to the effort exerted to procure them, nevertheless if we're not prepared to do *anything* to realize our ends we're

not entitled to those ends. But even this is too strong. I'm entitled to my inheritance notwithstanding I needn't lift a finger to access it.

So, it would seem, the Put-Up-or-Shut-Up Argument fares no better than the Argument from Gratitude. Both arguments sound good but neither is good in fact. Better, I suspect, is ...

### *The Civic Duty Argument*

Better, but, alas, not good enough. It goes as follows: Since, as I've already conceded that (1) I prefer democracy to any of its alternatives, (2) I should do whatever I must to preserve it.

Well, perhaps not 'whatever.' I certainly wouldn't give my life for democracy. Nor, even, put myself in harm's way. But mark an X on a piece of paper, fold it, and put it in a box? Sure! But if I believe, as apparently I do, that (3) I can preserve democracy and yet fail to mark an X on a piece of paper, fold it, and put it in a box, and since (4) there's nothing that can be said of what's rational/moral for me to do that can't likewise be said of what's rational/moral for anyone else, then I must believe that (5) democracy can be preserved even if everyone failed to mark an X on a piece of paper, fold it, and put it in a box.

And yet (5) is clearly false. I've already conceded as much. So since (4) is unproblematic, the culprit must be (3). So, Q.E.D., I can't preserve democracy without casting my ballot.

Not so, say I. For couldn't the culprit as readily be (4)? And indeed it is. Suppose, as is in fact the case, I publicly pre-commit myself not to vote. Then, even if everyone else save the last would-be non-voter publicly pre-commits herself not to vote, there is something that can be said of what's rational/moral for me and everyone else save the last would-be non-voter that can't be said of what's rational/moral for that last would-be non-voter, namely and precisely that I can preserve democracy and yet fail to vote. In other words, democracy is preserved just in the case the last eligible voter votes. So the obligation to vote accrues only to her.

But, counters my detractor, even supposing voting is a mixed-motive game like "Chicken," staying the course (and so not-voting) is the rational strategy only if the game's being played sequentially. But the voting game is typically played simultaneously. So it's only rational not to vote if one has good grounds to believe others will. Moreover, contrary to what I indicated earlier, it's not enough that one person vote, since that person might be voting against my candidate. Rather what I need is that there be enough people voting to guarantee the outcome will be identical to what would have eventuated had I voted. So I have to have good grounds to believe enough

others will vote to make good on this guarantee. What grounds, pray tell, might those be?

To which my answer is, I neither know nor care. That is, the grounds upon which I can be confident enough people will vote that I needn't bother is precisely and whatever grounds my detractor has for rejecting my argument. If those who think we should all vote are convincing, then enough people will be convinced by them. But if enough other people aren't convinced, why should I be?

This is an important refutation, so let me make its structure explicit. Suppose the Civic Duty Argument is sound. Then its conclusion is that one should vote. Its conclusion is not that one should vote but only for the right reasons. So now suppose the Civic Duty Argument is unsound, I come to believe it's unsound, and so, having no other reason to vote, I elect not to. Since I believe the Civic Duty Argument is unsound, I believe other people should reject the Civic Duty Argument, and they too should elect not to vote. But that they should reject the Civic Duty Argument and so should elect not to vote is no grounds to predict they will. In fact we have excellent grounds to predict they won't reject the argument and so they will vote. So, it would seem, those who reject the argument can take a free ride on the stupidity of those who don't.

There is, I grant, a worry that the self-disenfranchisement of those who reject the Civic Duty Argument might skew the results of the election insofar as, *ex hypothesi* at least, they're the more intelligent of the two kinds of eligible voters. So if I thought the candidate of my choice is also the more intelligent choice, I might have to rethink this public refutation of the Civic Duty Argument. But such worries go to the perspicacity of the publicity of a refutation of the Civic Duty Argument, not of the refutation itself. So let's move on.

Still, there's something odd—is there not?—about embracing a view the perspicacity of which depends crucially on other people being unable to see the perspicacity of it. Odd yes, but not unique. The Ontario Employment Equity Act, enacted by the Rae government and subsequently repealed by the Harris Conservatives, was such that its efficaciousness hung entirely on the citizens it aimed to coerce failing to appreciate that they could thwart it by simply self-identifying as one of the target groups notwithstanding they were nothing of the sort. Did that make the Act incoherent? Not if it could rely on the stupidity of its citizens. The Minister of Agriculture of the Province of Alberta recently speculated publicly that the government might have to slaughter several thousand cattle for no other reason than to restore public confidence in the meat supply, notwithstanding that the

slaughter would make the meat not one iota safer. So, in short, we rely on/accommodate each other's stupidity all the time. And in doing so we do right.

Still, the upshot is that my refutation of the Civic Duty Argument is, in the decision-theoretic sense of these terms, non-ratifiable/unstable. That is, if enough people came to believe that the Civic Duty Argument is unsound, it would cease to be unsound. This is grounds for a charge of paradoxicality. But paradoxicality is not inconsistency.

### *The Anti-Freeridership Argument*

But that said, it remains open to my detractor to now shift her ground and object to my not voting not because I've failed to exercise my civic duty, but because I'm taking a free ride. Let's attend to that argument now:

The argument for free ridership is that it's *pareto-superior*, in other words, "It's no skin off your ass." For example, one should pick up hitchhikers because no one's worse off and at least someone's better off. So I should ride free on your voting because no one loses and I gain by saving myself the bother. The argument against my free riding on your voting is that though it's *pareto* it's not uniquely so. "How 'bout *I* free riding on *your* voting?" you might propose. So I'm forced to concede that if you publicly pre-committed yourself to stay home, I might very well have to vote. But the most that follows from this is that we might want to get together and coordinate our free riding on each other, so that the burden of voting is more justly distributed.

What we can't do is just agree on who needn't vote, since people might be tempted to vote anyhow. And if that temptation was acceded to more by people inclined towards one candidate than the other, this might skew the results. What we can do, however, is adopt something like the following: People who live in even-numbered houses vote in this election, people in odd-numbered houses vote in the next. In fact any distribution of the burden will do provided it preserves representationality. Isn't this exactly what a jury is meant to be? And here we consider twelve to be a representative sampling! Besides, there are people aplenty who just like to vote, just as there are people who like to serve on juries. So, say I to them, "Knock yourselves out!"

So, I conclude, free ridership is not immoral. Sometimes what's immoral is *pareto-inferiority*. My voting is *pareto-inferior* to my staying home. So it might even be *immoral* for me to vote.

*Why I Don't Vote*

So far I've been defending my failure to vote against those who'd argue that I should. What I've yet to explain, however, is, putting moral considerations aside, for what prudential reasons don't I vote? Let me explain that now.

The probability that my vote will determine the outcome of the election is in the same order of magnitude of the probability there's a one-ounce gold coin lying on the bank of the Oldman River at the bottom of the trail leading down from campus. Would the twenty-minute round trip to the river be worth the four or five hundred dollars? Certainly. So why am I not running down to the river bank? Because the probability of the payoff counsels against it. Likewise, then, with taking twenty minutes to vote.

Nor can it be objected that recent events in Florida reveal just how dangerous such thinking can be. Yes, George W. Bush became President on the strength of a few hundred votes. But it would be no more significant if he became President on the strength of two votes. If and only if he became President on the strength of one vote would I be given pause. But the probability of that is, as already noted, morally insignificant.

But, it might be objected, the political process needs to know not just who has 50 per cent plus one but how the population divides proportionally. That is, a party with only 37 per cent of popular support has less of a mandate than one with 58 per cent. So by not voting I skew this very important information.

Not so. For the gold coin argument applies as much to this information as it does to the matter of who wins. Moreover, we can preserve reportage on proportionality and cut down on voting by pairing up. That is, if you and I can trust each other not to vote—or even if we couldn't we could have a system of registered mutual disenfranchisements—we could make a non-voting pact without skewing the results. And to suppose that non-voting pacts are immoral is to suppose one has a civic duty to vote notwithstanding doing so can produce no political benefit. And that, as we've already seen, is just, well, wonky.

Last but not least, one might think that by not voting I send an (*ex hypothesi* false) message of indifference, a.k.a. apathy. But there's no danger of sending this false message if those interpreting my not voting can be made aware—as I'm doing now—that I'm not voting not because I'm apathetic but rather because I've rejected the Civic Duty Argument. Notice that to interpret my non-voting this way one needn't reject the Civic Duty Argument herself. All that's required is that she appreciate that *I* do. So, as I say, there's no need to vote to disabuse others of an impression of indifference.



So, since I have good prudential reasons not to vote, and since none of the arguments for why I should vote survives scrutiny, I conclude that I should not be subjected to the moral disapprobation of my fellows for exercising my right not to avail myself of my right to vote. For that matter, this second-order right *not* to vote might well be one for which millions put themselves in harm's way no less than they did for the first-order right *to* vote. Q.E.D.

### Why Viminitz Should Vote if He Cares (Which He Evidently Does Not)—KENT A. PEACOCK

IT WOULD NOT BE VERY UNCHARITABLE of me to say that Paul Viminitz's argument against the rationality of voting amounts to little more than the observation that he doesn't have to take the trouble to vote so long as enough other people are stupid enough to do his work for him. He does claim to approve of democracy in an avuncular sort of way, but it is not clear what he is prepared to do in order to uphold it. He says, "I certainly wouldn't give my life for democracy. Nor, even, put myself in harm's way." Of course, part of what is essential to Viminitz's sly game-theoretic solipsism is that most people not agree with him (since he does like *living* in a democratic country), so he must be hoping that I will win this debate, at least rhetorically. And maybe it doesn't really matter if he continues in his non-voting ways, so long as he does not persuade very many people to do the same. Ecology teaches us that a robust ecosystem can tolerate a certain amount of parasitism, and may even benefit from it in indirect and surprising ways. Indeed, most of what I shall say here is not so much an argument as to why Viminitz himself should vote, as a partial explanation of why many other seemingly rational people (the ones he says are less intelligent) do vote.

First, let's clear the question of probabilities out of the way. The chance that my vote will determine the outcome in a typical Canadian federal riding, *if the vote is going to be fairly close*, is far greater than the chance that there happens to be a gold coin lying in the sand in a randomly chosen location along the shores of the Oldman River (if such a probability could even be quantified). It can be shown that the probability of a vote being decisive in a fairly close election involving  $n$  voters is roughly of order  $1/n$ .<sup>1</sup>

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<sup>1</sup> See A. Edlin, A. Gelman, and N. Kaplan, "Voting as a Rational Choice: The Effect of Preferences Regarding the Well-being of Others," [http://www.stat.columbia.edu/~gelman/research/unpublished/rational\\_final.pdf](http://www.stat.columbia.edu/~gelman/research/unpublished/rational_final.pdf), forthcoming in *Rationality and Society* (2006).

It is true that if I vote against a well-established trend—for instance, if I support the left-wing party in Southern Alberta—then the probability of my single vote swinging the riding does indeed fall into the monkey-*Hamlet* range. However, I think that the thousands of people who support minority parties in Southern Alberta are aware of this. Perhaps winning the election is not their only motivation for voting! As Viminitz notes, many of them may vote out of a sense of civic duty. However, they couldn't be voting *just* out of a sense of duty, since few people would think that it was their civic duty to do something that could have no valuable effect whatsoever. In fact, they are aware that in the Canadian electoral system, imperfect as it is, there is a fairly good chance that they will help their party *in some way* by voting for it, even if it has almost no chance of winning in their riding. Even merely being seen to support your party can by a variety of direct and indirect mechanisms make it more likely (though of course never certain) that its policies will have some influence. And one could also argue that the act of voting supports the process of democracy itself, and thereby benefits one's country in important ways, even if one's candidate has no real chance of winning. It is perfectly rational to vote, even if the probability of casting a decisive vote is very small, *if* the well-being of others takes an important place in one's list of preferences.<sup>2</sup> Viminitz knows this, of course, but it does not move him to vote. Neither would he play football unless he could be guaranteed to catch the winning touchdown pass in the Super Bowl.

Viminitz explores the idea that we should vote out of gratitude to those who died on the beaches of Normandy. Some of us may well feel gratitude toward our war veterans, but that's hardly the main reason that most voters vote. An examination of the likely motives of the boys who hit Juno Beach makes it clearer what is really at issue. No doubt a few of them were merely confused or intimidated. But the reason that a good many war vets (including the few I have known personally) risked their lives, each one knowing that he would probably only make a small contribution to victory, was either because he felt a powerful sense of solidarity with his comrades and country, or because he felt the importance of the cause enormously outweighed the value of his own life. If voting has anything to do with Juno Beach, it's not about gratitude; rather, it's about either *solidarity* or a *shared vision* of a larger purpose. I will not quarrel with Viminitz if he thinks that solidarity is not a good enough reason to vote. No one can be required to

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<sup>2</sup> Edlin et al. argue that the only way to explain observed patterns of voting is by the hypothesis that a large percentage of voters place the welfare of their country or society ahead of their own immediate gain.

feel reverence, gratitude, or solidarity. But he utterly fails to grasp the larger purpose of voting.

An instructive example of what voting is really about was the 2003 general election in Guatemala. There were three candidates, two of whom were moderate, while one—General Efraín Ríos Montt—had been military dictator of Guatemala in the early 1980s. Montt was believed to have been responsible for the massacre of tens of thousands of people during that period. Violence, intimidation, and fraud were rampant throughout the election campaign. Nevertheless, there was an unprecedented voter turnout (including a large participation by women), and General Montt was defeated.<sup>3</sup> All of those who turned out must have been perfectly aware that with about five million registered voters in the country, no one vote could count for much. For the Guatemalan women, of course, there was an immediate and tangible payoff, which was their solidarity with their sister voters—and indeed this sense of solidarity must have been a lot of what gave them the courage to risk the attention of Montt's death squads. But the deepest reason that thousands were willing to vote against Montt was that the *personal* importance to each of them of getting rid of Montt, and thereby improving conditions in their country, greatly outweighed the small statistical weight of their individual votes.

The rationality of making a move in a game is a function of the *probability* that the move will produce a winning outcome times the *value* or *utility* of that outcome. Viminiz claims that he does not vote because the probability is infinitesimal that his vote will be the one that causes his party to win. But what gives him away is the fact that he likens winning an election to finding an old gold coin by the river. His antique coin might be worth a few hundred dollars at most, but to the women who sweltered in line waiting to get into a polling station in Guatemala in 2003 the prize was the chance of living in a country where their daughters would not be raped and killed. The stakes usually do not seem so high in Canadian elections but the fact remains that for most people who do bother to vote there is no comparison between the utility of finding an old gold coin and the utility of securing good government. Viminiz, by his own tacit admission, doesn't vote not because the statistical weight of his vote is so small (that's just an excuse), but because *for him* the utility is too small to be worth bothering about.

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<sup>3</sup> See <http://www.uusc.org/info/article111003.html>.

