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POLLUTING THE POLLS: WHEN CITIZENS SHOULD NOT VOTE

Jason Brennan

Just because one has the right to vote does not mean just any vote is right. Citizens should not vote badly. This duty to avoid voting badly is grounded in a general duty not to engage in collectively harmful activities when the personal cost of restraint is low. Good governance is a public good. Bad governance is a public bad. We should not be contributing to public bads when the benefit to ourselves is low. Many democratic theorists agree that we shouldn't vote badly, but that's because they think we should vote well. This demands too much of citizens.

I. Introduction

The typical citizen of a Western democracy has a political right to vote, founded on justice. By 'political right', I mean a right that ought to be legally protected. Yet the right to vote does not imply the rightness of voting.[1] For instance, I have the political right of free association to participate in neo-Nazi rallies. A society that failed to allow me to do this would be to that extent unjust. No one should coerce me to prevent me from participating. Still, my participation would be morally wrong. I also have the political right of free speech to write pamphlets advocating slavery, but it would be morally wrong for me to do so. This paper discusses some conditions under which voting might be morally wrong. I argue that one has a moral obligation not to vote badly, even though one has the political right to do so.

An outline of my argument is:

1. One has an obligation not to engage in collectively harmful activities when refraining from such activities does not impose significant personal costs.
2. Voting badly is to engage in a collectively harmful activity, while abstaining imposes low personal costs.
3. Therefore, one should not vote badly.

Below I will make the argument in a more complete manner and consider various objections.

[1]In general, the political right to X does not imply that X-ing is right. See Waldron [1981] and Melden [1959].

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My goal in this paper is to argue for the position that one ought not to vote badly. I will assume for the sake of argument that there is no general duty to vote well.[2] In a later section, I will explain why the reasons underlying the duty to refrain from voting badly are not also reasons to vote well, but I will not attempt to show that there are no independent reasons for a duty to vote well. (See, however, Lomasky and Brennan [2000].)

Irresponsible individual voters ought to abstain rather than vote badly. This thesis may seem anti-democratic. Yet it is really a claim about voter responsibility and how voters can fail to meet this responsibility. On my view, voters are not obligated to vote, but if they do vote, they owe it to others and themselves to be adequately rational, unbiased, just, and informed about their political beliefs. Similarly, most of us think we are not obligated to become parents, but if we are to be parents, we ought to be responsible, good parents. We are not obligated to become surgeons, but if we do become surgeons, we ought to be responsible, good surgeons. We are not obligated to drive, but if we do drive, we ought to be responsible drivers. The same goes for voting. My view contrasts with those that think 1) we have no obligations regarding voting, 2) we are obligated to vote, but any or nearly any vote is acceptable, 3) we must vote well, and 4) (the comparatively rare view that) we ought not to vote.

II. What is Bad Voting?

As a first pass, we could characterize bad voting as occurring when citizens vote for harmful or unjust policies or for candidates likely to enact harmful or unjust policies.[3] However, this seems too strong of a characterization. One might vote for what is in fact a harmful policy but be justified in doing so. For instance, imagine that the past two hundred years of work by thousands of independent political scientists, each of whom exhibits all the characteristic epistemic virtues, points towards a particular policy's being

[2]Some countries, such as Australia and Belgium, have compulsory voting. (In Australia and many others with such laws, citizens are required to show up at the polls, but nothing stops them from leaving the ballot blank or scribbling on the ballot. So, it is more accurate to say Australia has compulsory ballot casting rather than compulsory voting.) Compulsory voting introduces a number of complications I will not examine at length here, though this paper bears on the justice of compulsory voting laws. (If, empirically, compulsory voting laws lead to widespread bad voting, this is a reason to dispense with such laws.) Some questions: Do compulsory voting laws tend to induce better voting from citizens? Are compulsory voting laws unjust, for example, on grounds that they violate liberty? Even if such laws are unjust, might citizens have an obligation to obey them once they have been enacted? If citizens should obey such laws (and are literally required to vote, rather than to cast a possibly blank or spoiled ballot), is this obligation stronger than the obligation not to vote badly that I describe in this paper? Even if the obligation not to vote badly is stronger than any obligation to obey compulsory voting laws, might citizens be excused from the obligation not to vote badly if they are punished when they abstain?

[3]I won't settle on a particular account of harmfulness or injustice here. In particular, I won't settle whether voters should consider the interests merely of fellow citizens (as per extreme nationalism), of everyone worldwide equally (as per extreme cosmopolitanism), or some view in between. The argument of this paper is compatible with whatever position on that debate turns out to be correct. Also, this paper does not take a position on the descriptive question of what voters are trying to do with their votes. Voters vote for a variety of reasons. Some vote for character, some vote to express their values, some vote to enact good policies for all, and some vote to enact good policies for themselves. While I argue here that citizens should not vote for candidates who are likely to enact bad policies, this does not mean that I believe most voters actually vote out of consideration for candidates' policies. I argue voters should be concerned with policy, but this is compatible with the claim that few are.

good. The policy might still end up being harmful, though everyone was justified in thinking it would not be. We shouldn't characterize people who vote on the basis of strong evidence as having voted badly.[4]

So, as a second pass, let us say that bad voting occurs when a citizen votes *without sufficient reason* for harmful or unjust policies or for candidates that are likely to enact harmful or unjust policies. Note that this characterization of bad voting does not make it tautologous that one should not vote badly. Even if one accepts this characterization, one might hold that there is no duty to refrain from bad voting so defined.

Note that this characterization allows that one might sometimes be justified in voting for the lesser of two (or more) evils. Putting Mussolini in power is harmful, but not as harmful as putting Hitler in power. We can construct scenarios under which voting for the equivalent of Mussolini is the better alternative as compared to abstaining from voting or voting for the equivalent of Hitler. Note that this characterization also allows that one might be justified in voting for a policy or candidate whose probable degree of harmfulness is unknown, provided this helps prevent a known-to-be dangerous policy or candidate from winning. So, if I had to choose between Stalin and a random unknown person, I could be justified in voting for the unknown person as opposed to abstaining or voting for Stalin. This characterization also allows that a good voter can sometimes vote for otherwise unknown candidates because of party affiliation, provided the voter really has sufficient reason to believe that most members of that party do not promote bad policies.

The 'without sufficient reason' clause is important because one might vote for a harmful policy but not be negligent in doing so. I have compared voters to surgeons: not everyone has to be a surgeon or a voter, but if a person is a surgeon or a voter, she should be a good one. Surgeons make mistakes. Some mistakes are excusable. We don't typically blame clinicians when they misdiagnose an unknown, extremely rare disease that has all the symptoms of a common disease. We don't hold it against a surgeon today that she isn't using better techniques that won't be invented until the next century. Since she has performed properly by a reasonable standard of care appropriate to the current level of knowledge, she is not culpable. On the other hand, some mistakes result from negligence, from falling below a reasonable standard of care.

In medicine and other professions, standards of care are usually defined as what a normal, prudent practitioner would do in similar circumstances. However, note that quality of care from a surgeon 1000 years ago was so low that one might reasonably claim that all surgeons at that time were culpable for doing surgery. Accordingly, this definition of a standard of care in medicine presupposes that average levels of competence are generally high. Thus, we shouldn't use this definition of standard of care for voting—it might be that normal, prudent voters have been voting badly.

[4]Alternatively, one might want to say that one votes badly but is not blameworthy for voting badly. If one prefers this way of talking, then one can modify my thesis to be that citizens have a duty not to vote badly when they are blameworthy for voting badly.

Instead, voters can be said to have voted well, despite having voted for what turned out to be bad policies, provided they have a sufficient moral or epistemic justification for their votes. Otherwise, they vote badly when they vote without sufficient reason for harmful policies or candidates that are likely to enact harmful policies. However, I won't try to settle the standards for justified belief here. Instead, I leave that to be determined by the best epistemological theories. My argument then rests upon there being such a thing as unjustified political beliefs, but it need not be committed to any particular epistemology. On any reasonable epistemological view, there will be such a thing as unjustified beliefs about political matters.[5]

In some elections, it will be difficult even for highly educated experts to judge the expected consequences of electing one candidate over another. Judging candidates' comparative merits is often, but not always, difficult even for experts. Provided that the evidence shows that each candidate is likely to be on the whole good rather than harmful, then well-informed, adequately rational, just voters can be said to vote well regardless of which candidate they select. The claim that voters ought not to vote badly does not imply the stronger claim that they must vote only for the most optimal candidate.

The most common forms of bad voting are voting 1) from immoral beliefs, 2) from ignorance, or 3) from epistemic irrationality and bias. This is not to give a new formula for bad voting. Sometimes, as per the characterization of bad voting above, voting on the basis of 1 – 3 won't count as bad voting.

For an instance of 1: Suppose Alex believes that blacks are inferior and should be treated as second-class citizens. This is an immoral belief. If Alex votes for policies because he wishes to see blacks treated as inferiors, he votes badly.

As an instance of 2: Suppose Bob is *completely* ignorant about a series of propositions on a ballot. While he desires to promote the common good, he has no idea which policy would in fact promote the common good. In this case, if he votes either way, he votes badly.[6]

[5]Certain defenders of epistemic democracy use Condorcet's Jury Theorem to argue that democracies will tend to make good policy choices. Such defenders might claim that one is justified in voting provided one is more likely than not to be right. For two critiques of this misuse of Condorcet, see Gaus [2003: 158–65] and Estlund [1997: 185–6].

[6]Thanks to the so-called 'miracle of aggregation', ignorant voting may tend to be the least dangerous kind of bad voting. If ignorant voters' positions are essentially random, then it is preferable to have an *infinite* number of ignorant voters to just a few, as their random votes will tend to cancel the others out, leaving only the informed voters votes to carry the day. I find this lacking as a defence of ignorant voting. First, and most importantly, it is unclear that even purely ignorant voters will vote randomly. For instance, there have been many studies confirming *position bias*—where early answers in multiple-choice tests tend to be favoured over later answers. Ballots approximate such multiple-choice tests, and we can expect position bias to influence ignorant voters votes away from random. Random orderings in ballots may overcome this, but then, there are other similar behaviours that could prevent ignorant voters from voting in random and therefore harmless ways. The miracle of aggregation excuses ignorant voting only if ignorant voters vote randomly. Second, with any finite number of votes from ignorant voters, there is some probability that the votes will deviate from a random distribution and upset or outweigh the contribution from informed voters. So, while at best an ignorant voter adds noise that might be cancelled by a different ignorant voter, at worst, the ignorant voter corrupts the outcome. This gives her some reason to stay home. Third, there might be systematic dangers from people seeing that so many ignorant voters are voting. This could tend to dissuade them from making the effort to vote well. Note that Lucio Gutiérrez did a terrible job as president of Ecuador. He may have come to power because of compulsory voting. Many Ecuadorians were illiterate and uneducated, and there is evidence that they voted for Gutiérrez simply because his name was most familiar. So, one last problem with ignorant voting is that ignorant citizens are often not ignorant enough to vote randomly—they choose familiar names, and familiar names are not necessarily good ones. (However, even if all of these criticisms are overcome, this says nothing about voting from irrational or immoral beliefs.)

As an instance of 3: Candice might vote with the goal of increasing the nation's material prosperity. However, she might have formed her beliefs about what stimulates economic growth via an unreliable, biased process. She might find a candidate espousing a regressive neo-mercantilist (i.e., imperialist, protectionist) platform emotionally appealing, and vote for that candidate despite the evidence showing that the candidate's platform is inimical to the goal of creating prosperity. In this case, Candice has false means-ends beliefs on the basis of irrational belief formation processes.[7] If she votes on these beliefs, she votes badly.

III. The Duty to Refrain from Collective Harms

I will argue that one has the duty not to vote badly because this violates a more general duty not to engage in collectively harmful activities. A collectively harmful activity is an activity that is harmful when many people engage in it, though it might not be harmful (or is negligibly harmful) when only a few individuals engage in it. My argument relies on the empirical premise that politicians generally attempt to give people what they ask for. I will not examine this point at length in this paper [Caplan 2007: 166–81; Less, Moretti, and Butler 2004].

The duty to refrain from voting badly is not generally grounded in the harmfulness of individual votes. In most elections, individual bad votes are unlikely to have significant expected disutility. Suppose electing candidate P over candidate Q will cost the economy 33 billion dollars next year, and this comparative loss will not be offset by any other value P provides. At the time of the election, P commands an anticipated proportional majority of 50.5% of the voters (i.e., there is a 50.5% chance a random voter will vote for P), and there is a turn out of 122,293,332 voters (the number of voters in the 2004 U.S. presidential election). In this case, if I also vote for P, the objectively worse candidate, my individual vote has an expected disutility of a mere $\$4.77 \times 10^{-2650}$, thousands of orders of magnitude below a penny.[8]

Bad voting is collectively, not individually, harmful. The harm is not caused by individual voters, but by voters together. (In this respect, voting is unlike surgery or driving.) When I refrain from voting badly, this does not fix the problem. Still, it is plausible that I am obligated to refrain from collectively harmful activities, even when my contribution has negligible expected cost, provided I do not incur significant personal costs from my restraint. I will argue that this is the reason I ought not to vote badly.

What does morality require of us in a collective action problem, especially in cases where we are acting in collectively harmful ways? Suppose the problem can be solved only if everyone or the vast majority of people acts differently. Morality does not require me, as an individual, to solve the

[7]Bryan Caplan [2007] claims that citizens quite frequently have epistemically irrational beliefs about economic policy, i.e., their beliefs about economics result from biases. Caplan also claims that voters tend to be less biased than non-voters [2007: 198]. Some independent work on political bias and irrationality in political belief formation can be found in Westen et al. [2006].

[8]This calculation uses the formula for the expected utility of votes given in Brennan and Lomasky [1993: 56–7, 119] and Lomasky and Brennan [2000: 86]. For a criticism of this and related formulae, see Fischer [1999].

problem. It can't require me to solve the problem, in part, because I can't solve it. If, e.g., I am in a prisoner's dilemma or a tragic commons, restraining myself from contributing to the problem fails to solve the problem. Rather, my restraint exposes me to exploitation as a sucker and can exacerbate the problem.

In some cases, I might be able to solve the problem through extraordinary personal effort. Suppose I live in a small village where everyone except me litters. If I spend ninety hours a week picking up litter, the town will be clean. Here I can solve the problem as an individual, but it is implausible to think morality requires me to do so. It's too much of a burden, and it's unfair that I have to clean up after everyone else.

It's more plausible that morality requires something weaker. When there is a collective action problem, I don't have to solve the problem, but I should not be part of the problem, provided I can avoid being part of the problem at a low personal cost. In classic prisoner's dilemmas, I can't avoid being part of the problem. My attempt to avoid causing the problem opens me up to exploitation. Also, in cases of tragic commons, I often cannot avoid being part of the problem without incurring a high personal cost. If the only way I can feed my children is to join in exploiting a common resource others are already turning to dust, arguably I am permitted to do so.

Bad voting is a collective action problem. But it is not generally like a prisoner's dilemma or a tragic commons. In the prisoner's dilemma or tragic commons, it's individually rational for me to engage in collectively harmful behaviour. *A fortiori*, it's often downright necessary for me to engage in the behaviour. If I don't contribute to the problem, I suffer a personal disaster. But bad voting is not like that. Refraining from bad voting has little personal cost. That's not to say it has no cost. Voting makes people feel good about themselves or makes them feel like they've done their duty as citizens, even if they have no such duty.

Why does morality require me not to be part of the problem, at least in cases where there is little personal cost in not being part of the problem? The principle that one should not engage in collectively harmful activities (when the cost of restraint is low) needn't be grounded in any particular moral theory. It is a freestanding idea that coheres with a variety of plausible background theories. For example, consider Brad Hooker's sophisticated 'rule consequentialism'. In its basic form, his rule consequentialism holds that an action is wrong if it violates the code of norms whose internalization by the overwhelming majority of people would lead to the best consequences [2000: 32]. A *pro tanto* norm against engaging in collectively harmful activity would almost certainly form part of this code [2000: 159–74]. Or a Kantian might argue that engaging in collectively harmful behaviour is not universalizable. Imagine a maxim of the form, 'I shall feel free to engage in collectively harmful behaviour when there is little personal benefit doing so'. If everyone followed this maxim, it would be harmful to almost everyone. The maxim would thus fail the 'contradiction in the will' test, because no rational agent would will that everyone behave according to that maxim [Timmons 2002: 169–70]. Or a eudaimonist might claim the type of person who contributes to certain kinds of collective harms is vicious. And so on.

For illustrative purposes, I will discuss at greater length how a duty to avoid engaging in collective harms could be grounded in plausible views about fairness. Consider that the problem of bad voting is analogous in many respects to the problem of air pollution. Rita Manning asks:

> Why then does it sound odd to suggest that each driver is morally obligated to control air pollution? Presumably because air pollution is not caused by any one driver and cannot be ended by the single actions of any one driver. If I were the owner of the only car in America, I could drive to my heart's content and not cause any air pollution.
>
> [1984: 217]

(Manning recognizes that one will cause some pollution, but she means that this pollution will be negligible.) Of course, polluting and bad voting are not completely analogous. (The surgery and driving analogies are not perfect either.) If I am the only small-scale polluter, my pollution makes no significant difference. However, if I am the only voter, my vote makes all the difference. Still, when I am one of many bad voters or many polluters, my individual contribution is negligible, but I am nonetheless part of the problem. Yet, if I stop voting badly or polluting, the problem does not go away.

Individual drivers are part of the group causing the problem. Individual obligations derive from finding fair ways to solve the problem. Suppose pollution would be at acceptable levels if cut in half. One way to achieve this is could be to require half the population not to drive, while the other half may continue to drive at their current levels with their current highly polluting cars. One is assigned driver/non-driver status by lottery. This solution is unfair because it burdens some but not all who cause the problem. The default moral position is that everyone causing the problem should bear at least some of the burden of correcting it. More controversially, one might claim either that people should bear this burden equally, or in proportion to how much they contribute to the problem, at least in the absence of countervailing conditions.

Fairness is one way to bridge the gap between collectively harmful behaviour and individual action. *We* should pollute less because pollution harms us all, but *I* should pollute less because, all things equal, it is unfair for me to benefit from polluting as I please while others suffer the burden of polluting less. *Ceteris paribus*, we should share the burdens of not polluting. The duty not to vote badly could follow this pattern. *We* bad voters should not vote because it is harmful to everyone, but *I,* the individual bad voter, should not vote because it is unfair that I benefit from polluting democracy as I please while others suffer the burden of polluting democracy less. *Ceteris paribus*, we should share the burdens of not polluting the polls.

If restraining oneself from voting caused significant personal harm, then individuals might be permitted to vote badly. In fact, such restraint does have costs. Individual bad voters receive various psychological payoffs from voting—it makes them feel good about themselves for a short time. If they were prohibited (by morality) from voting, they lose this payoff. However, elections decided by bad voters mean that citizens have to live with racist

and sexist laws, unnecessary wars, lower economic opportunities, lower levels of welfare, etc. The type of harm or loss of pleasure suffered by the bad voter from abstention seems relatively trivial compared to the type of harm suffered by the citizen who bears the burden of bad policy. The bad voter's pleasure in voting is not sufficient to counterbalance a potential duty to refrain from polluting the polls. By voting, bad voters consume psychological goods at our collective expense.

In parallel, an individual might drive a gas-guzzling Hummer to promote his self-image, getting real pleasure from this activity. I do not take his pleasure to be sufficient to counterbalance the harms imposed on all by smog and global warming. This is not to say that one must never drive, or even that one may not pollute in the pursuit of pleasure. We all have reason to favour principles that allow us to lead happy lives. Rather, it is to say that at some point, the pursuit of individual pleasure is outweighed by the need to preserve the healthy environment that makes pleasurable lives possible.

There are also collective costs from bad voters staying home. Widespread voting helps produce more social cohesion. It's at least empirically possible that when bad voters vote, this tends to make them care about voting more, and this may inspire them to reform and become better voters. I think these opportunity costs are likely to be outweighed by the benefits of reducing bad voting, but it's hard to say without something like an empirical study of the indirect positive effects of bad voting. Another complaint is that it's hard to take democracy seriously when most voters abstain from voting. I agree, but in response, it's also hard to take democracy seriously when a large percentage of bad voters vote. Regardless, democracy performs better, even with low voter participation, than its competitors (oligarchy, etc.) do. So, at worst, low voter participation means we are not able to take democracy as seriously as some people would like to, but this doesn't mean we must replace democracy with something else.

IV. Doing One's Part in Modern Democracy

Citizens of modern democracies are not obligated to vote, but if they do vote, they are obligated not to vote badly. They should abstain rather than impose bad governance on everyone.

Since I describe good governance as a public good (like roads or police protection), one might object that instead of there being a duty not to vote badly (a duty that can be performed by abstaining), there is instead a duty for all to vote well. If good governance is valuable, shouldn't people do their part to help produce it, rather than simply refraining from producing bad governance? I agree that we have an obligation not to free ride on the provision of good governance, so doesn't that commit me to holding that everyone ought to vote well? While I don't intend to refute all possible arguments that there is a duty to vote well, I will explain here why the reasons I've articulated not to vote badly are not also sufficient reasons to vote well.

Consider how difficult it is to have justified beliefs, e.g., about good economic policy. As anyone who has taught basic economics knows,

overcoming basic economic fallacies takes significant effort. Most people find it painful to contemplate how their (emotionally-charged ideological) beliefs could be false. Our biases make economics counterintuitive. Thus, understanding basic economics is difficult. Consider what else is needed to form good policy preferences. One might need some political philosophy to assist one in developing a well-grounded conception of justice. Even if we agree that government ought to provide for the equal welfare of citizens, it is an empirical, social scientific question what type of institutional response best achieves that goal. What strategies actually can be expected to succeed is an empirical question and cannot be determined by looking at the intentions or values of people advocating different policies. One will need some knowledge of statistics, political science, sociology, international relations, and the other social sciences to grasp the expected effectiveness of various policies. While political science, economics, and philosophy are all worthwhile endeavours, studying them to develop even a basic level of comprehension requires serious investment.

This investment has major opportunity costs. Time is scarce. Time spent overcoming economic bias is not spent learning the violin, becoming a medical doctor, playing football, or watching grass grow. There are myriad worthwhile life goals, which, owing to time scarcity, are incompatible with becoming a level-headed amateur social scientist.

One might say that people should vote well so that they can contribute to social welfare. However, besides voting, debating, rallying, supporting causes, writing to senators, writing letters to editors, and so on, there are countless other ways of contributing to society and the common good. One contributes one's share of the social surplus just by working at a productive job that provides goods and services others want. One makes the world a better place to live in by participating in culture and counterculture. One makes the world safer by fighting in just wars.

Though good governance is a public good, it doesn't follow that every member of society that benefits from that good must directly contribute to it. Instead, even if people have debts to pay to society for the goods they receive, there are many ways of paying those debts. Some people will pay by providing good governance, others by providing good culture, and others by providing good economic opportunity. One reason to favour this model of paying debts—where the debts can be paid with multiple currencies—is that it's more compatible with the pluralism liberals want to protect.

To live in a well-functioning liberal democracy is a great gift and something citizens should be thankful for. Yet one reason liberal democracy is such a great gift is that it does not require us to be political animals. It makes space for many ways of life, including avowedly non-political lives. In parallel, we might say that a good feature of well-functioning markets is that they make people rich enough to afford to engage in non-market activities and even in some cases to avoid the market altogether. A good liberal democracy would make people safe enough in their status as free and equal citizens that they could freely choose to avoid politics.

Liberal democracy is an important public good. We should all do our part to maintain it. One way a person can do his part is by bowing out. A bad

vote cancels a good vote. If a good vote is a gift to society, avoiding a bad vote is also a kind of gift. In fact, using Lomasky and Brennan's formulae, we can construct scenarios under which avoiding a bad vote has the same expected value as a making a good vote.[9]

If the survival of a well-functioning democracy depended on more people voting well, this might impose a duty to do so. For example, though John Rawls rejected civic humanism (which claims that active political participation is part of a fully human life), he claimed that justice as fairness is compatible with classical republicanism. Classic republicanism holds that we ought to participate in politics, not because it is constitutive of the good life, but because it is a necessary instrument to maintaining a constitutional regime [2001: 144]. However, Rawls stressed, and I agree, that the extent and type of participation needed from citizens on classical republican grounds is largely an empirical question. It seems that reasonably just constitutional democracies survive despite less than full participation and despite serious shortcomings in citizens' civic virtue. Given the extent of bad voting and its effects on policy, some of these democracies might function better with even *less* participation than is now seen. What contemporary democracies need most to preserve equality and liberty is not full, informed participation, but an electorate that retains a constitutional culture and remains vigilant enough that it will rise against any leader that tries to abuse their liberties.

V. Does Abstention Imply Epistocracy?

My position is elitist. Some forms of elitism are bad. Yet claiming that only competent people should undertake certain activities is not obviously a bad sort of elitism. It's elitist to claim that a person with an unsteady grasp of comparative advantage should not vote on trade policy and immigration reform, but it's also elitist to claim that a person with an unsteady hand should not perform surgery.

David Estlund defines 'the epistocracy of the educated thesis' (a view he rejects) as the view that when 'some are well educated and others are not, the polity would (other things equal) be better ruled by the giving the well educated more votes' [2007: 212]. This seems to be a bad form of elitism. I hold that all adult citizens have an equal political right to vote, one vote per person. (I will not defend this position here.) My view is that some citizens should not exercise their right. 'I have the political right to X' does not imply 'It is morally right for me to X'. However, since I claim that some people should not vote, perhaps Estlund's arguments against epistocracy would count against my position.

Estlund says to the potential epistocrat, 'You might be correct, but who made you boss?' [2007: 40]. Good voters have no more right to rule than bad voters. Estlund argues that universal suffrage is a default because any other

[9]Here is a cartoon case. Suppose there is an election between two candidates. One candidate is a disaster but appeals to irrational people. The other is excellent and appeals to rational people. Each candidate votes for herself. There are two other voters, one well-informed rational person and one ignorant and irrational person. In this case, if the irrational voter abstains, there is a 100% chance of the good candidate winning. If she becomes rational and votes, there is a 100% chance of the good candidate winning. The expected utilities of abstaining and of voting well are thus equal.

system invites 'invidious comparisons'. Making political wisdom a condition of the right to vote would not be generally acceptable to the people under the government's authority [2007: 36]. I agree. My position is not that the good voters should rule by right, or that the bad voters are by right forbidden from ruling. Rather, bad voters should exercise their equal right to rule in the way that is most advantageous to themselves and others: by abstaining from politics. I advocate morally compulsory but politically voluntary abstention by potential bad voters. That is, people should not vote badly, but no one should force them not to vote badly.

Estlund's main worry is about people having unequal voting power. I hold that people should *have* equal voting power, but many should not *exercise* the power they have. Still, one might object that not exercising power is equivalent to not having power. Thomas Christiano worries that when citizens allow others to make decisions, this results in a society in which the few rule and the many obey [1996: 6].

This needn't be so. In committees, clubs, and at the polls, I have been asked to vote on issues I did not understand, have much knowledge about, or about which I was biased. My concern was to do the right thing and help make sure the best policy goes through. If I do not know what I am talking about, or if I know that I am prone to error and bad judgment about a given issue, one way of respecting my fellow citizens/committee members/etc. is to abstain. The times I have abstained were not losses of power. While I permitted other people to make the decisions, they did not rule me. After all, *I* permitted them to make the decision.

Abstention is not like relinquishing one's right to rule. *A fortiori*, abstention can be a way of voting indirectly. Suppose we are deciding on a restaurant. I am not indifferent to the outcome; I prefer that we eat at the best place. However, I know that you know more than I about which restaurants are good. Despite your greater knowledge, a concern for fair procedure entails that we should each get an equal vote. You do not have the right to tell me where to eat. You know better, but no one made you boss. Yet, since I want to pick the best restaurant, I can choose to abstain. I could vote directly for a specific restaurant. But, since I don't know which is best, I could also say, 'I vote for the best restaurant, but I do not know which one that is. Since the rest of you know better, I vote that my vote reflects your collective wisdom.' I then abstain, but in effect vote indirectly.

Some might see abstention as a violation of autonomy, perhaps even slave-like, but this seems mistaken. So long as I have an equal right to vote, choosing not to vote can be an autonomous act, a way of expressing my will that the best outcome be achieved. Since I retain a right to vote, I am an equal citizen and the democratic decision-making procedure remains generally acceptable.

VI. Voting for Character, Not Policies

One objection to my position is that voters tend to vote for character, not for policies. They might be quite good at judging the character of

candidates, even if they are bad at judging the efficacy of different proposed policies for achieving different ends. If so, the objection goes, then most voters do not act wrongly when they vote.

First, this paper does not take a position regarding how well or badly actual voters vote. Taking such a position would require significant surveying of voting behaviour and why voters choose the policies they do.[10] My goal is to establish a normative conclusion—one should not vote badly—not to show how frequently people violate this norm. Even if we fortuitously lived in a world where everyone voted well, it would still be true that people should not vote badly. Even if it turned out that people were good judges of character, voted as such, and that voting for virtuous candidates meant good policies would be enacted, it would still be true that people should not vote badly. Thankfully, this would just mean that citizens act well.

However, character-based voting might actually be the most common form of bad voting, because (to a significant degree) voting for character is voting for the wrong reasons. Politicians tend to take votes as mandates even when they shouldn't. They tend to try to enact the policies they favour. Except at the extremes, character is not a reliable guide to political leadership. A virtuous politician with a powerful sense of justice might still be deeply misguided and committed to all sorts of counterproductive, harmful policies. Having the right values is not sufficient for making good policy, because it requires social scientific knowledge to know whether any given set of policies is likely to achieve those values. Just as an incompetent surgeon can be still be a virtuous person, so an incompetent politician can be a virtuous person. If there is good evidence that a politician is likely to enact harmful policies, one should not vote for her (without sufficient reason) even if she is a good person. Voting on the moral virtue of a candidate counts as good voting only when the candidate's moral virtue is evidence that she will not enact harmful policies.

The objection might be recast in terms of political skill rather than moral virtue. Politicians extol their years of experience and ability to work across party lines in generating outcomes. Still, even if voters are good judges of such political skills and vote accordingly, it's possible that such skill means bad policies will be enacted. Senator P might be excellent at getting bills passed, but perhaps all of the bills have been harmful. Just as voting on moral character is not obviously a reliable way of generating good policy outcomes, neither is voting on this kind of political skill.

Perhaps, though, voters are good at judging which candidates are likely to produce good policy, even if the voters don't themselves know what the good policies are. One might think that just as the average person can pick a good surgeon or plumber without much knowledge of medicine or plumbing, so she can pick a good candidate without knowing economics. To some extent this is true—voters rarely vote in completely disastrous candidates. However, there are more resources for a non-expert to judge surgeons or plumbers than political candidates. When a surgeon or plumber

[10]Political scientists generally agree that voters tend to vote in what they *perceive* to be the national interest, though of course this does not mean they vote well (since their perceptions could be unjustified). See Funk and Garcia-Monet [1997], Funk [2000], Miller [1999], Mutz and Mondak [1997]. Caplan lists twelve other references for this position [2007: 229].

makes a mistake, the mistake is often obvious to the clients. Not so with politicians. It's hard to determine what harms they've caused. Bad surgeons are easily sued; bad politicians are not. Medical and plumbing standards are more uniform. That a surgeon went to Harvard Medical School is a count in his favour. It's less obvious that a candidate's having gone to Yale as an undergraduate shows he will enact good policy.

VII. Self-Effacingness

I think people who would vote badly should not vote. However, the people I describe as bad voters are not likely to recognize that they are among those obligated not to vote. To confirm this in at least one instance, as an unscientific experiment, I discussed my thesis with a person who I believe exemplifies bad voting. He agreed that *other* people should not vote. Even worse, if good voters were to hear that bad voters shouldn't vote, they might stop voting out of fear of doing wrong.

Thus, my position in this paper might be self-effacing. However, even if this were so, my thesis is simply that people should not vote badly. It is not that advertising this thesis to the general public would make the world better. Whether telling the truth about morality makes the world a better place depends on many contingencies. It's possible that people are corrupt enough that hearing the truth inspires bad behaviour.

A self-effacing position need not be false. For instance, suppose certain critics of utilitarianism are correct when they claim that if people accepted utilitarianism, this would make the world worse by utilitarian standards, simply because most people are not good at employing such standards. If so, this does not show that utilitarian standards are false. Rather, it just shows that we should not advertise them. As David Brink notes, there is a difference between a *criterion of right* and a *method for making decisions* [1986]. The former is about what makes actions right or wrong, but the latter is about figuring out how to do what's right or wrong. A good method for Alex might be different from what's good for Bob because they have different cognitive abilities. Alex is good at making calculations while Bob isn't. But the standard of right action is the same for both. The point of the decision-making method is to help them get to the right action.[11]

More simply: this paper is a piece of moral philosophy, not a manual for civic education. The point of the paper is to identify that there is a problem, but it would take much more work to determine how to solve the problem. I argue that people should not vote badly, but I do not explain how to prevent them from voting badly.

Despite this, one might still argue that self-effacingness harms my position because ought implies can. People have a duty only if they can follow the duty. One might pose the following dilemma. Either people can't recognize they're bad voters, in which case they can't obey the principle and thus are

[11]Brennan [2008] argues that moral theory's primary task is not to produce a method of making decisions but to identify criteria of right as well as answer other theoretical questions about morality.

not subject to it. Or, if they do recognize they are bad voters, this will turn them into good voters, and so they are no longer subject to the duty.

This appears to be a false dilemma. In moments of clarity we sometimes recognize that we have bad character or tend to act badly in certain ways. But realizing our errors doesn't fix them—we easily slip back into old behaviour. For instance, one might notice that one has been repeatedly dating people with the same flaws, but this rarely fixes the problem.

Still, the view that bad voters shouldn't vote does have a practical upshot. We sometimes can minimize the effects of some vices even when we cannot rid ourselves of them. For example, overeaters sometimes realize that in future moments of temptation, they will rationalize eating any junk food in easy reach. Thus, some overeaters do not keep junk food in their homes and take alternative routes to work to avoid passing fast food restaurants. If a person could recognize that she tends to be a bad voter, she might take action to improve her voting behaviour, or at least choose to abstain, just as I have in cases where I was not in a position to vote well.

VIII. Conclusion

I see myself as a defender of democracy. I wish to keep the voting process free of pollution, and what defender of democracy wishes to see her favoured system polluted? Many democrats are concerned both with democratic procedures and democratic outcomes [Christiano 2004; Brettschneider 2007]. Not just any outcome produced by democratic procedure is acceptable, nor is every outcome aligning with democratic values acceptable regardless of what procedure produced it. Universal voting by bad voters might make procedures more democratic than massive abstention by people who would vote badly. Yet, this does not mean the outcome of this procedure will be align better with democratic values, and thus does not mean that opposing universal voting is inherently undemocratic.

When people call for universal or extended participation, we have to ask what would be the point of the institution of universal participation. If we are passionate lovers of democracy, we might celebrate what universal participation would symbolize. Yet, in the real world, we have to ask how institutions would function. Institutions are not people. They are not ends in themselves. They are not paintings, either, to be judged by their beauty, by what they symbolize, or who made them. Institutions are more like hammers—they are judged by how well they work. Good institutions get us good results; bad institutions get us bad results.[12]

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