

Essentially, this paper can be seen as an attempt to answer the question: should voting be compulsory? Many would say 'no' because the right to vote is seen (like the right to free speech, religion, etc.) to be something that entails a negative right as well as the obvious positive right.

- What are positive and negative rights? A positive right is a right which allows you to do something. A negative right is a right which allows you to abstain from doing that same thing. So, with freedom of speech, we have the right to say what we want (in general), but we also have the right to not speak if we do not wish.

Section 3 is where interesting argumentation comes into focus. She states that many of her opponents view "the freedom to decide whether to vote [as representing] the same sort of liberty as the freedom to decide whether, for example, to practise a religion or to bear a child." (309) In other words, those who claim that we do have the right not to vote are focused on freedom for the would-be voter. Mandatory voting would remove a citizen's ability to choose whether or not they want to vote.

She notes that as voting rights were expanded in the twentieth century, the emphasis was on the right to vote - not on the right not to. Even granting her this point, however, this isn't the most convincing argument. After all, if you were not allowed to vote, it is fine that you would emphasize that you want the right to vote without mentioning the right not to vote. This could be because your not voting is currently not *your* choice. Once you gain the right to vote, it is plausible that you would come to view the right as both being positive and negative.

She goes on, however, to create a separate and very interesting argument. She says:

The civil and political freedoms of assembly, speech, religion and association function within liberal democracies to address deficiencies within the functioning of the democratic processes. Those rights serve to protect the political freedoms of individuals against the potential incursions of electoral majorities and their chosen governors. Such liberties work to compensate for those features of the electoral system which tend to place particular groups—and the corresponding electoral minorities—under threat. The right to vote is different; it is not just another antidote to perceived flaws in democratic functioning although it can, of course, perform that role, for example in cases in which an electoral majority is illegitimately interfering with the suffrage of a minority. The core of the idea of the right to vote, however, is about ascribing democratic authority to electors; about declaring their formally equal standing as qualified participants. (310)

Why is voting so very different, according to Lardy, from other rights? Because it is about establishing all eligible voters as equals. Other rights, such as freedom of speech, religion, etc., are primarily preventative; they are focused on not allowing the government to interfere in a citizen's life. Lardy claims that this is not so with voting. Freedom is non-domination - not

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non-interference. Interference occurs when the government overreaches; for example, forcing citizens to house soldiers. Hence, interference occurs when a government acts badly towards its citizens. A government dominates, however, when citizens do not vote to correct its interference. Why? Because “by voting, a person registers her status as a political equal, a full member of the democratic community.” Not voting is to remove oneself from the community and to allow domination by “those classes which do vote regularly, and by the governors whom they elect.” Thus, voting is a means of preventing individual domination. (314)

Lardy considers the possibility that the right to not vote may follow from the right to vote because we value the voluntary participation of voting. Perhaps there is something valuable about choosing to vote, over and above the right to vote itself. Why else do we put on the stickers?

This could only be the case, however, if we could also choose not to vote. That would entail that the right to not vote follows from the right to vote. That would undermine Lardy's argument. She is not persuaded. This would place the act of voting as *more* valuable than the right to vote. Voting, according to Lardy, is authorization to act - not to decide whether or not to act - and the authorization necessarily precedes the action that is authorized. Thus, the right to vote has more value than 'choosing' to vote.