

Compulsory vs Optional Voting

Hola y bienvenido. I'm David, your curly haired host of Auspol Explained where I explain Australia's political system to you. While paying attention to what I have to say is optional, voting in Australia is not. In Australia you are legally required to enroll to vote then also vote in federal and state or territory elections. Local elections are compulsory in some states while optional in others.

However, in most other countries voting is optional. You're not required to do it, even if you can.

Welcome to part three of my series of comparing Australia's electoral system to other countries. In the past two episodes I compared preferential voting vs first past the post and also why proportional representation provides better political diversity.

In this episode I'll be comparing compulsory voting with voluntary voting.

So, what are the arguments for and against compulsory voting?

Let's start with a little bit of history as to why Australia made it compulsory.

Naturally, if you make voting optional then turnout is likely to be lower. That is fundamentally the motivation for compulsory voting.

Before compulsory voting was introduced the highest it got was about 78%, but was often much lower. The second federal election had such low turnout that not even 47% of eligible people voted. How can a government believe it has a mandate or legitimacy if not even half of the public voted at all, let alone for them?

Queensland introduced compulsory voting in 1915, saw a larger turnout than the national average. It was adopted federally a decade later in 1925¹ and eventually in every state and territory. Since compulsory voting was introduced turnout has been over 90% for almost every election since.² Australia now has one of the highest voter turnouts in the world.³

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https://www.ecq.qld.gov.au/_data/assets/pdf_file/0018/28233/info-sheet-why-is-voting-compulsory-in-Australia-v1.2.pdf

² https://www.aec.gov.au/elections/federal_elections/voter-turnout.htm

³ <https://worldpopulationreview.com/country-rankings/voter-turnout-by-country>

But what are the pros and cons?^{4 5 6}

Like almost anything there are many arguments and counter arguments for it.

Uninformed Voters:

An obvious con is that if everyone is required to vote then that forces a bunch of uninformed and disinterested people to vote. It guarantees that a percentage of votes will be cast by people ignorant of candidates' policies. Why should people vote if they don't understand the impact of their decision?

But also, that's true of optional voting. Every election people voluntarily and happily vote without doing research. The only way to ensure that each vote is cast by someone who has educated themselves ahead of time is to include some kind of test to ensure only informed people vote, which opens up more problems that are arguably far worse to democracy. After all, who gets to decide what counts as an "informed vote"? Who gets to be deserving of participating and who doesn't? You can imagine how such a barrier can be misused by those in power and worsen an electoral system, not improve it.

The counter argument is that if something is required of you then it encourages you to learn. Compulsory voting creates an impetus on the voter to understand that their vote is important and should consider it in advance. If you didn't need to vote then what's the incentive to become informed about a thing you won't do? Of course, that relies on the individual and so it encourages some people but doesn't encourage others.

Impact on representation:

Proponents of compulsory voting argue it has a positive impact on representation and encourages politicians to develop policy that benefits a broader range of people.

When more people vote, politicians need to make policies with broad appeal because otherwise they risk losing a demographic that will vote for someone else. But if a demographic is less likely to vote, or doesn't vote, then no party or candidate is incentivized to make policies for them because a loss of their support doesn't benefit their competition. Naturally, the incentive is to focus on those who are more likely to vote and win them over, which can create a narrower band of the public whose interest are being considered.

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<https://www.sl.nsw.gov.au/find-legal-answers/books-online/hot-topics-voting-and-elections/compulsory-voting-and-against>

⁵ <https://www.thoughtco.com/compulsory-voting-1435409>

⁶ <https://www.findlaw.com/voting/how-u-s--elections-work/the-compulsory-voting-debate.html>

When compulsory voting was introduced in Australia that meant more elderly people were voting – and politicians responded by increasing the age pension and reducing poverty for retirees.⁷

In countries where voting is optional, people with lower education and lower income earners are less likely to vote – meaning that governments are less representative to those people, but instead more influenced by wealthier elites.⁸

The benefit of voting, and how it encourages better policy for different demographics, is evident in how historically disenfranchised groups, like women and Indigenous people, campaigned so heavily to gain the right to vote. It gave them agency to reward or punish candidates at the polls depending on how well their policies served them and we have seen tangible improvements in human rights as a result.

At its worst: this can then potentially encourage polarization as politicians don't need to appeal to a broad amount of voters but instead rely on populist tactics to motivate a select group. In a close race where voter turnout isn't guaranteed and the more fringe elements of their voter base threaten to not vote then a candidate may need to appeal to them. If this repeats then you gradually get more extreme candidates that don't see a need to make policies beneficial to everyone but rely on divisive politics and erode democracy.⁹ If you need an example of how this goes poorly just look at the US, which has grown increasingly polarized for decades with a political divide that struggles to find compromise.¹⁰ More extreme candidates make it harder for moderate voters to make a choice, leading to less of them voting, contributing to the cycle of candidates only pandering to the fringe.

That's not personal commentary by the way. I've cited some studies on that.

High voting turnout, which compulsory voting encourages, effectively creates an averaging effect, reducing the chances of radical politics and making polarization less likely. That's not to say that compulsory voting is the only safeguard for that, but proponents argue that it discourages polarization.

Financial benefit for smaller groups:

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<https://australiainstitute.org.au/wp-content/uploads/2020/12/P305-Electoral-matters-committee-submission-FINAL.pdf>

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<https://australiainstitute.org.au/post/voter-turnout-in-the-2022-federal-election-hit-a-new-low-threatening-our-democratic-tradition/>

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<https://www.cambridge.org/core/journals/american-political-science-review/article/moving-toward-the-median-compulsory-voting-and-political-polarization/339B3C1760F1FD7D833B44BCB2D39781>

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<https://carnegieendowment.org/research/2023/09/polarization-democracy-and-political-violence-in-the-united-states-what-the-research-says?lang=en>

If a party or candidate doesn't need to spend time and money on trying to motivate people to vote in the first place then they can spend their resources elsewhere. Smaller parties or independents therefore can use their limited resources more effectively at convincing people to vote for them. This can help political diversity.

Access to voting:

Elections and laws are not one-way streets. While the main critique of compulsory voting is that it compels the individual, it's important to note that it compels the government as well. For you to abide by the law it must be enforced, and so if you are required to vote then the government is required to provide you access to vote. Electoral Commissions in Australia go to great lengths to ensure people can vote with postal voting, early voting, overseas voting at embassies, mobile polling teams that visit residential care facilities, remote areas, homeless shelters and prisons, and a range of accessibility options like telephone voting for people who are blind or have low vision.¹¹ Voting information is translated into dozens of languages as well.¹²

Compare this to less democratic countries like the US where voting suppression of people of colour and low income areas is a deliberate and targeted action of many governments. There are a lot of laws that restrict access to voting, like laws that require a physical street address, which discriminate against groups that are more likely to have P.O. box addresses, like Native Americans living on reservations.¹³ Voter roll purges are done in areas that disproportionately impact ethnic communities. Many states have reduced the amount of polling places, specifically in neighbourhoods with higher Black, Hispanic and Native American people.¹⁴ This imposes challenges both to people's time and their finances to travel far distances, which may be impractical or impossible for people who are living paycheck to paycheck and can't take time off on a Tuesday, which is when the US holds its elections. That's also assuming they have access to a car, which again discriminates against low income earners.

While access to voting does exist, in practice it is beyond the reach of many.

There was once a guardrail where jurisdictions in the US with a history of racial discrimination in voting needed to obtain federal approval for new voting policies. That part of the Voting Rights Act was overturned by the Supreme Court in 2013. In the decade that followed, states added nearly 100 new restrictive voting laws, with many of them being racially targeted in their effect, leading to a widening

¹¹ https://www.aec.gov.au/voting/ways_to_vote/

¹² https://www.aec.gov.au/about_aec/translated_information/

¹³ <https://www.carnegie.org/our-work/article/11-barriers-voting/>

¹⁴ <https://campaignlegal.org/update/why-us-needs-equitable-access-person-voting>

gap in voter turnout between white and voters of colour. A number of those laws have struck down by courts for being racially discriminatory.¹⁵

Admittedly, that is an extreme example. Of course it's not like optional voting leads to inherently racially biased and restrictive laws – that's in part because of the culture and history of the US. You can't expect much from a country that constitutionally enshrined slavery into its system of government as a legal punishment¹⁶ and as a result now has one of the highest amounts of slave in the world.^{17 18} It's a whole thing.

But the point I want to make is that compulsory voting creates barriers on the government's ability to restrict access. It ensures that voting is an equitable exercise regardless of your background, not an exclusive right for a privileged group.

Civil liberty:

The biggest criticism of compulsory voting is that, as it is a requirement, you don't have the freedom to not do it. Opponents argue it's therefore impedes a person's civil liberties.

Voting is a right – but what about the right not to do it? What if you don't wish to vote?

Of course the counter argument is: that's how laws work. You have to obey them, even if you don't like them. It's not like it's totalitarian to have a speed limit that I must obey even if I'm running late.

Proponents could point out that voting is a civic duty, like paying taxes so that you and those around you can have the benefits of public services like roads, schools, hospitals, libraries, etc. You still have to pay taxes, even if you're not personally enthusiastic about every way they are spent.

Naturally though, you don't need to agree with all the laws. Disagreement is a natural and healthy part of a democracy. If you think that someone shouldn't be required to do something by law then you have any right to criticize the law and call for it to change. Like yeah, you need to pay taxes – but you can vote in a different government that'll eliminate or reduce some taxes.

If you think voting shouldn't be compulsory then find candidates who support that change. Of course, you'd have to vote for that candidate for them to be successful – but that's not ironic. You'd be choosing to do that, in line with your values. Then, potentially, if enough people campaigned for it then voting would become optional and you could argue that choice gives people greater civil liberty.

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<https://www.brennancenter.org/our-work/analysis-opinion/states-have-added-nearly-100-restrictive-laws-scotus-gutted-voting-rights>

¹⁶ <https://constitution.congress.gov/constitution/amendment-13/>

¹⁷ <https://worldpopulationreview.com/country-rankings/countries-that-still-have-slavery>

¹⁸ <https://www.walkfree.org/global-slavery-index/findings/global-findings/>

But that brings up an important point: what civil liberties you have, what personal freedoms you do or don't enjoy, are reliant on you voting. It is the first and fundamental step in a representative democracy for us to collectively choose who will be making the laws for us all – for you, your friends, family, community, and country. Who we vote in gets to decide what restrictions and regulations there are and we get to decide if those are beneficial and protect us, or are obstacles and inconveniences, and then at the next election we get to vote in new people who can change those laws for the better. Whatever imposition you feel about being compelled to vote, you must admit that it takes only a brief moment out of your life every few years, but a bad government that erodes other civil liberties will have a far greater impact on your everyday life.

So even if the law does not compel you, it's still your personal and social obligation to vote to ensure your civil liberties are improved or at the very least preserved. Voting is a direct way to have input on decisions that impact your quality of life, your rights, and privileges.

There's an argument thrown around: if you don't vote you don't get to complain about what the government does. I don't agree with that. Your right to input and democratic expression doesn't end at any point in between elections. But voting is clearly where that input begins. We all get to choose who represents us, who are making decisions on our behalf, and from there we decide if that is working how we want or if we should protest, petition, and contact members to tell them to make different decisions. Then we get to vote again, and continuously shape our democratic institutions and the laws around us.

So in conclusion:

It's important to note that compulsory voting is not by itself a thing with inherent merit. It's a means to an end, with the end goal being higher voter turnout. You may have noticed a lot of the arguments for compulsory voting rely on the positives achieved when more people vote, and compulsory voting is just one way of achieving those positives.

Things like better policy, representation, and transparency happen when more people pay attention and vote. Voting is a way to hold governments to account and the more people who participate in elections the more it pressures candidates to develop better ideas with broad appeal and follow through with those promises. However, an apathetic population that only votes sometimes means governments can get away with whatever they like as they know they won't be held to account by the electorate.

So you may like compulsory voting, or dislike it. Maybe you think it's great, and maybe you want to get rid of it. That's up to you.

But the takeaway I want you to have is that voting is important, that it benefits you, and you should do it regardless if the law requires you to or not.

Thankfully in Australia there are dozens of different political parties and independents that cover a vast range of the political spectrum. If you do some research I'm confident that you'll find someone who at least approximately aligns with your values. You have quite a lot of choice.

Enrol if you haven't already at [AEC.gov.au/enrol](https://aec.gov.au/enrol). Exercise your democratic right to vote. Have your say.