

Arguments for a Duty to Vote

WE BUILD SOME THINGS just so we can destroy them. When my son was twelve months old, he liked to knock down block towers—the taller, the better. Because he was better at smashing than building, I built the towers for him. Sometimes, as I built, I realized I was making a defective structure, so I let him knock it over early. Ultimately, I tried to build the tallest towers I could, even though they all were going to be knocked down.

What I do in this chapter is similar. This chapter has a constructive purpose—to find arguments in favor of a duty to vote. At the end of the chapter, the goal is to be left with a few good arguments in favor of voting. Along the way, there are some false starts. Because some arguments lack promise, I knock them over early. Yet, by the end of this chapter, a few remaining arguments in favor of voting stand tall. Still, I erect these edifices only to destroy them in chapter 2, where I ultimately conclude that citizens in contemporary democratic nation-states have no duty to vote.

This chapter is the most technical of the book. To assess some of the important arguments in favor of voting, it is necessary to make some calculations and discuss certain equations. However, I have tried to write in such a way that readers who lack a technical background can understand the material.

WHEN THERE WOULD BE A DUTY TO VOTE

Imagine that all citizens are about to vote. We can choose between candidates P and Q. The following conditions all hold:

- A. There is a group of people to whom we each owe a strong duty of beneficence.
- B. We each also happen to owe these same people a debt for all of the resources and effort they have invested in us.
- C. For each of us, voting for candidate P or Q will pay our debt and is the *only* way we can do so.
- D. Voting for P or Q is also the *only* way we can discharge our duty of beneficence toward these people.

- E. If we each vote for P or Q, this will immensely benefit everyone to whom we owe duties of beneficence and reciprocity. However, it is also the case that voting for P is more beneficial than voting for Q.
- F. Each individual voter knows that other voters will vote exactly as she does, and so her vote will not be defeated or overridden.
- G. If anyone fails to vote, it will ruin everyone's lives. Justice and freedom will be lost forever.
- H. As it turns out, that we should vote for P rather than Q is clear and obvious to everyone. It takes no effort or skill whatsoever to determine that P rather than Q is the best, and there is no chance any of us will make a mistake. Also, everyone knows, without any effort, that failing to vote leads to disaster.
- I. Voting has no opportunity cost. It does not keep anyone from doing anything else of significant value for herself or for others.

If these conditions actually held in real life, we would each have compelling, overwhelming reasons to vote.

Imagine that some philosopher asserted that these conditions hold. That is, imagine some philosopher made what I call the Straw Man Argument:

Straw Man Argument:

1. Conditions A–I obtain.
2. Therefore, each citizen should vote.

This argument is a straw man because no one actually claims that all of these conditions hold. However, conditions A–I are exaggerations of the considerations people do offer in favor of a duty to vote. The fact that A–I are exaggerations of actual conditions is worrisome for anyone arguing for the existence of a duty to vote. After all, the less conditions A–I hold, the harder it is to show there is a duty to vote. When conditions A–I do not hold, competing considerations that might count against any argument in favor of a duty to vote are easier to find.

Problems with the Straw Man Argument include the following:

1. Individual votes do not have as much instrumental value as the argument presupposes.
2. Because there is some opportunity cost in voting, people could always do something else of value for themselves or for others. Sometimes voters should do these other things instead.
3. Rarely are voters presented with candidates of such high quality as, and as clearly differentiated as, P and Q. The stakes in get-

ting the right choice among the available choices are not nearly so high.

4. Abstention by one voter does not lead to catastrophic moral horror. In fact, even abstention by most citizens does not seem to have bad effects.
5. Acquiring the knowledge needed to evaluate candidates and policies is not easy and cost free. It takes time and effort. This time and effort could be spent on other worthwhile activities, including other activities that might benefit the common good.
6. The underlying duties that might ground a duty to vote—such as duties of beneficence or reciprocity—can be discharged in other ways besides voting. Showing that voting can be one way among others of discharging these duties is easy, but showing that voting is a necessary way or even an especially good way is difficult.

We examine each of these points over the next two chapters. The purpose of looking at the Straw Man Argument is this: it turns out the arguments people make on behalf of a duty to vote fail for one or more of the reasons the Straw Man Argument fails.

ARGUMENTS FROM THE INSTRUMENTAL VALUE OF INDIVIDUAL VOTES

In this section, I examine arguments that claim we should vote because each individual vote has significant value in terms of its expected impact on the quality of governance. These arguments fail because individual votes in fact have vanishingly small instrumental value in terms of their impact on the quality of governance.

Even if—contrary to fact—individual votes had significant instrumental value, this would not settle the issue. Proponents of a duty to vote would still need to prove that voting is mandatory, rather than optional or supererogatory. (An action is supererogatory if it is morally praiseworthy, but not morally obligatory.) Proving that each vote does significant good still leaves open the question whether doing such good is mandatory. Voting might just be one way among others of discharging a duty to act beneficently. Or voting might go above and beyond the call of duty. If voting turned out to be supererogatory, voters would be praiseworthy, but nonvoters would not be blameworthy. My argument in the next chapter shows that voting would not be mandatory, even if it turned out that individual votes had significant instrumental value.

Individual Votes and Electoral Outcomes

Here is one common argument in favor of voting:

The Prudence Argument:

1. All things being equal, you ought to promote your own interests.
2. Your individual vote, when cast correctly, significantly promotes your own interests.
3. Therefore, you ought to vote (correctly).

Defenders of a duty to vote usually argue from considerations of civic virtue and public-spiritedness rather than from self-interest. Still, it is a commonplace to say that unless you make your voice heard, the government will not look after your interests. So, on the folk theory of voting ethics, one reason you should vote is that voting helps produce favorable electoral outcomes for you.

A different version of this argument holds that individual votes can have significant utility for everyone:

The Beneficence Argument:

1. All things being equal, if you can perform an action that has a large expected benefit to the public good, you should do so.¹
2. Voting the right way has a large expected benefit to the public good.
3. Therefore, you should vote the right way.

Notice that neither argument implies that citizens should vote however they wish rather than abstain. Rather, the arguments at best show citizens should vote a particular way as opposed to abstain. They leave open whether voting badly is worse than abstention.

Regardless, the arguments suffer from a more fundamental flaw. The second premises of both arguments are false, because they overstate the instrumental value of individual votes in terms of their effect on electoral outcomes.

Generally, individual votes have instrumental value in terms of their effect on the outcome of an election only if they change the outcome.² That is, individual votes have an effect only when they are decisive. After the election is over, determining whether single votes were decisive is easy. And, of course, individual votes are decisive only when the election is decided by one vote. In large-scale elections, this almost never happens.³

However, we have yet to show these arguments fail. Before the election occurs, an individual vote has some probability of changing the outcome of the election. By multiplying this probability by the expected value of the outcome for which the vote was cast, we generate the expected utility of individual votes in terms of their effect on the outcome.⁴ If you vote

the right way, the expected utility of your vote increases as the probability that you will be decisive increases. The expected utility of your vote also increases as the net value of the outcome you vote for increases.

On this point, Brian Barry once conjectured that even if one's vote has a low probability of being decisive, it must have high expected utility when the stakes are high. Was he right? He asks us to imagine a scenario in which we know that if our favored candidate wins, this will result in $\frac{1}{4}$ percent more GNP growth over the next five years.⁵ To go further than that, imagine instead that if the right person were elected, this would lead to $\frac{1}{4}$ percent more GDP growth in just one year. The GDP of the United States in 2006, when corrected for purchasing power parity, was approximately \$13.13 trillion. Its real growth rate was 3.2 percent. A 3.2 percent growth rate with a \$13.13 trillion GDP is approximately \$420 billion of growth. A 3.45 percent growth rate ($\frac{1}{4}$ percent higher) is approximately \$453 billion, for a difference of \$33 billion. Suppose I plan to vote for the candidate who will produce the higher growth rate. What is the expected value of my vote?

In elections between two candidates, the answer to this question depends on two variables: the number of voters and their division between the candidates.⁶ The more voters there are, the less likely my vote will be decisive. And if these other voters are not evenly divided in how they favor the candidates, if one candidate has an edge over the other, then the degree to which one candidate has an edge—the degree to which people tend to favor that candidate over the other—is the degree to which the leading candidate has an *anticipated proportional majority*. Once you do the mathematics, it turns out that the probability that an individual vote will be decisive decreases slowly as the number of voters increases, but it decreases dramatically when there is even a slight anticipated proportional majority.

To return to Barry's conjecture about individual votes, suppose my favored candidate (who is worth \$33 billion more to the common good) enjoys a slight lead in the polls. She has a very small anticipated proportional majority. The probability that any random voter will vote for her is 50.5 percent. This is an election we would describe as "too close to call." Suppose also that the number of voters will be the same as in the 2004 U.S. presidential election: 122,293,332. I vote for my favored candidate.

In this case, the expected value (for the common good) of my vote for the better candidate is $\$4.77 \times 10^{-2650}$, that is, approximately zero. Even if the candidate were worth \$33 billion to me personally, the expected value for me of my vote would be, again, a mere $\$4.77 \times 10^{-2650}$. That is 2,648 orders of magnitude less than a penny. In comparison, the nucleus

of an atom, in meters, is about 15 orders of magnitude shorter than I am. In meters, I am about 26 orders of magnitude shorter than the diameter of the visible universe. In pounds, I am about 28 orders of magnitude less heavy than the sun. Even if the value of my favored candidate to me were dramatically higher, say ten thousand million trillion dollars, the expected value of my vote in our example—for a close election—remains thousands of orders of magnitude below a penny.⁷ For an election in which the candidate has a sizable lead, the expected utility of an individual vote for a good candidate drops to almost zero.⁸

The Beneficence Argument appeals to the public utility of individual acts of voting. However, suppose all you care about is maximizing your contribution to the common good. If so, voting would not merely fail to be worthwhile—it would be counterproductive. It turns out that the expected disutility of driving to the polling station (in terms of the harm a driver might cause to others) is higher than the expected utility of a good vote. This is not hyperbole.

Aaron Edlin and Pinar Karaca-Mandic have estimated the expected accident externalities per driver per year in the United States—that is, the amount of damage the average driver imposes on others from accidents and reckless driving.⁹ The expected accident externalities range from as little as \$10 in low-traffic-density North Dakota to more than \$1,725 in high-traffic-density California. Suppose a North Dakotan takes five minutes to drive to the polling station. The average expected accident externality of a five-minute drive in North Dakota is $\$9.5 \times 10^{-5}$, much larger than the expected benefit of a good vote in the previous example. So the voter imposes greater expected harm on her way to the polls than she could compensate for by a good vote.

The point is that in any large-scale election, an individual vote does little expected good or bad in terms of its propensity to affect electoral outcomes. Even when the right outcome is worth a huge amount, individual votes for that outcome are worth close to nothing. Votes have significant value collectively but not individually. In terms of impact on the result of an election, how *we* vote matters, but how any one of us votes does not.¹⁰

Note that there is some controversy over the best way of calculating the expected utility of individual votes. The preceding calculations use the formulae made popular by Geoffrey Brennan and Loren Lomasky in *Democracy and Decision*. Yet, even if there is dispute over just how small the expected utility of individual votes is, there is not much dispute over the claim that the expected utility is very small. Individual votes do not count for much, and so the Beneficence and Prudence Arguments fail.

Preventing Democratic Collapse

Anthony Downs suggested a different reason why individual votes might have significant instrumental value. Note that Downs never intended to prove that there is a moral duty to vote. He just wanted to explore whether voting might be prudent. Still, his argument, if correct, could easily and charitably be modified in an attempt to show there is a duty to vote. And, in fact, many people do use his kind of argument to defend a duty to vote.

I will call Downs's argument the Saving Democracy Argument. One advantage of this argument, compared to those we already examined, is that it gets us to the right target. That is, if successful, it shows it is right to vote rather than abstain, without imposing much of a restriction on how one votes. So this argument, if successful, would get us closer to the folk theory of voting ethics.

The Saving Democracy Argument:

1. A stable democratic government greatly promotes both the common good and the individual good of each citizen.
2. Voting, regardless of how one votes, tends to preserve stable democracy, but failing to vote threatens to undermine and destabilize democracy.
3. All things equal, one should perform activities that greatly benefit the common good and one's own interests.
4. Therefore, one should vote.¹¹

Premise 2 is too strong, of course. In a 1932 election, a majority of Germans voted for either the National Socialist German Worker's Party (the Nazis) or the German National People's Party (the Nationalists). This allowed the two parties to form a ruling coalition. These voters did more to undermine democracy than any abstainers ever have. Thus, we should modify premise 2 so that it specifies that votes cannot be for antidemocratic parties.

There are two interpretations of premise 2. On one interpretation, the point of voting is to keep the number of votes sufficiently high so that democracy does not collapse. On a second interpretation, which I consider in the next subsection, the point of voting is that each individual vote marginally improves the democratic nature of society.

On the first interpretation of premise 2, the idea is that if no one or too few people voted, democratic government would collapse and be replaced with some far inferior form of government. There is some (perhaps unknown) determinate threshold of votes needed under which

democracy falls apart. The point of voting is to help ensure this threshold is reached.

Downs wants us to conceive of casting a vote as a kind of insurance against this collapse:

One thing that all citizens . . . have in common is the desire to see democracy work. Yet if voting costs exist, pursuit of short-run rationality [i.e., abstaining from voting] can conceivably cause democracy to break down. However improbable this outcome may seem, it is so disastrous that every citizen is willing to bear at least some cost in order to insure himself against it. The more probable it appears, the most cost he is willing to bear.¹²

Downs might be exaggerating how bad it is to lose democracy. There is a continuum in the quality of governance between stable, well-functioning democracies and murderous totalitarian regimes or kleptocratic dictatorships. Living in a stable, decent, nondemocratic society is often less desirable than living in a stable democracy, but it need not be a disaster. (Is Qatar a disaster?)

For the sake of argument, however, assume that all nondemocracies are disasters. If we grant that, does that mean that my individual vote has enough expected utility to give me either self-interested or public-interest reasons to vote? Is it meaningful to say my vote “tends to preserve democracy”? No. The Saving Democracy Argument exaggerates the importance of individual votes.¹³

There are three possibilities of what my vote will do. First, it might be that enough other citizens vote such that democracy will be preserved regardless of whether I vote. In this case, my vote is superfluous. Second, it might be that so few other citizens vote that democracy will collapse regardless of whether I vote. In this case, my vote is futile. Third, it might be that my vote decisively saves democracy—with one less vote, democracy collapses.

Now, realistically, the first possibility is nearly always the case. The third possibility has never occurred in any large-scale election and probably never will. The third possibility seems dubious anyway. It would be strange if the survival of a democracy could depend on exactly one vote.¹⁴ That there is some number of voters needed to preserve democracy is implausible. It is more plausible that if lower voter turnout tends to make democracies less democratic (in some morally important sense), it does so gradually. (This is why I consider the second interpretation of the Saving Democracy Argument in the next subsection.) However, for the sake of argument, let us assume there is such a determinate threshold, though we might not know what it is.¹⁵

Downs recognized that the probability that an individual vote will save democracy is low. He suggested that individual votes are a good deal because he thinks losing democracy is a disaster. The basic idea: low probability of saving democracy times very high value of preserving democracy equals significant expected utility of vote. Is this right?

To put this in an actual calculation, suppose there are N potential voters, other than I. Each can either vote or abstain. Suppose each potential voter has some probability p of voting. Suppose that exactly T voters are needed to save democracy. (T is the threshold at which democracy is saved.) If so, then the probability that my vote will decisively save democracy is the probability that one vote less than T will be cast. Define $M = T - 1$, that is, M is exactly one vote below the threshold needed to save democracy. If exactly M votes are cast, besides mine, then my vote will save democracy. If $M - 1$ or $M + 1$ (i.e., if $T - 2$ or T) votes are cast, then my vote will be futile or superfluous. So my vote saves democracy if and only if exactly M votes, besides mine, are cast. M is the magic number of votes that need to be cast such that my vote will decisively save democracy.

The probability that exactly M votes are cast is given by formula 1 (a binomial probability distribution):

$$(1) P(M \text{ voters vote}) = \frac{N!}{M! (N-M)!} (p^M)(1-p)^{N-M}$$

where

N = the number of other potential voters

M = one vote less than needed to save democracy

p = the probability that a potential voter will vote

Generously assume that American democracy will collapse when 30 percent or less of eligible voters vote. (In my view, this number is much too high.) Assume that the number of eligible voters is the same as in the 2008 presidential election: 231,299,589 voters. If so, American democracy will collapse if 69,389,877 or fewer votes are cast. My vote will thus save democracy if and only if exactly 69,389,876 votes are cast, other than mine. Also assume that each eligible voter has a 56.8 percent chance of voting. (This was the turnout in the 2008 presidential election, so I use it as an approximation of the probability that a potential voter will vote. It is a good approximation, because our sample set is in the hundreds of millions.)

On these generous assumptions, the probability that my vote will decisively save democracy is approximately $3.3 \times 10^{-14,704,390}$. So, even if we assume that saving American democracy is worth, say, 99 sextillion dollars, then the expected utility of my vote in terms of saving democracy is vanishingly small, millions of orders of magnitude less than a penny.¹⁶ Thus, casting a vote as a form of insurance to prevent democratic collapse is a waste of time.¹⁷

Of course, normal, prudent people buy insurance. I pay about \$1,000 per year for car insurance, but this exceeds my expected benefits. Does this make buying car insurance irrational? Presumably not. Most car insurance companies profit by charging more in premiums than they expect to pay in claims,¹⁸ and any given individual should expect to pay more in premiums than she will receive in claims over her lifetime. However, I do not expect to save money by buying car insurance. Rather, I hope to prevent a catastrophic loss from occurring—to make sure I can keep my home if I accidentally kill someone. This point might seem sympathetic to Downs's argument, because Downs suggested we vote in order to prevent the possible catastrophe of democratic collapse. Yet suppose car insurance cost a mere \$1, but there were only a $3.3 \times 10^{-14,704,390}$ probability that the insurance would prevent a catastrophic loss. If so, I would be crazy to buy the insurance. Every time I changed my infant son's diaper, there was about a $3.3 \times 10^{-14,704,390}$ chance that he would quantum tunnel through his changing pad and crash to the floor, but I did not nothing to protect against that catastrophe. We simply ignore catastrophes that remote.

One might try to argue instead that losing democracy is infinitely costly. If losing democracy is infinitely costly and my vote has any chance, no matter how small, of saving democracy, I should vote. Suppose I had only a $1 \times 10^{-250,000,000}$ chance of saving democracy with my vote, but saving democracy is infinitely valuable. If so, this would give my vote infinite expected utility.

Yet, this argument proves too much. Not only would it show I should always vote, but it also implies that I should always perform any other activity that has any chance, no matter how small, of preserving democracy. For instance, it implies I should greet every stranger on the street with, "Hey, preserve democracy! It's important!" Doing this has a tiny chance of saving democracy, but if democracy is infinitely valuable, this makes the expected utility of each greeting infinitely high. In fact, if democracy is infinitely valuable, or losing democracy is infinitely costly, this means that I should always be working to preserve democracy, unless there is some other infinitely important activity competing for consideration. (Feeding my son would be permissible only insofar as it helps preserve democracy.)

Each Vote Improves Democracy

Now that the argument using the first interpretation of the Saving Democracy Argument has failed, we turn to the second interpretation of premise 2. The previous interpretation argued that the point of voting was to ensure that a sufficient number of votes was cast to preserve democracy. On that interpretation, each vote over the threshold was superfluous and each vote under it was futile. On the second interpretation, the argument instead is that each successive vote makes democracy more democratic, and this is a reason to vote. This version of the argument is more plausible than the last.

Obviously, the more people vote, the more democratic society is. So what? We could make society more democratic by holding elections daily.¹⁹ This would not do us any good.

For the sake of argument, suppose that the quality of governance, in terms of the government's tendency to promote each citizen's interests, is a direct function of the number of voters. (We have little or no empirical evidence that this is the case.) That is, let us grant that each additional vote improves social well-being by some margin or improves the quality of governance by some margin. Would that imply that individual citizens should vote?

To answer this question, we should first ask what kind of function the quality of governance is in terms of the number of voters. One possibility is that government quality is a linear function of the number of voters, as shown in figure 1. Here, axis Q represents the quality of government; axis N represents the number of voters. Q is a linear function of N, here shown simply as $Q = mN$. (The constant m is the slope of the line. Fig. 1 shows $m = 1$ for simplicity's sake.)

If the quality of governance were a linear function of the number of voters, then at least every successive vote would do as much good as any other. No matter how many people have voted, my vote always would do as much good as the one before it.

We would still need to know how much good votes do. Suppose Q were a slowly increasing linear function of N; that is, suppose that m were very small. In this case, while each vote would do as much good as any other, they still would do very little good. Any given public-spirited potential voter might still have better ways to serve the common good than by voting. If an individual vote were worth \$1 to the common good, it would be hard to explain why voting would be morally mandatory. On the other hand, if it could be shown that each vote were worth \$1 million or \$1 billion to the common good, there would be a better case for morally mandatory voting.

However, even if we generously grant that the quality of governance directly increases with each vote, there is no reason to think that it does

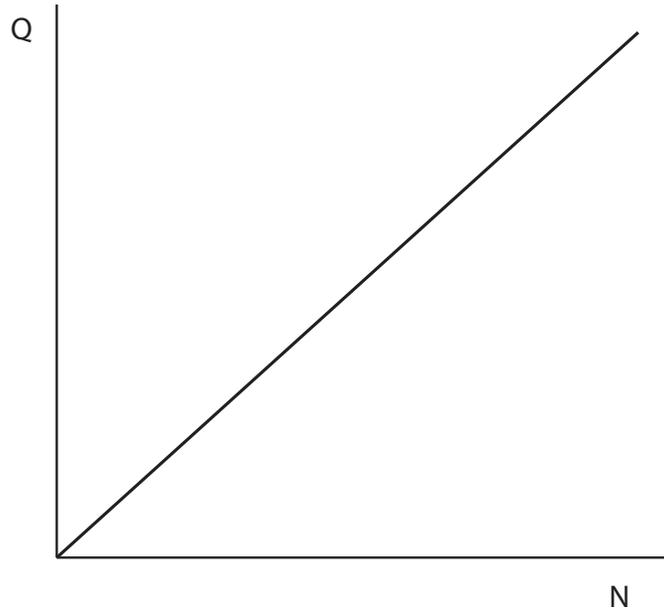


Figure 1

so in a linear fashion, as in figure 1.²⁰ Anyone familiar with economics knows that nearly all inputs (and goods) have diminishing marginal returns. For example, in standard production functions, the quantity of a firm's output is represented as a function of the various factors of production, and it nearly always has diminishing marginal returns. The first laborer at McDonald's is worth more than the second or third is. In fact, at some point, adding an additional unit of a factor of production often yields negative returns—for example, at some point adding an additional worker at McDonald's costs more than the worker is worth. (At some point, additional workers just make the restaurant too crowded to serve customers.)

In this version of the Saving Democracy Argument, the quality of governance is, in effect, a production function with one factor of production: the number of votes. Nearly every good and every factor of production has diminishing marginal returns. It would be surprising if voting were an exception to this rule.²¹ In the absence of any empirical evidence that it is an exception, we should assume it is not. Defenders of this version of the Saving Democracy rarely try to overcome the worry that votes might have rapidly decreasing diminishing marginal returns. In part, this is because the argument is almost never formulated in anything like a rigorous way.

So, if the quality of governance were a function of the number of voters, figure 2 would be a more plausible representation of that function

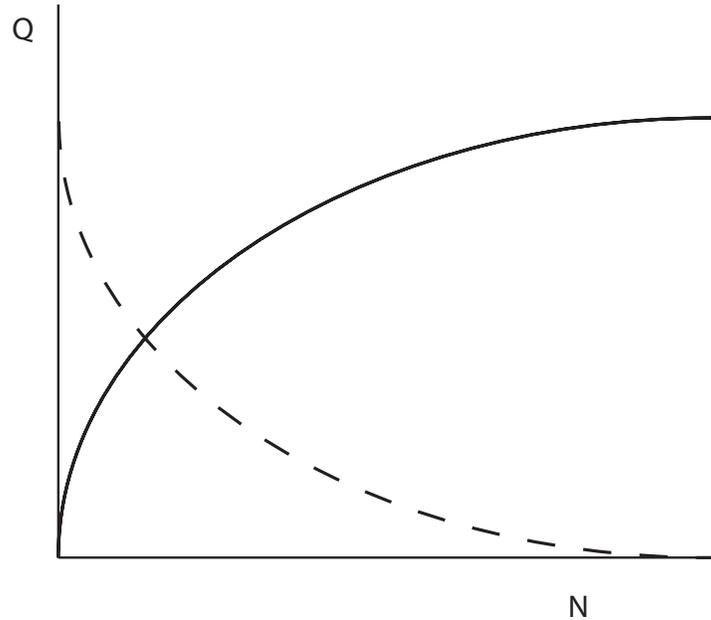


Figure 2

than figure 1. In figure 2, the solid curve represents the quality of governance as a function of the number of voters. The dotted curve represents the marginal value of each additional voter.²²

If figure 2 rather than figure 1 more closely represents the successive value of each individual vote, this leads to some intuitive results. If very few people are voting, this gives individuals more reason to vote, because their votes are more important. If nearly everyone is voting, this gives individuals less reason to vote. Eventually, though each additional vote continues to add to the quality of government, the addition becomes vanishingly small, and so individuals can always serve the common good better through some means other than voting.²³

For this version of the Saving Democracy Argument to succeed, its defenders need to provide empirical evidence that every vote does significant good. They need to show that the value of votes does not diminish so rapidly such that it makes sense for some but not all eligible voters to vote. They have not done that. Also, for them to substantiate the empirical assumptions of their argument, it will not be enough to show that high-quality governance *correlates* with high voter turnout. They need to show that high turnout *causes* good government. (I have not been able to find an empirical study showing that high voter turnout causes higher-quality governance,²⁴ but there are studies suggesting that good-quality governance causes high turnout.)²⁵ Finally, those who make this version of the Saving Democracy Argument oblige themselves to refute

people such as Bryan Caplan, who have provided empirical evidence that increasing the number of voters can sometimes be harmful. We should not assume on behalf of the Saving Democracy Argument that adding additional votes always increases the quality of governance rather than lowers it.

I have not proved here that this version of the Saving Democracy Argument cannot succeed. Rather, I have shown that we lack any reason to accept it, as it rests on unsubstantiated, implausible empirical claims. People making this argument owe us empirical evidence that its central premise—each vote improves the quality of governance—is true. They owe us evidence that each vote has significant value. They owe us evidence that it makes sense to have everyone vote rather than just a significant portion of voters vote. They have not provided such evidence. That any such evidence will be forthcoming is unlikely, because the empirical claims are implausible.

Summary

Individual votes have low expected utility in terms of their effect on the outcome of the election and their ability to prevent democratic collapse. After a certain point, they most likely have low expected utility in terms of their impact on the quality of government. If there is a duty to vote, it cannot be because individual votes have significant instrumental value in terms of their impact on government.²⁶

CAUSAL RESPONSIBILITY

In the recent book *Free Riding*, Richard Tuck wants to show that it is rational to vote.²⁷ I argue here that Tuck fails. Tuck does not try to prove there is a duty to vote. However, because his book has been receiving significant praise, it would not be surprising if in the coming years someone attempts to use his arguments to show there is a duty to vote. I want to preempt this attempt. Thus, it is worth looking at his argument that voting is rational to see if it could be modified to show there is a duty to vote.

Mancur Olson argued that voting is irrational because individual votes have little or no causal power over electoral outcomes.²⁸ Tuck wants to prove that Olson is mistaken, because some votes are causally efficacious. However, even if Tuck succeeds in showing that some votes are causally efficacious toward the outcome of an election, all this does is undermine part of Olson's worry about whether voting is instrumentally rational.

Showing that votes are causally efficacious is not sufficient to show that voting is rational.

The Causal Efficacy of Individual Votes

Tuck argues that individual voters can cause an electoral outcome, even when their votes were not necessary to cause the outcome, because their votes have a chance to belong to the “causally efficacious set of votes.” The causally efficacious set of votes is the subset of votes needed to win the election. Suppose that 10,000 people vote for A and 3,999 people vote for B. If so, 4,000 votes for A were necessary for A’s victory; the other 6,000 votes were superfluous. The causally efficacious set of votes totals 4,000—these are the votes that won the election. The probability that a random voters’ vote formed part of the causally efficacious set is 40 percent.

Tuck relies on two controversial claims about causation. For the sake of argument, I assume the claims are true. Tuck’s first claim is that everyone who forms part of the causally efficacious set has some sort of causal responsibility for the outcome.²⁹ His second, more controversial claim is that C is the cause of E provided C is minimally sufficient for E, even if C is not necessary for E (i.e., even if E would have happened without C). A set of factors C is *minimally sufficient* for E provided (1) C is sufficient for E, and (2) there is no proper subset of C sufficient for E. More formally, C is *minimally sufficient* for E iff $[(C \rightarrow E) \cdot \sim \exists D((D \subset C) \cdot (D \rightarrow E))]$. Note that for any given E, there may be many distinct sets of factors (C_1, C_2, C_3, \dots) minimally sufficient for E.

Tuck argues that when elections are close, the probability is high that one’s vote is in the causally efficacious set. The idea of the causally efficacious set is meant to diffuse the common worry that a voter wastes his time casting a vote with no causal affect on the outcome of the election. On Tuck’s view, the voter can tell himself, “There is a high probability that my vote, when combined with the others, helped produce the desirable outcome. It was important that we reach 4,000 votes, and given that I knew others would be voting for A as well, this gave me a good instrumental reason for voting for A, even if my vote wasn’t necessary.” Voting is an effective way of producing an outcome the voter desires.

To see if Tuck’s argument works (in showing that it is rational to vote), we need to consider two kinds of potential voters. A *Type-1 Potential Voter* desires not merely that a good electoral outcome occurs but also desires that she be causally responsible for the outcome of the election. A *Type-2 Potential Voter* cares only that the good electoral outcome occurs. He attaches no special value to being the agent of causation. I argue that Tuck can

sometimes show that it is rational for Type-1 Potential Voters to vote, but he cannot show that it is rational for Type-2 Potential Voters to vote.

The Desire to Be Efficacious

Let's say I am a Type-1 Potential Voter. I desire not only to see a good electoral outcome occur but also to help bring about the outcome. Tuck argues that it can be rational for me to vote provided I have high enough probability of being in the causally efficacious set.

Tuck claims that voting is necessary to satisfy the desire to be causally efficacious over electoral outcomes. (Even this is not obviously true, because one way I can cause electoral outcomes is to influence others to vote.) If we grant his account of causation, he is right that voting provides a chance of being efficacious. However, this does not yet show that it is rational to vote. Many people who desire to be efficacious might still rationally choose not to vote, because the value of being efficacious discounted by the probability of being efficacious might be low compared to other available actions.

Tuck cannot use the probability of being efficacious alone to determine whether voting is rational. If performing some action Φ has a high probability of achieving my goal G , that does not automatically imply it is rational for me to Φ . Instead, we would need to know how important or valuable G is. It might be rational to forgo G , even if one has a 100 percent chance of achieving G through Φ , if G is not very valuable, and if there are more valuable goals that could be achieved instead.

Thus, to determine whether it is rational for people who care about being causally efficacious to vote, we need to multiply (A) the probability that one's vote will be in the causally efficacious by (B) the value of being in the efficacious set. That is, we use a formula such as 1:

$$(1) U_i = p(i \in K) \times V_i(i \in K)$$

where

U_i = the expected utility of voting

$p(i \in K)$ = the probability that my individual vote is a member of the causally efficacious set

$V_i(i \in K)$ = the utility of my individual vote being a member of the causally efficacious set

One problem with this formula is that there is no obvious way to determine what $V_i(i \in K)$ is or should be.³⁰ How much value is there in my

vote being in the causally efficacious set? This will vary from person to person, depending on how much they happen to care about being efficacious. At best, Tuck's argument so far shows only that it is rational for some people to vote sometimes, if they happen to care enough about being causally efficacious.

However, this depends on opportunity cost (something Tuck does not consider). It is rational for any given person to vote only if her U_i in formula 1 is higher than the expected utility of other available actions. Suppose that I value being causally efficacious at \$50, I value watching the three *Godfather* movies on election day at \$41, and the probability my vote will be in the causally efficacious set is less than 80 percent. If so, then the expected utility of voting is less than the expected utility of watching the movies. If so, then it is not rational to vote, even though I care about being in the causally efficacious set. So Tuck can show that it is rational to vote provided (1) one desires to be efficacious, but only if (2) one has nothing better to do with one's time when one votes.³¹

Tuck Has the Wrong Theory of Rational Choice

Type-2 Potential Voters have no desire to be causally efficacious, but they have preferences over which electoral outcome obtains. Tuck cannot show that it is rational for Type-2 Potential Voters to vote, except in unusual circumstances.

If people have no desire to be causally efficacious, then formula 1 cannot explain why they should vote. Still, Tuck wants to prove that it is rational to vote, in many cases, even when people have no desire to be causally efficacious. That is, he wants to show it can be rational for me to vote even if for me $V_i(i \in K) = 0$, that is, even if I am a Type-2 Potential Voter. Suppose I desire that candidate A is elected but attach no value to my helping to cause A's election. Tuck wants to argue that it is rational for me to vote simply because I have a good chance of producing the outcome by voting. Tuck says that by voting I (sometimes) have a high enough probability of doing something sufficient to produce the outcome I desire.

Tuck wants to show that voting is rational without jettisoning or modifying common theories of rational choice. Tuck wants to prove Olson is wrong about the rationality of voting not because Olson has the wrong theory of rational choice but because Olson is wrong about the causal efficacy of votes.³² Tuck says that Olson has incorrectly assumed that the causes of events must be necessary for those events. In contrast, Tuck wants to show that causes must only be minimally sufficient. Yet, even if individual votes do have the causal efficacy Tuck claims they have, this does not prove that voting is rational. In fact, Tuck accepts the wrong theory of rational choice.

Tuck says to the second kind of potential voter (the one who wants an outcome to occur but attaches no value to producing it) that he should vote because voting will achieve his goal. Tuck thinks that if Φ -ing is sufficient to produce a desired outcome, then it is rational to Φ . Tuck claims that it is rational to vote, even if you do not care about being casually efficacious, because by voting (if enough others also vote) you can do something sufficient to produce the outcome you desire. Tuck says that the “essence of instrumental action is . . . that we do what is a *means* to an *end*, that is, *causes* it.”³³

This is an incorrect account of rational choice. Rational agents are not defined simply as creatures who do what is sufficient to produce their ends. Tuck appears to subscribe to a problematic view of rational choice, which Gerald Gaus calls “Rationality as Effectiveness”:

Alf’s action [Φ] is instrumentally rational if and only if Φ -ing is an effective way for Alf to achieve his desire, goal, end, or taste, G.³⁴

The problem with Rationality as Effectiveness is that the mere fact that Φ suffices to produce a desired outcome does not make it rational to Φ or irrational not to Φ . Rationality as Effectiveness is both too restrictive and too permissive an account of rationality.

It is too restrictive because it implies that even if you have overwhelming evidence that Φ -ing will lead to G, if you Φ and Φ -ing happens to fail, then you were irrational to Φ . For example, suppose you have cancer, but you take SuperCure MiracleDrug, which costs \$1 and is 99.9999 percent effective at curing cancer. You take the drug, knowing that there is only a 1-in-1,000,000 chance it will not work. After taking it, alas, you are not cured—you are the unlucky one out of a million who is not helped. According to Rationality as Effectiveness, this means it was irrational for you to take SuperCure. But that is absurd. Rather, taking SuperCure was the rational choice, but not all rational choices pay off.

Rationality as Effectiveness is also too permissive a theory of rational choice. Suppose you want to be richer. You spend all of your money, \$100,000, on a bet that has a 1-in-1,000,000 chance of earning you an additional \$1. Fortuitously, you win, and so now have \$100,001 instead of \$100,000. Rationality as Effectiveness implies that it was rational for you to make this bet, but clearly it was not. It was a dumb bet, but dumb bets sometimes pay off.

So one problem with Tuck’s argument that it is rational for Type-2 Potential Voters to vote is that, contrary to Tuck’s intentions,³⁵ he appears to be working with a different theory of rationality from Olson’s. Tuck sees himself as criticizing Olson’s theory of causation but as working with Olson’s theory of rational choice. However, in fact, Tuck appears to accept Rationality as Effectiveness, but this is an unpopular theory of

rational choice, which Olsen likely rejects. After all, Olson complains not only that voting is causally inefficacious but also that the expected costs of voting are less than the expected benefits. Olson most likely subscribes to a theory of rational choice closer to what Gaus calls “Instrumental Rationality”:

Alf’s action Φ is instrumentally rational only if Alf chooses Φ because he soundly believes it is the best prospect for achieving his goals, values, ends, etc.³⁶

Instrumental Rationality is a more plausible theory of rational choice because it takes into account opportunity costs in decision making. Rational agents do not merely desire to be effective in securing their ends; rather, they wish to economize among their goals.

Tuck’s Theory Implies Abstention Is as Good or Better Than Voting

Nevertheless, this is not the main problem with Tuck’s argument. Recall that the Type-2 Potential Voter prefers that A be elected instead of B, but he attaches no special value to his helping to cause A to be elected. Suppose we grant Tuck that voting is rational because it is sufficient, given how other voters vote, to produce a desired outcome. Tuck has not thereby shown that it is irrational for this second kind of voter to abstain. For this second kind of voter, given how other voters are voting, abstention is also sufficient to achieve his goal. Given what other voters are doing, voting for A and abstaining from voting for A are both sufficient for A to be elected. (Recall that Tuck is not trying to argue that one should vote because there is some small chance one’s vote will be decisive.) So Tuck’s argument seems to imply that Type-2 Potential Voters have reason to vote but equally good reason not to do so.

Actually, this is too charitable to Tuck. Suppose Alf has exactly one goal—to see A elected. Tuck may have shown that it is rational for Alf to vote, though it is not irrational for him to abstain. However, suppose Bob has two goals—to see A elected and to watch television. It is thus *irrational* for Bob to vote. Voting and abstaining are both sufficient to produce his first goal, but voting takes time away from achieving the second goal. Bob best satisfies his two goals by watching television and abstaining from voting. Voting for A and abstention are not equally rational for Bob. Voting has an opportunity cost, but watching television has no opportunity cost. So, if Bob follows Tuck’s theory of rational choice and does whatever is sufficient to produce his goals, he will abstain. Abstention is sufficient to realize his two goals, but voting is not.

Thus, Tuck’s argument implies that it is rational for Type-2 Potential Voters to vote only if they have no opportunity cost whatsoever in voting,

and even then, it implies that voting for one's preferred outcome and abstention are equally rational strategies for achieving one's preferred outcome.³⁷

Summary

If we grant Tuck his theory of causation, he has at best shown that voting can be rational under these limited conditions: (1) The agent desires that an electoral outcome occur; (2) by voting, there is a high probability that the agent's vote will be causally efficacious; (3) the agent attaches significant value to being causally efficacious, such that (4) the value of being efficacious discounted by the probability of being efficacious results in voting having an expected utility equal to or higher than the expected utility of any other available action. He has also shown that it can be rational to vote even (5) if one attaches no value to being efficacious, but only on the condition (6) that voting has no opportunity cost at all. Even then, he cannot show that it is irrational not to vote—abstention is as good as voting. Of course, voting always has *some* opportunity cost, and so Tuck has not shown that it is rational for people who do not care about being efficacious to vote.

A DUTY TO VOTE?

If someone were to attempt to use Tuck's argument to prove there is a duty to vote, the most obvious way to do this would be to argue that it is morally important to be causally efficacious in producing some outcomes. Sometimes the point of acting is not merely to ensure that some desired result occurs but also to ensure that the actor causes that result.

Robert Goodin says that to care about someone typically means not just that you desire that her life go well but that you also want to help cause her life to go well. There is something strange about the idea of being concerned with someone else's welfare but being indifferent to whether one's own actions make any difference to her welfare.³⁸

Can this point be extended to voting? Suppose voting for A will greatly benefit the citizens at large. Suppose I know also that A is likely to win—most people recognize that A is a better candidate than B. If I evaluate my action solely on its expected utility (in generating electoral outcomes), I have no good grounds for voting. However, we might argue that citizens should be public-spirited. They should not merely desire that good electoral outcomes occur; rather, they should try to make them occur.

So consider the Agency Argument:

Agency Argument:

1. (Given that you are a citizen,) you should be a good citizen.
2. In order for you to be a good citizen, it is not enough that good electoral outcomes occur. Rather, in addition, you should help cause those outcomes.
3. Therefore, you should vote.

I will assume premise 1 is true for the sake of argument. Premise 2 is problematic. Why should we believe that citizens should each help cause electoral outcomes?

Consider a clear case where it is important not merely that a good thing happens but that I cause it to happen. Consider a version of the Agency Argument, applied to the case of parenting:

1. (Given that I am a parent,) I should be a good parent.
2. In order to be a good parent, it is not enough that one's child be well cared for. Instead, one needs to cause or be among the causes of the child's being well cared for.
3. Therefore, I should care for my child or otherwise provide for his care.

That I should *cause* my son to be well cared for is clear. The reason, from a moral standpoint, is that *I owe him a duty of care*. I have a preexisting obligation to make sure that he is well cared for. Arguably, this duty is not discharged unless I am sufficiently causally responsible for his welfare. For example, if I were to abandon him, but his mother provided excellent care in my absence, I would fail to discharge my duties as a father.

In the case of parenting, the Agency Argument does not *prove* that I have a duty to care for my son. Rather, it *presupposes* this duty. Premise 2 is true only because the conclusion (3) is true. If someone were to offer the Agency Argument as proof that parents should care for their children, she would beg the question.³⁹

So there is a worry that the Agency Argument begs the question when applied to voting. Consider premise 2 of the Agency Argument again:

2. In order for you to be a good citizen, it is not enough that good electoral outcomes occur. Rather, in addition, you should help cause those outcomes.

The best explanation for why I would have a duty to be causally responsible for electoral outcomes is that I have a duty to vote. So it looks like this argument begs the question.

To avoid begging the question, an alternative formulation of the Agency Argument might make premise 2 broader:

1. You should be a good citizen.
2. In order for you to be a good citizen, it is not enough that other citizens obtain adequate levels of welfare and live under a reasonably just social order. Rather, in addition, you need to be an agent who helps to cause other citizens to have these adequate levels of welfare, etc.
3. In order to do this, you must vote.
4. Therefore, you must vote.

In this version, the Agency Argument does not beg the question. However, now premise 3 looks questionable. Even if we grant premise 2—that as a citizen you owe it to other citizens to cause them to have adequate levels of welfare, etc., it is not obvious why you must vote in order to do this. *Prima facie*, voting appears unnecessary to discharge the duty described in premise 2. You could discharge the duty described in premise 2 in any number of ways besides voting. So, at best, this argument is incomplete—we need a subargument for premise 3. At this point, if someone offered the alternative formulation of the Agency Argument, we would not have reason to accept the conclusion until she offered some defense of premise 3. However, in the next chapter, I show that no such defense can be provided. Premise 3 is false. So for now we can regard the Agency Argument as at best potentially showing there is a duty to vote, but in the next chapter, I show it does not succeed.

THE PUBLIC GOODS ARGUMENT

Lomasky and Brennan say the most common justification for a duty to vote is the Generalization Argument (an argument they reject):

What if everyone were to stay home and not vote? The results would be disastrous! Therefore, I (you/she) should vote.⁴⁰

This commonsense argument gropes toward a kind of Kantian reasoning. Kant's moral theory claims that we should act only on those plans of action which we could consistently will that everyone act on (in relevantly similar contexts). If we assume for the sake of argument that universal abstention would be disastrous, then we cannot rationally will that everyone act on maxims such as "I won't vote" or "I won't vote unless doing so generates significant expected utility." Does that mean I should vote? Of course, using Kant's first formulation of the categorical imperative the right way is tricky. So finding the proper way to turn this commonsense argument into a good one will be hard, if possible at all.

It would be bad if no one voted, but that does not imply that everyone should vote. Lomasky and Brennan draw a parallel example: it would be bad if no one farmed, but that does not imply that everyone should farm.⁴¹

Many activities are strategic from a moral point of view. Sometimes, what I ought to do depends on what others do. For instance, I have a moral duty to provide food for my son. Right now I discharge that duty by buying food from supermarkets. I can discharge my duty this way only because I can count on others to grow food and offer it for sale. If no one else farmed, it would become morally imperative that I find other ways of obtaining food. I would owe it to my son to give up my job as a college professor and instead learn to hunt, scavenge, and garden. However, because I can reliably count on others to farm, I have no obligation to produce food on my own. (Note that I am not free-riding on the provision of food. I do not steal it. Rather, I offer services in exchange for cash and cash in exchange for food.)

On the other hand, suppose we live in a just political regime. The regime provides public goods, such as roads. The rest of you pay your taxes. I might think, “My taxes won’t be missed. The roads will still be provided. My contribution is negligible. So I won’t pay.” If I do not pay, I free-ride on the provision of public goods. For me to enjoy the roads without paying my fair share is unfair. Similarly (to use another example of Lomasky and Brennan’s), if everyone else observes a norm of not walking over a newly seeded lawn, I might be able to walk over it as I please without causing any noticeable damage. By doing that, however, I free-ride on others’ restraint. We all get to enjoy the new lawn, but it is unfair for me not to bear part of the cost of the lawn (by having to walk around it) that the rest of you bear.

Lomasky and Brennan respond to the question, “But what if nobody did it?” by pointing out that there are two kinds of activities. For some activities—such as being a farmer—it is morally important that *enough* people do them, not that everyone does them. (In fact, it would be bad if everyone farmed, because that would take time away from other valuable pursuits and lower the standard of living.) For other activities, such as paying taxes for public goods, avoiding littering, or keeping off the lawn, it is morally important that everyone do them, not just that a certain number of people do them. With this distinction in hand, Lomasky and Brennan then ask the defender of the duty to vote to show them that voting is the second kind of activity, not the first.

How could someone show that voting is the second kind of activity? Suppose we could show voting is morally equivalent to paying taxes for public goods. A well-functioning democracy is a public good.⁴² As with other public goods, at least under normal circumstances,⁴³ it is immoral

to free-ride on their provision. This insight leads to the Public Goods Argument for voting.⁴⁴

The Public Goods Argument:

1. Good governance is a public good.
2. No one should free-ride on the provision of such goods. Those who benefit from such goods should reciprocate.
3. Citizens who abstain from voting free-ride on the provision of good governance.
4. Therefore, each citizen should vote.

Lomasky and Brennan claim that the Public Goods Argument misunderstands voting. They claim that abstaining from voting is not like failing to pay taxes but more like choosing to be a dentist rather than a farmer.⁴⁵ They claim that voting is the kind of activity where it is morally important that enough people do it but not that everyone does it. So they dispute premise 3 of the Public Goods Argument. They claim that nonvoters do not free-ride on the provision of good governance any more than I (working as a philosopher) free-ride on the provision of food (by farmers). While I agree with Lomasky and Brennan that the Public Goods Argument fails *for this very reason*, I think their response to it is inadequate. So, for the rest of this section, I explain their objections and then respond on the Public Goods Argument's behalf. In the next chapter, I provide a better explanation of why premise 3 is false.

If you benefit from an activity others perform, but do not perform that activity yourself, how do you know whether you are free-riding on that activity? Lomasky and Brennan suggest that someone free-rides on others' activity when she benefits from that activity, abstains from doing the activity herself, and her abstention imposes a differential burden on those who continue with the activity.⁴⁶ For example, if you pay taxes for national defense and I do not, then while we both enjoy national defense, you are rendered worse off by having to pay for defense, while I am not. And, as more and more people stop paying taxes, the burden on those who continue to pay increases. In contrast, when Farmer John stops farming, this does not typically impose a greater farming burden on the remaining farmers. On the contrary, it *benefits* the remaining farmers, because it reduces the competition they face and thus raises their profits.

Lomasky and Brennan argue that failing to vote is more like retiring from farming than like failing to pay taxes. If one voter abstains, this lowers the size of the electorate. Lomasky and Brennan conclude that abstention benefits rather than hurts other citizens, because it decreases

the competition they face. If I do not vote, your vote counts more. My abstention increases the probability that your vote will be decisive and you will get your way.

It is not clear that this is an adequate response to the Public Goods Argument. If I abstain, I do not necessarily compensate the remaining voters by increasing their electoral effectiveness. If I tend to vote for the Prosperity Party, then, by abstaining, I make it (very) slightly more likely that the Tradition Party will win. Prosperity Party voters now have more power as individuals, but, at the same time, the chances that they will get their way have diminished rather than increased. Though as individuals they now have more power, as a group they have less, and their success depended on their power as a group.

If the point of voting should be to provide good governance (in a later chapter, I argue this is so), then whether my choice to abstain compensates fellow citizens depends on the quality of the remaining voters relative to me. Suppose Charles is active-minded, self-critical, highly educated in philosophy and the social sciences, well informed about current events, and votes for the public interest rather than narrow self-interest. If he decides not to vote, this makes it more likely that relatively ignorant, misinformed, immoral, or irrational people will decide the electoral outcome.⁴⁷ On the other hand, if David Duke abstains, we can be glad he thus increases the electoral effectiveness of other voters. To summarize: the choice to abstain compensates others (by increasing their probability of being decisive) only if increasing their probability of being decisive benefits them.

There is another reason to worry about Lomasky and Brennan's claim that abstaining automatically compensates other voters. Many people (e.g., deliberative democrats) who think there is a duty to vote hold that everyone ought to be adequately conscientious, rational, and well informed in how they vote. Suppose that the majority of voters in the last election were adequately conscientious, rational, and well informed. Lomasky and Brennan agree that being conscientious, rational, and well informed about politics takes significant investments of time and effort. If I abstain, I increase the probability that these other good voters will be decisive. However, they had to undertake some significant costs in becoming good voters. Many philosophers think it is plausible that by abstaining I free-ride on the good governance these other voters provide. While my abstention makes it easier for voters to provide good governance (because it removes the threat that I will vote badly), they might complain that it is unfair that I did not do my part in providing good governance. It is not clear that I have compensated them for their investments of effort and time simply by increasing the expected utility of their individual votes. Of course, this argument works only to the extent that

real voters are conscientious, well informed, and rational. So Lomasky and Brennan might be able to claim that if others are voting badly, then the Public Goods Argument cannot show that you have a duty to vote. However, if others are voting well, then Lomasky and Brennan have not shown us that we do not similarly have a duty to vote well. We all benefit from good governance, but the good voters had to suffer costs in providing it, while (it appears) I get it for free.

Lomasky and Brennan have not yet refuted the Public Goods Argument. In the next chapter, I refute the Public Goods Argument by showing that citizens can avoid free-riding on the provision of good governance without themselves directly providing for good governance.

ARGUMENTS FROM VIRTUE

Previous sections involved arguments about what we owed each other and ourselves. In this section, we consider arguments relying on what it takes to be virtuous or to lead a worthwhile life.

One way to argue for a duty to vote, or least to argue that failing to vote shows a deficiency of character, comes from virtue ethics. Consider the simple Civic Virtue Argument:

The Civic Virtue Argument:

1. Civic virtue is a moral virtue.
2. Civic virtue requires voting.
3. Therefore, citizens who do not vote thereby exhibit a lack of civic virtue and are to that extent morally vicious.

Premises 1 and 2 are widely shared. They seem commonsensical. And so, it seems as if we have a quick and easy argument to show that abstention is morally subpar.

Notice that this argument, as presented, does not conclude that there is a duty to vote. We could easily modify it to generate that conclusion, but virtue theorists often worry that other moral theorists place too much weight on duty. Perhaps we do not really need to show that there is a duty to vote. Rather, maybe all we need to show is that there is something subpar about the character of the nonvoter.

In parallel, in the field of environmental ethics, there are a variety of attempts to respond to Richard Sylvan's Last Man thought experiment.⁴⁸ Sylvan asks you to imagine that you are the last person alive. Somehow, you know that no other sentient beings (including animals) will inhabit Earth ever again. Next to you is the last remaining redwood tree.

A thought occurs to you—you could destroy it, just for fun, or for no reason at all.

Sylvan then asks us to consider if there is something wrong with destroying the tree. Many people have a gut reaction that there is. Still, they are at a loss to explain why, because most people tend to think that we can owe obligations only to other humans or to sentient animals. By hypothesis, destroying the tree will not cause any suffering or pain. So, what is wrong with destroying it, if anything? This question has led many environmental ethicists to explore the idea that we can owe duties to nonsentient beings.

Another alternative, though, is not to argue that it is wrong to destroy the redwood but simply to argue that anyone who would be willing to do so lacks good character. Perhaps we have no duty to preserve the tree—it is not, strictly speaking, wrong to destroy it—but a person who would destroy a majestic redwood for sheer enjoyment or for no reason at all must be to some extent morally vicious. Thomas Hill Jr. has a paper arguing that *the kind of person who would do such a thing* would almost always be someone of bad character, even though the action is not wrong.⁴⁹

Similarly, we could just argue that civic virtue is a significant moral virtue (which most people will grant) and then argue that failing to vote shows a lack of civic virtue (which most people will also grant). It follows that failing to vote shows some deficiency of moral character, even if, strictly speaking, abstaining is not wrong. One can show a deficiency of character even when one does not violate any duties. For example, suppose a colleague's child dies. I go through the normal motions of consoling him. I buy flowers. I tell him, sincerely, that I will provide any help he requests. Still, I do not feel any actual sympathy for him. Here, my failure to sympathize implies I have some moral deficiency, even though I have discharged all my duties toward him.

However, because this chapter is about searching for arguments in favor of a duty to vote, here is a second version of the Civic Virtue Argument.

The Modified Civic Virtue Argument:

1. You ought to have moral virtue and perform those activities necessary for virtue.
2. Civic virtue is a moral virtue.
3. Therefore, you ought to perform those activities necessary for civic virtue.
4. Civic virtue requires voting.
5. Therefore, you ought to vote.

In both the modified and the original version of the Civic Virtue Argument, the key premise is this: “Civic virtue requires voting.” In the next chapter, I refute both versions of the Civic Virtue Argument by showing that this premise is incorrect. It relies on a widely held but nonetheless mistaken conception of civic virtue.

Note that it might in fact be the case that all or most actual nonvoters choose not to vote as a result of a character deficiency. Even if so, this would not necessarily vindicate the Civic Virtue Argument. Suppose it turned out that all nonvoters are cowards and are indifferent to the welfare of others, and this causes them to refrain from voting. In that case, they would indeed lack good character. However, this allows that one could still have good character and not vote. To succeed, the Civic Virtue Argument requires that civic virtue is intimately connected to voting, much as integrity is intimately connected to standing up for one’s principles. That is where the argument is mistaken. In the next chapter, I argue that there is no such intimate connection between civic virtue and voting.