

Jason Brennan

The Ethics of Voting.

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Jason Brennan's *The Ethics of Voting* is presented as a general discussion over the ethical dimensions of voting, from whether one has a duty to vote or merely a duty to abstain from wrongful or harmful voting to the nature of civic virtue and the permissibility of vote selling. Overall, Brennan proposes to "determine whether a citizen should vote at all and how she should vote if she chooses to do so." (1) However, as Brennan pursues this deceptively simple project, his argumentation is often convoluted or weak when present. Brennan seems to maintain that we have no duty to vote since our votes are basically worthless and we can better promote the common good through private, extra-political activities, but at the same time bad or fortuitous (ignorant and lucky) voters ought to abstain since collectively they pollute the political system and may cause harm. The general trajectory of Brennan's discussion will move the reader to see that his real motivation is to argue that wrongful voters should abstain, and that this position is driven by an unstated and unsupported libertarianism.

The beginning of *The Ethics of Voting* addresses the commonplace arguments for a duty to vote that Brennan considers unconvincing. As he examines these arguments he establishes a loose case for his overarching claim that there is a duty not to vote poorly. In these early chapters, Brennan is primarily concerned with highlighting weaknesses and flaws in traditional arguments for an obligation to vote. In later chapters, he argues for the absence of a moral duty to vote. His earlier criticisms form the basis for his own case that there is no duty to vote, but instead an obligation to abstain under certain circumstances. Brennan's subsequent theory will supposedly not require any specific concept of the common good; it will redefine civic virtue to include any and all extra-political activities that contribute to the good of the community broadly construed; and it will proceed from the belief that the utility of votes, understood via an econometrics formula, is negligible. Brennan concludes his book with chapters on the permissibility of vote selling and a survey of empirical studies on voting behaviors that seem oddly out of place and only loosely connected to the rest of the work.

Brennan begins with the idea that there is a near zero instrumental value to individual votes. For example, with respect to a presidential election he calculates the instrumental value of his vote, in economic terms, to be $\$4.77 \times 10^{-2650}$. (19) Additionally, Brennan assumes voting to have a value only insofar as it influences outcomes directly, and he assumes that this influence can be measured. Other motives for voting he either dismisses or fails to acknowledge. He thus rejects dignity, sovereignty, and other core values cursorily. Brennan's entire work is marred by this tendency to dismiss as irrelevant or trivial – or else to misconstrue or ignore outright – key elements of the debates he chooses to engage in as well as key objections to his own contentious positions. He is clear on his conclusions, but the support justifying them is lacking.

But even if the execution is lacking, the merit of Brennan's work lies in his willingness to question foundational values such as civic virtue that are often uncritically supported and revered. In the case of civic virtue, Brennan wants to sever the often-assumed connection between civic virtue and political participation. Brennan maintains that there are myriad ways in which one may be civically engaged or publically minded without being politically active. Analyzing the definitions of some premier political theorists, he concludes that, "Dagger, Crittenden, and others... [have] definitions of civic virtue [that] leave open what exactly the civic virtues are." He succinctly elucidates the "gap between the uncontroversial claim that civic virtue involve[s] the disposition to promote the common good and the substantive claim that civic virtue requires citizens to promote the common good through political participation." (47) However, in making his case he merely redefines civic virtue such that anyone acting in a way that demonstrates a predisposition towards the common good, loosely defined, is acting virtuously. In so doing, although he has raised an interesting problem with traditional understandings of civic virtue, he has uncritically watered down the idea such that it includes things as simplistic as his example of a mechanic benefitting society by fixing cars. (51) At this point there is no longer any content to the idea of civic virtue. But his redefined notion of civic virtue supports his implicit political position: people should be minimally engaged in politics since the state itself is an inherently coercive entity. Here we have a further problem with Brennan's work. It is driven by a libertarian, anti-government undercurrent, one he never acknowledges but which is always present even as he claims to be neutral with respect to a political conception of the state or the common good.

Brennan is promoting an individualistic, libertarian agenda. His entire book is premised on a distrust of the government, which is rooted in a belief that states themselves are inherently coercive and anti-liberal. So instead of a philosophical interrogation of voting ethics the reader is instead presented with an argument against governmental interference by means of an argument that people should not be disposed to public service, including voting. Voting is seen as conferring power to a coercive government: this explains why Brennan is devoted to diminishing the value of votes in comparison to other activities, like running a private business, as well as to the prevention of bad and even fortuitous voting. He even goes so far as to liken democracy, in particular the US system of government, to a "ballot connected to a gun." (8) From the beginning, Brennan operates under assumptions that shape his discussion, motivate his criticisms, and ultimately detract from what might otherwise be valuable work. Beyond his libertarianism, there is the belief that votes are worthless as concerns their individual positive value, but that taken collectively they threaten to do considerable harm and so should be prevented. Aside from the incongruence of this position, there is the further difficulty that he wants to argue that bad voters ought to abstain even when they do not – and indeed often could not – know that they are in fact bad voters.

In discussing fortuitous voting as a form of wrongful voting, Brennan makes the claim that "fortuitous voters do not know they are voting fortuitously." He claims bad voters – voters who do not aim at the common good, however defined – are litterers who pollute our democracy. Ultimately, Brennan enumerates two categories of wrongful

voting: “fortuitous voting and unexcused harmful voting.” (68) In both cases he admits that given the epistemic criteria for being a good voter, bad voters and fortuitous voters will not know that they are voting wrongly, in fact, they will often believe themselves to be informed and responsible voters. This raises a problem for Brennan, given that he demands of bad voters that they refrain. How can someone refrain from what they see as correct, or from what they cannot know to be wrongful? Yet he offers no explanation that reconciles how one can perform an action they in principle cannot know they are duty-bound to perform. After skirting the issue and misconstruing the objections several times he says, “very few bad voters will be like that. Most bad voters can know they are bad voters, most of them are at fault for not being able to know this.” (90) This is his answer to the dilemma of bad voters who do not know they are bad voters. So a key objection to his theory, namely, that he demands actions that cannot be performed, is to say he will demand them of very few people. It is this pattern of dismissal and evasion that detracts significantly from any contribution Brennan’s book might otherwise make.

Although this review has been on the whole quite critical of Brennan’s work, the book is an interesting introduction to some of the issues surrounding voting. Yet, beyond a mere indication of major issues, Brennan’s contributions are minor at best. His arguments are often superficial, poorly researched and argued, and ultimately seem to indicate the beginnings of a position rather than a developed and coherent interrogation of the issues. Perhaps this book would have been better presented as an appendix to his work on libertarianism and not a freestanding investigation into voting. Brennan does succeed in raising intriguing questions that deserve attention. He takes institutions that are commonly revered as static absolutes to task throughout his book. However, he does not answer the questions with the same caliber of insight that produced them. His conclusions are drawn before the explanation to the reader begins. Objections are ignored frequently enough that the reader seems to consider ramifications of Brennan’s argument further than Brennan himself. However, this does not make the book any less of an interesting and provocative expression of Brennan’s position on voting. The value of Brennan’s work lies in the scope and tenacity of the questions he asks and the promise of those answers that will follow from discussion outside the book.

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