Voting as a Duty of Common Pursuit

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ABSTRACT

This essay argues in favor of a moral duty to vote as an example of a duty of aid toward our fellow citizens in society. I show that voting as an individual act is perfectly rational because voting is a duty of common pursuit. Moreover, I claim that said duty is not morally trivial simply because other ways of helping others exist, which could conceivably be more effective from an individual standpoint (in the sense that they do not require collective action, or much collective action, to achieve an outcome). The essays also argues that voting is a weighty duty (all else being equal) even if other forms of political participation can, arguably, contribute to helping others and society by enabling fair governments to gain power.

I think I do not speak in error when I say that common sense morality does not require from individuals that they make significant sacrifices to help others or their communities. Common sense morality—one could say—does not demand that we help others when doing so would require burdening ourselves in a way that would impinge on important human interests that we all have, such as an interest in enjoying good health, in financial security and comfort, or more generally, in personal freedom.

But common-sense morality does not condemn—to my understanding of what common sense morality is—duties of aid toward others insofar as fulfilling those duties is not too costly for us. Philosophical accounts of "positive duties" support this idea.[1] But other accounts, partly inspired by philosophical libertarianism, question the moral weight of positive duties and claim that only negative duties (i.e., duties not to harm) are the stuff of morality. In this paper, I do not aim to examine in depth the validity of any of these two approaches to the nature of duties toward others. However, I rely on the idea that, in tune with common-sense morality, certain duties to act for the benefit of others make sense and that we have reasons to see them as morally stringent, insofar as they do not demand undue sacrifice from individuals performing them. Many of these duties, moreover, require cooperation among many individuals—perhaps thousands of them—to bear fruit. They are duties of common pursuit because they require collective action to be effective. This collective action may vary in the degree of coordination required by individuals (i.e., cooperation may be spontaneous or orchestrated), but without it, no valuable outcome is likely to materialize because the desired result is too big to be achieved by

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[1] *See, inter alia*, Judith Lichtenberg, *Positive Duties, Negative Duties and the New Harms*, 120 ETHICS 557 (2010). *See also* Reymond Belliotti, *Negative Duties, Positive Duties, and Rights*, 16 THE SOUTHERN J. OF PHIL. 581 (1978).

the action of a single or a few persons. Examples of duties of common pursuit include, arguably, duties to assuage pollution, to fight poverty, and to conserve depleting natural resources.

In this essay, I will argue in favor of a moral duty to vote as an example of a duty of aid toward our fellow citizens in society. In so doing, I will show that voting as an individual act is perfectly rational because voting is a duty of common pursuit. Moreover, I will claim that said duty is not morally trivial simply because other ways of helping others exist, which could conceivably be more effective from an individual standpoint (in the sense that they do not require collective action, or much collective action, to achieve an outcome). I will also show why voting is a weighty duty (all else being equal), even if other forms of political participation can, arguably, contribute to helping others and society by enabling fair governments to gain power.

But first, some clarification about the assumptions I make regarding the value of voting as a form of collectively achieved assistance to society. I rely on an instrumentalist approach to value in that I regard voting as valuable because of its putative effects on justice and the wellbeing of citizens by enabling fair governance and unseating unfair governments. This form of valuation is not inconsistent with valuing voting based on its power to give voice to the collective voice of the citizenry—by articulating a general will that stands independently of the effects of elections on the quality of government.[2] But we value popular choice, as opposed to dictatorship or authoritarianism, because freedom in itself is valuable, and freedom (to choose governments and to dictate the direction of life in common) serves justice by letting us, the citizenry, remove ill-willed and morally bankrupt public officials from power. This idea may not seem as lofty and poetic as the idea that political participation enables the "people" as a collective to exercise its sovereignty freely, but it merits attention nevertheless, which I submit has been scarce in the democratic theory literature so far.

In arguing for my position, I will keep in mind the problem of voter ignorance and voter immorality. However, this is an empirical problem that is not insurmountable.[3] Additionally, the fact that some individuals are unable to fulfill a certain moral duty is not a sufficient reason to think of the duty as morally toothless. If that were the case, the duty not to harm should already be considered an empty formula—since there are so many cases of individuals violating it for no valid moral reason. But we do not see that duty in that way. We still think that duties to refrain from harming others are morally stringent, even though more people than we care to admit do not respect them.

I. OPTIMIZING VERSUS SATISFICING DUTIES TO HELP OTHERS

John Stuart Mill claimed that the vote is a trust because it gives the citizen power over other citizens in society. He put it as follows: "[b]ut the exercise of any political function, either as an elector or as a representative, is power over others. Those that say that the suffrage is not a trust but a right will scarcely accept the conclusion to which their doctrine leads."[4]

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[2] Although one could question the notion of a general, monolithic popular will, given that public opinion is diverse and disagreement is common, one could say that winning an electoral majority (absolute or relative) reflects a (sub) general will at least with respect to whom a high number of individuals want to see win the election and their proposed ideas and promises.

[3] Voter ignorance is not an act of God and can be assuaged or improved by the right political and economic reforms. I do not have the space here to expand on this empirical issue. I do that elsewhere.

[4] John Stuart Mill, *Considerations on Representative Government*, *in* ON LIBERTY AND OTHER ESSAYS 205, 354 (John Gray ed., 2008).

It would not be far-fetched to think of Mill as saying that the ballot gives citizens as a group collective power to affect the quality of governments (and therefore, the life of fellow citizens) since we know, as did he, that individual votes alone are innocuous because they will get lost in a proverbial ocean of votes. They will not have a visible impact on the election. However, if we are able to entertain the idea that voting with knowledge and a sense of justice can be a good enough way to aid society by acting in concert when participating in elections (even if it is not the only way or the best way at all times), we can understand why we do not have to relegate the act of casting a ballot to the group of instrumentally futile actions.[5] We can think of the vote as a form of collective power because the right to vote can be very costly to public officials insofar as it makes their tenure in office depend on what the electorate ends up deciding, with the all-too-real possibility that they will be ousted from, or never permitted to access, the seat of political power in society.

The classical, rational choice approach to voting rejects the notion that voting should be morally obligatory—or a duty—primarily because the individual act of voting will not be, in most cases, effective to tilt an election. In other words, a fundamentally ineffective act cannot be morally relevant, and a morally trivial act cannot be required from citizens. Duties are supposed to be sufficiently stringent morally so that we can justify blaming individuals for failing to fulfill them. But if they are not instrumentally powerful, the duty cannot be stringent enough. On this account, the force of any duty seems to be contingent on how consequential our individual actions or omissions are in making a difference in the world. But this rationale is too simplistic.

Following the traditional rational choice approach, we could logically conclude that paying taxes is irrational and morally irrelevant because our single tax contribution is negligible among the vast number of other tax payments in society. The single average citizen's share of taxes is not necessary to keep the state coffers in good health. Does it then follow from the virtually inexistent impact of the average individual taxpayer on the state's finances that we do not have a duty to pay our taxes? Most of us would say that it does not. To reinforce the point, imagine an (unrealistic) situation where taxes are voluntary, and no sanctions derive from failing to pay our share. Under these circumstances, is it true that we have no obligation whatsoever to pay because the state will not punish us for not paying? It hardly follows.

The fact that an individual contribution to the common good of society is incapable of making a perceptible difference does not, for that reason, make it morally optional. Classical formulations of Utilitarianism as an ethical philosophy, which grants value to actions solely on their capacity to improve the world, do not unambiguously suggest that individual actions must be able to make a discernible impact on their own in order to be the stuff of duties—or even to be valuable. An action is not morally trivial simply because it will not have a great impact on the world by itself.

Jeremy Bentham talks about the Principle of Utility as that "principle which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question: or, what is the same thing in other words, to promote or to oppose that happiness."[6] Bentham clarifies that an action

[5] We can trace this idea back to Anthony Downs' seminal book AN ECONOMIC THEORY OF DEMOCRACY (1957), in which he makes the argument that voting is irrational and therefore a paradox because the individual costs of doing it surpass the individual benefits.

[6] JEREMY BENTHAM, AN INTRODUCTION TO THE PRINCIPLES OF MORALS AND LEGISLATION, SECTIONS 1-2 (Oxford Clarendon Press, 1907) (1789).

will be consistent with the principle of utility "when the tendency it has to augment the happiness of the community is greater than any it has to diminish it." [7]

Similarly, John Stuart Mill describes the Principle of Utility as "a creed that holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness."[8] Following this logic, one can think that an action is right if it contributes to a (desirable) collective activity, however marginally. The small act tends to increase total welfare, or another measure of human progress such as justice, even if it does not greatly change its level. It will not detract from it, and it can add to it by a small amount. "Tending to increase utility" does not have to mean visibly and wholly increasing utility without the aid of other similar acts at all. We can think that the more goodness an action brings about, the more morally right it is. But this doesn't mean that a morally right action is only that which brings about as much good as humanly possible. Morally right actions are not just those that maximize the good. They can also contribute to it.

Besides duties to act to provide aid, we also have duties to refrain from acting if our actions may cause unjust harm to others. Voting in a certain fashion (i.e., without information or carelessly) can certainly be thought of as immoral regardless of how ineffective it is as an individual act if our vote contributes to a harmful result such as the erection of unjust governments. Jason Brennan aptly explains that even though what one single bad voter does will not alter the outcome of the election, we must avoid partaking of collectively harmful activities by adding an irresponsible vote to the count of votes. Voting without information contributes to harm because when many people do it, the outcome can be the election of unfit officials—or at worst, unjust ones.[9] But if it is true that a single bad vote is unlikely to tip an election to a bad candidate, we should not view voting with information as a futile, or morally trivial act just because it won't tilt an election to a good candidate, either. Both voting and refraining from voting are, as isolated, single acts, instrumentally non-impactful. However, neither Brennan nor I think that the individual impact is what matters in grounding a duty to refrain from uninformed voting or to vote with care.

Morality does not require that we always do the optimal thing, although it may tell us that the more good we do, the more virtuous, or morally rightful, we will be.[10] If voting with information is an act that we know benefits society by adding to a greater collection of similar acts, then that effect may be good enough to discharge a duty to help others and, in so doing, improve social wellbeing and justice. The duty to vote with care does not have to be grounded on a maximizing desideratum—just as the duty to refrain from uninformed voting is not justified on those terms. Instead, we can justify a putative duty to vote responsibly based on the moral nature of the collective outcome to which it adds (however marginally). In the case of voting as a collective activity, the joint outcome bears fruit when citizens vote judiciously in elections—managing to erect good governments or to oust unsuitable ones. This collective outcome is highly valuable because justice and fair-minded governance are valuable goods. Thus, even though the collective act of voting gains its worth from the result of furthering justice as good governance, the individual act of voting does not have to maximize that outcome by itself. Its moral obligation resides elsewhere, namely, in the fact that it contributes to the desirable collective outcome. Contributing to a desirable and morally worthy result must count towards fulfilling a duty to

[7] *Id*.
[8] Jon Stuart Mill, *Utilitarianism*, *in* ON LIBERTY AND OTHER ESSAYS 131, 137 (John Gray ed., 2008).
[9] This is Jason Brennan's main argument in THE ETHICS OF VOTING (2011), especially Chapter Three.
[10] Phillip Pettit & Michael Slote, *Satisficing Consequentialism*, in 58 PROCEEDINGS OF THE ARISTOTELIAN SOCIETY 139 (1984).

increase utility or improve the world. There is no reason, to my mind, why we should require individuals who are able to better the lives of others alone to be altruists. We do not expect pro-society-minded citizens to solve poverty, disease, and other forms of human suffering and penury by themselves. We generally urge human cooperation to bring about the end of those evils—or their minimization. Why should voting be any different?

II. THE VALUE OF THE ACT OF VOTING

As it may be clear by now, we value voting with information, as a single individual act because it is the kind of act that, together with many similar acts, will produce a collective result that we have good (objective) reasons to prefer. The value of our action derives from the value of the larger project of which it forms part, not from its power to make a difference alone. We could say that the larger project's value "trickles down." When we see our tiny actions in the backdrop of our participation in collective endeavors that we have good reasons to value, our single contribution acquires a moral salience that is not explained by the difference that our single, small act makes to any one state of affairs. We could say that the value of the collective outcome determines the value of the individual act. For example, I can consider that my charity contributions to fight hunger will not make much of a difference to the starving poor. "But when I see my donation as part of a coordinated fundraising effort, its significance changes."[11]

Derek Parfit shares the intuition behind the trickle-down argument just sketched when he explains that: "[e]ven if an act harms no one [because it is negligible] this act may be wrong because it is one of a set of acts that *together* harm other people. Similarly, even if some act, [because it is negligible] benefits no one it can be what someone ought to do, because it is one of a set of acts that *together* benefit other people."[12]

Parfit's logic above can support what I call a duty of "common pursuit"—that is, a duty to cooperate with others in the production of a final, collective outcome. The moral stringency of that duty to join forces with others will depend on the value (or disvalue) of the collective outcome to which the individual action adds—however modestly. Some examples may help to clarify this idea. Even though the harm I do by dumping my trash onto the river nearby my house is practically unnoticeable, when the whole city acts as I do, the harm will be noticeable. Thus, it is morally wrong to dump trash into streams of water. The collective result of everybody dumping trash is harmful, therefore, morally condemnable, and so, contributing to it, however marginally, should also be seen that way. Likewise, even though pollution levels will not vary solely as a result of my driving less frequently, when the entire city takes to using more public transportation, air pollution will visibly decrease. Therefore, I ought to drive less. This conclusion stands regardless of whether other individuals will choose to take the bus more often, or refrain from dumping trash onto the river. The point is that an individual contribution derives its value from the value (or disvalue) of the larger outcome of which it forms part. Because of this fact, we cannot say that we are morally permitted to pollute because others are polluting, for example. However, we should not be morally required to make up for other people's failure to contribute by recycling their trash ourselves, for example, or by driving them to work. We are only required to do our fair share of aiding or harm prevention.

[11] DEREK PARFIT, REASONS AND PERSONS 9 (1984).
[12] *Id*. at 70.

To clarify the argument, imagine a collection of people with a joint agreed upon goal. [13] Additionally, suppose that no single individual contribution will make a difference to the achievement of that goal because the contribution will be too small. As Beerbohm explains, if what really matters to assess the worth of an individual act is whether that act changes things, then, all participants to this enterprise may act fully permissibly, even if the collective goal that they support is not. For example, if the joint goal is the progressive destruction of an entire population, then each individual act of purposely spilling one drop of toxic waste onto the targeted community's river can be seen as morally permissible because its impact on the overall level of pollution will be almost nil. The intention to cooperate in the joint goal of gradual extermination, however, is wrong *in itself*, and it should therefore play a part in evaluating each poisoning person's actions. In this case, each individual is willingly participating in the production of a goal that is morally repugnant. Sharing intentions that are connected to a larger, condemnable goal can certainly be blameful. The blame is a direct consequence of the larger collective project's moral character. On this view, the individual acts inherit the moral qualities of the larger enterprise of which they are parts, and this is independent of how perceptible those individual acts are on their own.

In the same vein, sharing intentions that are connected to a larger morally valuable goal, like bringing about just governance in society, denotes a moral disposition that is an apt candidate for moral praise. Many acts denote moral praise because they signify a supererogatory action; that is, individuals who did them went above and beyond the call of duty. However, many other acts may also deserve praise because the individual simply did them, and the individual was expected to do them because the acts were not too costly or difficult, and they provided needed help to someone. The non-costly individual act that resonates with a larger goal of relieving suffering or injustice can very well be morally obligatory under circumstances we can imagine. In the case of an individual good vote, the potential to determine an election's result is virtually zero. But in the same way as contributing to a morally suspicious project is ethically troubling for the individual, even if his contribution to the final outcome is negligible, taking part of a larger collective effort oriented towards improving justice in society should be seen as valuable regardless of the single individual's capacity to determine a result is also negligible.

The foregoing conclusion rests on two prior normative assumptions. These assumptions are that: 1) duties to help others may be morally required if, for example, they are not unduly costly to the individual, and 2) duties to help others are not less powerful, morally, when they need to be carried out by many in concert in order to bring about a change. To further explain these ideas, I resort to the following illustration.[14]

Imagine a situation involving an attack aboard a train in which a man beats a fellow passenger. Several unrelated riders sitting in the same car witness the aggression. No individual rider by himself is assured to be able to stop the attack. However, all the riders together would be able to stop the violent attacker easily. All the riders witnessing the attack, therefore, have a duty to act cooperatively in order to protect the victim from further harm by incapacitating the aggressor. Similarly, we have a duty to vote with care, acting jointly with other citizens during elections, in order to prevent the harm of bad governance for society, regardless of the fact that we would not be able to prevent this harm alone.

But at this juncture the following objection may emerge. Because one individual vote is so imperceptible, the threshold needed to win the election will be met without it. It also may be

[13] I take and adapt this example from ERIC BEERBOHM, IN OUR NAME: THE ETHICS OF DEMOCRACY 57 (2012).
[14] Virginia Held, *Can a Random Collection of Individuals be Morally Responsible?*, 67 J. OF PHIL. 471, 476 (1970).

controversial to say that the act is morally required or important to start with. Do I still have a duty to vote when I know that the result that I seek to produce with others will unfold without my contribution? Differently put, am I still required to vote with care (or vote at all) if I know that my vote is not necessary to secure the result I favor?

That individual votes will tend to be superfluous in the final count may very well be the case, but such mathematical truth does not detract from the moral force of a duty of aid via the vote. Everybody's vote is unnecessary in a strictly mathematical sense since it is almost sure that the threshold of votes needed to win an election will be met regardless of any one citizen's participation. Thus, everybody would seem to have an equal claim to not being bothered to cast a ballot. It is empirically true, therefore, that my actions are superfluous in enabling a given result But if this is true, so are the actions of everybody else who is participating in the larger collective activity. Does it follow that nobody has a duty to act? Go back to the train attack example: if only five people were needed to stop the attacker, but there are six riders witnessing the attack, does it follow that none of them has a duty to intervene? I would say no. It makes more sense to think that everybody has an equal duty to act regardless of over-causation because it is difficult to see anyone's claim to be relieved from the duty as weightier than anyone else's.

III. A DUTY OF COMMON PURSUIT

As we have established, an individual action that is not all that impactful by itself may still be morally required because it is the type of act that inherits its value from the value of the larger effort to which it adds. An individual contribution may still be morally valuable (and required) because it is the type of action that, together with many other actions of its kind, produces a valuable result.

This approach to value means that individual actions are right or wrong because we identify them with certain overall results that we have good reason to value or disvalue. We know that if many people recycle, pollution levels will decrease; thus, it is right to recycle. The rightness or wrongness of an individual small action hinges on its derivative worth. Voting with care, I suggested, is a case in point because the cumulative impact of good, informed votes helps bring about good governance, which we have good reasons to value highly. By the same token, we know that voting carelessly (without information or immorally) harms democracy through the cumulative impact of bad votes—and for the lives of millions of people living in democratic societies.

The reasoning thus far sketched in defense of a duty to vote with care evokes a logic of collective consequentialism, not a Kantian generalization argument. According to the former, we act rightly when we cooperate with others to promote the good, and we may have a duty to do so if it makes sense to think that we ought to promote the good whenever we can (i.e. when it's not costly for us to do so). Applying the logic of collective consequentialism to voting, we can say that, regardless of each voter's marginal impact on the outcome of the election, she is doing her duty—or acting rightly—when she votes with the aim of joining forces with others also voting. By contrast, Kantian generalization arguments deem an action morally wrong if, in the hypothetical case that all undertook that action, a highly undesirable outcome would ensue. But the flipside of my argument that voting with information is morally obligatory because of what happens when

many other individuals also vote with care is not that if nobody voted at all, a highly undesirable outcome would ensue; therefore, we all ought to vote.[15] Let me elaborate.

Kantian generalization arguments center around the following question: What would happen if everybody did X (or nobody did Y)? In the framework of the Kantian generalization effort, we ask this question to assess the moral permissibility of an action. The reason why the question centers on this hypothetical exercise is the familiar Kantian universalization requirement for ethical action, as entailed by Kant's Categorical Imperative. An action that cannot be willed to be permissible by everybody cannot be morally right, let alone a duty, according to Kant.

In the case of voting, we could pose the following question: What would happen if nobody voted? The answer to that question would be "catastrophe" because a society in which nobody whatsoever took to the polls to cast their ballots would be a society without government or a society ruled tyrannically, which would gravely impair justice. Because this situation would be unwanted (nobody can will it to be universal without great moral loss), the Kantian-minded voter would conclude that the decision not to vote cannot be universalized and therefore, that there is a duty to vote.

The Kantian generalization logic has received wide criticism as a theoretical tool to ground ethical duties, and in particular, the alleged duty to vote.[16] One can easily challenge the Kantian generalization argument by objecting to the hypothetical scenario experiment. Imagine for a second that I am persuaded that it is my duty to enlist in the army and become a soldier. My reasoning is that if nobody served as soldiers, society would be in trouble because foreign invasions could destroy it (and it is a contradiction for the individual to will this). First, however, the fact of the matter is that a lot of people do volunteer to serve in the army regardless of how I feel about the harms caused by war. The hypothetical scenario experiment is unrealistic. In reality, there are many soldiers, and there will be many despite the hypothetical catastrophic scenarios played out in my mind. Second, and most importantly, if nobody becomes a soldier, society would meet disaster; it simply does not follow that there is a moral obligation for everyone to become a soldier.

In the case of voting, even though a society where absolutely nobody voted would be catastrophic because no government would be elected, the fact of the matter is that many people do vote. But most importantly, the critic could say that in the same way that the individual is not obligated to enlist in the army despite the disaster that would ensue if nobody in the country wanted to become a soldier, she is not obligated to vote despite the catastrophe that would ensue if nobody voted and no democratic government was established.

I am not going to defend the Kantian generalization argument because I think it is flawed in its application to the issue of whether we have a duty to vote, or to become soldiers for that matter. However, justifying the duty to vote can be done by taking a different route than the Kantian generalization approach. To understand why, we need to rehearse the gist of my argument for the duty up to this point. This logic is encapsulated in the above examples involving pollution and trash collection. We know that if many people recycle, pollution levels will decrease, which is why we are morally required to contribute to that desirable result by recycling our trash if doing so is not costly to us. In the same vein, if many people dump their toxic trash onto the river, pollution levels will rise, which gives us a binding reason (all else equal) not to dump our trash, however small our act may be in its overall impact. Thus, unlike proponents of the Kantian

[15] See Geoffrey Brennan & Loren Lomasky, *Is There a Duty to Vote?*, 17 SOC. PHIL. AND POL'Y 62 (2000), for a refutation of the generalization argument for the moral duty to vote. Jason Brennan in *The Ethics of Voting* also evokes it to rule it out as ineffective. Here, I am distinguishing my reasoning from the generalization rationale.

[16] *See* Lomasky et al., *supra* note 15.

generalization argument, I am not saying that individual action X is wrong because if everybody did X (i.e., something usually unlikely in reality) disastrous consequence Y would ensue. Instead, I am only saying that individual action E is right because when many or enough people do E, beneficial consequence Z usually follows. I am also saying that individual action R is wrong because, if many or enough people do R, undesirable consequence M usually follows. This is not the logic of Kantian generalization; it is the logic of collective consequentialism, or collective rationality, whereby we do not focus on the difference-making potential of our single act but, rather, on the value of the larger endeavor to which our contribution is actually adding, however modestly.

The form of collective rationality that undergirds the duty to vote with care does not require the individual to make sure that other individuals are acting similarly for her duty to improve the world to be stringent at all. Acting in accordance with collective rationality—that is, acting with a view to producing a larger result by cooperating with others—does not evoke an assurance game type of situation, i.e., a game where the agent's willingness to cooperate hinges on whether the other agents participating in the venture also cooperate, and by how much they do so. Rather, the collective rationality that undergirds the duty to vote with care reflects a different form of morality. This is a morality characterized by commitment.[17] The force of the commitment morality that calls us to vote with care resides in the principle that everybody ought to act as if others were acting similarly. Parfit, for example, supports this rationale. When explaining what makes cooperation a matter of moral duty, he explains that: a) If we assume that the best outcome is that in which people are benefited the most, b) each person in a given group *could* act in a certain way, and c) they would benefit other people if *enough* of them acted in this way, then d) each of them *ought to* act in this way.[18]

Note that it is not clear in any way that Parfit's reasoning assumes that the individual's contribution can change things on its own. It is only when enough individuals contribute that the group can make a difference collectively. If this is the case, one can hypothesize that the motivation driving the individual to cooperate will not be the goal of effecting change through her single act. What can it be, then? The same reason that animates the voter to cast a considered ballot: a sense of commitment to a collective enterprise that she has good reasons to see bear fruits when others contribute to it in the same way as she does.

In the case of elections, and according to the morality of commitment, the voter asks: "what should we individually do so that we can attain a particular outcome cooperatively?" In contrast to the classical, rational choice individualistic mindset, she does not ask: "What will I do, given what others are actually doing?" The individualistic rational choice approach looks at other people's compliance with a moral duty for determining our own degree of compliance with that moral duty. The rational choice mindset also suggests that freeriding on others if one can get away with it and still receive the benefits of other people's contributions is perfectly acceptable, morally. In the case of voting, if enough others are making the effort to vote, I may as well save myself the trouble. Similarly, if nobody is voting at all, I may as well think that I should not be the only one bothering.[19] But this is in no way the only type of rational thinking of which human beings are

[17] Amartya Sen refers to the foregoing sense of collective rationality as the logic of "commitment" in "Rational Fools: A Critique of the Behavioral Foundations of Economic Theory." *Philosophy and Public Affairs*, 6, 1977. I adopt his term here.

[18] PARFIT, *supra* note 11, at 77.

[19] However, the rational choice perspective could advocate voting in this case since a small number of voters means that my individual capacity to tilt the election is higher if I vote.

capable. People also evince a capacity for collective rationality: they are capable of seeing beyond the mere individual utility of freeriding and can concentrate on the gains of cooperation with others. People normally do things for others without bothering to check whether all would be-cooperators are willing to cooperate. They do not always keep count, even if they know that they are participating in a scheme that needs concerted action to bear fruits. Charity rallies, blood donation, food drives, foster parenting, abandoned pet adoption, and the hiding of Jews from German authorities in Nazi Europe are just a few examples. Some of these instances of non-selfish behavior are quite personally costly—so why think that much less costly communal behavior is not humanly feasible?

There is nothing extraordinary in acting with the common good in mind in situations in which we do not have much to lose from doing so. In fact, people do this all the time, perhaps moved by what Amartya Sen calls "a concern for decency of behavior" or a sense of commitment to a larger cause, without that commitment overtaking their lives and other goals. [20] Much of the literature against seeing voting as a duty (or a morally relevant act) suggests that voting has opportunity costs and that it is wrong-headed to conceive of it as rational and morally required because it should be the individual who ponders on the costs and benefits of voting for herself. If she would rather do something else with her time because she values voting less than other pursuits, that means that the opportunity costs of voting are too high for her to justify voting. We should not blame her for failing to vote. She is free not to do something that is unduly burdensome for her because it would take away from other activities that she deems worthier of her time and energy. For example, what if the individual would simply prefer to stay home and sleep or go to the movies, instead of going to vote? Why should we ignore his preferences, no matter what those are for?

One could surely say that watching movies, sleeping, or going to vote are alternative courses of action in the abstract. However, under circumstances we can imagine, people can watch movies, sleep, and still do other things during voting day, especially if those other things are not all time-consuming and not all energy consuming for the person. Voting at episodic elections—even if it requires time to familiarize oneself with the issues at stake—is not an activity that could conceivably impede the realization of life-plans and pursuits that a person truly values. In other words, the opportunity cost of voting may not be worth considering when deciding whether one should vote or not—if one is indeed rational. Let me elaborate.

When comparing courses of action in order to assess the opportunity costs associated with them, one must bear in mind the right equivalence. I submit that in order to do this, we need to pay heightened attention to our capacity to flourish as free individuals and to how each course of action in question may hamper that capacity. Not all opportunity costs are equally serious, morally speaking, because not all opportunity costs have the same effects on our autonomy, by which I understand the effective power to shape our life as we deem best—as free and equal persons. Under circumstances we can imagine, voting and acquiring enough information to do so carefully in episodic elections does not hamper the realization of valuable pursuits because voting does not impede a life lived according to our very own conception of what makes a life worth living—unless we have religious or other comprehensive foundational objections to political participation, in which case the issue would merit a separate analysis about rights of conscientious objection or exemption. But if that is not the case, that we may prefer to stay home or that we do not care about elections are not sufficient reasons to justify the conclusion that voting is costly and, therefore, that we are not morally obligated to do it, all else equal. All else is not equal if other duties or

[20] AMARTYA SEN, THE IDEA OF JUSTICE 194 (2011).

moral considerations appear to have more weight in individual circumstances. For example, we may have a duty to care for a sick relative on election day, or we may be incapable of voting because we are far away or sick ourselves. The duty to vote is not overriding of all and any other duties and rights. A purely subjective assessment of opportunity costs is not adequate. For example, we may think that the opportunity costs of paying taxes is very high since we may use the money to go on a very much needed vacation. But we do not think that because the individual would prefer to do something else with his money than pay taxes, taxes are a cost on him with moral weight to justify the freedom not to pay them.

I would like to say something else about the role of costs in discussions of moral duty. It is common wisdom in the philosophical literature that negative duties to refrain from harming are generally not very costly for the individual. It is not very strenuous for a person to refrain from killing, stealing, or hurting others around him, unless that person is a sociopath who has to restrain his evil impulses, which, we will assume, is not the norm. Positive duties to help, in contrast, may not always be so easy to fulfill. Coming to the aid of others may require that we go out of our way to save them from danger, or to appease their suffering—and this may not always be so seemingly easy.

But even if it is always true that negative duties not to harm impose lower costs than positive duties to aid or to prevent harm, that does not mean that positive duties are always unduly burdensome. For example, is stopping to call for help when we witness an accident too high a cost for us, assuming we are not in harm's way ourselves? One may think that stopping may impose an inconvenience that we may rationally want to avoid—such as being late to work or a date. It is true, helping others is not totally costless—but is it always *unacceptably* costly?

A promising way to think about how considerations of cost affect the obligatoriness of actions to prevent harm to others, or to help them, requires us to understand what the relationship is between costs borne by the helper and the benefits received by the person being helped. If the good furthered by helping is morally more urgent than the sacrifice undertaken to get it is costly, it may be true that there is a strong moral reason to do the sacrifice, all else equal. For example, if the cost of jumping into the ocean to help a drowning victim is ruining our shoes, and the good promoted by said cost is saving a life, it makes sense to conclude that the cost should be out-weighted by the benefit, making the rescue morally obligatory—that is, making it a duty.

This line of thinking may lead to problematic conclusions, sometimes. For example, if the cost of jumping into the water is catching pneumonia, does the good of saving a life still make the rescue morally obligatory? What if the cost of jumping into the water was losing a leg? From "the point of view of the universe," the good of saving a life justifies the cost of losing a leg because allegedly nothing is worse than death. However, this is not the perspective that we might want to take.

A cost-benefit analysis in its most crude form may not be fully appropriate to think about what makes harm prevention and aiding a matter of moral duty. We need to qualify this type of reasoning with a threshold logic. The threshold logic indicates that, no matter how great the good promoted by an act of harm prevention may be, the individual does not have a moral duty to do such act if the cost of doing so is above a reasonable standard of sacrifice. I will not here specify in detail what the reasonable standard should be, but I do think that the idea makes sense in its general form. This standard of sacrifice may perfectly include costs that are not as high as considerations of life and death, yet are weighty enough to render certain acts morally optional. In the case of elections, under circumstances one can imagine, voting with care is not a cost that surpasses the reasonable standard of sacrifice in question. Furthermore, the harm prevention

enabled when voting with care is prevalent among citizens is so desirable that contributing to it seems to be justified by the (not unduly high) cost of an informed vote.

IV. OBJECTION: VOTING IS NOT THE ONLY WAY TO HELP SOCIETY

At this juncture, someone may object that voting is not the only way to help society or our fellow citizens. Other forms of political participation (non-electoral) and other forms of non-political activities can also make an impact on the quality of government and on individual lives. This objection further presses that, if voting responsibly is not the only way to further the common good, why should we see it as morally required and not just as a mere freedom? In other words, why is voting so special?[21] If we can help our fellow citizens in multiple forms, not just by voting, shouldn't voting be one of the many options we can choose to fulfill a duty to help others? Note that this objection doesn't have to dispute that we may have a positive duty of aid toward other human beings. It only says that it is not clear that voting is at all required to make sense of it. Perhaps aiding others is an imperfect duty, in Kantian terms. We can decide how exactly to carry it out, and voting may not be what we prefer to do, and that is just fine. Not so, I say.

If we really care about the quality of governance in our society, because we (rightly) think that governments affect living standards and justice as no other human organization does, we have to ask: do non-electoral forms of participation fulfill the same exact role as voting? I would say not entirely. This is morally relevant, although those forms of participation may be seen to complement the role of voting. Even if non–electoral mechanisms such as marches and other citizen-led activities affect the actions of governments and serve as warnings and punishment for dissatisfied citizens to use, they do not install, and thereby legally authorize, public officials in power. They may contribute to some governments being rushed out before their term or to their fall from grace, but they cannot *officially* enable the establishment of new governments, or the continuation of old ones in office. Only elections can establish, and renew, governments and legally legitimize their sitting in power. Because voting has this *legal, juridical power*, it is morally distinctive as a form of political participation. If voting with care can be conducive to justice by legally determining who will govern, then it falls on all of us equally as a duty to help others. There is no way to avoid this conclusion unless we are ready to say that some of us have a weaker claim to being bound by duties than others (all else being equal). But I see no way to justify that thesis.

How about non-political ways of helping others? In this case, as laudable and necessary as those may be, they are not influential in determining the quality of governments—or not as directly as political participation. We do not need to deny that there are indeed many ways to further the common good in order to conclude that some of those ways may still be required of us (not always by the law but by our conscience). For the sake of argument, imagine the following example to help understand.

A potent storm affects your good friend's home, and she needs a place to stay for a few days until her temporary apartment is available. Hosting her would not be very costly to you, and you know her well. Additionally, you know that (because her writing skills are not great) she would benefit from some tutoring classes since job application season is approaching fast, and she needs a job. One day you tell her: "I will loan you money to pay for a writing tutor, but I'm not going to host you in my house." Your monetary help is surely beneficial to your friend. However, she urgently needs you to lodge her while she is homeless. Though your help with a tutor would be effective and is well-meaning, it should not detract from your duty to host her. This is a somewhat

[21] This critique is forcefully formulated in Jason Brennan, *supra* note 9, at 43-67.

silly example, with many possible objections such as: does she not have other friends in town? There is no such thing as a duty to host people after storms! Despite these objections and other caveats, the example is useful in clarifying an ethical reality we oftentimes face as individuals. Just because there are many things we can do for others does not mean that all and any one of those things is interchangeable with the others. It all depends on circumstance and urgency. If I happen to stumble upon someone having a heart attack, it will not suffice to think: "well, here is five dollars in case you survive. Or, well, I just helped a homeless person get a meal this morning, I think my helping is done for today."

Voting provides us with a similar situation to consider. The quality of government significantly affects every person in society because of the unique power of governments to affect the distribution of primary goods such as safety, income security, access to healthcare, access to jobs, access to social assistance, and others. Elections offer us a relatively easy way to improve society if we vote with minimal information and end up choosing decent governments. Other forms of contributing to the common good may be valuable and beneficial, but it is not clear that they morally absolve the individual if she does not care to vote. The reason why is that society needs its members to pick fair-minded leaders regardless of what else anyone else needs.

But does this mean that you ought to help anybody who conceivably may need help? Of course not. However, you are in such a good position to help in *this* case—the case of elections. To explain this point, let's return to the example of the friend affected by the storm. Sure, you can think that the extra money you will spend on food for your friend while she stays with you could be given to a charity organization of your choice, but how bad is it to forgo this particular chance to aid another that you happen to be so well-situated to act on? I argue that it would be impermissibly bad given your (sufficiently propitious) circumstances.

We could say that the foregoing conclusion is informed by a principle of moral inescapability. This is a principle for practical reason: its aim is to guide action. The principle says that given certain confluence of factors, aiding is the right and obligatory thing to do. In the case of your friend affected by the hurricane, the propitious confluence of factors includes how easy it would be for you to help her given your access to an apartment and the associated life conveniences of living under a roof, and how bad it would be for your friend to have to sleep in the street.

Similarly, elections entail a particular confluence of factors that render participation in them morally inescapable, all else being equal. First, they constitute an institutional device that places individual citizens in a position to render help easily. The machinery of elections emerges for citizens to vote and vanishes shortly after the choice period is over. Citizens do not have to create this structure; the democratic system automatically provides it (at least from a strictly individual perspective). Because of this basic fact of democracy, one could say that citizens happen to be propitiously situated to use elections to help their fellow citizens. Second, we know that elections are not morally innocuous in value. Elections legally install governments in power—and governments affect peoples' lives significantly—as no other human organization does. Thus, we can conclude that ignoring elections carries with it costs that we should not incur simply because we would rather help in other ways.

It is not morally acceptable to refrain from voting because one would prefer to contribute to the common good in other ways, just as it would not be acceptable to refuse to help your friend after the hurricane because you would rather donate cash to Oxfam. Certainly, it would be easy to donate to Oxfam, which may be why you should do so regardless of whether you help your friend. But the principle of moral inescapability dictates that you are still required to aid your friend because she needs the help now, and you presently have sufficient means to provide it. John Locke

referred to this type of duty in his *Essays on the Law of Nature* as a duty where "the outward performance is commanded" but where we are not continuously obligated to act except for "at a particular time and in a particular manner."[22]

Thus, unlike Immanuel Kant's notion of "imperfect duties"—which we can freely choose when to fulfill—"duties of time and place" are not optional. The occasion to act on them presents itself sporadically (like elections) in the sense that we have to find ourselves under circumstances that will prompt us to act (such as seeing someone in distress and in need of help). But when such circumstances unfold before us, the duty is perfectly obligatory. I propose to think of the duty to vote with care as a duty of time and place. The duty becomes stringent when elections offer us an easy way to contribute to aiding society by way of choosing decent governments or ousting indecent ones. Failing to act when this circumstance unfolds would be morally problematic, other things equal. Locke's duties of "time and place," one could say, are morally inescapable when the right circumstances come to emerge that justify action.

V. FINAL THOUGHTS

A duty to aid society—and other fellow citizens—does not logically entail that we must be effective alone. This means that the duty to vote is no less stringent than other duties only because we need many people to vote in order to bring about a desirable outcome. Recall the example of the passenger under attack on a train. Joint intervention by many spectators could easily restrain the attacker, but not by any single one of them acting alone. Does this mean that all bystanders on that train are off the hook morally? No. Instead it means that none of them in particular has a stronger claim than any other to be relieved of the duty to help. This conclusion explains why they all have a duty to coordinate, or initiate a coordination effort, and make the rescue possible. Voting judiciously offers an apt analogy to this example, but the situation is even simpler since there is no need to coordinate anything in the presence of elections. Elections do the coordinating for us! Because this is the case, the moral inescapability of the duty to help our fellow citizens via the vote becomes even easier to understand than it may be in the case of the train aggressor or similar scenarios.

Does it make sense to ask from people that they do activities that have no capacity to change anything by themselves? I have said yes. First, most forms of non-electoral help to society also entail the "problem" of low individual impact. For example, when a single individual gives to charity, she will not produce the elimination of poverty or disease by virtue of her sole act. As a matter of fact, giving to any social cause or working toward relieving other people's suffering, from a strictly individual standpoint, presents the same difficulties as voting. Most non-political ways of helping society are not ostensibly more effective than voting, *individually*. Additionally, as laudable as those efforts may be, they are not necessarily causally linked to the quality of government. We established that affecting the quality and erection of governments is uniquely special, morally speaking, because governments have an enormous capacity to affect the lives of millions in a way that no other human organization can. Because of this, voting may prove more efficacious, as a collective activity, than many other charitable pursuits—if one really cares about structural and far-reaching change in people's standards of living and access to justice.

We are not required to be moral saints on any acceptable reading of basic morality. However, voting with a modicum of information and good intentions is not a Supererogatory act,

[22] Locke's examples include relieving the troubled, helping the hungry, and consoling the distressed. *See* JOHN LOCKE, ESSAYS ON THE LAW OF NATURE 123 (W. von Leyden ed., 2002) (1663).

unless we are ready to suggest that any form of helping others is always and invariably completely optional because it requires "too much." I am not ready to agree with that reasoning. Those that are ready to accept that conclusion foreclose any type of meaningful discussion from the start. If we are set on the notion that any type of positive action towards others is morally voluntary because it demands slightly more than mere restraint, then I am afraid consensus on the morality of voting will be forever elusive. But so will be consensus on the morality of so many other ways of improving the world around us. Surely, a society where citizens are not willing to sacrifice complete complacency for the sake of improving the lot of others is not a society worth the name.