Reconstructing Democracy in Times of Crisis

A Voter-Centred Perspective

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EDITED BY

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PRAGMA
P U B L I S H I N G

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Contents

Note to Readers

The chapters in this volume are made up of 11 scientific reports produced by the European project *Reconstructing Democracy in Times of Crisis: A Voter-Centred Perspective* and were released between June 2021 and June 2023. They are not, then, chapters designed specifically for a book. Their primary mission was to respond to and support the specific objectives of the project.

The reports have been republished in this volume to make them freely accessible. The ordering of the chapters is the same as that of the project reports, which, in turn, followed the flow and the dependencies between project activities. These reports are but a part of the larger project effort and outcomes and are just a small part of the total publications resulting from the project. A more comprehensive list of those can be found on the project website at https://www.redem-h2020.eu/, which also contains interviews, think-pieces, links to scientific workshops and project events, and other project materials produced between 2020 and 2023.

Please note that chapters in this volume have been assigned individual DOIs. Unless you would like to cite the entire volume, please use the DOI(s) associated with the chapter(s) you are referring to which can be retrieved on the volume site.

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Acknowledgments

Introduction

Annabelle Lever

The eleven reports that make up this collection, form part of the Horizon 2020 project, REDEM. The acronym is short for Reconstructing Democracy in Times of Crisis: A Voter-Centred Perspective and the objective of our project was to illuminate the difference it makes to our understanding of electoral democracy, its appeal, and its difficulties, if one focuses on citizens as voters, rather than as politicians, journalists, commentators, or simple observers of the political game.

Given the close association of democracy with the right to vote, an effort to look at elections from the perspective of voters might seem unnecessary. After all, we might think, isn't that what people do all the time? They speculate on what voters will or won't do; on what they should or should not do; on how their behaviour, expectations, ideas, and ideals differ nowadays from those they had in the past. Such debates form the staple of popular political commentary, of academic study of elections, and of informal discussions amongst citizens, especially at election-time. But on closer inspection, none of these adopt the perspective of *voters* on voting, even if they purport to be about what voters want or believe their politicians will/should do. Instead, they take it for granted that we know what it is like to be a voter, and well-understand the challenges that come with exercising that role within a democratic political system.

A moment's reflection, however, suggests that this is most unlikely to be the case, in part because there is so little public discussion of the rights and duties that come with being a voter, and because so many of the assumptions about those rights and duties are contradictory or confusing. Voters are regularly urged to take account of the likely effects of competing policies and parties on their own well-being and interests, even as they are told that they should, high-mindedly, consider what is good for their country overall. Nice though it would be if such injunctions were mutually consistent, it is clearly impossible for everyone in a country to vote for what most advantages them and what is best for their country, overall. So, what should we do, as voters, when these considerations conflict?

The conflict between self-interest and the common good – which voters must confront when they evaluate electoral options and decide whether and how to vote, is but the tip of a rather large iceberg. Electoral democracy is premised on the assumption that voters can, and should, hold their current government to account, by deciding whether its members deserve to be re-elected or not. But voters also need to choose a government for the future, the one best placed to address the looming challenges ahead. Combining the two tasks is straightforward if you think the outgoing government deserves to be re-elected, given what

they achieved, or tried to achieve, when in office, *and* that it is best placed to meet the challenges of the future of the alternatives available. But what is a voter to do when, as happens, they think their current government deserves to be voted out of office but that it is probably better than the available alternatives, for one reason or another? As a conscientious voter, it looks as though you are supposed to do two incompatible things, and that both of them are essential parts of your role as a voter in a democratic government. So what, exactly, *should* you do?

Unfortunately, such familiar dilemmas, which voters often encounter, are rarely acknowledged openly in public debate, nor in journalistic and academic commentary on elections, on voter behaviour, or on the state of democracy. Hence, REDEM: because the failure to recognise or acknowledge the dilemmas that come with being a voter, is to overlook something fundamental about a common feature of citizen experience in a democratic society. As voters, citizens are supposed to play a critical role in the maintenance of democracy, via their part as individuals in a process of collective choice about the constitution and direction of their government. And yet, there is next to no discussion of what it is like to be a voter – of what dilemmas it involves, what responsibilities come with voting, and whether our democracies adequately support citizens in fulfilling that role. As we have seen, the tacit assumption that we all know what the role involves, and how to fulfil it hides considerable difficulties in determining what voters should do and whether, in fact, it is morally wrong to abstain in some, even all, elections.

In REDEM, then, we wanted to see what difference it makes to the way we think about electoral institutions, and to the rights and duties of voters, to look at democratic elections from the point of view of voters, rather than of politicians, civil servants, journalists, or academics. We thought this important to counter-act a picture of voters, which it may be natural for observers or political operators to adopt, but which it would be odd for citizens themselves to adopt when they think of themselves as voters – one which sees them as the playthings of politicians and/or of social forces, to be moved around, or buffeted by one or the other, independent of their own wills. Voters are unlikely to adopt this view of themselves, however conscious they are of living in a world that they didn't choose, and in which their options are constrained by choices of others, because they generally see themselves as moral and political *agents* with choices to make, given the constraints that they face. And so, we wanted to see what elections look like from the perspective of voters as agents, and to understand how that perspective might illuminate contemporary anger and anguish about the state of our democracies, and what sorts of remedies a voter-centred perspective on democracy might suggest.

We wanted to see if a better understanding of the moral and political challenges of being a voter – and, specifically, the challenges of combining concerns for morality with the inevitably strategic and competitive dimensions of democratic elections – might illuminate increased levels of voter apathy and unwillingness to vote in many democracies, and what sorts of remedies might be available for it. Our focus is on *democratic* discontent and disillusion, because while we recognise that most countries are only imperfectly democratic, the challenges of being a voter in countries that see themselves as, and aim to be, democracies are not evidently the same as those facing citizens in countries where the government does not allow electoral competition, or actively seeks to repress or side-line electoral dissent. The strategic aspects of voting in such cases, and the moral dilemmas that they create are often

stark. Yet, even in the most perfect democracy, voting will have a strategic aspect, because voters have to decide how best to vote in order to realise their objectives (if they are going to vote), given that *other people* have different objectives, which they are also entitled to realise.

In a perfect democracy, we can assume, all possible electoral outcomes are morally justified – whoever forms the government, citizens can expect that their rights will be protected, as will the rights of others, even in distant countries. Knowing that may alleviate the intensity of the strategic aspects of voting, but it will not remove them completely. Perhaps it will not alleviate their *intensity* after all. In a world where we fully expect our governments to do what they ought, we may care even more about the good things that they could achieve, and about whose view of those good things will prevail, as we now typically worry about fending off the worst, by working out how best to use our vote on behalf of ourselves and others.

The reports in this collection, then, explore the moral and political aspects of voting – and the complex interplay between them that voters experience when they ask whether they should vote for the candidate they think best (or least bad) when they consider their personal judgement alone, or whether they should instead vote in ways that take account of how other people are likely to vote. Voters often experience such questions as a conflict between sincere and strategic voting – where the former reflects the vote that they would give, if the election depended only on them; whereas the latter feels like the vote that they can, perhaps ought to give, because in a democratic election, the result does *not* depend only on them. Although some views of democracy, as our reports show, assume that sincere voting is morally preferable to strategic voting – and we, as voters, may experience the need to vote strategically as a loss – it is unclear that strategic voting must be morally inferior to sincere voting. Democratic elections cannot and should not depend only on what *we want*, so the fact that we may have to reevaluate our assumptions about what we should do in light of what *others are doing* is not evidence that the world is not as it should be, nor more problematic morally than the fact that, as drivers, as cinema-goers or shoppers, we may have to adjust our behaviour in light of the behaviour of others.

Strategic voting, then, is not evidently wrong, and the fact that many of us take account of the likely behaviour of others when voting, may just indicate that an election is hard-fought, close, competitive and that the stakes matter. Such things can be evidence of a healthy democracy, with engaged citizens choosing amongst different options that matter to them. But the felt need to vote strategically, rather than sincerely, can have a less happy aspect, aptly characterised by the injunction to 'hold one's nose', and to vote for the option that, while malodorous, is less ghastly than the alternatives. Increasingly, that is how many citizens feel about the electoral choices they face: and while they are often willing to vote for the least awful option occasionally, being forced to do so repeatedly – whether because there are no better options, or because they are too unlikely to win – is demoralising. It is demoralising, because in those circumstances you feel forced to grant legitimacy, however conditional, to a government that you do not support and that you do not believe deserves power, in order to avoid something even worse. Repeatedly having to hold your nose when you vote is likely to make you resentful about the political choices with which you are confronted – particularly when other people seem to be able to vote for the person they want, without serious compromise on their part. It may make you feel angry that the politics of your country and/or its electoral system, repeatedly faces you with such unappetising electoral choices,

and you are particularly likely to feel this way if you feel morally compromised by the electoral choice you made, even if you felt bound to make it.

The reports in this collection are very much concerned to understand this phenomenon, and its implications for the choice of electoral institutions in a democracy. The need to vote strategically, rather than sincerely, and in ways dominated by fear, rather than hope, is a cause for democratic concern. Granted, voters cannot all get what they want, because in a free society they are likely to want very different things, and to rank political options quite differently. No voter, in a democracy, is likely to feel anguished or compromised because of that, however annoyed, even contemptuous, they may feel about the electoral choices of others, or the ideals and interests that explained those choices. Voters with idiosyncratic beliefs, which they realise others don't share (even if they should!) may find it disheartening to know that they have no chance of prevailing electorally, while accepting that given the sad state of the world, things could not be otherwise in a democracy. Disheartened, they may still go on voting and militating for the changes they wish, conscious that people do change their mind, and that political positions that were once the preserve of a tiny majority can, over time, become common wisdom, common sense, and unshakeable elements of the status quo.

Democratic voters, then, are quite capable of losing elections, even repeatedly, without becoming embittered, alienated, and angry – and without feeling that the electoral system is skewed against them, or in favour of interests and ideals that, however popular, threaten the rights, status, and security of their fellow citizens. So, can looking at elections from the perspective of voters illuminate the causes of political discontent and disillusion with democracy? Can it help to explain why non-voting is increasingly concentrated amongst the young, the less-educated and less wealthy – and why degrees of electoral abstention differ so markedly amongst countries and, even, between the same country over time? Politicians, after all, are not obviously more devious, self-serving, and incompetent than they were in the past - or, if they are, what is it about the interplay between the political conflicts nowadays and the political institutions that constrain and shape their electoral expression, that accounts for the differences between now and then? Do some ways of organising elections make it easier for all the different sections of society to express their interests and ideas politically, and to compete for power electorally in ways that strike losers, as well as winners, as fair?

There may be no perfect electoral institutions – and voters in countries with majoritarian political systems may envy voters in countries with proportional forms of electoral representation – and vice-versa. But as our reports show, there are many ways to organise democratic elections – far more than most of us are aware. The diversity of electoral systems we currently see in Europe is unlikely to represent the sum total of what is possible or desirable democratically. Our reports, therefore, highlight the scope for institutional innovation and reform that can improve citizens' experiences of democracy, and the scope for mutual learning that comes from adopting a voter-centred perspective on elections.

Granted, democracy is not just about voting and citizens as voters (or non-voters) are profoundly affected by other aspects of their lives together, such as their experiences of family, work, education, and leisure. But the point of elections, in a democracy, is that we should get the chance to learn from our experiences collectively; to reset the 'rules of the

political game', if necessary; to improve the culture and institutions that formed us; and to recognise that the competitive and cooperative aspects of politics need not be antithetical. Instead, we can organise political competition to make political cooperation mutually beneficial; and can cooperate by improving the institutions that make democratic political competition possible. To do that, however, it is essential to understand what elections look like, and feel like for voters. Hence, while the individual reports in this collection elaborate the views of their authors, rather than of the REDEM consortium as a whole, they form part of a collective effort to articulate a voter-centred conception of democracy, and to take seriously the experience of actual, and potential, voters in democratic elections.

Chapter 1

DEMOCRATIC POLITICAL INSTITUTIONS IN EUROPE

Attila Mráz and Annabelle Lever

1. INTRODUCTION

This chapter provides a descriptive overview of the most significant, ethically relevant features of democratic political systems and electoral institutions in Europe rather than a comprehensive empirical overview of these systems and institutions. It pursues two objectives:

1. To systematically present the most important variables of institutional design within the diversity of European democratic political systems and institutions;

2. To identify those features of European democratic political systems and institutions that are relevant to the ethics of voting from a voter-centred perspective.

This paves the way for the evaluation of political and electoral systems in terms of the ethical burdens they impose on the voter[1], summarising relevant descriptive findings in political science in ways that are helpful in themselves, but relevant also to the civic educational aspects of REDEM project. Albeit indirectly, then, the chapter aims to empower young voters and future voters in Europe to navigate the ethical complexity of the choices they may face as voters.[2]

The chapter is structured as follows. Section 2 lays out the methodological assumptions. In Section 3, democratic political systems are placed in the context of their relevant alternatives. While there are (and have been) several different non-democratic political systems, only the salient European alternatives are discussed here. Section 4 zooms in on democratic political systems and offers a comparative overview of democratic electoral systems. This section focuses on the ethically relevant core features of the latter systems: the scope of enfranchisement, voting systems narrowly understood as mechanisms

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[1] For the purposes of this chapter, 'ethical' and 'moral' are used interchangeably.

[2] The factual knowledge about and understanding of democratic political systems and electoral institutions is necessary, in turn, "to empower them [young voters] to exercise and defend their democratic rights and responsibilities in society, to value diversity and to play an active part in democratic life" (Kerr 2013, p. 13).

translating votes into elected positions, and the temporal dimensions of electoral design as well as the question of voluntary or compulsory voting. In Section 5, party systems and regulations are reviewed as core elements of the institutional environment of modern European democracies which contribute to voters' ethical challenges in specific ways, as party systems interact with electoral systems. Section 6 takes a broader perspective on the electoral institutional context which culminates in voting, and reviews issues in regulating electoral campaigns as relevant to voters' ethical challenges. In Section 7, institutional aspects of the tension between privacy and publicity are discussed regarding how far candidates' privacy should be protected, how voters' privacy is threatened in the electoral procedure, what respective roles public and private funding play in electoral campaigns, and how these roles relate to the transparency of campaign and party funding. Section 8 summarises the conclusions of the chapter.

2. APPROACH

The political systems, democratic electoral systems and institutions as presented in this chapter are *ideal types*. All political systems and electoral system exist in potentially limitless varieties. Hence, the aim of this chapter can never be to provide a fully comprehensive picture, but rather to offer a sufficiently detailed roadmap that is informative for the purposes of institutional evaluation and understanding.

The relevant ideal types of political systems and electoral institutions may be identified with reference to some institutional features, although with limited precision. Political systems are especially frequently categorized in terms of the extent to which they comply with "checklists" that attempt to identify the external, institutional manifestations of various political systems and regime types. For example, Freedom House uses such a checklist (Csaky, 2021), as does the V-Dem Institute (V-Dem Institute, 2021) – both using very complex and highly refined methodologies – to identify democracies in the world. While these checklists serve as valuable proxies, one difficulty they inevitably face is that the same institutional feature may have very different effects and may contribute to the realization of rather different values in different contexts (see esp. Scheppele, 2013). For example, elections exist in democracies as well as in elective autocracies or hybrid regimes (Diamond, 2002; Levitsky and Way, 2002, Levitsky and Way, 2010; V-Dem Institute, 2021), but they need not even partially realize democratic values if not implemented within the context of other institutions such as freedom of speech and association. Analogously, electoral institutions have features that may have very different effects and realize different values in different contexts given variation in other factors. For example, systems of proportional representation (see Section 4.2.1.1 below) may allow for a lower number of wasted voters, with coalition governments as a frequent phenomenon (Reynolds et al., 2005: 59). Yet this may not be the case if they are accompanied by high parliamentary thresholds and a very fragmented party system (ibid.: 83). The availability or unavailability of the mail-in ballot may have very different effects in a democracy with a large and enfranchised diaspora living abroad as compared to another democracy with disenfranchised or sporadic non-residential citizenry (cf. Section 4.1.1.2 below).

The present chapter characterizes political systems and electoral institutions in such a way as to provide a meaningful, relevant descriptive springboard for their evaluation from the voter's perspective. Thus, proponents of several (even if clearly not all) conceptions and

models of democracy may rely on the insights of this chapter so long as they consider the voter's perspective to be relevant to the normative evaluation of electoral institutions. However, this chapter relies on ideal typical characterizations of political and electoral institutions that political theorists with various normative commitments can accept as relevant to their work. Further, it relies on non-controversial or minimally controversial characterizations of political and electoral systems that empirical scholars of democracy can take as their point of departure no matter what their methodological and implicit or explicit normative convictions are.

This chapter relies on the following methodological assumptions:

a) *Democratic Institutional Diversity*: On the one hand, democratic ideals do not uniquely identify a single set of institutions as democratic. Instead, a number of different political systems and institutional arrangements may comply with democratic requirements (cf. Held, 2006; but also Warren, 2017; Tilly, 2007: 9ff). It is with this understanding in mind that the past decades saw a flourishing of literature in democratic theory specifically on institutional design and innovation (see, e.g., Macedo and Shapiro 2000; Warren, 2007; Smith, 2009; Fung and Wright, 2011; Landemore, 2020). While most of this body of literature assumes that some democratic institutional arrangements are better than others (in the specific manner of being "more democratic"), it is consensually assumed that less than ideal institutional arrangements may also be democratic. On the other hand, the term "democratic" cannot be stretched without limits. Generally speaking, normatively oriented democratic theory conceives of institutions as democratic insofar as they aim to and, imperfect as they may be, actually do realize certain value commitments. While there are many potential ways to identify the relevant value commitments, the REDEM Project focuses on the voter's perspective, emphasizing values of inclusion, equality, and participation.

b) *The Voter-Centred Perspective and the Significance of (Differential) Effect on Voters*: Although several different electoral design choices may be morally permissible and coherent with democratic ideals, such choices should also be guided, in part, by assessing the effects of alternative institutional arrangements on the voter's situation. Such assessment should take account of the ethical challenges and dilemmas voters face and the burdens they shoulder in order to participate in elections in a way they consider meaningful. Special scrutiny is due when an institutional choice imposes differential burdens, in this sense, on different groups of voters – for example, on racial, ethnic, linguistic, national, or religious minorities.

c) *Value Pluralism*: Several different values and principles bear on the design of electoral institutions, some of which may and do conflict in practice. While some of these values and principles can be readily prioritized relative to others, the design of these institutions also involves hardly commensurable values. Hence, the ethically sensitive mapping of institutional alternatives provided in this chapter cannot be mechanically applied to fully determine which electoral institutions are the most morally commendable choice. Instead, it can provide constraints on as well as guidance for the exercise of moral judgment in choosing between institutional alternatives.

3. DEMOCRACIES AMONG POLITICAL SYSTEMS – DEMOCRATIC POLITICAL SYSTEMS

Democracies represent one of the major regime or political system types: they have institutional features and manifest values that form a common conceptual core and distinguish them from other regimes. At the same time, as already noted in Section 2, democracies showcase a diversity of political systems. This section distinguishes democracies from those other regime types which constitute its most salient current European alternatives – authoritarian and hybrid regimes in particular – and reviews those types of democratic political systems that either currently exist in Europe or have been significant in the recent political history of Europe.

3.1 Democracies Among Political Systems

Democracy as a political system has had various contenders or alternatives throughout global – and specifically European – political history, including, for instance, absolute and constitutional monarchies, and more recently, authoritarian regimes of various sorts. This chapter does not aim to provide a comprehensive map of all possible alternatives to democracy. Instead, it places democracy on the map of its most significant alternatives from a contemporary European perspective. The primary alternative to democracy today are authoritarian regimes (cf. Alvarez et al., 1996; Linz, 2000) as well as hybrid regimes and electoral autocracies (Levitsky and Way, 2010) – the latter showing characteristics of both democracies and authoritarian regimes and thereby raising methodological questions of classification.

Comparative political science has long been interested in methods of measuring how democratic a political regime is (Coppedge et al., 2011; Knutsen, 2014). One may conceptualize a political system as either democratic or not, without grey zones and with a clear threshold, or alternatively, one may conceptualize political regimes as democratic to varying degrees. (Both approaches to the categorisation of regimes may allow for judgements about the degree to which democracies fulfil the requirements that distinguish them from undemocratic regimes.) While democracies became much more prevalent in the second half of the 20th century than ever before in human history, they are still a privilege. The overwhelming majority of the global population today lives under authoritarian regimes or hybrid regimes, with a global democratic backsliding observed recently (V-Dem Institute, 2021: 15-17). This backsliding has not evaded Europe either (see Section 3.1.3 below).

3.1.1 Democracies

What precisely characterizes democracies (Greek for "rule of the people") has been a subject of extensive scholarly debate in contemporary democratic theory, comparative political science, and political history (see, e.g., Held, 2006; Tilly, 2007; Christiano, 2008; Anderson, 2009; Coppedge et al., 2011; Warren, 2017; Wilson, 2019; Stasavage, 2020; Conway, 2020). This chapter need not engage in the details of these controversies in order to contrast democracies with their most significant contemporary European alternatives – authoritarian regimes as well as hybrid regimes – outlining their major differences. Such a contrast may identify democracies relying on an institutional or a substantive account.

Institutional accounts attempt to descriptively, i.e., value-neutrally, identify institutions characteristic of democracies but not other regimes (See, e.g., Dahl 1982: 11, cf. Diamond, 1999: 10-11). For example, democracies are characterized by periodic elections held at reasonable intervals, universal enfranchisement, the rule of law, as well as robust institutional guarantees of free speech, association and assembly (Dahl 1982; Diamond, 1999; Altman and Pérez-Liñán, 2002; Ginsburg and Huq, 2018: 18). Other political systems may exhibit some or none of these features, but not all of them. For instance, electoral autocracies also have elections, but not necessarily the other institutional elements of democracies (see Section 3.1.3. below).

Substantive accounts of democracy, in contrast, aim to define the concept with reference to the specific values that democracies realize. For example, the rule of the people, self-rule, popular sovereignty, political equality, political autonomy, participation; contestation of, accountability of and competition for power etc., or some unique combination of them (see, e.g., Gould, 2006; Christiano, 2008; Anderson, 2009; Pettit, 2012; Warren, 2017; Wilson, 2019). This approach can make better sense of the fact that the term 'democracy' in common parlance and public political discourse is not a value-neutral but an honorific characterization of a political system. Further, the substantive approach is well placed to explain the fact that political regimes, whether actually democratic or not, strive to be seen as worthy of that title (Roth, 2009). Finally, the substantive approach can also account for the remarkable institutional diversity of democracies while grasping what unites these various institutions.

3.1.2 Authoritarian Regimes

Authoritarian political systems have highly centralized power structures which distribute power very unequally, and only to a small elite. Authoritarian systems are also characterized by a lack competition for power or other mechanisms of accountability, e.g., no elections, as well as a lack of political pluralism. For instance, they often have only one political party, institutionally intertwined with the state. Political (esp. executive) power is often constitutionally unbounded or unclearly bounded (Linz, 2000; but cf. Tushnet, 2013). Currently, there are no authoritarian regimes in the European Union. However, authoritarian systems existed on the continent even fairly recently: for example, arguably, Francoist Spain until 1975, or Salazarian Portugal until 1974 (Griffiths, 1998; Townson, 2010; Viestenz, 2014). Although formally not completely devoid of elections, countries in the Soviet bloc until 1989 also arguably exemplified authoritarian regimes (McDermott and Stibbe, 2016). While authoritarian regimes may also be divided into further subcategories (Siaroff, 2013: 229–250; Hague et al., 2019: 94–102), a more nuanced description is beyond the (European) scope of the present chapter.

3.1.3 Hybrid Regimes, Electoral Autocracies

Hybrid regimes (Diamond, 2002), competitive authoritarian regimes (Levitsky and Way, 2002, Levitsky and Way, 2010), or electoral autocracies (V-Dem Institute, 2021) are regime types, or different names for the same, intermediary regime type, depending on usage, that exhibit a mix of institutional features of democracies and authoritarian regimes. As there is a general pressure in the international community for democratization, newly emerging regimes with authoritarian tendencies typically belong to this intermediary regime type (Krastev, 2011). Hybrid regimes can be relatively stable rather than being necessarily "in

transition" between full-fledged authoritarianism and democracy, one way or the other, although they may exhibit further backsliding toward authoritarianism, or on the contrary, signs of democratization.

While the European Union's Member States are formally committed to upholding values such as democracy and the rule of law,[3] also has Member States – primarily, Hungary and arguably Poland – which some have recently re-categorized as hybrid regimes or semi-consolidated democracies (Bozóki and Hegedűs, 2018; Gora and de Wilde, 2020; Körösényi et al., 2020; Holesch and Kyriazi, 2021).[4] Globally, while there is a backsliding in some institutional elements and values of democracy, this may not necessarily correlate with a backsliding in other institutional elements and values of democracy (Ding and Slater, 2021), thus making backsliding into hybrid regimes a complex phenomenon.

Hybrid regimes typically do have elections, and hence they do generate ethical challenges voters need to face. Some of these are akin to or identical to the challenges and dilemmas voters in democracies face. However, they need not be. The present chapter focuses on the most salient institutional features of democracies which have an impact on the moral outlook of the voter *in democracies*, and hence the findings may but need not be immediately applicable in hybrid regimes.

3.2 Democratic Political Systems

There is considerable variety among democratic political systems, and accordingly there are several possible ways of classifying them. However, a common categorization, based on the structure of the executive branch and its relation to the legislative branch, divides democracies into three types of democratic political systems – parliamentary, presidential and semi-presidential (Siaroff, 2013: 137–144; Hague et al., 2019: 127-136). This categorization is particularly helpful to highlight features that are relevant to the voter's moral outlook.

3.2.1 Parliamentary Democracies

Parliamentary democracies are characterized by close relations between the legislative and executive branches of government (Hague et al., 2019: 129). The separation of these two powers is only partial, in at least two respects. First, there is only limited incompatibility between executive and legislative offices: leading members of the executive are often also members of parliament. Second, the executive branch is accountable to the legislature, and not the electorate. This entails, on the one hand, that it is not by popular vote that the head if the executive – the prime minister – is elected, but by the legislature. On the other hand, the legislature may remove the executive from office through votes of no confidence. The head of state in parliamentary democracies is not identical to the head of the executive branch: accordingly, the head of state takes on a more symbolic, apolitical role. The historical paradigm of parliamentary democracies is the UK, hence this system is also known as 'the Westminster system.' 13 out of the 27 EU Member States are parliamentary democracies today (International IDEA, n.d. b).

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[3] Treaty on the European Union, Article 2; Article 7.

[4] Freedom House's *Nations in Transit 2021* report (Csaky, 2021) classifies Poland merely as a semi-consolidated democracy, whereas Hungary is within the hybrid regime score range.

Parliamentary systems limit the role of voters in selecting, authorizing and holding the executive accountable. They structurally exclude the possibility of voters splitting their votes between the executive and legislative. At the same time, parliamentary systems increase the moral weight of choosing legislative representatives well, since that choice also determines the political orientation of the government.

3.2.2 Presidential Democracies

Presidential democracies are characterized by a clear separation of the legislative and executive branches of government (cf. Riggs, 1997). Legislative and executive offices are incompatible, i.e., they cannot be held by the same person at the same time. The executive power is vested in the president, who at once serves as head of state. Presidents are elected by citizens, and thus are primarily accountable to them, with very limited mechanisms of accountability to the legislature. The paradigm of presidential democracies is the USA (Edwards, 2018), while this type of democracy is prevalent in Latin America. Although presidential democracies are not particularly widespread in Europe, Cyprus serves as an example with the EU.[5]

Presidential systems allow for a much more significant and direct role of voters in selecting, authorizing and holding the executive accountable than parliamentary systems. Presidential systems also allow voters to split votes between the executive and legislative. The possibility of splitting votes creates an opportunity for less drastic compromises from the voter's perspective. However, it also generates an ethical challenge as the voter may have to decide to vote for two different political forces for the two offices respectively or line up the two votes. When the legislative and executive branches are affiliated with the same party, they only check and balance each other in a very weak manner, but coordination and cooperation between the two branches can enhance the realization of a coherent political vision. When the two branches are respectively affiliated with different political parties, they check and balance each other effectively but neither may be able to realize a coherent political vision. Voters may find it ethically relevant to consider which one of these outcomes they contribute to, especially if legislative and executive elections are held concurrently (see Section 4.3.1 below). As there is one single president to be elected, strategic considerations in voting for the president may have special weight from the voter's perspective, for two reasons. On the one hand, the person elected will enjoy considerable power, which raises the moral stakes of voting. On the other hand, the likelihood of wasted votes is considerable (even in two-round presidential elections, see Section 4.2.2).

3.2.3 Semi-Presidential Democracies

Semi-presidential democracies combine characteristics of parliamentary and presidential democracies (Duverger, 1980; Bahro et al., 1998; see also the subsections immediately above). As in presidential democracies, the head of state – the president – is elected in popular elections. Likewise, the president is a political actor, not seen as beyond party politics, and vested with significant (as opposed to merely symbolic) powers. At the same time, as in parliamentary democracies, there is an executive – with a prime minister heading it – approved by and accountable to the legislature, although selected by the president. The

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[5]The Constitution of the Republic of Cyprus, Article 1.

prime minister is not identical to the president. In some presidential systems, the prime minister and her cabinet may be accountable not only to the legislature but also the president, the latter having the power to dismiss them.

The historical paradigm of semi-presidential democracies is France. Unlike presidential democracies, semi-presidential regimes are a widespread type of democracy in Europe. A large number of EU Member States are at least formally semi-presidential democracies today, including Austria, the Czech Republic, Finland, Ireland, Lithuania, Poland, Portugal, Romania, Slovakia and Slovenia (International IDEA, n.d. b). Distinguishing parliamentary and semi-presidential democracies is not always clear-cut (Siaroff, 2013: 144f), however, because presidential powers in some regimes may be almost purely or overwhelmingly ceremonial (e.g., the Czech Republic, and arguably Finland), whereas in others, they are more political.

The moral outlook of the voter in semi-presidential systems also combines elements of the moral outlook of voters in parliamentary and presidential democracies. Yet voters have only limited means to hold the executive branch accountable, and they may find it more difficult to put accountability into practice as the locus of responsibility for the executive's failures and successes is unclearly divided between the president and prime minister. The ethical challenges of splitting one's votes, characteristic of the voter's perspective in presidential democracies, arise in semi-presidential systems as well.

3.2.4 Levels of Government

The voter's moral outlook is determined not only by how powers are separated horizontally, as it were, between the legislative and executive branches, but also by what levels of government exist within democracies. Some European countries are unitary states (e.g., France), whereas others are federations (e.g., Germany). Some have regional or local governments with wider powers (e.g., Spain) than others (e.g., Hungary). The stratification of government can make it more challenging for voters to hold officeholders at different levels accountable. The correlation between participation levels in local authority elections and the powers of these levels of government suggests that voters see more reason to cast a ballot when they can see higher stakes in electing a body which has, in their eyes, significant powers (cf. Blais et al., 2011).

4. DEMOCRATIC ELECTORAL SYSTEMS

Democratic regimes show great variation in the electoral systems they use. In a narrow sense, an electoral system is a method of converting votes into electoral outcomes. This section understands the notion of electoral system broadly, and thus surveys regimes of enfranchisement; variations in electoral systems narrowly understood – such as the difference between proportional, majority and mixed systems – temporal considerations in transitioning between electoral systems, thresholds for gaining mandates, as well as procedural considerations such as compulsory and voluntary voting regimes and the timing of elections.

4.1 Enfranchisement and Regimes of Participation

Democratic electoral systems vary considerably in their scope of enfranchisement. Especially some marginalized groups within the population may not be enfranchised in all democracies. Even enfranchised populations may enjoy different levels of participation and involvement in candidate selection. Further, the low participation levels of young adults, even though they are formally enfranchised, raises some moral concerns that are partly similar those raised by disenfranchisement.

4.1.1 Enfranchisement and Disenfranchisement

The 20th century saw in all democracies a vast expansion of the franchise – the right to vote and (though less frequently emphasized) the right to stand for election – to the extent that democracies are commonly seen as *universal* enfranchisement regimes.[6] However, the universality of the franchise is an aspiration rather than a fact in most European democracies. The suffrage was indeed extended, in the previous century, to women and the working class; and the voting age was considerably lowered across Europe (Rubio-Marín, 2014; Acemoglu and Robinson, 2000; Ansala, 2015). Yet there remain to be populations that are widely, if not uniformly, disenfranchised in European democracies: typically, adult persons with mental disabilities (Anderson, 2012; Barclay, 2019; Fiala-Butora et al., 2014; Mráz, 2020; cf. Mráz, 2023), persons who are serving or have served a sentence ensuing a criminal conviction (cf. Poama and Theuns, 2019),[7] young children as well as younger adolescents (Cook, 2013; Peto, 2018; Priest, 2016; Beckman, 2018; Umbers, 2018; Wiland, 2018; Mráz 2020)[8], and legal alien (non-citizen) residents (cf. Beckman, 2006; López-Guerra 2014; Hutcheson and Arrighi, 2015).[9]

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[6] International human rights instruments which recognize political rights typically also require that signatories ensure universal enfranchisement. See, most prominently, the UN International Covenant on Civil and Political Rights, Article 25 (b), which provides that "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions [...] To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage [...]."Article 3, Protocol No. 1 to the European Convention on Human Rights is also taken to enshrine an individual right to vote, which, as a fundamental right, is by default universal. See also Article 39 of the Charter of Fundamental Rights of the European Union, which enfranchises "every citizen of the Union" in European Parliamentary elections and prescribes such elections to be held by "direct universal suffrage".

[7] EU Member States are without exception also parties to the European Convention on Human Rights. The European Court of Human Rights has found that the *uniform* disenfranchisement of criminal convicts and persons under guardianship – essentially the blunt legal proxy for mental disabilities – is a violation of the Convention. See *Hirst* v. *United Kingdom (No 2)* (74025/01 [2005] ECHR 681, 6 October 2005), and *Alajos Kiss v. Hungary* (38832/06, 20 May 2010), respectively. For more details on mental disability and disenfranchisement, see Section 4.1.1.1 below.

[8] The lowest voting age applied in the EU is 16, used by Austria. (See Ansala, 2015: 6, footnote 12.)

[9] The Council of Europe Convention on the Participation of Foreigners in Public Life at Local Level, Article 6, Para. 1 provides that "Each Party undertakes, subject to the provisions of Article 9, paragraph 1, to *grant to every foreign resident the right to vote and to stand for election in local authority elections*, provided that he fulfils the same legal requirements as apply to nationals and furthermore has been a lawful and habitual resident in the State concerned for the 5 years preceding the elections" (emphasis added). As EU Member State parties to the Convention implement it, non-citizen residents can typically vote in local elections all over Europe, but not in national elections. Note, further, that the EU Charter of Fundamental Rights, Article 39, Para. 1 also provides that "Every citizen of the Union has the right to vote and to stand as a candidate at elections to the European Parliament in the Member State in which he or she resides, under the same

The undue disenfranchisement of any part of the political community is, first and foremost, an affront to the individuals and groups disenfranchised as equal members of the political community (see, Dworkin, 2000; Mráz, 2020). Further, secondarily, undue disenfranchisement also generates ethical challenges for the enfranchised population. Individuals and groups within the political community can primarily count on their own voice and vote in ensuring their own political representation when they are enfranchised. But this is not so for disenfranchised populations. Hence, voters may find that the political representation of the disenfranchised population falls upon the members of the enfranchised population, or at least some of them.[10]

4.1.1.1 Mental Disability and (Dis)Enfranchisement

One of the recent battlegrounds of progressive enfranchisement efforts in Europe concerns the right to vote of adults with mental disabilities.[11] Even a decade ago, 17 Member States excluded adults under guardianship – the legal proxy for mental disability (European Union Agency for Fundamental Rights, 2010). It was this *blanket* disenfranchisement that the European Court of Human Rights found unlawful in 2010.[12] Nevertheless, the Court's judgment did not rule out *individualized* disenfranchisement of adults based on an individual assessment of their mental capacities. Shortly thereafter, however, the UN Committee on the Rights of Persons with Disabilities ruled in 2013 that *any* disenfranchisement "based on a perceived or actual intellectual disability" is a violation of the *Convention on the Rights of Persons with Disabilities* (cf. Mráz, 2023),[13] an international treaty that all EU Member States – and, as a historical milestone, the EU itself in its own right – are parties to.[14] This is interpreted as a prohibition disenfranchisement based on individual assessments of mental capacity as well.[15]

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conditions as nationals of that State." Cf. Article 22 of the Treaty on the Functioning of the European Union, which enshrines the same right. Accordingly, EU citizens who are not citizens of the Member State in which they reside are also enfranchised in European Parliamentary elections. These legal requirements have considerably expanded the enfranchisement of non-citizens in a vast region of Europe, yet they are very far from providing full enfranchisement to non-citizens (and especially third country nationals). See Section 4.1.1.2 below for more details.

[10]Measuring electoral inclusion or inclusion is a complex task, and the voter's judgment as to how much she owes to those excluded to represent them, in some sense, may well depend on the overall level of their electoral exclusion. For a sophisticated measurement method for measuring levels of electoral exclusion, see Schmid et al., 2019.

[11] Clearly, persons with other kinds of disabilities also face major challenges due to social exclusion and inequities in exercising their franchise, see, e.g., Rawert, 2017. This subsection focuses on mental disability specifically because it is persons living with mental disabilities who are widely subject to even formal disenfranchisement.

[12] See the Court's judgment in **Alajos Kiss v. Hungary** (38832/06, 20 May 2010).

[13] **Zsolt Bujdosó and Others v. Hungary** (Communication No. 4/2011, 9 September 2013).

[14] See also the Council of Europe Recommendation of the Committee of Ministers Rec. (2011)14 on the participation of persons with disabilities in political and public life, adopted on 16 November 2011. While this recommendation cannot overrule the case law of the European Court of Human Rights, it can be seen as a development of the legal and political approach of the Council of Europe region to the issue at hand.

[15] See *General Comment No. 1 (2014)* of the UN Committee on the Rights of Persons with Disabilities, adopted at its Eleventh Session (31 March – 11 April 2014): "a person's decision-making ability cannot be a

While these contemporary legal trends indicate a continued expansion of the franchise to adults living with mental disabilities, some European countries have limited political will to implement these more progressive principles in their national law.[16] Some European states uniformly disenfranchise persons under guardianship (e.g. Bulgaria[17] or Luxembourg[18]), others apply a case-by-case disenfranchisement regime (e.g., Hungary,[19] Slovenia[20] or Spain[21]), while yet others – 13 EU Member States as of 2020 (Desjeux, 2020) – uniformly enfranchise adults under guardianship too (e.g. Austria,[22] Finland,[23] Italy,[24] the Netherlands,[25]and Sweden[26]). In 2018, the OSCE Parliamentary Assembly noted that persons with disabilities "remain widely under-represented in parliaments across the OSCE region",[27] which still appears accurate, whether in terms of the selection, authorization, accountability or descriptive aspect of representation. Moreover, given that persons with mental disabilities are victims to special deliberative exclusions, representatives are hardly accountable to them even in the weaker sense of being held to justify policy positions and political decisions to voters (cf. Catala, 2020).

4.1.1.2 Diaspora and (Dis)Enfranchisement

The boundaries of the electorate also show considerable variation within Europe in terms of whether emigrant citizens – i.e., individuals who reside long-term in a country different from that of their nationality, often alternatively referred to as 'expats' or 'external citizens' – are allowed to retain their franchise in their country of nationality, as well as in terms of whether and how immigrant (non-citizen) residents are enfranchised in their country of residence without (before) naturalization. Currently 23 EU Member States allow their emigrant citizens to vote in their general parliamentary elections.[28] EU citizens who do not reside in their country of nationality but in another EU Member State have the right to vote in the municipal elections in their country of residence, and to vote in the European Parliament

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justification for any exclusion of persons with disabilities from exercising their political rights, including the right to vote, the right to stand for election and the right to serve as a member of a jury" (p. 12, Point 48).

[16] For example, while Hungary no longer imposes blanket disenfranchisement automatically on all persons under guardianship, it has not put an end to disenfranchisement based on individual assessments of mental capacity. (See the Fundamental Law of Hungary, Article XXIII, Para. (6).)

[17] The Constitution of the Republic of Bulgaria, Article 42 (1).

[18] Constitution of the Grand Duchy of Luxembourg, Article 53 (1) 3.

[19] Fundamental Law of Hungary, Article XXIII, Para. (6).

[20] National Assembly Elections Act 2006, Article 7.

[21] Law on Regime of General Elections, Article 3. 1. b)-c).

[22] Constitution of Austria, Article 26.

[23] Constitution, Section 14; Election Act, Section 2.

[24] Law 180/1978, Article 11.

[25] Constitution of the Netherlands, Article 54 -2.

[26] Constitution of Sweden, Chapter 1, Article 1; Chapter 3, Article 2.

[27] See *Berlin Declaration and Resolutions* adopted by the OSCE Parliamentary Assembly at the Twenty-Seventh Annual Session, Berlin, 7–11 July 2018, https://www.oscepa.org/documents/annual-sessions/2018-berlin/declaration-26/3742-berlin-declaration-eng/. See, further, Gísladóttir and Office for Democratic Institutions and Human Rights, 2019.

[28] For data about emigrant citizens' voting rights on January 1st, 2019, see https://globalcit.eu/conditions-for-electoral-rights/.

elections.[29] No EU country allows non-citizen residents to vote in its general parliamentary elections. The 4 EU Member States that do not allow their emigrant citizens to vote in their general parliamentary elections are Denmark, Cyprus, Ireland, and Malta. 5 other EU Member States (Germany, Greece, Hungary, Sweden, the Netherlands) and Switzerland allow their emigrant citizens to vote, but only subject to specific conditions. (These conditions vary from restrictions on the duration of residence abroad to restrictions on the candidates that emigrant citizens can vote for to a requirement to request renewal of voter registration after a certain duration of residence abroad). Among the 23 EU Member States who do not disenfranchise their emigrant citizens, Austria, Belgium, Cyprus, the Czech Republic, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands, Poland, Slovakia do not automatically register them as voters abroad (see also Section 7.2 below). 5 out of the 27 EU countries provide their emigrant citizens with special representation in their national parliaments.[30]

This summary view of the EU emigrant citizens' voting rights seems to generally corroborate the idea that, as a matter of electoral policy and political practice, residing in one's country of nationality is no longer a widespread political or legal condition for having or indefinitely retaining the franchise, and that emigrant citizens are, for the most part, accepted as full members of their national political community. This marks a break with the recent political history of European democracies: until the 1960s, most European states had formal limits and restrictions on the franchise of their emigrant citizens that no longer exist today (Hutcheson and Arrighi, 2015). This distribution of emigrant citizens' voting rights also suggests that Europe – and, in particular, the states that are EU members – might be witnessing a shift from a normative conception that emphasizes the importance of long-term residence as a necessary condition for the right to vote (and political liberties more generally)[31] to a normative conception that is less attached to territoriality as such and is more specifically sensitive to the stakes and basic human interests that individuals have in maintaining their relationships with a particular political community and that might transcend territorial attachments.[32]

4.1.2 Candidate Selection: Voter-Selected via Primaries vs. Party-Selected

Enfranchised populations may enjoy different levels of participation and involvement in the selection and nomination of candidates. Candidate selection procedures are dominated by political parties in today's democracies (even if independent candidates do occur). Yet parties may select candidates in exclusive or inclusive ways. Exclusive selection means that the selection of candidates is treated as the internal affairs of the political party. At most, the membership of the political party has a say on candidate selection; but related decisions may also made by party leadership. By contrast, inclusive selection means that the electorate at large may decide who are going to stand for election as candidates in a given election. The

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[29] Ibid. See also https://voterswithoutborders.eu/research-and-data/.

[30] These countries are Italy (4 constituencies for Italian citizens abroad: 6 senators and 12 deputies), Portugal (2 constituencies, 1 for Europe and 1 for the rest of the world, each electing 2 deputies), Romania (4 constituencies: 4 deputies and 2 senators); Croatia (1 worldwide constituency, electing 3 deputies), France (11 constituencies, each electing 1 deputy).

[31] For a (conditional) defence of such a conception, see López-Guerra, 2005.

[32] For discussion and a defence of such a conception, see Bauböck, 2009.

paradigmatic, but not the only possible, institutional realizations of inclusive candidate selection are *primary elections or primaries* (for others, see Sandri and Amjahad, 2015; cf. also Molnár and Urbanovics, 2020).[33]

Candidate selection procedures do not vary randomly but are correlated with political and electoral systems as well as party systems. They are standard practice in the presidential government and two-party-system of the US, whereas they are more rarely seen in parliamentary democracies with multi-party systems (cf. International IDEA, 2019). It is often held that in multi-party systems, primaries would be disruptive of the cohesion of political parties (cf. Debus and Navarrete, 2020). Inclusive selection procedures may be seen even more generally as a threat to strong parties and democratic accountability, (see McCall Rosenbluth and Shapiro, 2018). Counterevidence, especially such that would allow for generalization, is difficult to come by, given the distribution of primaries across party systems. Yet Indriðason and Kristinsson (2015) show that in Iceland, where an inclusive candidate selection procedure has been in place since the 1970s (Kristjánsson, 2004), no detrimental effect can be shown on the strength or cohesiveness of political parties in a multi-party system.

Inclusive candidate selection procedures are especially significant from the voter's perspective in two-party systems where the choice set voters routinely face at elections is extremely limited. If candidate selection is inclusive, voters may feel less alienated even from a limited choice set (International IDEA, 2019: 28). Hence, given inclusive candidate selection procedures, voters may find themselves less often in ethical dilemmas where they have to choose between voting for a party they cannot identify with, or voting for a party they can identify with but for a person or persons they find incompetent, untrustworthy or otherwise unworthy of their vote, or not casting a (valid) ballot at all. However, high levels of political polarization may potentially lead to similar ethical dilemmas for voters in multiparty systems too.

4.1.3 Youth Participation

Low levels of youth participation across Europe and indeed all over the developed world have pre-occupied decision-makers and researchers alike for a considerable time. A recent OECD report on first-time voters' participation rates has found that turnout among young voters (aged 18–24) is 17% lower than for middle aged adults (aged 24–50), with particularly low youth turnout rates observed in France, Estonia, the Slovak Republic and the United Kingdom (OECD, 2019). Low participation has been linked to alienation as well as apathy (for evidence that the latter is the cause, see Dahl et al., 2018). Young voters, although far from a monolithic block (Flanagan, 2018), may also suffer from a systematic lack of representation that can be linked to low participation levels. Earlier research found evidence that young people are not only disillusioned by the political system, but they also widely do not see candidates and parties as responsive to their needs (IDEA, 1999). The lack of adequate substantive generational representation is morally concerning in itself; yet low youth turnout

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[33] Note that the difference between the two candidate selection approaches diminishes either if parties have extremely broad membership or if eligibility to vote in primaries requires a formal declaration of party affiliation.

rates also raise a further concern of political socialization if they correlate with lower turnout levels in later life as well (IDEA, 1999: 13).

Institutional design features may increase or decrease youth turnout. Voting systems matter: proportional representation and mixed systems correlate with higher levels of youth participation (IDEA, 1999: 39; cf. International IDEA, n.d. a). Compulsory voting is sometimes suggested as a potential remedy for the equal participation and deficient representation of disadvantaged minorities (Lijphart, 1997; IDEA, 1999: 31; Engelen, 2007; Birch, 2009; Hill, 2010; Brennan and Hill, 2014). Compulsory voting correlates with higher overall turnout rates (Solijonov and IDEA, 2016: 31). However, there is some empirical evidence specifically with regard to youth voters to the effect that compelling young voters to vote may rather increase their resentment than facilitate their deeper connection to the democratic process (Henn and Oldfield, 2016).

Youth participation is not only shaped by institutional factors but also by other variables, such as deliberative exclusion, marginalization or objectification. For example, it matters whether and when the youth are depicted as a political agent or an object of politics in public discourse (Giugni and Grasso, 2020; Kousis and Giugni, 2020; Lahusen and Kiess, 2020). It is especially alarming that some subgroups of young people, such as young women, may be subject to additional, intersectional marginalization in public discourse in several European countries (see Smith and Holecz, 2020). Lack of the relevant information about the voting procedure may also be a reason for abstention, but so can be the intention to protest or express dissatisfaction (IDEA, 1999: 31).

Low levels of youth participation generate ethical concerns similar to those raised by disenfranchisement and other forms of electoral exclusion. These include questions as to what institutional solutions could increase youth participation; who else should, in the meantime, represent youth interests and voices; and how these interests and voices should be represented, potentially including other voters using their own votes for that purpose.

4.2 Voting Systems

Voting systems or electoral systems (in the narrow sense) are different mechanisms for transforming votes into electoral outcomes (for an overview, see Horowitz, 2003; Klingemann, 2009; Lundell, 2010; McGann, 2013; Shugart and Taagepera, 2017). Votes determine the outcome of an election only together with a specific voting system; different voting systems may yield entirely different outcomes given the same number and distribution of votes, as we shall see below. In Europe, various voting systems are used to elect members of legislative assemblies at the national level, as well as the head of the executive in semi-presidential and presidential systems.[34] Voting systems are not only significant as they determine the outcome of elections, but also because the ethical challenges a voter faces in deciding whom to cast her ballot for vary considerably with voting systems.

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[34]While selecting judges as well as prosecutors via popular vote is not uncommon in North America (see, e. g., Blum, 2003), this is not common practice in Europe where the electoral unaccountability of the judiciary is often seen as a guarantee of its impartiality and independence.

4.2.1 Proportional Representation vs. Majority vs. Mixed Systems

Democracies use a variety of voting systems to convert votes into electoral outcomes—i.e., legislative or executive mandates. Notwithstanding this remarkable diversity and considerable historical and political contingency, voting systems are classified into three main categories: systems of proportional representation, majority systems, and mixed systems (Cotta and Best, 2007; Ezrow, 2010; Farrell, 2011; Kam et al., 2020; LeDuc et al., 2010). These systems generate different ethical challenges as seen from the voter's perspective.

4.2.1.1 Proportional Representation

Proportional representation systems distribute parliamentary seats between the parties or candidates running for a legislative mandate in proportion to the votes they have received. There are two main types of proportional systems used in Europe: list systems and single transferable vote (also known as "multi-winner ranked choice voting") systems (Gallagher and Mitchell, 2005; Reynolds et al., 2005: 57). Proportional representation voting systems tend to correlate with multi-party systems (not necessarily only two major parties compete for the votes), and more often generate coalition parliamentary majorities and governments (Reynolds et al., 2005: 58–59). Proportional systems may but need not use geographical constituencies (electoral districts). In legislative elections using list systems, the entire country may function as one large multi-member electoral district. Single transferable vote systems use several electoral districts for legislative elections.

European Parliamentary elections, while organized separately by each Member State, must use a proportional representation-based voting system to determine electoral outcomes within the country.[35] (Member States are free to use either a list or a single transferable vote system.) The overwhelming majority of EU Member States use list systems in European Parliamentary elections. Further, the overwhelming majority of EU Member States that use proportional representation systems for legislative elections use list systems for that purpose as well. A single transferable vote system is used for both European Parliamentary and legislative elections only in the Republic of Ireland[36] and Malta.[37] (Estonia used it in legislative elections only once, in 1990, see Reynolds et al., 2005: 71).

In list systems, voters vote for lists – typically, party lists – of candidates. Candidates on the list gain mandates in a number proportionate to the number of votes cast on a list. For example, in a pure system of proportional representation (with some simplification), a party list receiving 20% of the votes in a national legislative election would fill 20% of the seats in the legislative assembly with its candidates. This implies that votes, in general, may not get

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[35] See Article 1, Paragraphs 2–3 of the Council Decision of 25 June and 23 September 2002 amending the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to Decision 76/787/ECSC, EEC, Euratom (2002/772/EC, Euratom); Article 223 of the Treaty on the Function of the European Union.

[36] Constitution of Ireland, Article 16, 2, 5° (for the lower house), Article 18, 5 (for the elected members of the senate – but the latter also has nominated, i.e., non-elected members); European Parliament Elections Act, 1997, 7. (1), (3). Ireland is the only EU Member State which uses a single transferable vote system for presidential elections as well, see the Constitution of Ireland, Article 12, 2, 3°.

[37] Constitution of Malta, S. 56. Para. (1); Denti, 2013.

easily wasted in systems of proportional representation: when voters cast their ballot for a less popular party, this just means the party will have fewer seats. Wasted votes are mostly generated in two cases: when a candidate or party does not receive a sufficient number of votes to get one (additional) full seat in parliament (e.g., in a legislative assembly of 100 seats, a candidate or party receives less than 1% of the votes), or when it fails to meet a threshold legally set above that level (see Section 4.2.3 below).

In single transferable vote systems, voters vote for candidates in multi-member districts, i.e., there are several district winners, and not only one. Voters may select a number of candidates: at most, as many as the number of winners (seats to be allocated). Voters may not only select multiple candidates, but they may also rank them in order of preference. First, the number of votes required to gain a seat is calculated. When candidates have the requisite number of votes based on first-preference vote cast for them, they immediately win a seat. Votes above that quota ('surplus votes') do not get wasted: they are added to other candidates' quotas based on the second etc. preference indicated ballot papers. So, votes cast for a winner do not get wasted even if there are more votes than necessary cast for the winner. Then another count follows. In each successive count, if there are no candidates with surplus votes, the least successful candidate is eliminated. The votes cast for the eliminated candidates are redistributed among other candidates based, again, on preference rankings. Hence, votes cast on those who fall out of the race are not wasted either. Successive counts end when all seats in the district have been allocated. This somewhat more complicated system also minimizes wasted votes, and ultimately yields proportional results.

Proportional representation can generate specific ethical challenges as seen from the voter's perspective. First, voters may be challenged in discharging the forward-looking, *selection* and especially *authorization* function of the ballot because they have to decide on whom to vote for without necessarily much information about how *coalitions* will be formed, what *compromises* will be accepted by which candidate or party, and often also about who will be likely coalition partners at all (cf. Wilson, 2019: 205). This can make *strategic voting* more difficult and less attractive (but see Meffert and Gschwend, 2010 who finds evidence in Austria for explicit tactical coalition voting; see also Hobolt and Karp, 2010; Bargsted and Kedar, 2009 for further evidence of coalition-targeted Duvergerian voting, but cf. Riambau, 2015). Single transferable systems fare better than list systems at allowing voters to control coalition-formation, and they also give more leeway for voters to select independent candidates (Reynolds et al., 2005: 76). Some have assumed that proportional representation does not necessitate strategic voting (Duverger, 1951). Still, given the number of small parties, strategic voting with all its ethical dilemmas may be fairly prevalent in proportional representation (Riera, 2016; Irwin and Van Holsteyn, 2012; Alvarez et al., 2018; or even more prevalent than in majority / plurality systems, as Abramson et al., 2010 argue). At the same time, the potential availability of several alternative choices – the possibility of ranking choices in single transferable vote systems – may somewhat ease the voter's moral burdens and pressure to compromise.

Second, the coalition-conducive nature of proportional representation can also reduce the *accountability* potential of elections: especially in list systems, parties may retain power even if they suffer a major blow to their popularity as long as they manage to find a coalition partner (Farrell, 2011; Norris, 2004). Third, some evidence suggests that proportional representation correlates with the existence and electoral gains of *extreme parties* (Farrell,

2011; Norris, 2004). This may lead voters to more often engage in strategic voting specifically in order to avoid what they see as the worst option winning, which is further combined indeed by complexities of strategic voting under proportional representation systems (Cox and Shugart, 1996). On the flipside, voters may also engage in strategic voting against their most preferred candidate specifically to ensure that small parties survive and get into parliament too (Fredén, 2014). However, more recent empirical findings suggest that even in a multi-party proportional representation system, the strong bipolarity of political parties makes coalitions more predictable and hence both selection and accountability more viable, revealing some collateral benefits of political polarisation (Kam et al., 2020). Further, the link between the existence and strength of extreme parties and proportional representation has been questioned (Carter, 2002, 2004). Moreover, voters may see more reason to participate in elections based on proportional representation. At any rate, this voting system correlates with higher turnout rates than majority / plurality systems (IDEA, 2016: 37). Finally, voters may find and appreciate that in proportional representation systems using several electoral districts – especially single transferable vote systems – representatives owe their *constituents* special consideration (Reynolds et al., 2005: 76).

4.2.1.2 Majority / Plurality Systems

Majority or plurality systems[38] usually generate an electoral outcome in legislative elections based on constituencies (electoral districts). In the versions in use in EU Member States, the number of constituencies matches the number of parliamentary seats to be allocated.[39] One parliamentary seat is awarded to the winner of the election in each constituency. The winner in each district is either the candidate who gets more than 50% of the votes (in a majority system, strictly speaking), or who gets the highest number of votes, in a single member plurality system (even if that number is lower than 50% of the votes, but higher than the number of votes received by any other candidate, hence the name 'first-past-the-post' system for such systems, see Reynolds et al., 2005: 35). Majority systems (strictly speaking) often require a second round (run-off) election in multi-party systems, whereas plurality systems usually deliver an electoral outcome in a single round and often correlate with two-party systems (but cf. Raymond and Tromborg, 2016). Majority systems function the same way when applied in executive (presidential) elections. However, in such elections, there is only one mandate to be allocated.

Majority systems also determine the moral outlook of the voter in characteristic ways. First, typically, voters need not be concerned about the unknowns of coalition-formation, as coalitions are exceptional in such voting systems given the overwhelmingly bipolar nature of the political spectrum. In this respect, majority systems are more amenable to the selection function of the vote and may make strategic voting easier. At the same time, majority systems often necessitate strategic voting to avoid wasting one's vote (Crisp and Demirkaya, 2020; Cox, 1997; cf.-Eggers and Vivyan, 2020 showing that older voters and wealthier voters, but not more educated voters, vote more strategically than their younger, poorer

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[38]"Majority systems" will be used as a shorthand for both majority and plurality systems unless otherwise indicated or evident given the context.

[39] EU Member States with majority / plurality electoral systems use single member plurality ("first past the post") systems and two-round systems. Yet other versions of majority / plurality systems with multi-member district also exist globally, see esp. Reynolds et al., 2005: 44f.

counterparts, respectively). Second, majority systems foster accountability by ensuring that candidates and parties losing popularity cannot retain power by coalition-formation (see McCall Rosenbluth and Shapiro, 2018; cf. Pinto-Duschinsky, 1999; Curtice and Philips Shiveley, 2009). Third, while majority systems curtail the diversity of the party system, they also contribute to the containment of extreme parties (Norris, 2004). Fourth, however, voters may constantly have to make morally hard compromises in majority systems. Given the limited choice set, it is conjectured to be highly probable that voters have to choose between what they see as the right policy and whom they see as the right candidate, or between two policy positions both of which they find hard to identify with or even accept (cf. Kurella and Rosset, 2017). Fifth and finally, majority systems may fare worse in terms of ensuring the descriptive representation of disadvantage groups and minorities (Reeve and Ware, 1992).

4.2.1.3 Mixed Voting Systems

Mixed voting systems – also referred to, in different varieties, as 'parallel voting' or 'supplementary member systems' or 'mixed member majoritarian systems', 'mixed member proportional representation' – combine elements of list-system based proportional representation and majority / plurality systems (Shugart and Wattenberg, 2003). A certain number of seats are distributed proportionally among party lists, while the remaining seats are distributed among constituencies on a majority / plurality-basis. The two subsystems may exist side by side, independently of each other (this is called 'parallel voting', e.g., in Italy since 2017),[40] but they may also be connected. Connecting the two subsystems can reduce the number of wasted votes by strengthening the proportional element in the voting system. For example, votes cast on a candidate who loses in a constituency in the plurality / majority subsystem may be counted toward the party list of the losing candidate's party (cf. Italy up until 2005, see Reynolds et al., 2005: 91). Exceptionally, a connection between the two subsystems can also be used to weaken the proportional element in the mixed system. For example, votes cast on candidate who wins in a constituency may get counted toward the party list of the losing candidate's party if they are not needed for winning the constituency (cf. single transferable vote-based proportional representation systems in Section 4.2.1.1 above).[41]

Evaluated from the voter's perspective, mixed voting systems can alleviate some of the moral burden on voters (cf. King, 2016). First, instead of facing hard choices, voters may frequently be in a position to divide their votes between two alternatives (Stumpf, 2020; but cf. Gschwend and van der Kolk, 2006). For example, if they can vote for national party lists and individual candidates at the constituency level, they can prioritize policy-considerations in their vote on the party list, while prioritizing personal merits or demerits or constituency relations when voting on the constituency candidate. Second, mixed voting systems may also allow for mixed approaches to sincere vs. strategic voting. For example, voters may cast a

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[40] Law of 3 November 2017, no. 165.

[41] Hungary uses such a mixed system in parliamentary elections. For example, if a candidate won over the candidate coming in second place by 1000 votes, 999 votes are added to the winning candidates' party list. While the system is confusing called 'winner compensation,' the justification for it may be maximize the number of effective (non-wasted) votes even if they are cast for a constituency winner. See Act CCIII of 2011 on the election of parliamentary representatives, S. 15, Para. (1) b). Cf. Mécs, 2017.

sincere ballot in a proportional representation component of the voting system while casting a ballot more strategically in the majority / plurality component of the system if there is a higher risk of their vote being wasted there. Third, the nature of the connection, if any, between the component voting subsystems may also have an effect on the moral outlook of the voter. For example, if votes cast for a losing candidate in the majority / plurality subsystem are converted into votes that count toward the proportional representation subsystem, the risk of wasted votes is minimized, which may provide an additional reason for voters to vote sincerely even within the majority / plurality subsystem. Yet if the winning margin of the winner in the majority / plurality subsystem is also converted into votes that count toward the proportional representation subsystem, voters may have additional strategic reasons to vote for the losing candidate who is most likely to come in second (instead of just any other likely losing candidate). This way voters can maximize the votes cast for the second place, and thereby minimize the winning margin of the winner, which would be transferred to the proportional representation subsystem, further advantaging the winner's party therein.

4.2.2 One-Round vs. Two-Round Systems

Elections may be conducted in one single round or using a second round, also known as 'run-off', 'second ballot' or 'ballotage'. These different systems may crucially determine candidates' and parties' behaviour (Duverger, 1951). Two-round systems are coherent with majority / plurality systems where they are applied to ensure there is a candidate who receives more than 50% of the votes – in parliamentary elections in single-member constituencies, or in executive (presidential) elections. In two-round systems, the second round may only be used if there is no candidate gaining a majority (but only a plurality) out of multiple candidates (Reynolds et al., 2005: 52). In the run-off election, typically only those (often only two) candidates are eligible to run who received the highest number of votes in the first round. Thus, run-off elections typically apply a majority system in the narrow sense to deliver an overall majority winner of the election.

The choice between one- or two-round systems may also impact the moral outlook of the voter. Two-round systems are sometimes conjectured to allow for more sincere voting in the first round, reserving strategic considerations mostly for the run-off (Duverger, 1951; but cf. Cox, 1997 and Blais et al., 2007 for counterevidence). Coalitions are typically formed – or at least endorsements of other candidates are typically negotiated and announced – between the two rounds, partly based on the electoral outcomes of the first round. Voters can thus have a significant impact on coalition-building and hence selection and authorization. One-round plurality systems, in contrast, either correlate with two-party systems and hence highly untypical coalitions or require that coalitions be formed before the election (instead of between the two rounds). In mixed voting systems, where multi-party systems are more frequent, this may result in several parties supporting a single candidate in the plurality-based subsystem. Accordingly, voters may find they have to make more unpalatable and ethically problematic compromises already in the one and only round (see Cox, 1997).[42]

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[42] Proportional representation systems use a single round, with voters' limited control over coalition-formation: see Section 4.2.1.1 above.

4.2.3 Parliamentary Thresholds

Legally imposed parliamentary electoral threshold are a frequently used device in proportional representation systems (Reynolds et al., 2005: 83). They are legal prescriptions to the effect that a certain minimal proportion of the votes should be gained in order to convert votes to parliamentary seats. For example, if there is a 5% threshold in effect, but a party gains 3.5% of the votes nationally, it will not have just fewer seats, but no seats at all: the seats corresponding to 3.5% of the votes are reallocated among the parties who have passed the relevant threshold. In European Parliamentary elections, Member States may set such thresholds, but they may not exceed 5% at national level. Further, in Member States where the list system is used (including single-constituency Member States), it is obligatory to set a threshold for constituencies which comprise more than 35 seats, which must fall within the range 2%–5% for each constituency.[43]

Parliamentary thresholds have an impact on the moral outlook of voters similar to that of majoritarian elements in the voting system. They curtail the diversity of political parties, thus potentially making selection and descriptive representation harder to achieve to the satisfaction of voters and in line with their ethical outlook. While thresholds have an effect of containing extreme parties, they also make it difficult for smaller communities to exercise narrower community-based voting, incentivizing them to form coalitions and vote in solidarity with the causes of a wide community. Some evidence also suggests that thresholds generate strategic voting behaviour aiming at keeping small parties above the threshold (so-called "threshold insurance" voting, see Fredén, 2014), and hence they contribute to ethical dilemmas of strategic v. sincere voting and ethical challenges of compromising.

4.2.4 Changing Voting Systems

Voting systems rarely remain intact over longer periods of time, and even in the politically more stable European region, they can be subject to relatively frequent and substantive changes (Reynolds et al., 2005: 24; Renwick, 2011). This is hardly surprising as voting systems are themselves products of political compromises and changing power relations within any given society. However, first, as they determine how votes get translated into electoral outcomes, voting systems also provide the descriptive parameters that voters, as well as parties and candidates, must adapt their strategic behaviour to. Second, from the voter's perspective, every voting system type (and even some tokens within a given type) generate certain ethical concerns others do not (as detailed above in Sections 4.1–4.3), whereas every voting system type alleviates some moral burdens on the voter that other voting systems do not alleviate or even positively aggravate. Thus, voters have to adapt their strategic as well as moral reasoning to new voting systems. Hence the significance, from the voter's perspective as well, of how frequently and foreseeably voting systems change.

From the voter's perspective, the above suggest there should be some constraints on the temporal aspects of changing voting systems. The Venice Commission, the expert body of the Council of Europe working on issues of constitutional democracy, specifies in its *Code of Good Practice in Electoral Matters: Guidelines and Explanatory Report* that "the electoral system proper [...] should not be open to amendment less than one year before an election"

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[43] See Council Decision (EU, Euratom) 2018/994. Member States will have to implement this requirement – at the latest – in time for the 2024 elections.

(European Commission for Democracy through Law, 2002: 10; II.2.b.). This requirement serves to ensure that sufficient time is left for parties, candidates and voters to adapt to new fundamental rules of political competition. What time frame is necessary for voters to be able to effectively adapt to a new voting system (including its specific ethical challenges) depends, as some evidence suggests, on several institutional as well as social factors, with grave ethnic tensions being among those factors that can severely delay adaptation (Selb, 2012).

4.3 Further Institutional Design Choices Affecting Turnout

Voting systems have an impact on the voter's moral outlook not only with regard to *whom* she has reasons to vote for, but also as to *whether* the voter sees sufficient reason to participate in elections (see above, in Section 4.2.1). However, in addition to a choice of voting systems, other institutional design choices also correlate with higher or lower turnouts. In particular, concurrently held elections and compulsory voting correlate with higher turnout rates, whereas registration requirements may negatively impact turnout; and further (procedural) voting arrangements may likewise facilitate or hinder participation in measurable ways (IDEA, 2016: 37–38; Lijphart, 1997).Crucially, a perception of electoral integrity has a positive impact on turnout (Birch, 2010, 2011), as does decentralization in regional elections (Blais et al., 2011). In other words, when voters have a perception that their vote actually matters (it will not be a victim to electoral malpractices or it will not be cast in electing a relatively powerless body), they see more reason to turn out. This subsection focuses on concurrently held elections and compulsory voting.[44]

4.3.1 Concurrently Held Elections

Concurrently held elections – for example, legislative and (where applicable) executive elections, or national as well as regional or local authority elections held at the same time – increase turnout, or so some data from Mexican elections suggest (IDEA, 2016: 38). There is no data available that would suggest voters who turn out in concurrently held elections are more likely to cast an invalid ballot or no ballot at all for one or some of the concurrently held elections. Concurrently held elections are likely to prevent 'election fatigue' (IDEA, 1999) as well as lowering the costs and increasing the benefits of participation for voters.

4.3.2 Compulsory vs. Voluntary Voting Regimes

Regimes of compulsory voting correlate with higher turnout rates. While more typical in other regions of the world, especially Latin-America, some EU Member States also have some sort of compulsory voting regime in effect. Currently, voting is compulsory in Belgium, Bulgaria, Greece and Luxembourg nationwide (Sabbati et al., 2019; IDEA, n.d.), whereas the list historically included even further European states (e.g., Cyprus, Italy, and the Netherlands) as well as some regions in further Member States (including Tyrol and Voralberg in Austria) (IDEA, n.d.). Switzerland has retained compulsory voting in one canton (ibid.).

Compulsory voting is not a unified legal institution. What is common to all such regimes is a legal duty to *turn out* (but, crucially, not a legal duty to cast a valid ballot). Yet sanctions for non-compliance vary considerably. For instance, Bulgaria (which introduced compulsory

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44 On registration, see Section 7.2 below.

voting in 2016) does not sanction non-compliance at all, while Belgium may even impose fines or imprisonment.[45] Other sanctions may include civil rights infringements and disenfranchisement, or a disadvantage in employment in the public sector (all of which may be exemplified by Belgium, see IDEA, n.d.).

Compulsory voting correlates with higher turnouts (IDEA, n.d.). As turnout in contemporary democracies in the developed world is not only relatively low overall but also rather unequal, compulsory voting is often seen as a means to combat political inequalities (Lijphart, 1997; Engelen, 2007; Birch, 2009; Hill, 2010, 2013; Chapman, 2019). From the voter's perspective, however, the right to non-participation may also be valuable (Lever, 2009, 2010a, 2010b; Saunders, 2016), even if some, but not all, of its value can be saved by casting an invalid ballot (Looney and Werner, 2020).

5. POLITICAL PARTY SYSTEMS, PARTY TYPES, PARTY REGULATION

Political parties have a central role to play in modern democracies in Europe (Dalton et al., 2011; Cross, 2011; Gauja, 2016). Modern democracies are pluralistic regimes where political parties are the major actors competing for power. Accordingly, current democracies either have two-party systems or multi-party systems (cf. Sartori and Mair, 2005: 35–49, 193–216).[46] While party systems correlate, to some extent, with different democratic political and electoral systems, the characteristics of the party system and party regulation also have a significant role to play in shaping the voter's moral outlook (van Biezen and ten Napel, 2014), together with institutional features of democracies (see esp., Section 4 above). The grounds on which parties associate, as well as how closely parties are linked to parliamentary mandates, and what role they take in improving gender representation, are all crucial for the ethical challenges voters face in using their ballots to ensure better representation.

5.1 Grounds of Association

Political parties are associations formed on several potential grounds in two-party and multi-party systems, in circumstances of political pluralism. They may be organized based on class interests or occupations (e.g., the historical labour parties and famers' parties in Europe cf. Robison et al., 2021; for Scandinavian agrarian parties, see Elder and Gooderham, 1978; Christensen, 1997), ethnic or national (minority)or regional interests (e.g., some Catalan parties in Spain, Flemish parties in Belgium, see Haute and Pilet, 2006,or the Scottish National Party in the UK, as well as Sinn Féin in the Republic of Ireland and in Northern Ireland). Political parties may also be religion-based (such as Christian Democratic parties all over Europe, see Grabow, 2001; Accetti, 2019). Further, political parties may be based on third-party interests, or ideologies which focus on some concrete aspects of the common good or social justice – consider, for example, animal welfare parties or Green parties (Kitschelt, 2019). Finally, while political parties are organized primarily as associations of national or regional politics, European integration (and the emergence of 'Euro-parties')

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[45] Belgium, however, no longer enforces the duty to vote. Accordingly, the threat of these sanctions, while drastic, is largely theoretical by now (see Lever 2010b: 927, n. 7).

[46] Two-party systems may have more than two political parties if only two of them are major actors who have a chance of winning national elections (cf. Sartori and Mair, 2005: 164–192).

provide new potential grounds of association, or an opportunity to raise old grounds of association to a European level (Hanley, 2008; Rensmann, 2014).

Even though political parties organized on various grounds are seen in democratic political systems as legitimately pursuing partial interests, causes and voices, several democracies impose constraints on party pluralism. Specifically, bans on the foundation or operation of extremist political parties with an anti-democratic agenda, or on their electoral participation, are not uncommon especially in democracies with a relatively recent totalitarian history. Such restrictive measures are also known as the "militant democracy" approach to democracy defending itself (see Invernizzi Accetti and Zuckerman, 2017; Bourne, 2011; Gordon, 1987; Loewenstein, 1937; Niesen, 2002; Minkenberg, 2006; Sajó, 2004). Banning parties may be criticized on both normative grounds (as antithetical to the values undergirding democracy) as well as practical empirical grounds (as counterproductive, i.e., conducive to more robust anti-democratic political sentiments and movements, see Invernizzi Accetti and Zuckerman, 2017), although some evidence suggests that such bans are not necessarily counterproductive on practical grounds (Bale, 2007). In addition to ideologically based bans, as in the case of militant democracy, some European states impose constraints on other grounds of political association that may be seen in the given context—justifiably or not—as a threat to national unity. For instance, Bulgaria imposes a constitutional ban on political parties on "ethnic, racial, or religious lines" (Lublin, 2014: 205); and ethnic minority parties are banned in Albania and Turkey as well (Stojanović, 2018: 352).

Party bans as well as the existence of parties on certain grounds of association crucially determine the voter's moral outlook. They may make voting with regard to the self-interests or the common good of certain communities practically impossible, and hence may alienate the voter, or generate dilemmas for voters belonging to disadvantaged groups or minorities. Party bans and the lack of party-level organization of certain groups may also hinder voters in contributing to the descriptive representation of their identity-constitutive social group(s).

5.2 Parties and Parliamentary Mandates

Political parties in some political and electoral systems are very closely bound up with parliamentary mandates won by representatives affiliated with them. This close connection can manifest itself in at least two different ways. First, in proportional representation systems based on party lists, parliamentary mandates left vacant between elections (e.g., due to resignation or death) may be filled by the party of the former representative without holding by-elections (e.g., in Hungary).[47] Second, strong party discipline – characteristic of parliamentary democracies (Bowler et al., 1999; Thompson, 2015), both in majority / plurality electoral systems such as the UK (Whiteley and Seyd, 1999), and in voting systems of list proportional representation with a multi-party system, to enhance party cohesion (Dimock, 2012; Martin et al., 2014) – may also mean that the legislative deliberative agenda and decision-making is strongly determined by parties irrespective of the persons occupying parliamentary seats. Party discipline may be strengthened and enforced in different ways, ranging from *ex ante* selection procedures that ensure loyalty to *ex post* sanctions of various

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[47] Act CCIII of 2011 on the election of parliamentary representatives, S. 20, Para. (1).

kinds (loss of privileges, monetary 'fines', delay of promotion), depending on the legal context, imposed on representatives by their party (Martin et al., 2014).

Strong party control over parliamentary mandates has been argued to enhance contestation and accountability in legislatures (McCall Rosenbluth and Shapiro, 2018), although it may be argued to have rather complex effects on both. At the same time, strong party control over parliamentary mandates impacts the voter's moral outlook as it gives the voter less reason to consider the individual merits and demerits of the candidates in legislative elections, and more reason to focus instead on the merits or demerits of the political parties nominating candidates for legislative offices.

5.3 Gender Equality, Party Policy and Party Regulation

Given how strongly political parties determine in modern European democracies the allocation of political offices, party policies and the legal environment regulating the operation of political parties and their participation in elections also has a vast influence on gender equality in politics. This influence is particularly significant in light of the fact that as of 1 January 2017, not a single European country had 50% or more female representatives in national legislatures, and only Iceland, Sweden and Finland had more than 40% female representatives, whereas Hungary barely passed a 10% threshold, surpassed within the EU by Latvia Cyprus, Greece and Croatia which fell between the 15–19.9% range (UN Women and Inter-Parliamentary Union, 2017; cf. Arceneaux, 2001; Beckwith and Cowell-Meyers, 2007; Galligan, 2013; Howell and Day, 2000; Tolley, 2011; Vengroff et al., 2003). While the equal right to vote, a hard earned right of women over the past century, is no longer questioned in Europe, women's participation in politics as elected (or even appointed) officeholders is considerably lagging behind (Piscopo and Shames, 2020).

The political participation of women as elected officeholders can be and is facilitated by various institutional means (Barnes and Holman, 2020). Among these, *gender quotas* of different sorts have gained prominence (Dahlerup, 2005, 2013; Dahlerup and Freidenvall, 2005; Darhour and Dahlerup, 2013; Freidenvall and Krook, 2011; Mráz, 2021). Such quotas may be voluntarily adopted by political parties for candidate-nomination procedures, providing, for example, that no two consecutive places on a party list be filled by persons of the same gender (Krook, 2007; Bjarnegård and Zetterberg, 2011; Kjerulf Dubrow, 2011). Alternatively, gender nomination quotas may be legally prescribed (Belschner and Garcia de Paredes, 2021; Schwindt-Bayer, 2009; Verge, 2012), as is the case, for instance, in Croatia,[48]

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[48] The Act on Gender Equality 2008, Article 15 (1) (minimum overall ratio of candidates for each gender on candidate lists).

France,[49] Greece,[50] Italy,[51] Ireland,[52] Poland,[53] Portugal,[54] and Slovenia.[55] While quota measures sometimes apply to the output of legislative elections, reserving a number of parliamentary seats to representatives belonging to a certain group, this method is typically not applied to enhance the participation of women (Htun, 2004, but cf. Nanivadekar, 2006).

Gender quotas are often perceived as considerable burdens on political parties, candidates and voters who do not stand to benefit from them (cf. Rehfeld, 2009). Yet, from the voter's perspective, they can also be seen as enablers: institutional solutions which finally allow a potentially very large number of voters to vote for candidates they wish to select and authorize to represent them but could not, were it not for quota measures in place (e.g., because parties would not otherwise decide to nominate them, see Dahlerup, 2013:11; but cf. Dolan, 2014). However, quotas are widely recognized to be temporary measures that may become unnecessary and unjustified with changing socio-political circumstances.[56]

6. CAMPAIGN REGULATION

Democratic elections are preceded by political campaigns which provide special occasions for candidates and parties to share their views and persuade voters, as well as for voters to become interested in the elections (Goldstein and Freedman, 2002). From the voter's perspective, they are concentrated occasions for the cheap acquisition of information relevant to their decisions as to whether to vote and for whom (Nadeau et al., 2008; Goldstein and Freedman, 2002). Properly regulated, rich and diverse campaigns contribute to the circumstances which allow voters to make a free and informed choice at the polling station (Thompson, 2018). Campaigns, due to their special roles, are heavily regulated in almost all democracies. Regulations may target the qualitative or quantitative dimensions of political campaigns.

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[49] Law No. 88-227, Article 9 (1) (maximizing the difference between the numbers of candidates of each gender on party lists for single-member constituency elections in 2%).

[50] Decision 65/2019 by the Supreme Civil and Criminal Court of Greece (minimum overall ratio of candidates for each gender on candidate lists).

[51] Law No. 165/2017 article 3, 3.1 (maximum overall ratio for each gender on candidate lists, alternating gender order on candidate lists).

[52] Electoral Act 1997, section 17, as amended by the Electoral (Political Funding) Act 2012, section 42 (minimum overall ratio of female and male candidates for each political party).

[53] Election Code 2011, Article 211 (3) (minimum overall ratio of candidates for women and for men on candidate lists).

[54] Equality Law No. 3/2006 of 21 August 2006, Articles 1, 2 (1), and 2 (2) provide for the composition of candidate lists in such a way as to be conducive to a minimum 33% ratio of each sex in the National Assembly, while also prohibiting more than 2 consecutive candidates of the same sex to appear on lists in multi-member constituencies.

[55] National Assembly Elections Act 2006, Articles 43:6 and 43:7 (minimum overall ratio of candidates for each gender on candidate lists).

[56] See, for example, UN Committee on the Elimination of Discrimination Against Women (CEDAW) (2004), General Recommendation No. 25: Art. 4, para. 1, of the Convention (temporary special measures), UN Doc. A/59/38 (SUPP), 18 March 2004, para. 22.

6.1 Quality

Campaigns are hardly ideal sites of high-minded political deliberation (Thompson, 2018: 229–230). In developed democracies, a vast amount of campaign messages are fiercely negative, while lying and misleading, as well as strategic ambiguity and pandering, are part and parcel of campaign practices (Ansolabehere and Iyengar, 1995; Callander and Wilkie, 2007; Tomz and Houweling, 2009; Goodin, 2010; Haselmayer, 2019). Voters themselves are keen on taking shortcuts in interpreting campaign messages and political information in general (Popkin, 1994), they are a biased audience (cf. Dolan, 2004, 2014), and they typically will not change their minds as a result of campaigning; they have lives to lead even during political campaigns and consequently spend a limited amount of time and effort in acquiring and processing campaign messages (Garner, 2009; Christiano, 1996). Yet campaigns can achieve limited aims, as long as they are properly regulated, even within their strict temporal limits (Thompson, 2004) and the strategic and psychological limits of candidates, party leaders and voters.

In order to ensure some minimal standards of quality, outrights lies are banned in several states, although such bans are not very common on continental Europe, and face free speech (normative) challenges in the USA, besides practical challenges in their application and enforcement (Rowbottom, 2012). Hate speech, especially racist and xenophobic speech, may have a particular impact in the electoral context, and restrictions on such campaign speech also exist in Europe.[57] More recently, debates concerning the quality of campaigns have focused on the challenges of online electoral campaigns (Tambini, 2018; Neudert and Marchal, 2019). Regulation of online campaigns, for all practical intents and purposes, is mostly in the hands of social media platforms to date (Dommett, 2020).

From the voter's perspective, the quality of campaign discourse has a dual significance. On the one hand, exceedingly untruthful campaigns do not serve their informational function, and hence make it more burdensome for the voter to cast an informed ballot (cf. Estlund, 2000). On the other hand, the low quality of campaign discourse, which may also be linked to inequities in the campaign, see the subsection immediately below, may alienate voters and contribute to political disaffection (Ansolabehere and Iyengar, 1995; Goldstein and Freedman, 2002, Haselmayer, 2019).

6.2 Quantity

Both absolute and relative quantities of campaign expression have been subjects of philosophical as well as practical regulatory concern. *Absolute quantities* of campaign speech matter from the voter's perspective because if campaigns are not rich or long enough, they might not deliver sufficient information to the voter or raise her interest in participation (cf. Estlund, 2000). At the same time, if they are too loud or long, they may turn away voters (cf. Goldstein and Freedman, 2002). Electoral campaigns, at least formally, are temporally limited in democracies (Thompson, 2004): they end with or before election day, and start a fixed period of time before election day.

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[57] On the compatibility of such restrictions with freedom of speech based on the European Convention on Human Rights, see the judgment of the European Court of Human Rights in *Féret v. Belgium* (15615/07, 16 July 2009).

Relative quantities of campaign speech also matter hugely, in terms of *equalizing concerns*. It is uncontroversial that some standard of *equality of opportunity* should apply to the distribution of campaign speech opportunities. Nevertheless, the exact content of the requirements of equality of opportunity to be applied in campaigns is controversial and, while some argue the aim should be to equalize opportunities between candidates (Brighouse, 1996), others argue the principle should apply as between political views (Christiano, 1996). The philosophical literature is also somewhat unclear on whether equalizing ambitions should apply to political deliberation in general or to electoral campaigns specifically (but see Thompson, 2004, and Cohen 2001 for a campaign-specific argument, as well as Christiano, 2012 for a more general argument). Characteristic inequalities of opportunity arise for newcomers, challengers, parties with a less wealthy base, and independent candidates, amongst others (see, e.g., Briffault, 1999).

While some equalizing measures directly target the allocation of scarce vehicles of political messages – such as TV or radio airtime – egalitarian aspirations must tackle questions of *campaign financing* too, since unequal opportunities to convey one's political views are primarily due to unequal resources available for campaigning. Efforts to realize equality of opportunity in electoral campaigns have been subject to constitutional challenges in the US, whereas measures such as equal airtime on public service media as well as campaign financing restrictions such as caps on campaign contributions and expenditures have been central to campaign regulation in Europe (Szilágyi, 2017; for an overview of regulatory means, see Falguera et al., 2014: 21–29).[58] The theoretical literature focuses on the merits and demerits of different campaign financing regimes. In order to ensure equality of opportunity, some views in the literature entirely oppose privately financed campaigns and advocate for publicly funded campaigns (see Cagé, 2020), whereas others only support campaign expenditure and contribution caps (Falguera et al., 2014: 22).[59] Some argue that campaign expenditure ceilings and contribution caps, albeit promoting equality of opportunity, violate freedom of speech (Anderson, 2000), while others argue they do not (Dworkin, 1999); yet others offer more nuanced views, recognizing the impact of such restriction both for equalizing opportunities and for free speech interests (Cohen, 2001; Christiano, 2012). Further, recent some analyses underline the importance of diversity and inclusion, in

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[58] See, for example, Recommendation CM/Rec(2007)15 of the Committee of Ministers to member states on measures concerning media coverage of election campaigns (Adopted by the Committee of Ministers on 7 November 2007 at the 1010th meeting of the Ministers' Deputies). See also the landmark decision of the European Court of Human Rights in *Animal Defenders International v. The United Kingdom* (48876/08, 22 April 2013), where the Court established that freedom of speech may legitimately be restricted in pursuit of the aim of "protect[ing] the democratic debate and process from distortion by powerful financial groups with advantageous access to influential media" (112), although the case did not concern campaigns but a fairly general ban on political advertising. Cf. also *Guidelines on media analysis during election observation missions*, adopted by the Council for Democratic Elections at its 29th meeting (Venice, 11 June 2009) and the Venice Commission at its 79th plenary session (Venice, 12-13 June 2009).

[59] An expenditure ceiling is also recommended by the Venice Commission, the expert body of the Council of Europe on constitutional democracy (European Commission for Democracy through Law, 2019). Further, the Council of Europe *Recommendation 2003/4 of the Committee of Ministers to Member States on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns* (adopted by the Committee of Ministers on 8 April 2003 at the 835th meeting of the Ministers' Deputies) declares support for a private-public mixed funding scheme: "The state and its citizens are both entitled to support political parties. The state should provide support to political parties. State support should be limited to reasonable contributions" (Appendix, Article 1).

addition to equality, in campaign financing regulation (Agrawal and Hamada, 2021). Finally, in addition to concerns with *equality* of opportunity, campaign finance regimes also influence the competitiveness of elections and the rigidity of the political spectrum by making it more or less difficult for newcomers and challengers to reach voters in campaigns (Briffault, 1999).

Some of the newest challenges in campaign equity and campaign financing include the role of companies in financing electoral campaign, as well as issues specific to online campaign financing. The role of companies in political campaigns raises theoretical and practical questions especially in the USA, where constitutional challenges have been successfully mounted against limiting their role in campaign financing (Levitt, 2010). However, reflection on their role in European electoral campaigns is less salient, matching a more nuanced regulatory environment. By contrast, the financing of online electoral campaigns poses challenges in democracies worldwide. These include the media- or platform-specific character of relevant legislation which hence lags behind rapid technological change; the multinational nature of social media corporations, with the consequent lack of transparency regarding payments for political advertisements, which also aggravates concerns with third-party financing, and the challenges of enforcing national campaign regulations internationally (Agrawal et al., 2021).

From the voter's perspective, robust equality of opportunity among the contenders of the electoral race or their views, including appropriate campaign financing restrictions, is significant for instrumental reasons. It is a means to facilitate the acquisition of balanced information. For the same reason, levelling down to the point of silencing the campaign as a means of equalizing opportunities cannot be a satisfactory regulatory solution, given that it deprives voters of valuable sources of information (see Estlund, 2010; Szilágyi, 2017).[60] Further, such levelling down may also deprive voters of opportunities to engage in the conduct of public affairs through monetary contributions rather than direct political activism. Finally, nevertheless, exclusive reliance on voters' preferences in the distribution of campaign funds – whether it comes from private sources or publicly funded voucher systems, as some have proposed (Estlund, 2000; Cagé, 2020) – may well put newcomers and challengers at a considerable disadvantage relative to established political forces (Briffault, 1999: 570). This disadvantage may be counterbalanced by a distribution of public funds independently of voters' preferences, not necessarily instead of, but rather in addition to funding regimes based on voters' preferences and / or agency. The right regulative ideal of equality of opportunity thus must take account of voters' informational interests, as well as their interests in indirect political agency and their interests in counteracting excessive barriers of entry to the political competition.

7. PRIVACY AND PUBLICITY IN ELECTORAL PROCESSES

Transparency and publicity are central values of democratic electoral processes and of democracy more generally (European Commission for Democracy through Law, 2002; Christiano, 2008). At the same time, the public interest in this transparency can come into conflict with the privacy interests of individual candidates, voters, and campaign

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[60]*Animal Defenders International v. The United Kingdom* concerned, for example, a ban on paid political advertising as such, even though not specifically during campaign periods.

contributors.[61] European democracies may balance these interests in different ways, yet they may not completely surrender the public interests to the private interests concerned.[62]

7.1 Candidates' Privacy

Candidate running for office, while undeniably public figures, also have a private life. Their family affairs, health conditions, religious convictions and sexual life may paradigmatically fall within this realm: candidates have weighty interests in protecting its inviolability and retaining control over what the public may learn and discuss about them. This is recognized in regimes of campaign regulation which provide some specific protection for the privacy of the candidates (see Rowbottom, 2012). Challenges arise not only due to the interest of the general public in learning about the private matters (especially scandals) of well-known public figures – among them, politicians, public officeholders and candidates for public offices. Such interest need not necessarily be promoted without limits (Thompson, 1993: 140, 2005). Much more significantly from a normative perspective, though, voters may deem facts pertaining to a candidate's private life as relevant to their electoral choice, given what light these facts cast on the candidate's fitness for office, including all sorts of politically relevant merits and demerits in the voters' eyes (Dobel, 1998; Rowbottom, 2012, Mokrosinska 2015). Least controversial among these may be facts related to the law-abidingness of the candidates, including, for example, criminal convictions or tax evasion. Yet political campaigns often also public bring attention to a (contender) candidate's allegedly failing health or disability (cf. Blunkett and MacCormick, 2002). Further, facts concerning a candidate's religious life may well be considered by some as indicative of meritorious character traits and trustworthiness in some voters' assessment, or on the contrary, of the overly conservative leanings of or undue church influence over the candidates' political activity, in other voters' assessment (cf. Robson, 2020). Finally, sexual orientation or marital indecencies, while at the core of one's private life, may be considered revelatory of a conservative candidate's hypocritical stance (cf. Parris, 1996), or on the contrary, one's LGBTQAI identity may be seen by some voters as insufficiently bearing on a progressive candidate's policy positions (cf. Kluttz, 2014), or simply as a moral failure in the eyes of more conservative voters (cf. Bloch, 2014). Thus, from the voter's perspective, there is considerable value in a regulatory framework which allows for the free public discussion of a wide range of private matters that pertain to the candidate's fitness in the voter's eyes. However, as negative campaigns may have an effect of alienating voters (see Section 6.1 above), this freedom should not be unlimited even if evaluated only from the voter's perspective.

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[61] While regulation primarily sees the relationship between privacy and publicity as a value (and rights) conflict, more fine-grained analyses reveal that privacy has a complex relationship to democracy and the public realm of politics, rather than being merely antithetical to them (Lever, 2012, 2015a, 2015b; Mokrosinska, 2018).

[62] See the judgment of the European Court of Human Rights in *Saaristo and Others v. Finland* (184/06, 12 October 2010).

7.2 Voters' Personal Data: Targeted Campaigning and Electoral Registers

Voters' personal data play an increasingly important role in the electoral procedure, which implicates their privacy as well as.[63] First, online campaigning increasingly reaches voters in a highly targeted way. This is made possible by social media platforms benefitting from access to users' personal data for the purposes of targeted advertisement (more generally, see Zuboff, 2019). 'Pandering' – campaign practices specifically adjusted to a subpopulation within the electorate – is hardly a new practice in electoral campaigning (Wittman, 2008). Yet it may be found objectionable as evaluated from the voter's perspective (see Beerbohm, 2016). Targeted advertising makes it more burdensome for the voter to acquire sufficient information to see if a candidates' entire policy position is an acceptable compromise for her. Moreover, accountability to and authorization by voters is highly fragmented if a candidate does not publicly commit to the pursuit of her entire policy package and political agenda vis-à-vis all voters at once. Further, online platforms also allow voters greater opportunities to control *whose* campaign reaches them. Thus, not only can different voters get different messages from the same party or candidate, but different voters may not be reached by the same parties or candidates either. The consequent (partial) lack of a shared campaign exposure can negatively affect voters' informational interests. Finally, targeted political advertising may be an alarmingly effective means of hate mongering, as well as of creating or exacerbating troubling religious, racial, ethnic, sexual and class divisions in (or on the pretext of) electoral campaigns.

Second, processing voters' personal data is also necessary for the administration of elections. Electoral administration must maintain electoral registers which contain up-to-date personal data of voters (European Commission for Democracy through Law, 2002). In some countries, registration for voting is automatic (passive) and even obligatory – the overwhelming majority of EU Member States fall within this category – whereas in other countries, it is voluntary (active).[64] The electoral register is public in some countries (e.g., in Ireland), whereas it is possible to opt out of being listed on the public register in other countries (e.g., in the UK, those opting out of the 'open register' are still eligible to vote), and the register may be available only to election administration in yet other countries. From the voter's perspective, a public register may increase public trust in the legality of the elections,

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[63] Theoretical debates concerning the secrecy of the ballot, recently revived in political philosophy and political theory, focus on a further locus of democratic life and elections where issues of privacy and publicity arise from the voter's perspective (Brennan and Pettit, 1990; Lever, 2007, 2015a, 2015b; Engelen, 2013; Vandamme, 2018). However, as the present chapter focuses on European electoral institutions, where the secrecy of the ballot is currently beyond legal and political dispute (see Aidt and Jensen, 2012; Mares, 2015; see also Article 3, Protocol No. 1 to the European Convention on Human Rights), the relevant theoretical debate falls outside of its scope.

[64] Obligatory registration does not always entail a duty to vote as well; it only means that eligible voters' data are entered on the electoral register regardless of whether eligible voters wish so, with no right to opt out. Further, in some countries where registration is obligatory and automatic by default (e.g., the electoral register is extracted from the population / civil registry), eligible voters may still need to actively register in some situations (e.g., address change, establishing residence etc.; see International IDEA, n.d. c). Finally, registration may also be passive or automatic but not obligatory. For instance, one may or may not opt to have a driver's license, while a driver's license application may be automatically processed as a voter registration request as well.

whereas its publication may, depending on its exact content, compromise the voter's privacy (e.g., by revealing her address).[65]

7.3 Transparency of Sources of Funding

Concerns of publicity and privacy also arise with regard to the funding of political campaigns and, more generally, political parties in and out of campaigns. Political parties in European democracies, as well as candidates, quite frequently, and third parties, less frequently, are subject to various reporting requirements and audits regarding their campaign activities, incomes, and expenditures (Falguera et al., 2014). While national reporting and auditing frameworks might differ, international standards – among them, those applied by the Group of States against Corruption (GRECO), the Council of Europe anti-corruption body – have achieved significant convergence within the European region in the norms of transparency of political finances (cf. Smirnova, 2018).[66] Financial reports serve the voter's informational interests by allowing her, if income sources are reported (see Falguera et al., 2014: 29–30), to properly judge the monetary influences behind a particular candidate or political party. At the same time, such reports may also promote voters' interest in exercising indirect political agency if voters can donate to political parties or candidates without their donations or campaign contributions being made public, revealing their political preferences.[67] Voucher systems may be well placed to satisfy both interests, and so are reporting regimes which only require the disclosure of the donor's identity above a certain donation threshold (Falguera et al., 2014: 29).

8. CONCLUSIONS

European democracies – unsurprisingly, due to their diverse historical origins – exhibit a variety of electoral institutions that cannot be uniformly tackled by a sufficiently finely grained ethics of voting. Understanding the practical necessities and moral challenges that are specific to various electoral institutions or their unique combinations is only possible with due regard to the particularities of these institutions. The voter's perspective is not the only one that matters for a democratic political ethics of voting, but appreciating how these institutions matter for the moral outlook of voters is a necessary step in building an ethics of voting that can guide European voters through the specific ethical challenges they face, as well as in designing electoral institutions which minimize undue ethical burdens on voters.

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[65] On the challenges of voter registration for nomadic citizens, see Häggrot, 2018.

[66] See also *Recommendation 2003/4 of the Committee of Ministers to Member States on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns* (adopted by the Committee of Ministers on 8 April 2003 at the 835th meeting of the Ministers' Deputies), esp. Articles 6, 11, 13, 14 and 16 on matters of transparency of funding.

[67] Transparency requirements more generally implicate the funder's as well as the beneficiary's privacy. However, sometimes voters are at once funders too.

9. ACKNOWLEDGMENTS

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Chapter 2

ETHICALLY RELEVANT DIMENSIONS OF ELECTIONS, REFERENDUMS AND PRIMARIES

Emanuela Ceva and Nenad Stojanović

1. INTRODUCTION

On a popular view of democratic voting, citizens should exercise their electoral rights *sincerely* (as opposed to strategically) in their *self-interest*, as they themselves would define it beyond any appeal to a supposed public interest or common good (Riker 1982). This ethics of voting is generally presented in liberal terms, against any form of populism. However, many political philosophers and political scientists have recently challenged this binary approach to the ethics of voting by arguing that there is nothing distinctively populist (as opposed to liberal) in supposing that people can have shared interests that are not simply the sum of their individual interests and that such interests may be legitimately pursued in elections (e.g., Cohen 1986; Mackie 2003). Some commentators have also started to explore the moral justifiability of strategic, rather than sincere, voting (see Rouméas, 2020).

These debates are indicative of the ethical uncertainties surrounding the theory and practice of democratic electoral vote. These uncertainties have not only an inherent philosophical interest. They also matter to the practice of democracy to the extent that democratic voters believe that they have moral duties to vote in elections, and to vote on some ethical considerations rather than others. The moral dimensions of voting seem to bear, therefore, on the democratic electoral process and possibly on the outcomes of democratic elections, but also of referendums and primaries.[1]

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[1] We have considered including the recall elections in our analysis, that is, the procedure that allows voters to remove elected politicians before that official's term of office has ended. It is used far more frequently in the Americas than in Europe (see Welp and Whitehead, 2020). In our view the recall procedures, contrary to primaries, elections and referendums (where the latter are institutionalized), are an instrument that is used only in exceptional circumstances, as one among many "securities against misrule" (Elster, 2012). Including it in our analysis would be rather distracting in this deliverable, and a serious examination of this instrument would have obliged us to reduce the extent of the analysis of primaries, elections and referendums.

In this chapter, we aim to collect information and identify ethically relevant dimensions of different types of elections, including a discussion of referendums and primaries. After briefly presenting our approach (Section 2), we identify three sets of sources of ethical uncertainty that voters face (Section 3) and then apply them to real-world examples that illustrate how these uncertainties intersect various institutional models of democracy and forms of democratic election (Section 4). In our conclusion (Section 5) we sum up the discussion and ask a crucial question for a normative ethics of democratic voting that can yield *practical* guidance for citizens' action, that is, "what level of knowledge of and commitment to daily politics may be expected of citizens as electoral voters?" To address this question, we conclude by pointing out the importance of heuristic shortcuts, as well as the recent emergence and rapid expansion of Voting Advice Applications (VAAs).

2. APPROACH

Our discussion falls into the domain of conceptual and normative democratic theory. While we use the methods of inquiry common to contemporary studies on conceptual and normative aspects of democracy (e.g., Estlund, 2008: ch. 14; Lever 2007; Mansbridge, 2011; Rehfeld, 2010) our approach is not detached from reality and should profit from empirical insights. To quote Jane Mansbridge, former president of the American Political Science Association and one of the most influential contemporary experts on representation and democratic theory, "normative political theory and empirical political science are more intertwined today than at any time in the past half century" (Mansbridge, 2011: 629).

In particular, we seek a "reflective equilibrium" between the normative theory and the practice of democratic voting. We seek to identify the normative ideals that ought to inform the exercise of democratic electoral voting rights from a moral point of view. We systematize those ideals to typify some of the most important ethical uncertainties that democratic voters may face when they participate in elections. Then we look at concrete instances of the democratic electoral practice (institutional set ups and electoral forms) and see how those uncertainties play out concretely, how they can be illuminated in view of the normative ideals of democratic ethics, and, finally, how these latter should be reviewed to better adapt to the concrete circumstances in which voters exercise their rights. Such a reflexive exercise is eventually conducive to offering some practical guidance for electoral democratic ethics, which is action-guiding for democratic voters as it is at once normatively sound and practically relevant.

3. SOURCES OF VOTERS' ETHICAL UNCERTAINTIES

3.1 Voting for the Common Good/Public Interest vs. Voting for Self-Interest

The idea that there are different ways in which people may vote or may be expected to vote is at least as old as the work of John Stuart Mill. Mill pioneered the idea that "a great number of the electors will have two sets of preferences - those on private and those on public grounds" (1964 [1861]: 305). The contrast between voting for the common good, or the public interest,[2] and voting based on someone's self-interest is one of the most pervasive – albeit

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[2] Although the common good and the public interest are not synonyms (Douglass 1980), in this context they have a sufficient family resemblance to be discussed together. Therefore, in this chapter11 we refer to

questionable (Lever, 2017) – sources of ethical uncertainty that citizens face at the ballot and a paramount question of the ethics of voting. More specifically, ethical uncertainty concerns here the following questions: Who should benefit from someone's vote? Who/which groups should one consider when deciding how to vote?

This section aims at addressing the normative questions concerning voters' behaviour and motivation when citizens face the choice between voting for the common good or public interest and voting based on their self-interest. The debate is originally grounded in the question of whether there are or there should be moral constraints applicable to the democratic vote, thus underpinning a moral duty "to vote well" (Brennan, 2011; see also Crookston, Killoren and Trerise, 2017; Volacu, 2021). To answer this question, a first step requires asking what "voting well" means.

The philosophical literature on the ethics of voting distinguishes at least two views of what voting well means in a democracy. The first view is that the decision-making process of voters should be constrained through the imposition of some epistemic and moral requisites, such as "standards of rationality, rightness, and knowledge" (Maskivker, 2016: 224). Accounts of this kind can also be devised in negative terms: some requisites can be provided as a means to prevent bad voting, so that "voting well" would merely imply voting without violating such requirements (Volacu, 2021: 4). For example, for Jason Brennan (2011) to vote badly means to vote from ignorance, epistemic rationality, or immoral beliefs.

On the second view, instead, voting well corresponds to voting for the common good or the public interest. Of course, the main challenge for this view is to identify a widely shared or uncontroversial account of what the common good or the public interest actually consist of. To overcome this risk of indeterminacy two strategies are on offer. The first strategy consists in saying that the common good can be interpreted as a list of goods that can be generally assumed to be in the interest of everyone. Among these interests, we find "peace, physical security, ... freedom, equality, well-being, respect, happiness" (Lever, 2017: 146). The second strategy, instead, is to argue that we could ground the idea of voting well in comprehensive accounts of the common good. An example of an account employing this strategy is the one defended by Beerbohm and Davis (2017).

Regardless of the view of what voting well means, a further distinct but related normative question ensues: assuming that the idea of voting well in elections makes sense, does this imply that citizens have a *duty* to vote in such a way?

Geoffrey Brennan and Philip Pettit (1990) have famously addressed this question. They argue that "we should vote for the common good because (a) self-interested voting is unfeasible as a normative ideal of electoral behaviour and (b) we should vote in a discursively defensible manner, which requires us to appeal to other-regarding considerations in our decisional processes" (Volacu, 2021: 5). Brennan and Pettit actually identify two main ideal models of voting: the *preference model* and the *judgment model*. Both models are based on some important assumptions concerning the rationality of voters and their motivations that are shared by most rational choice theories: "people are largely though not exclusively concerned with the self-interested ends of economic gain and social acceptance; and [...] they

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both of them in opposition to the concept of self-interest. For a similar approach, see Brennan and Pettit (1990).

are largely though not invariably rational about the promotion of those ends" (Brennan and Pettit, 1990: 320). These assumptions, moreover, do not rule out the possibility that even when voters are altruistic, "they will care for the cost of their altruism to themselves" (Brennan and Pettit, 1990: 323). The two models proposed by Brennan and Pettit differ in how what is desirable for voters is construed. According to the preference model, voters select candidate policies or persons based on their personal ranking all things considered: both personal and public considerations are taken into account (Brennan and Pettit, 1990: 314). For the judgment model, voters select what is desirable based on their personal ranking of available options in the light of the common good (Brennan and Pettit, 1990: 316).

The two models differ also with regard to the mechanisms of collective decision that are involved, and the democratic traditions they are associated with. Regardless of the differences between the two, in both cases voters can take into account self-interested considerations and/or the public interest: both models are based on the presumption that collective decisions emerging from the electoral process will be for the common good or the public interest, however one construes them (Brennan and Pettit, 1990: 314). Generally (due to the abovementioned motivational assumptions) it is presumed that in the preference model self-interested reasons are predominant, whilst in the judgment model the public interest is more relevant. To sum it up, according to the preference ideal of voting, personal or group-specific interests should be the focus whereas the judgement ideal leads us to consider general interests and to vote "for the common good". Yet, the problem with the judgment model is that it leads us back to the question of what it means for people to vote for the common good or the public interest (see Lever, 2017).

More recently, Jason Brennan (2011) has appealed to the duties citizens have towards each other as participants in social cooperation schemes that involve coercive practices to support a preference for the judgment model (and thus for voting bearing in mind the common good or the public interest). In a similar vein, Alexandru Volacu claims that "voting with the intention of benefiting some groups over others is unjust, since it is akin to the subjugation of fellow citizens, as they will be forced to comply with rules that are not providing a reasonably sufficient level of benefits to them" (Volacu, 2021: 5).[3]

There are other accounts offering grounds for supporting the idea that citizens have a duty to vote well. According to Beerbohm, as democratic citizens are coauthors of the laws that coercively bind them all, failing to vote well implies being complicit in state's wrongdoing because one would not contribute to defeating injustices. Volacu (2019) claims that any defense of a duty to vote that is democratic has to rely on the existence of a moral duty to vote well (see also Maskivker, 2018).

Notice, however, that that not all democratic theorists think that there is – or ought to be – a clear distinction between voting for the common good or the public interest vs. for one's own interests. According to Annabelle Lever, there are probably more circumstances when it will seem "ethically compelling to satisfice, rather than to maximize the common good", partly because voters may be concerned with "determining which is the 'least bad' option of the

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[3] Of course, this claim should be considered only one among various hypotheses. As such, it should be subjected to an empirical test. Indeed, a rival hypothesis would posit that people tend to vote in ways that reflect a well-considered and substantively correct view of the common good or of the public interest.

ones we face, rather than trying to evaluate which of several appealing options to choose given uncertainties about our knowledge, or about the likely consequences of different policies" (Lever, 2017: 151). Also, we should emphasize that "self-interest" can be defined in ways that are altruistic.[4]

3.2 Strategic Voting vs. Sincere Voting

Another ethically relevant dimension of voting concerns the question of whether citizens should behave sincerely or strategically when casting their vote at elections (but also in referendums and in primaries; see §4.2 and §4.3). In fact, people do not always vote for the party they prefer. Often, the decision to vote in this way is the result of a strategic calculus aimed at maximizing the impact that their vote can make on the final electoral outcome. In this sense, it is assumed that voters act rationally and instrumentally and decide to vote in this way "because they understand the mechanics of the system and that it would be better to vote for someone else in order to maximize their influence on the final electoral outcome" (Bol and Verthé, 2019: 2). This behaviour is defined as "strategic voting" (see Stephenson, Aldrich and Blais, 2018) and is opposed to "sincere voting", which instead implies that citizens vote for their own favorite party and/or candidate (see also Rouméas, 2020).

The idea of strategic voting is based on four underlying assumptions concerning voters and their behaviour. First, voters are rational: when voting, citizens try to maximize their interests or satisfice. This assumption is based on a particular understanding of rationality that does not necessarily entail that people are able to correctly identify what is best for themselves and vote accordingly. Rather, rationality implies that people have certain goals they want to achieve and vote in a way that allows them to pursue such goals (Downs, 1957: 6).

The second assumption relates to the outcome of elections (but also referendums and primaries): not only voters care about voting, but they also care about the outcomes achieved by their vote. As a consequence, voters can decide to vote in a way that maximizes their possibility to have an impact on the outcome. This assumption implies that voters have "instrumental motivations" (the vote is seen as a revelation of preference over possible electoral outcomes), rather than "expressive motivations" (the vote expresses support for one or another electoral option; see Brennan and Hamlin, 1998).

The third assumption concerns the amount of information that people have for making their decision about how to vote: to be able to vote strategically citizens need to be able to evaluate the relative strength of various parties and anticipate (with more or less accuracy) the electoral outcome. The last assumption presumes that people need to be able to understand the mechanics of the electoral system in order to cast a strategic vote.

Of course, making this last assumption is not tantamount to saying that citizens can or are expected to memorize all the mechanisms, rules, and procedures of their electoral systems. The assumption is, rather, that citizens are able to grasp the general functioning of the democratic electoral system in order to vote strategically. Opinion leaders, who are more aware of the details of electoral mechanisms, may actually trade on this ability when they

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[4] Think for example of John Stuart Mill who, in *Utilitarianism*, expressed the hope that we might come to see our own interests in ways consistent with the interests of humanity (see Lever, 2007).

claim that voting for X means "wasting" one's vote. For example, in majoritarian systems, voting for a small party or a marginal candidate may be said to amount to wasting one's vote and possibly menacing the prospects of success of the second-best party/candidate. An illustration comes from the US voters who, in 2000, voted for the candidate of the Green party, Ralph Nader, instead of their – we may assume – second-best option, Al Gore, and whose vote was probably decisive in securing the victory of George W. Bush.

Sometimes, one can even say that voters do not even need to lack sincerity to act strategically; some commentators view the willingness to affect the final electoral outcome as a sufficient condition for strategic voting (Blais et al., 2011; Stephenson, Aldrich and Blais, 2018). Nevertheless, such an approach appears unable to differentiate between sincere and strategic voting. To differentiate, sincere voting is more commonly thought to consist in voting for one's own favorite party or according to one's own preferences (Blais and Nadeau, 1996; Fisher, 2004). From this it follows that for voting to be strategic two conditions must be met: "the voter needs to (a) cast a vote for a party that is not her favorite one, and (b) do so to maximize her chances to affect the final electoral outcome" (Bol and Verthé, 2019: 2). The first necessary condition is conceptual. The second condition adds a consequentialist dimension: to count as strategic, voting must be aimed to affect the electoral outcome or to reach other significant political goals (e.g., to persuade one's party to move in a particular direction at the next election; see Rouméas, 2020).

While both sincere and strategic voting are conceptually possible in general terms, the actual voters' choice to behave in a way or the other is exposed to various subjective and contextual factors. For example, among the subjective factors, people with a strong "partisan identity" are more likely to vote sincerely rather than strategically (Lanoue and Bowler, 1992; Niemi, Whitten and Franklin, 1992). Also, citizens who are particularly interested in and knowledgeable about politics are generally more likely to vote strategically (Alvarez, Boehmke and Nagler, 2006; Merolla and Stephenson, 2007). As they better understand the incentives brought about by the electoral system, also voters with higher abstract-thinking capabilities are more likely to vote strategically (Loewen, Hinton and Scheffer, 2015).

Some of the determinants of strategic voting are contextual. Strategic voting seems to be more likely when the election is close (Niemi, Whitten and Franklin, 1992), when it is polarized (Daoust and Bol, 2018), or when there is a single party that constitutes an unambiguous focal point for voters who are willing to cast a strategic vote (Blais, Erisen and Rheault, 2014; Fredèn, 2016). Ultimately, strategic voting seems to be less likely in countries where the results of polls in the days immediately preceding the elections cannot be made public by the media: this would make it harder for voters to anticipate the results of the election (Lago, Guinjoan and Bermúdez, 2015).

This complexity suggests that the choice of voting sincerely or strategically is one of the main sources of ethical uncertainty that citizens face in democracies irrespective of the particular electoral system in place in their country (Gibbard, 1973; Satterthwaite, 1975). Nevertheless, the concrete ways in which citizens can vote strategically do vary depending on the specific electoral system in place. Starting from the basic distinction between electoral systems based on majoritarian rules and those based on proportional representation (PR), different forms of strategic voting can be identified.

Two forms of strategic voting are associated with electoral systems based on the first-past-the-post (FPTP) rule.[5] The first form consists in voting for a large party, rather than for the favourite but small party, to avoid wasting the vote; the second form involves deserting the large party (which would be one's favourite) in favor of a smaller one, with the aim of sending a signal to the large one (see Rouméas, 2020).

Electoral systems based on PR, which were once considered to be immune to strategic voting, are characterized by rather different forms of strategic voting and, according to recent studies, would occur as much as in the FPTP elections (Abramson et al., 2010). The first form of strategic voting in PR election works similarly to the first form described in FPTP systems: even if there are multiple parties elected under this system, there are always a few very small parties that have no chance of getting a seat, so that their supporters who fear wasting their vote can sometimes choose to support a larger party that they like less.

Other forms of strategic voting associated with electoral systems based on PR are relevant in circumstances of coalition politics. One such form consists in "deserting a party that has no chance of entering the government for a party that has some, to prevent a wasted vote", while the other consists in "deserting a large party for its small coalition partner to ensure it conquers a seat and hence improve the chances of the preferred bloc of parties forming the next coalition" (Bol and Verthé, 2019: 11).

Within the coordinates of this general picture of strategic voting, many possible ways exist in which voters can decide to apply strategic reasoning in their voting behaviour. Such ways are context-dependent both in terms of specific under-types of electoral system (e.g., single transferable vote STV vs. list PR; closed-list PR vs. open or free-list PR[6]) and in terms of polity-specific contingent events that happen before the election day (e.g., a major corruption scandal affecting the ruling party). Last but not least, given that citizens do not possess all relevant information, they might miscalculate the impact of their (strategic) vote. This is at the heart of the concept of "bounded rationality" that posits that people "are goal-oriented and adaptive, but because of human cognitive and emotional architecture, they sometimes fail, occasionally in important decisions" (Jones, 1999: 297).

3.3 Forward-looking vs. Backward-looking Voting

A distinct but equally relevant source of ethical uncertainty that citizens may face in the context of democratic elections relates to the issue of *democratic accountability* and

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[5] The FPTP is "[t]he simplest form of plurality/majority electoral system, using single-member districts and candidate-centred voting. The winning candidate is the one who gains more votes than any other candidate, even if this is not an absolute majority of valid votes" (IDEA, 2005: 177).

[6] The STV is a preferential candidate-centred proportional representation system used in multi-member districts. "Candidates that surpass a specific quota … of first-preference votes are immediately elected. In successive counts, votes are redistributed from least successful candidates, who are eliminated, and votes surplus to the quota are redistributed from successful candidates, until sufficient candidates are declared elected" (IDEA, 2005: 182). Another major type of PR system is list PR. In *closed*-list PR systems voters can only vote for party lists, not for single candidates. In *open*-list PR, by contrast, they can also allocate one or more preferential votes to specific candidates running on the selected party list. In *free*-list PR systems the preferential votes can also be distributed to candidates from other party lists (*panachage*). The latter system is used, for example, in Switzerland, where, in addition, voters can also allocate *negative* preference votes to candidates from the selected party list, by crossing them off the ballot (see Portmann and Stojanović, 2021).

political representation more broadly: should citizens cast their vote basing their choice on backward-looking considerations or rather on forward-looking considerations? To begin with, the idea of "retrospective voting" implies that the voter bases the choice of which party or candidate to vote for on backward-looking considerations related to the past behaviour of political representatives (e.g., members of parliament). On the other hand, the idea of "prospective voting" implies that voters base their choice on forward-looking considerations related to what policies and political actions they want to see in the future.

Clearly, this source of uncertainty matters in particular in the context of a representative democracy. This said, as democratic representation comes in various forms, ethical uncertainties may manifest themselves in various ways.

Following Mansbridge (2003), four forms of representation can be identified. These are not mutually exclusive and may actually interact through time. The first form of representation is labelled *promissory representation* and consists of the traditional model, based on the classic principal-agent relationship. The power relation from the principal (voter) to the agent (representative) follows a linear fashion and it is forward-looking. Building on a standard (forward-looking) understanding of power according to which "A has power over B to the extent that he can get B to do something that B would not otherwise do" (Dahl, 1957: 202-203), promissory representation functions normatively by means of explicit and implicit promises made to the electorate by the elected representative (Mansbridge, 2003: 516). Indeed, it is generally associated with sanctions on representatives, as a punishment or a reward for failing to act or for acting according to the promises they made to the voters (generally during electoral campaigns). Because control and information are asymmetric (i.e., a typical representative has more power and sources of information than ordinary citizens), the problem for the principal is making sure that the agent furthers the principal's interests when acting. The normative understanding of accountability associated with promissory representation is that the representative is "responsible to" and "answerable to" the voters (Pitkin, 1967). Promissory representation seems to be the only model that follows the traditional understanding of accountability. It exists in two versions: for the "mandate" (also called "delegate") version, the representative is bound to follow the voters' instructions or expressed desires; for the "trustee" version, instead, "the representative promises to further the constituency's long-run interests and the interests of the nation as a whole" (Mansbridge, 2003: 516).

The second form that representation might take is called *anticipatory representation*. The power relation is based on the representatives' beliefs at time 1 (*t1*) about the future preferences that the voters will have at *t2*. To put it simply, in the aftermath of an election and before the next election representatives typically try to anticipate voters' preferences and reactions, and build their proposals accordingly; their ambition, of course, is to get re-elected (Downs, 1957). Hence, from the voters' perspective, and in contrast to the promissory representation that is forward-looking, the anticipatory representation is backward-looking (i.e., at *t2* the voter is expected to consider what the representative did in *t1*). The concept of power on which anticipatory representation rests is similar to that described by Nagel, that defined power as a "causal relation between the preferences of an actor regarding an outcome and the outcome itself" (Nagel, 1975: 29).

The relation between the voter and the representative in contexts of anticipatory representation is one of reciprocal power and mutual influence, making this form of representation more deliberative in nature. As it would sound strange to say that a representative ought to please the anticipated preference of voters, the idea of accountability – forward rather than backward-looking – associated with this model is very different from the one associated with promissory representation. Ultimately, anticipatory representation "shifts normative scrutiny from the process of accountability to the quality of deliberation throughout the representative's term in office" (Mansbridge, 2003: 520).

The third form of representation covers representation by "recruitment" (Kingdon, 1981: 45), "initial selection" (Bernstein, 1989), "electoral replacement" (Stimson et al., 1995). It has also been labelled *"gyroscopic" representation* (Mansbridge 2003). The unifying idea is here that voters select representatives that they expect to act in ways they approve without the need for external incentives. In this model, too, representatives are not accountable to their electors in the traditional sense: as their actions as representatives are grounded in "internal" reasons, they are only accountable to their own beliefs and principles. According to gyroscopic representation, voters select representatives and candidates on the basis of their character, which can include considerations concerning the principles that candidates hold and their identification with a party. Differently from the two earlier forms of representation, since the representative's preferences are internally determined, "the voters cause outcome changes first in the legislature and more distantly in the larger polity not by changing the direction of the representative's behaviour but by placing in the legislature and larger polity (the 'system') the active, powerful element constituted by this representative" (Mansbridge, 2003: 521). This model too is unfit for using the traditional understanding of accountability. The key to the relationship between the voter and the representative is not one of accountability but one of deep predictability. The same line of reasoning can, in some electoral systems, be applied to political parties directly. To conclude, "the point for the voter is only to place in the system a representative whose self-propelled actions the voter can expect to further the voter's own interests" (Mansbridge, 2003: 522).

The last form of representation is quite peculiar, as it concerns those cases where there is no actual relationships between voters and the representative who is taken to represent them (for example, because he or she represents another district). This form has been labelled as "virtual representation" (Burke, 1889 [1792]), "collective representation" (Weissberg, 1978), "institutional representation" (Jackson and King, 1989), and as "surrogate representation" (Mansbridge, 2003). This form of representation plays a normatively important role because it provides state-wide and nation-wide representation to voters who have lost in their own district. For this reason, *surrogate representation* is crucial for the democratic legitimacy of some electoral systems. In this case, not only there is no relation of accountability between the representative and the surrogate constituent: there is also no power relation between the two. Nevertheless, the lack of both types of relation does not necessarily imply that the surrogate representative does not feel responsible towards voters of other districts (Mansbridge, 2003: 523).

4. ELECTIONS, REFERENDUMS, PRIMARIES

In Section 3 we presented the most important sources of ethical uncertainty that citizens may face in the voting booth and (often) days and weeks before entering the polling station.

In this section, we show how these sources of uncertainties are present in elections, but also in referendums and primaries.

4.1 Low-information vs. High-information Elections

An important aspect of elections is the amount of information about parties and candidates that voters receive. In this regard, elections can be low-information or high-information (McDermott, 1998; Matson and Fine, 2006). This distinction is important insofar as it intersects the sources of ethical uncertainty presented in Section 3. Indeed, in order for voters to know whether they should vote for the common good rather than for their own interests (see §3.1; but see Lever, 2017), sincerely rather than strategically (see §3.2), voters need to have a sufficient amount of information on available parties and candidates, both regarding their past performance (if available) and future intentions (see §3.3.).

Majoritarian electoral systems typically allow citizens to get to know the candidates better than in PR systems – especially in national elections, but also in local elections in important cities or regions of the county, that receive wide media coverage. Such high-information elections, compared to low-information elections, are not only more favorable to help citizens to overcome ethical uncertainties but are possibly also more conducive to a kind of voting behaviour that is more respectful towards candidates coming from minority and/or disadvantaged groups.

In the UK, for example, empirical evidence shows that Muslim candidates face electoral discrimination in local elections held in the single or multi-member districts according to plurality/majority rules (Dancygier, 2014). They can win seats only if in their constituency there is a considerable number of co-ethnic Muslim voters. But notice that local elections – perhaps not in small villages but certainly in small or medium-size towns, with relatively fluid populations – are precisely an example of low-information elections: voters know little about the candidates competing in such elections. The election of a mayor of London, on the other hand, is an example of a high-information election, also held by majoritarian rules. In such a context, in 2016 and again in 2021, a declared Muslim of Pakistani origin – Sadiq Khan – succeeded in getting elected.

The presidential elections in the US – but also in France, Brazil etc. – are another example of a high-information election. In such a context, a black candidate (Barack Obama) could be elected, even though African Americans make up only 13% of the US population (and possibly even less with regard to the electorate). In fact, 43-44% of non-Hispanic white Americans (whose population share is 64%) voted for Obama in 2012 and 2008.[7] We can notice here a striking contrast with the general pattern, according to which heavily white districts will elect white representatives "nearly all the time" (Achen and Bartels, 2016: 313). For example, just 5 percent of the districts with white majorities elected African Americans in the 2014-2015 US House of Representatives elections. The evidence of racial vote is particularly strong in low-information elections in the US context, such as the elections to state legislatures and municipalities (Barth, 2016).

But *why* high-information elections would make citizens more willing to vote for someone who they would not choose in low-information elections? The reason is that in low-

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[7] Source: Gallup. http://www.gallup.com/poll/139880/election-polls-presidential-vote-groups.aspx

information contexts voters tend to apply "low-information rationality" (Lupia et al., 2000), for instance by using easily available ballot cues to obtain information about candidates (Matson and Fine, 2006). A considerable body of research shows that voters use simple cues such as a candidate's sociodemographic characteristics as cognitive shortcuts to infer information about candidates (see, e.g., McDermott, 1998). Arguably, a candidate's sociodemographic characteristics (e.g. her or his ethnicity) are "the simplest shortcut of all" (Cutler, 2002). Such shortcuts can serve low-information voters as useful heuristics to approximate a candidate's ideology, policy positions, and expected behaviour in office without processing a large amount of political information (Cutler, 2002; Lupia, 1994; McCubbins and Popkin, 1998). Cognitive shortcuts, however, can also lead to severely biased electoral decisions and to "electoral discrimination" (e.g., against immigrant-origin candidates; see Portmann and Stojanović, 2021). In high-information elections, on the other hand, voters have more information about single candidates and this allows them to overcome their unconscious or conscious biases (versus, e.g., black or Muslim candidates).

Generally speaking, the use of elections to select political representatives arguably pivots on a discussion of *accountability*. Political representation is generally understood as a way of establishing the democratic legitimacy of an institution and a way to create institutional incentives to make representatives responsive to citizens (Dovi, 2018). The traditional understanding of accountability fits well enough institutions of representative democracy due to its forward-looking nature and to the fact that it is conceptually based on a standard principal-agent relation. In representative democracies, the citizens (voters) act as principals, and representatives (parliaments, governments, and presidents) act as agents. The resulting accountability is typically[8] *vertical* since it relies heavily on selection procedures such as elections that work as sanctioning mechanisms for the voters towards their representatives (Przeworski et al., 1999).

Through elections, voters can at least try to hold their representatives accountable for their past actions. For example, voters might punish what they consider to be a bad candidate's performance during their term by voting them out. Moreover, it is typically during electoral campaigns that voters gather information about candidates and parties and vote accordingly. Electoral promises will eventually constitute something for which representatives will have to account at the end of their mandate (and that will lead to positive or negative sanctions at the following election), unless they succeed in convincing their voters that contingent events and/or changed circumstanced obliged them to modify their initial promises. To put it simply, voters at elections exercise their function of control and punishment over their representatives.

4.2 Direct Democracy (Referendums)

To better contextualize the many sources of voters' ethical uncertainty, it is useful to distinguish among the varieties of democratic institutions and processes of decision-making.

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[8] Typically, but not exclusively. Other forms of accountability may find space within representative democracy: for example, horizontal accountability, that refers to checks and balances among equally positioned actors (actors that are at the same level), and oblique accountability, that involves organizations of civil society (Schmitter, 2007). A distinctive kind of accountability is internal to the political function and horizontal between institutional members (the accountability of members of parliament towards each other–this is the idea of office accountability; see Ceva and Ferretti, 2021).

In particular, we can ask the question of how these uncertainties are reflected in contexts based on *direct*[9] democracy that complement the traditional institutions of representative democracy (e.g., Switzerland, California, Oregon).

Direct democracy can take various forms. The two most important criteria to distinguish them is to ask (1) who is legally entitled to initiate the process (government/parliament vs. citizens) and (2) if the outcome of the popular vote is binding or not. Table 1 offers a basic overview of the various instruments of direct democracy.

Table 1: A basic overview of direct-democratic instruments

	Binding	Non-binding
Top-down (decided by parliament/government)	Obligatory referendum Plebiscite	Consultative plebiscite
Bottom-up (it is necessary to collect signatures)	Facultative referendum Citizens' initiative Recall	Consultative initiative

Yet the reality is more complex than this overview suggests. For example, some non-binding direct-democratic instruments are *de jure* non-binding but due to a specific context or to political pressures they are (or become) *de facto* binding. Think of the role of the government-initiated referendums in the United Kingdom (e.g. Brexit) that are legally non-binding – and hence fall into the category "consultative plebiscites" –, but which outcome has a politically binding force. On the other side, the outcome of some de jure binding tools such as citizens' (called "popular") initiatives in Switzerland can be put aside if a majority of members of Parliament think that their implementation would produce major negative drawbacks for the country (see, e.g., the non-implementation of the 2014 popular initiative "against mass immigration" in Switzerland; its implementation would have probably ended the bilateral agreements with the EU, considered of vital importance for Swiss economy). The top-down vs. bottom-up distinction can also be questioned because quite often (e.g. in the US states) citizens' initiatives are launched by political parties and/or interest groups and not by, say, ad hoc citizens' gatherings or grassroot movements (Cronin, 1989).

Also, notice that the tools of direct democracy typically imply that at the end of the process a popular vote *will* take place. But sometimes the initiators – for example a citizens' committee that has successfully launched an initiative – can stop the process before the popular vote, if some of their demands are met by Parliament. (Other tools that are associated with direct democracy – such as European Citizens' Initiative – do not even contemplate the possibility to hold a popular vote and for this reason we suggest discarding them from the present analysis.)

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[9] The notion *direct* democracy is not necessarily the best terminological choice to describe a democratic system in which referendums and citizens' initiatives come into play in order to *complement* and not to replace the political processes within the institutions of representative democracy. Therefore, some scholars suggest to abandon the adjective "direct" altogether and speak "popular vote processes" (Cheneval and el-Wakil, 2018: 294). Nevertheless, the notion of direct democracy is still widely used in the literature and as long as we know what we are referring to I suggest that we keep it for the time being.

Now, how the institutions of direct democracy relate to the three ethical uncertainties presented in Section 3? Regarding the uncertainty about voting for the common good vs. voting out of self-interest (§3.1), it should be noted that, generally speaking, referendums have been criticized in political theory because they present voters with a simplistic "yes-no" choice on very complex issues. So voters may tend to focus on their own self-interest rather than on the importance of equality, solidarity and the common good. Indeed, as Céline Colombo notes, deliberative theorists, in particular, have criticized referendums claiming that "binary, majoritarian and irreversible choices incentivize strategic and self-interested voting, and disincentivize deliberative arguing and reasoning" (Colombo, 2016: 60)

Thomas Christiano, for example, argues that under certain conditions (in particular a proportional representation of citizens' aims in a legislative assembly and faithfulness of representatives to defend such aims), representative democracy is "superior" to direct democracy with regard to the requirement of political equality (Christiano, 2008: 104-5). For him, in a modern state a system of direct democracy would "undermine any sense that equality is being realized between citizens" because it would be excessively "cumbersome and unwieldy" for citizens. The main problem is that most citizens lack time "to devote to the complicated issues in making legislation". In the end, the whole democratic process "would be hijacked by elites with axes to grind". In sum, for Christiano direct democracy may be "in some sense more equal" than representative democracy, but the latter is "more just". Hélène Landemore, too, sees "the risk of epistemic failures presented by [direct democracy] where it is feasible" (Landemore, 2013: 10). In light of that risk she maintains that representative democracy is a "more intelligent" form of democratic regime because it is "less immediate, allowing people time for reflecting on and refining their judgement" (Ibid.). The device of representation introduces the "epistemic improvement", because it is a way "to improve on the decisions that ordinary citizens would make by delegating the task to professional politicians" (Landemore, 2013: 106).

To be sure, a number of empirical studies do show that in popular votes there is a tendency to vote for one's self-interest. For example, an empirical test of the "self-interest hypothesis" analysing the 2004 referendum on fiscal equalisation in Switzerland has shown that – "although Switzerland is usually portrayed as a paradigmatic case in terms of inter-regional solidarity and national integration" – in the end "rational and selfish cost-benefit calculations strongly mattered for the end-result" (Mueller et al. 2017: 3). Another example comes from Germany, where a very controversial construction of a new railway station in Stuttgart was put to a referendum (and eventually rejected), revealing the tendency of voters to vote according to the NIMBY (not-in-my-backyard) rule (Vatter and Heidelberger, 2013). In the US context, similar results have been found in relation to referendums on financing of public schools (Tedin et al., 2001). This said, the empirical literature on this topic is large and there is not a consensus that in popular vote most voters behave out of self-interest most of the time (see, e.g., Deacon and Shapiro, 1975; Shabman and Stephenson 1994).

However, a lot depends on the *type* of direct-democratic instrument that we have in mind (see Table 1 above). Citizens' initiatives, in particular, have often been used by political *minorities* as a tool to put on the political agenda proposals going clearly in the direction of more solidarity (think of initiatives for an unconditional basic income or for more equal distribution of fiscal resources in Switzerland). Even if such initiatives typically failed to

convince a majority of voters, we should not downplay the role they play in raising awareness on the importance of political reforms that are not motivated by one's self-interest.

When it comes to sincere vs. strategic voting (§3.2), the institutions of direct democracy present voters with a similar but distinct sort of ethical uncertainties compared to the uncertainties that they face in elections. Suppose, for example, that a voter faces a binary yes/no choice in a popular vote demanding abolition of the army. She knows that abolishing armed forces altogether would be a too radical move, assuming that every country needs an army to ensure its security. But at the same time she thinks that the current army budget is far too high and that security can be ensured by other means. What should she do? Voting "yes" would be irresponsible in her eyes. So her sincere choice would be to vote "no". But at the same time, she does not want her vote to be misused by pro-military lobby who will certainly claim victory, if a majority of people vote "no", and interpret the result as a strong support for the army and its budget. To solve her internal dilemma, our voter could use a cognitive shortcut and take a look at surveys. If she sees that a sufficiently strong majority of respondents intend to vote "no", she could strategically decide vote "yes" in order to boost the "yes" side. In other words, by her vote she wants to send a signal to political establishment rather than to express her genuine will.

The example that we have chosen in order to illustrate this kind of uncertainty in direct-democratic votes is not a product of our phantasy. On 26 November 1989 35.6% of Swiss voters accepted a citizen's initiative, launched by the group "For a Switzerland Without an Army and an Overall Peaceful Political Stance (GSOA)", demanding abolition of the army. Hence the initiative was rejected but the high percentage of "yes" votes – coupled with an extraordinarily high turnout (68.6%) according to Swiss standards (where the average turnout rage is around 46%) – was a true shock for the political and military establishment. Its by-effect was that in the 1990s and 2000s much less financial resources were invested in Swiss armed forces in order to avoid that a similar initiative becomes successful some day. Indeed, on 2 December 2001 another GSOA initiative demanding abolition of the army was accepted by only 27.9% of voters, and a significantly lower turnout (37.9%) also showed that this time most enfranchised citizens did not even bother to vote.

In the literature, strategic voting is sometimes called "compensatory voting", describing a kind of voting behaviour which intention is different from the final content of one's vote. Hence, a typical "compensatory voter" behaves strategically insofar she tries "to influence the policy by choosing parties that defend more extreme positions than themselves because they anticipate a dilution of policy positions in post-electoral coalition formation" (Gisiger et al., 2019: 103). In electoral research compensatory voting has been applied only to elections. Empirical studies on compensatory (i.e. strategic) voting in direct-democratic votes are scarce. A major recent study by Gisiger et al (2019), based on individual level data from post-vote surveys on 63 popular initiatives voted in Switzerland between 1993 and 2015, is the first systematic analysis of compensatory voting in Swiss direct democracy. Its main finding is that, indeed, "a non-negligible share of voters tends to vote more extremely than their true preferences" (Gisiger et al., 2019: 120). This said, the average share of strategic voters was 6.5%, meaning that the vast majority voted according to their true preferences. But in the context of direct democracy a share of 6.5% is still significant because it can be decisive for the final result, especially in close races. As a matter of fact, *anticipated closeness of ballot results* is an important aspect to consider in all studies on strategic vs. sincere voting.

Informed voters can anticipate closeness on the basis of opinion surveys. Logically, one should expect that the closer anticipated results are, the fewer strategic votes will be expressed (because if I know that my vote might be decisive, I should better vote according to my true preferences). In reality, the results of Gisiger et al (2019: 118, Figure 3) could not found a strong correlation confirming that hypothesis; to the contrary, there is a slight tendency to see *higher* shares of strategic votes in votes with a *higher* anticipated probability of close results.

To conclude this discussion, let us return to Table 1 illustrating different types of direct-democratic instruments. We should especially highlight the distinction between top-down and bottom-up referendums. The votes on citizens' initiatives belong to the latter category, i.e. in order to trigger a popular vote it is mandatory to collect citizens' signatures. In top-down referendums – typically triggered by a president (as in France) or a prime minister (as in the UK) – strategic voting often correlates with *protest* vote. Indeed, in the recent years in a number of referendums a majority of voters used the occasion to express their dissatisfaction with the government (think of the 2005 French referendums on the EU constitution, the 2016 Brexit referendum, or the 2016 Dutch referendum on the treaty with Ukraine). This voting behaviour is also known as "punishment strategy" and referendums are considered a sort of "second-order elections" (Hobolt, 2006; de Vreese and Semetko, 2004), meaning that the vote choice does not necessarily reflect the voter's position on the concrete issue, because the actual topic of a referendum topic is influenced by other factors. This said, protest voting and strategic voting are two distinct behavioural concepts even though, empirically, it is often difficult to distinguish them (Gisiger et al., 2019: 111).

With regard to the third ethical uncertainty (§3.3) – i.e. the contrast between forward-looking and backward-looking voting – we start by pointing out that representative and direct democracies accommodate different understandings of what *democratic accountability* requires. The distinction between these two institutional models bears, therefore, on the contrast between forward-looking and backward-looking voting considerations, Moreover, the focus on relations of accountability is telling of the availability of information (see §4.1) and the justifications that can be given to account for an act (or an omission) occurring in democratic institutional settings.

In the previous sub-section (§4.1) we have already discussed the importance of accountability in a system of *representative* democracy. Yet the traditional scholarly debate tends to dismiss the possibility of applying the concept of democratic accountability to contexts governed by *direct* democracy. The exclusion of direct democracy from discussions about democratic accountability has been typically associated with the fact that in referendums and citizens' initiatives a citizen is both the principal and the agent (since she votes directly on issues and policies that they want to stop or to see implemented). Considering that we are witnessing a rise of direct-democratic instruments all over the globe and a large comparative-empirical literature dedicated to them,[10] it seems worth discussing the relationship between direct democracy and democratic accountability. Indeed, some

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[10] While we cannot review here the vast empirical literature on direct democracy, its empirical insights have been very useful for this chapter (Cronin 1989; Budge 1996; Papadopoulos 1998; Hug and Tsebelis 2002; Kriesi 2005; Altman, 2010; Qvortrup, 2013). For a good review of this literature see, e.g., Smith (2009: chap. 4).

commentators have argued that the concept of democratic accountability can be applied to such a form of democracy too (Trechsel, 2010). Reconsidering the relationship between direct democracy and accountability suggests that referendums (but not citizens' initiatives) are mechanisms that voters can use to hold the ruling elite accountable for its past performance.

According to Michael Saward, democracy should be seen as a "responsive rule," or more precisely as characterized by a "necessary correspondence between acts of governance and the equally weighted felt interests of citizens with respect to those acts" (Saward, 1998: 51). Now, one of the requirements that flow from the responsive rule ideal is that "direct democratic mechanisms be given formal and systematic priority over indirect mechanisms" (1998: 65). For Alexander Trechsel "[t]hrough referendums, whether binding or consultative, political decisions taken by the rulers can either be democratically accepted or rejected and therefore legitimized or *désavoué*" (Trechsel, 2010: 1055). An accountability relation of this kind is vertical and resembles the vertical accountability associated with the election but in a "softer" form. Moreover, in referendums voters can sanction the ruling elites on the basis of a single policy or single issue, rather than for their general performance. In this sense, referendums function as "negative elections" similar to recall procedures (Trechsel, 2010: 1055).[11] In the case of direct democracy, relations of accountability are evident also if we consider that sometimes the ruling elites might use referendums as devices to transfer political responsibility concerning a particular decision to the citizens, or as a means to solve a deadlock involving two irreconcilable positions.

4.3 Primaries

The role of primaries in a democracy is an underexplored topic in political theory. According to Dennis Thompson (2010), there are two conceptions of primaries: participatory and competitive. *Participatory* primaries favour greater inclusion; the process is said to be more democratic to the extent that it is *more* inclusive. The notion of inclusion, in this context, can mean two things. It can mean opening doors to all party *members* or to citizens who are *registered as voters of a specific party* and allow them to choose the candidate(s) for the upcoming election. But it can also mean allowing *any* citizen to participate in primaries of a political party. Notice, however, that while it is true that nowadays parties tend to make electorates – i.e. people who select the candidates – more inclusive, this apparent "internal democratization ... often diminishes the influence of party branches and their activists on the selection of the candidates" (Wolkenstein, 2016: 312).

The other conception of primaries – *competitive* – justifies *less* inclusion. The idea here is that it is in the interest of party voters, but also of the electorate as a whole, that party leaders have more control. The reason is that leaders are supposed to be more likely to choose candidates who will be more competitive in the general election and thus give *all* voters greater choice. "The sovereignty of the voter consists in his freedom of choice just as the sovereignty of the consumer in the economic system consists in his freedom to trade in a

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[11] This statement holds, we believe, in polities where there is a relatively frequent use of direct democracy. If referendums are used once every 10-20 years – as in France or the UK – than there is a greater risk that behind a referendum question various issues get mixed up (see, e.g., Brexit) and that in the end voters might be tempted to sanction the government for their general political performance (e.g. the 2005 European Constitution referendum in France).

competitive market… Democracy is not to be found *in* the parties but *between* the parties" (Schattschneider, 1942, quoted in Thompson, 2010: 206; on intra-party democracy see also Wolkenstein, 2018).

On either model, some important questions can be raised. If primaries play a significant role in electoral democracies, why should parties control the nominating process? Shouldn't there be some minimal democratic standards that intra-party democracy should meet? If so, who should set such standards?

In this chapter, however, our focus is on *voter*-centred ethical uncertainties (see Section 3) and hence we want to analyse their role in primaries. For Thompson (2010: 208), a "chief concern" of voters who participate in primaries is, or ought to be, the quality – or even the "character" – of the nominees. Participation and competition are only the means to achieve that ideal. Thompson thinks that choosing the best candidate is the most important "normative principle" in primaries. Hence, the question is how well the process allows citizens to judge the candidates' character in a primary. For example, instead of simultaneous primaries (e.g., in the US presidential election), Thompson favours sequential primaries, with long intervals between them, because they provide "more and better opportunities for voters to learn about a candidate's constitutional character" (Thompson, 2010: 231).

However, this seems to be a too idealistic view of what voters should do in primaries. According to Thompson, they should vote for candidates who have a "capability for collaboration", a "sense of responsibility", a "respect for due process", and even a "commitment to candour". It is not easy for voters to assess these qualities among candidates in primaries, because it involves considerations on both candidates' past performance and the credibility of their declared future intentions, as our discussion on the forward-looking vs. backward-looking has already shown (§3.3).

But isn't sometimes ethically justified – or even ethically required – that voters support a candidate who scores less on each of these quality items, but has a higher probability of winning the election against the candidate(s) of other parties? This is an empirical question but the one that should inform our theoretical reflections on strategic vs. sincere voting (§3.2). For example, some studies (e.g., Fertik, 2016; but see Abramowitz, 1981) show that an important number of Democratic voters in the 2016 and 2020 presidential primaries in the US were in favor of Bernie Sanders but ended up voting for Hillary Clinton (in 2016) and Joseph Biden (in 2020) for *strategic* reasons, i.e., because they thought that the more moderate candidates would have more chance to win against Donald Trump.

There is more to say about strategic voting in primaries. It is also influenced by the various forms that primaries can take with regard to *who is allowed* to participate (and that go beyond the participatory vs. competitive distinction discussed above). Here we distinguish between open, semi-open and closed primaries. In closed primaries parties let only party members decide which candidate should advance to the general elections. In semi-open primaries parties let voters registered as "independents" (i.e. neither Republican nor Democrat, in the US context) participate as well. In open primaries parties allow anyone (i.e. also members of other parties) to vote.

In the United States, the fully open primaries were declared unconstitutional in 2000 by a majority vote (7 to 2) in the Supreme Court (California Democratic Party v. Jones), precisely

because their opponents were successful in making the case that there is a risk that non-party members may "raid" a primary because they may "strategically vote for their party's weakest candidate to decrease the party's chances of general election success" (Cherry and Kroll, 2003: 389). In other words, we can see that "strategic voting" (§3.2) in open primaries can take different forms depending on who the voters are (party members vs. non-party members).

In the European context, primaries are a more recent phenomenon. In France, open primaries were used since the 2011 presidential elections. Earlier, the open primary system was associated "with an unappealing 'Americanization' of political life, and importing it has long been seen as unthinkable [because they] were thought to be contrary to French political culture and the 'spirit' of the Fifth Republic's institutions, and against the interests of the political parties, which have typically exerted control over the nomination of candidates" (Lefebvre and Treille 2017: 1167). It is also interesting to note that the choice to opt for open instead of closed primaries, in France, is seen as "a result of weakening political parties and shrinking activist bases, both of which meant closed internal primaries were less valuable" (Lefebvre and Treille 2017: 1168; see also Sandri et al. 2015). In Italy, the political parties – predominantly but not exclusively from the left – started using them in 2004, both in their closed and open form (De Luca and Rombi, 2016; Vassallo and Passarelli, 2016). The use of primaries for candidate selection has taken place also in Iceland, Romania and Slovakia (Sandri et al., 2015).

5. CONCLUSIONS

In this chapter we have identified three sources of ethical uncertainty that democratic citizens face when voting. These sources derive from three main contrasts that may emerge in relation to voters' behavior: (§3.1) voting for the common good / the public interest vs. voting for one's own interests, (§3.2) voting sincerely vs. voting strategically, (§3.3) backward vs. forward-looking voting. We have then discussed how such sources of voters' ethical uncertainty intersect issues of democratic practice across three institutional spheres: (§4.1) voting in elections (by stressing the difference between high and low-information elections), (§4.2) voting in referendums, and (§4.3) voting in primaries.

This reflexive exercise, from democratic theory to democratic action and back, opens the normative and practical question of how democratic voters may navigate such uncertainties. This general question prompts also a more specific one concerning the contrast between citizens' low information levels and their capability to take meaningful political decisions. This is a crucial question for a normative ethics of democratic voting that can give practical guidance for citizens' action: What level of knowledge of and commitment to daily politics may be expected of citizens as electoral voters?

Two main solutions may be worth a couple of final words of discussion: the use of heuristic (cognitive) shortcuts and, more recently, the resort to collective intelligence via aggregation of opinions. The former is a widely studied solution. There has been much empirical evidence that citizens qua voters frequently use cognitive shortcuts in elections and popular votes (Cutler, 2002; Lau and Redlawsk, 2001; Lupia, 1994; Lupia, McCubbins and Popkin, 2000). In other words, citizens with little knowledge can reach decisions comparable to those of

highly knowledgeable citizens by relying on heuristic cues, such as recommendations of parties, experts, interest groups, and the media.

In more recent years, solutions of the second kind have considerably developed. In particular, there have been strong developments of the so-called Voting Advice Applications (VAAs; for an overview, see Garzia and Marshall, 2014). An off-line precursor of VVAs was developed in the Netherlands in 1989 – notice that the Dutch electoral system is an open-list PR system in a single country-wide electoral district (i.e. voters can opt not only for a given party but they can also allocate preference votes to candidates running on that party list; see footnote 4). The arrival of the Internet has radically changed the situation. Today, the Internet is "a major source of political information, communication and participation for a growing number of citizens" (Garzia and Marschall, 2014: 1; Zittel and Fuchs, 2007). Nowadays, VAAs exist in many countries (*Wahl-O-Mat* in Germany, *Vote Match* in the UK, *Vote Compass* in Canada and the US, *smartvote* in Switzerland etc.). For example, the Swiss VAA *smartvote* works as follows:

> "The Swiss VAA *smartvote* is – in accordance with the electoral systems applied – candidate based. This means that every candidate has its own political profile and the users not only see which party is closest to their political preferences but they also get a list of candidates with the candidates closest to their positions at the top. The candidates reveal their political profile by answering the same questions (issues) as the users will do at a later stage. They are more or less free to position themselves according to their personal preferences and strategic considerations. [...] The way the candidates present themselves and the political profile they have is not unimportant. *smartvote* is very popular and quite influential. More than 80 per cent of the roughly 3,600 candidates running for both houses reveal their political profile on the website. About 15 per cent of the voters consult the website before voting, and it can be shown that *smartvote* has an influence on electoral turnout [...] and on the electoral decisions of the users [...]." (Ladner 2014: 188)

Despite their increasing popularity and diffusion, VAAs have also been the object of normative criticisms especially as concerns their relation to the concept of representation in democratic theory. As Fossen and van den Brink (2015: 353; original emphasis) put it: "VAAs can enhance voter competence under a very specific aspect: that of the citizen's voting in line with his or her preferences on particular issues. But VAAs may undermine voter competence insofar as the political judgements with regard to what the election is *about*, made in the background of the application, are hidden from view". Hence the authors conclude that the VAAs do not simply reflect, in a neutral way, what is at stake in an election. Rather, they structure political information in a way that is informed by the – more or less hidden – presuppositions of their developers.

This condition may create a further source of ethical uncertainty in the exercise of the voters' electoral rights; this source of uncertainty shows one more how the adoption of a voter-centred perspective is critical for making a good use of the conceptual and normative tools of democratic theory for understanding the democratic practice.

6. ACKNOWLEDGMENTS

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Chapter 3

DIFFERENT PHILOSOPHICAL CONCEPTIONS OF DEMOCRACY

Marcus Carlsen Häggrot

1. INTRODUCTION

The REDEM project aimed to foster research into the ethics of electoral participation, and notably into the ethical demands that may weigh on individual voters as they form their electoral decisions and/or perform electoral actions, such as voting or abstaining. The present document supports this aim by looking at how normative thinking on individual voting ethics is structured by broader philosophical views on democracy as an ideal. Specifically, this chapter aims to identify and synthetically present the conceptions of democracy that feature prominently in normative democratic theory; it further aims to survey and reconstruct the positions and arguments that are influential in existing scholarship on the ethics of electoral participation; and, finally, it aims to develop a preliminary analysis of how different conceptions of democracy shape electoral-ethical positions and arguments.

The chapter starts by outlining the overall approach taken to produce this synthesis. Section 3 then surveys contemporary democratic theory and synthetically describes four particularly prominent conceptions of democracy, namely the minimalist, the aggregative, the deliberative and the counter-majoritarian conceptions of democracy. Section 4 surveys the contemporary electoral-ethical literature, showing that it contains a range of positions which can roughly be divided into three categories: positions that regard the ethics of electoral actions; positions that regard the ends or goals that voters pursue; and positions that speak to the knowledge voters acquire prior to voting. Sections 5, 6, and 7 then go on to look more deeply into the arguments that the literature offers in support of the respective positions, each outlining the relevant arguments and conducting a preliminary analysis of how minimal, aggregative, deliberative, and counter-majoritarian democracy bear on those arguments, notably by making particular lines of argument conceptually unavailable. Section 5 specifically deals with arguments that relate to the ethics of electoral actions, section 6 looks at arguments on the ethics of voter ends, and section 7 focuses on arguments that speak to the ethics of voter knowledge. Section 8 concludes with some observations on what the present chapter entails for future electoral-ethical research.

2. APPROACH

To ensure a proper understanding of the chapter's character and scope, several clarifications are in order. The first concerns the idea of conceptions of democracy, which builds on the distinction drawn by Rawls (1999, 5) between 'concepts' and 'conceptions'. Concepts, according to this distinction, refer to the basic, essential features of a term, whereas conceptions are more particular, or thicker, interpretations of those features, and it is in this particular sense that the present document uses the idea of conceptions of democracy. That is to say, it considers that the general concept of democracy refers to a form of government in which the people rule (cf. Held 2009, 1), whereas different conceptions of democracy offer thicker and more particular interpretations of this idea.

Where do the conceptions of democracy come from? While conceptions of democracy in principle have diverse sources, this chapter exclusively looks to the conceptions that are most influential in contemporary, anglophone, normative democratic theory. As such, it leaves aside conceptions or views that serve to make democracy empirically measurable (e.g., Dahl's polyarchy conception). The chapter equally leaves aside views or models of democracy that serve to describe and/or explain how existing democratic societies function *de facto*, e.g., Lijphart's (2012) majoritarian and consensus models of democracy, or the pluralist democracy model of Dahl and Truman.[1] And the chapter does not cover either conceptions of democracy that have been historically influential, but receive relatively little support in the contemporary philosophical scholarship; in particular the chapter does not cover the direct conception of democracy, which interprets democracy as the continuous and unmediated participation of the people in public decision-making, and law-making in particular.[2]

The chapter also leaves aside views on why one or another conception democracy is (normatively) desirable or justified. Proponents of particular democracy conceptions of democracy usually offer particular lines of arguments in favour of their favourite conception of democracy. Przeworski, for instance, advances a minimalist conception of democracy and argues it is desirable specifically because it prevents the eruption of political violence (1999, 45, 49). Likewise, Waldron articulates an aggregative conception of democracy and defends it on the particular grounds that it affords equal respect to all citizens (1999, 109-14). But reasons that tell in favour of a particular interpretation of rule by the people and the interpretation itself are conceptually distinct, as may be seen from the fact that democratic theorists characteristically disagree on the reasons that underwrite particular conceptions of democracy, and often offer contrasting accounts of why one and the same conception is desirable. For example, in the case of minimalist democracy, some of its proponents take it to be desirable not so much for its ability to prevent political violence as for the reason that

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[1] For a helpful outline and critical appraisal of pluralism see Held (2009, 158-84).

[2] For a prominent historical articulations and defences of direct democracy, see Rousseau (2002) as well as Held (2009, 119-32) on the Marxian, delegative interpretation of democracy. Notice further, that the bracketing of the direct democracy conception does not mean that the chapter leaves entirely to the side all forms of direct citizen participation in government, and popular referenda in particular. As will be noted below, several of the discussed conceptions are open to the use of referenda as tools of democratic rule. Simply, these conceptions do not, in contrast to the direct conception, treat continuous direct citizen involvement in policymaking as an *essential* feature of democracy.

minimalist democracy tends to prevent elite capture of the state and the implementation of policies that are grossly inimical to the ordinary citizenry (Riker 1982, 9, 10, 14, 245; Bagg 2018, 895, 901-2). Proponents of aggregative democracy similarly do not uniformly rally behind Waldron's respect defence, but instead propose a range of alternative justifications: Kolodny, for instance, has defended aggregative democracy on the grounds of social equality; Goodin and Spiekerman (2018) have proposed that aggregative democracy can be desirable because it is an epistemically advantageous way to make collective decisions. So, the conceptions of democracy are to be distinguished from the lines of arguments that tell in their favour, and this document does so by focusing exclusively on the former, leaving aside the underlying arguments and remaining agnostic on what arguments, if any at all, are persuasive.

 A further point worth stressing is that the chapter specifically focuses on views and arguments that address the ethics of voting at the level of the individual citizen. That is to say, the focus is on views and arguments that answers questions such as: Is voting morally required for a citizen, or can they permissibly abstain? What ends should citizens, morally speaking, pursue in their capacity as voters? What, if anything, is a citizen supposed to know prior to voting? And so, this document leaves aside several bodies of literature that are cognate but distinct nonetheless. In particular, it brackets the literature on the ethics of electoral systems design (e.g. Guinier 1994; Christiano 1996, chap.6; Blau 2004; King 2005; 2015; Rehfeld 2005; McGann and van der Hout 2009; Wilson 2019, chap.8), the literature debating whether voting should be legally obligatory (e.g. Hughes, 1966; Brennan and Hill, 2014; Lever and Volacu, 2018; Umbers, 2020), and also the literature that discusses the virtues that citizens should exhibit generally or specifically when acting as deliberators (e.g. Kateb 1981; Waldron 1993; Habermas 2006; Beerbohm 2012, chap. 6 & 7).

Finally, it is to be noted that in its survey of the electoral ethical-literature, the chapter concentrates on views and arguments that set out a positive account of the ethical obligations and permissions that bear on citizens in the context of voting. This is important to stress because at present, the electoral-ethical literature is to a significant part constituted of arguments that aim not so much to articulate a positive ethics of voting as to critically examine and reject certain such views. In particular, there is an important body of analyses that critically engage the notions that a) citizens are ethically permitted to abstain (see Brennan and Lomasky 2002, 261-1; Maskivker 2016), that b) voters are ethically permitted to pursue their own, private interests (see Brennan 2011, 119-26; Roark 2016), and that c) voters are ethically required to only aim at realising the common good (see, Beerbohm 2012, 122; Lever 2016, Ottonelli 2018). Equally, there exists an important body of analyses that criticise arguments in favour of an ethical duty to vote that turn on notions of fairness (see Lomasky and Brennan 2000, 78; Brennan 2011, 53, 55; Beerbohm 57-8; Maring 2016), universalizability (Lomasky and Brennan 2000, 76; Maring 2016), and civic virtue (see Brennan 2011, 45-52). But for the sake of keeping the chapter reasonably focused, only those electoral-ethical arguments that sustain a positive account of the duties and permission that bear on voters will be outlined and discussed.

3. CONCEPTIONS OF DEMOCRACY: MINIMALIST, AGGREGATIVE, DELIBERATIVE AND COUNTER-MAJORITARIAN

In the contemporary philosophical scholarship on democracy there are four especially influential interpretations of what democracy, or rule by the people, means. These include a minimalist conception, an aggregative conception, a deliberative conception, and a counter-majoritarian conception of democracy. This section describes the respective conceptions in the stated order to lay the ground for the analysis to be developed in the subsequent sections.

The minimalist, the aggregative, the deliberative, and the counter-majoritarian conceptions of democracy all have in common that they are of a broadly liberal character: although it is not always made explicit, each presumes and supports the presence of familiar, liberal freedom rights such as freedom of speech and thought, freedom of association, freedom of the press, free movement, etc. The conceptions also have in common a commitment to political inclusion, at least in a thin sense. That is to say, on none of these conceptions, there can be citizen categories (e.g. women) that are permanently excluded from the political process and electoral participation in particular. In positive terms, each conception is at a minimum committed to universal enfranchisement such that adult citizens generally have robust, electoral participation rights. But within these basic, parameters, the four conceptions differ on how it is that ordinary citizens ought to participate in politics and the formation of public policy.

The 'minimalist conception' (Przeworski 1999, 23)[3], for one, associates citizen participation specifically with the election of representatives. Minimalistic democrats such as Schumpeter (2010), Riker (1982), Przeworski (1999), and Bagg (2018) characteristically think that elections cannot reliably indicate what citizens collectively want to be done by way of public policy (Riker 1982, 233-41). Schumpeter also famously worries that citizens have too shallow an understanding of public matters to be entrusted with the making of substantial public decisions (Schumpeter 2010, 235) and so, minimalist democrats are characteristically sceptical of the idea that democracy might mean citizen participation in policy-making. As Riker stresses: properly interpreted, "popular participation is *not the act of making policy*" (Riker 1982, 245; emphasis added; cf. Schumpeter 2010, 262). Yet, as democrats, minimalists want to carve out some space for citizen participation in politics, and they do this at the level of leadership selection. Minimalists argue that the proper and distinctive "role of the people is to produce a government, or else an intermediate body which in turn will produce a national executive or government" (Schumpeter 2010, 241) and so, the minimalist conception of democracy suggest that democracy is a form of government in which "rulers are elected" by the citizenry, specifically through (inclusive) "competitive elections" and that that is "all there is to democracy" (1999, 23, 44; cf. Riker 1982, 242; Bagg 2018, 891).

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[3] Terminological note: What is here described as the minimalist conception of democracy is in the literature sometimes called by different names. Schumpeter refers to it simply as 'another theory of voting' (2010, 241); Riker calls it the 'liberal theory of voting' (1982, 9); and Held refers to the view as 'leadership democracy' and 'competitive elitism' (2009, 125-57) 'Minimalism' is the label preferred in this chapter, as it tellingly gestures to the restricted role that citizens are meant to play in this view of democracy, and also because it prevents a misunderstanding invited by Riker's terminology – i.e. that this conception this would be more committed to liberal rights than are others.

Compared to the minimalist conception, the 'aggregative' view of democracy (Gutman and Thompson 2004, 13) is more amenable to citizen participation in policy making.[4] In fact, democracy on this view is not so much a scheme for the popular election of political personnel as it is a scheme for policy-making *by ordinary citizens*. Specifically, the thought here is, as Freeman aptly describes, that democracy is a "procedure for making laws within which individuals who are counted equally register their preferences for competing alternatives, and outcomes are decided according to … majority rule" (2000, 372), or according to some other rule, perhaps, that treats equally the individuals' declared preferences. After all, the point of import, is not the use of majority-rule decision-making *per se*. Rather, what proponents of the aggregative conception of democracy care about is that public policy decisions issue from a process that accords equal weight to every citizen's expressed judgement or preference. Waldron expresses this idea particularly clearly as he associates the idea of 'democracy' with the normative ideas that every citizen's voice "count in public decision-making" and that "each individual … [have] the right to play his part, *along with the equal part played by all other individuals*, in the government of the society" (1999, 262-3; original emphasis). And this also what is endorsed by Kolodny who characterizes democracy as a form of public policy-making that "gives everyone subject to it … equal and positive, … formal and informal opportunity for informed influence either over it or over decisions that delegate the making of it" (2014, 289)

How the aggregative conception of democracy as equal citizens' influence in public policy-making is to be implemented, proponents of the view tend to leave relatively open. For instance, Waldron underlines that his democracy conception is compatible with, and may be institutionalized through, familiar forms of political representation (1999, 109). But Waldron also cites "majority-decision in a *direct* democracy" (1999, 109; emphasis added) as an exemplar form of democracy, thus indicating that popular referenda elections can play a role as well in the institutionalization of democracy as he conceives it. Likewise, Kolodny allows that democracy as he conceives it may be realized through diverse intuitional arrangements (2014, 326), including representative institutions (cf. 2014, 318-19). But although the aggregative conception of democracy may take the form of public decision-making by elected representatives, it still contrasts with the minimalist view of democracy as it pictures representatives as agents who stand in for, and are accountable to, ordinary citizens (cf. Waldron 1999, 109; Kolodny 2014, 318-19). Representatives are not, as in the minimalist view, an institutional cesura that starkly separates ordinary citizens from the process of policy formation. Rather, elected representatives are conduits that connect ordinary citizens with public policy decisions so as to bring about – however imperfectly – the aggregative view of democracy as form of government in which all citizens' judgements or preferences weigh equally in the determination of public policy.

The deliberative conception of democracy, for its part, is different again, notably because of its emphasis on "informed debate, the public use of reason, and the impartial pursuit of truth." (Held 2009, 232). More specifically, the deliberative conception holds that a democratic form of government is one in which decisions are to a significant measure arrived at through

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[4] Another note on terminology: What is here referred to as the aggregative conception of democracy is sometimes in the literature called the liberal conception; see notably Miller (1992) and Habermas (2002, 113). The reason this document favours the adjective 'aggregative' over 'liberal' is very same it prefers the adjective 'minimalist'.

a discussion in between citizens that at a minimum bears the following characteristics: The discussion "takes place in public" (Gutman and Thompson 2004, 4); it is open to participation by all who are affected by the policy-making (Gutman and Thompson 2004, 9) and the terms of participation are the same for all participants (Cohen 1989, 23; Mansbridge et al 2010, 65); in the discussion, the participants defend and criticize the policies at issue on the basis of principled grounds – "deliberation is reasoned in that the parties are required to state ... reasons for advancing a proposal" (Cohen 1989, 22; cf. Gutman and Thompson 2004, 4, 7; Mansbridge et al 2010, 65) – and the discussion participants are finally amenable to revise their respective views in light of the arguments that get articulated. As Gutman and Thompson write with respect to the last point, the idea with public deliberation is that "participants ... learn from each other, ...recognize their ... misapprehensions, and develop new views ... that can more successfully withstand critical scrutiny." (2004, 12; cf. Cohen 1989, 25-6).[5]

Within this general (or minimal) characterization, many more determined positions are possible, and so there are several important disagreements among the proponents of deliberative democracy. Notably, views divide on the kind of arguments that citizens may permissibly leverage during deliberation. Some deliberative democrats think that in deliberation, citizens must defend their favored positions specifically with arguments or reasons that are acceptable to free and equal citizens seeking fair terms of cooperation (cf. Cohen 1989, 22, 23; 1997, 413-14; Gutman and Thompson 2004, 3, 7). Less restrictively, others think that deliberators may deploy any argument they like provide that it is understandable to others, though not necessarily acceptable (cf. Bellamy 2007, 179, 191, 192-3); and yet others, e.g. Habermas (2006, 8-10) and Lafont (2019, 207-9), take views that are different again. Deliberative democrats also take diverse views on how deliberation is to be institutionalized, and how it is to work together with aggregative processes of decision-making, voting in particular. For instance, some propose to make deliberation happen in particular fora such as mini-publics, or at particular events such as deliberation days (e.g. Ackerman and Fishkin 2004; see section 7 below); Gutman and Thompson, on the other hand, picture the deliberative process as a practice that ought to be pervasive and layer on top of conventional practices of electoral representation, referenda-elections, and policy making. In their words, 'all institutions of government have a responsibility for deliberation ... all the makers of public policy – legislators as well as judges – should give reasons', and this, they add, applies to citizens, too: the 'deliberative labor should not be divided so that representatives give reasons while citizens merely receive them' (1996, 358). Differently again, Habermas has proposed a two-track model of deliberation in which the general public is responsible for keeping alive a relatively undisciplined and morally unregulated public discussion, while institutions of government function as the locus of a more disciplined form of deliberation that draws on discourses in the wild public sphere, but is subject to more stringent moral requirements, especially with regard to the reasons that the deliberators may invoke (2002, 122-23). And yet others (notably Bellamy 2007, chap. 6) associate deliberation with the processes of program and compromise formation that occur within and between political parties. So, proponents of deliberative democracy really occupy a wide range of positions (cf. Held 2009, 232), leading some commentators to describe the deliberative

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[5] For further (congruent) characterisations of the conversation that deliberative democrats call for, see Christiano (2008, 192, 198), Beerbohm (2012,107-9) and more generally Held (2009, 231-258)

democracy view as a 'family of views' (Bohman 1998, 401). But for the present purpose, it is arguably possible to abstract from these particularities and sufficient to characterize the deliberative conception of democracy quite generally as a view that conceives of democracy as a form government in which decisions are arrived at in part through aggregative electoral processes such as representative and referenda elections, but also to significant degree by a process of public, inclusive, and reflective reason-giving between citizens.

This finally brings us to the counter-majoritarian conception of democracy, which, similarly to the deliberative conception, is a general view that underwrites (or assembles) a number of more particular positions, notably the 'constitutional conception of democracy'[6], Pettit's 'republican theory of democracy', and also the minority representation views defended by, e.g., Williams (1998) and Phillips (1998). These three views or positions are importantly distinct. The constitutional conception, as defended by, e.g. Dworkin (1996), Christiano (2008), and Lovett (2010, 217-20),[7] provides that in its ideal form, democracy signifies that the people rule, but that they do so within limits of constitutionally entrenched civic and political rights and the review of legislation by an independent, constitutional court. Pettit's republican theory of democracy resembles this view in that it, too, describes democracy as a form of government in which the people rule – notably through the institution of a legislative assembly elected in fair elections (Pettit 2012, 195-7; 210) – within the limits of constitutional rights and judicial review (Pettit 2012, 216-17). But on this interpretation of democracy is more far reaching still, for on Pettit's view, democracy ideally also implicates a 'mixed constitution' providing for a separation of state powers (Pettit, 2012, 221-23); it involves the existence of contestatory fora such as court systems, or ombudsmen that enable citizens to legally challenge policy-makers and public policy (Pettit, 2012, 216-17); and it involves a vigilant citizenry that continually oversees government activity, for example by the means specialized, non-governmental watch-dog bodies (Pettit 2012, 226-7). And differently again, the view of Phillips and Williams is that whatever else it means, democracy involves the existence of institutional mechanisms that target groups liable to form persistent political minorities (e.g. ethnic or racial minorities, women) and help them be represented within public decision-making institutions, such as the legislature – for example through group-conscious districting (Phillips 1998, 105, 111-12), the use of multi-member legislative constituencies (Williams 1998, 348), and/or the deployment of legislative gender quotas (Phillips 1998, 80-1). But despite these significant institutional differences, these views all testify to a general understanding that in a democracy, political majorities should be able to rule only within limits that are substantive, procedural, or both. Hence, these particular views arguably exemplify, or express, one common conception of democracy that associates it with the presence of counter-majoritarian devices and pictures democracy as form of government in which the people rule in some form, where that government also features a more or less

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[6] The apt label of constitutional conception is Waldron's (1999, 282), but notice that he is, ultimately, a critic of that conception.

[7] Constitutional entrenchment of rights and judicial review has recently been defended as well by Christina Lafont (2019, 229-33; 236-39), for the distinctive reason that constitutional review can help to foster deliberation of a certain kind. This suggests that, to a degree, the deliberative and the counter-majoritarian conceptions of democracy bleed into each other and that they are not separated by a bright, conceptual line.

complex web of devices designed to limit substantively and/or procedurally the exercise of public power by political majorities.

4. INDIVIDUAL-LEVEL VOTING ETHICS: POSITIONS IN THE LITERATURE

Shifting the focus now from the description of particular conceptions of democracy to the existing literature on the ethics of voting, three conceptually distinct themes, or questions, stand out as being particularly prominent within this literature. The first question enquires about the normative, or ethical, status of particular electoral actions, such as voting or abstention. The second question asks about the goals or ends it is proper for citizens to pursue qua voters. For example, must a voter aim to advance the common good through their voting, or may they have other objectives too, for instance the advancement of their own personal interest? The third question, for its part, looks to the knowledge that voters acquire prior to voting and to the ways voters acquire it. And on each of these three questions, electoral-ethical theorists take a range of particular positions.

The precise content of the said positions is related below. But it is worth stressing first, that the positions to be related are not all mutually exclusive: this is only so where the positions pertain to one and the same question. Positions on distinct themes or questions – e.g. positions that pertain, on the one hand, to the ethical status of particular electoral actions and positions that pertain to voters' required knowledge, on the other hand – are generally logically compatible with each other.

With respect to the status of electoral actions, then, there is notably the position (I) that citizens in a democracy should generally participate in elections, irrespective of the contextual features of their situation. In particular, this is the view of Lomasky and Brennan (2002), Goldman (2002) and Maskivker (2016, 2018). Additionally, there is the position (II) that citizens are maybe not ethically required to participate generally, but that they ought to do so when particular contextual conditions obtain. This type of position is occupied by Maring (2016), who argues that citizens ought to vote when voting is practically easy and the voters are not already tied up by other morally important duties. It is also the sort of position espoused by Beerbohm (2012), who argues that there is an ethical injunction for citizen to vote when their state perpetrates injustices. And a third position on the status of electoral actions is that (III) citizens sometimes have an ethical duty, not to vote, but to abstain. In particular, this is the notorious position of Brennan (2011), who argues that citizens ought to abstain if they otherwise would cast their vote for an unjust or harmful option, or if they otherwise would vote without having epistemically good reasons for thinking that their preferred party or candidate is a good one.

With respect to the ethics of voter ends, the spectrum of positions is somewhat less diverse, there being only two positive proposals. One is that (IV), as voters, citizens shall look to promote the common good only, as it is affirmed by Brennan (2011) and J.S. Mill ([1861] 2008). And the other positive position is the one of Oxley (2016), who affirms that (V) the voters' concern should be specifically with promoting substantial gender justice. [8]

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[8] For important critiques of the view that when citizens act as voters, they must only look to further the common good, see Beerbohm (2012, 122), Lever (2016) and Ottonelli (2018). These critiques, however,

And in relation to the final question of voter knowledge, there is again a wider spectrum of positions. Brennan (2011) affirms that (VI) insofar as citizens want to vote they should have or acquire knowledge of such a kind that that they have an epistemically sound basis for judging the extent to which candidates service the common good. Another position, taken by Flanders (2016), Maskivker (2016, 2018), and Brennan and Lomasky (2000), is that (VII) voters need to be merely reasonably, or roughly, knowledgeable about the issues and debates that crystalise around an election. Goldman, for his part, argues that (VIII) voters in an election ought to be knowledgeable about things that allow them to judge whether parties or candidates are reliable and competent to realise the voter's preferred outcomes, whereas Baurmann and Brennan (2009) take the view that (IX) voters need to be knowledgeable about how candidates reason and arrive at decisions.

And lastly, there is the qualitatively different position of Ackerman and Fishkin (2004) that irrespective of what voters know substantially, they should (X) let their knowledge be influenced by participation in a properly deliberative procedure.

How do the positions I to X relate to the different conceptions of democracy described in section 3? It is in principle possible that particular conceptions of democracy have direct, conceptual ramifications for the positions I-X in and of themselves. For instance, it is conceivable that the deliberative conception of democracy, due to its specific characterisation of the democratic decision-making process, conceptually rules out particular positions from the set I-X, permits others, and possibly even mandates some particular positions. Indeed, position X comes to mind as natural candidate for the latter. But in the existing electoral-ethical scholarship and democratic theory more broadly, those connections are not systematically explored. An analysis of these possible connections or ramifications also far outstrips the scope of the chapter, and so it does not propound any particular view on what is implied by minimalist, aggregative, deliberative and counter-majoritarian democracy for the positions I-X in and of themselves.

To say that one does not take a view on what particular conceptions of democracy imply for particular electoral-ethical positions is not to say, though, that one takes no view at all on how particular ways of conceiving of democracy relate to the ethics of voting. This is so because particular conceptions of democracy can not only carry ramifications for the *positions* that feature in the electoral-ethics literature, but also for the *arguments* that underwrite those position. Consider as an example position I, which holds that citizens of a democracy generally ought to vote. Lomasky and Brennan, Goldman, and Maskivker espouse this position each for their own reason. And these reasons are also liable to conceptual

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have not spawned any positive or constructive views about the goals that it is morally obligatory or at least permissible for voters to pursue. Notice also, that there is a relatively rich literature criticising the notion that voters can permissibly vote with an eye to *only* further their own private interests (cf. Brennan 2011, 119-26; Beerbohm 2012, 94; Roark 2016) However, it is not clear that any theorist of voting ethics purposely defends this position. Theorists who favour legally compulsory voting on the grounds that it may raise the electoral participation of socio-economically disadvantaged citizens and thus help to render redistribution policies more egalitarian (Lijphart 1997; Hill 2006; 2010) implicitly commit to the view that self-interested voting is ethically permissible, at least for citizens who are at disadvantage (Lever and Volacu 2018, 245-46). However, those egalitarian advocates of compulsory voting do not explicitly defend this substantive take on the ethics of voting, and a purposive defence the view that self-interested voting is ethically permissible does not appear to exist elsewhere in the literature either.

interference from the minimalist, the aggregative, the deliberative, and the counter-majoritarian conception of democracy: a particular conception of democracy may, for example, conceptually contradict and so make unavailable particular arguments for I, or else it may be consistent with a particular argument, thus implying that it is arguably a permissible approach to voting within that conception of democracy.

The tentative contention of this chapter is, in fact, that just such relations exist. Based on a preliminary analysis, it proposes that the four conceptions of democracy described earlier have some notable ramifications for the various arguments that sustain the positions I to X. The following three sections elaborate this suggestion, each by first reconstructing the arguments that sustain the various positions on the ethics of voter actions, voter ends, and voter knowledge, and by then proposing a preliminary analysis of how those arguments relate to minimalist, aggregative, deliberative and counter-majoritarian democracy.

5. ELECTORAL ACTIONS

5.1 Arguments for Positions I – III

With respect to ethical voting position I, then, three arguments are offered in the literature as to why citizens generally ought to vote. The first of these is developed by Goldman, in the form of a 'causal responsibility' argument (Goldman 2002, 267). This argument starts with an assumption that people should generally aim to be morally praiseworthy, and that they therefore should try to play a role in bringing about appropriate outcomes. In Goldman's way of thinking, an individual should be concerned to attract 'moral credit' (2002, 269), and, as this happens through the production of good outcomes, every individual should strive to "help produce a good outcome or … avoid a bad one" (2002, 269). Participation in elections, in turn, is instrumental in this regard. Elections, Goldman argues, form 'vectorial causal systems' in which each vote represents a contributory cause to the final electoral result, much in the way that participants to a tug-of-war all contributorily cause the rope to move in one direction or the other (Goldman 2002, 275). The activity of voting is, accordingly, causally laden; through it voters effect particular results, even if their vote is not decisive. Since each vote is vectorially causative, the voter "can make a partial causal contribution toward the election of a given candidate even if he is not a swing voter" (269) and electoral participation thus represents an instrument by which voters can further good outcomes and prevent bad ones. As Goldman puts it, the voter "can earn … moral credit by voting for the good candidate', and so Goldman infers that 'people *should* vote" (2002, 281). This last inference in Goldman's argument is logically unwarranted, of course. If people should look to accumulate moral credit by promoting good outcomes, and voting is a way to do the latter, then it does not follow that people ought to vote *simpliciter*. Rather, the implication is, if anything, that voters ought to vote specifically for those parties or candidates that are good or best, whatever that may specifically mean. But Goldman seems not to appreciate this limitation, presenting his argument not as defense of good voting specifically, but as an account that explicates the 'moral (or quasi-moral) reasons citizens have for *voting'* (Goldman 2002, 267).

The second argument in favour of the general ethical expectation that citizens take part in elections is the 'expressivist' argument theorised by Lomasky and Brennan (2002). People, so these theorists argue, should generally take a stand on the important issues of their time

and society, simply as a matter of expressivist ethics. "[E]xpressive activity", Brennan and Lomasky argue, "matters in its own right, ... irrespective of its causal product" and hence, "individuals ought to take a principled stand on issues of great moment" (Brennan and Lomasky 2002, 263). Elections and referenda, for their part, are junctures in which "principles of undeniable salience are at stake" (Brennan and Lomasky 2002, 261). Elections decide what is done by way of public policy, and how burdens and benefits come to be assigned within the political community. Accordingly, electoral participation is an important instrument for citizen expression. It is a tool that allows citizens to discharge their expressivist duty and so, on Brennan and Lomasky's view, it follows that citizens ought to vote or at least that the expressivist principle furnishes a 'cogent' "contender ... account of why citizens ought to vote" (2002, 262).

And, finally, the third argument for the general ethical duty to vote is the one developed recently by Julia Maskivker. This starts with a distinctively epistemic view of elections. Maskivker argues that because of processes known as the Condorcet Jury Theorem, the Miracle of Aggregation, and the Diversity Trumps Ability Theorem, large-scale elections tend to have epistemic virtues, especially when the elections are well attended and voters participate in large numbers. "The aggregation of judgments through elections", Maskivker writes, "results in epistemic advantages" (2016, 18), and this, she claims, tends in turn "to move democracy towards better results" (2016, 18). The operation of elections' epistemic qualities helps society to get rid of "unaccountable, corrupt and indifferent leaders" and is the mechanism thanks to which "elections can help societies select good governments" (2018, 412). The 'epistemic properties' of elections thus "tend to lead to more just and responsive institutions and social arrangements" (2016, 17) and electoral participation by citizens accordingly represents a contribution to the production of justice and the aversion of the outright harm that follows from bad governance. Citizens who do not vote "contribute", in Maskivker's view, "to denying democracy the epistemic properties that come with the aggregation of ... votes", which in turn "contributes to making society unjust by putting in place or keeping officials and policies ... [that are not] consistent with the public interest" (2016, 2; cf. 2018, 413). Voting citizens, by contrast, contribute to bolster the election's epistemic qualities, and thus aid with the "instalment of acceptably just governments" (2018, 410) In short, Maskivker's thought is that "voting prevents the quality of governance from declining" (2016, 17) and that, positively, "[e]lections offer ... a way improve society" (2018, 417). Is it ethical necessary though, that citizens aid to improve society? Maskivker thinks it is, at least within limits. In her way of thinking, individuals have a 'natural' (2016, 2) or 'Samaritan' (2018, 411) duty to avert harm and injustice and to further just arrangements, at least so long as this is not excessively costly for the individual: "we are all bound by duties of aid when our intervention would be relatively easy" (2018, 411). Participation in episodic elections, for its part, is rather easy and associated with few costs (cf. 2018, 413), and so Maskivker contends that "citizens are bound by a moral duty of Samaritan justice to aid society via the ballot" (2018, 410; cf. 2016, 2).

The arguments presented so far have been in favour of the position that voters generally ought to vote. But as indicated, this view is not the only game in town. In particular, some theorists agree in principle that citizens ought to participate in elections, but regard this (II) as a conditional 'ought' that depends on the presence of certain background conditions.

Notably, this is the position of Maring and Beerbohm, though they specify differently the relevant background conditions.

Maring argues that for people to excel at the roles they inhabit, they need to play or execute these roles in a substantially good manner or, simply, with skill. But this is not all. Excellence in a role is, according to Maring, 'two-fold' (Maring 2016, 253) and requires, in addition to skilful execution, that the role player respects the practice in which they are implicated. In Maring's words, "S is an excellent participant in practice P" only insofar as "S is skilled (according to P's standards) and S avoids disrespecting P". (2016, 253) Applied to the citizens of a democracy, this formula means that in order to be excellent, they need to execute their civic role with skill – they "need to skilfully play the 'game' or politics" (2016, 252) – and that they simultaneously need to "avoid disrespecting democracy" (2016, 253). How do citizens respect (or avoid disrespecting) democracy? Maring's answer is that it involves voting, provided that it is easy to do. Maring reasons that democracy has popular self-rule as a foundational ideal, and that therefore, a democracy-respecting citizen will have to respect and treat popular self-rule as an important ideal in their practical deliberations. "To respect popular rule", in turn, "a citizen has to stay moderately informed *and cast a ballot*" (2016, 254; emphasis added). At least, this is true as long as voting is no obstacle to the fulfilment of other moral duties (e.g., duties of care) and voting is not made practically difficult (2016, 255). Excellence on the part of democratic citizens will thus involve electoral participation – not always, but in a range of cases nevertheless. Do citizens need to aspire to excellent citizenship, though? With a qualification, Maring believes they do. In his way of thinking, citizens of a "healthy democracy have a pro tanto moral duty to fill their role excellently" (Maring 2016, 247), and so Maring concludes that "citizens in healthy democracy have a pro tanto moral duty to vote" (2016, 247) – in particular when voting is practically easy and the voter is not tied up by other morally weighty obligations.

Beerbohm, for his part, takes a conditional view of citizens' voting duties, too. But the relevant condition here is that the citizen's state is implicated in injustice such that citizens' moral reason to vote gains in strength as "political institutions become more unjust" (Beerbohm 2012, 76). Why is this? Beerbohm's answer is that people should generally avoid being complicit in injustice, but that when states perpetrate injustices, they characteristically recruit their citizens into complicity. Through their law-abidingness, their fiscal contributions, and their general non-resistance citizens typically "find … [themselves] contributing to … [the state's] ability to coerce others" and to treat others unjustly (Beerbohm 2012, 73). Citizens are thus liable to become complicit in state-perpetrated injustices, even if they are not directly implicated in the creation and administration of the unjust actions or policies. In particular, they are liable to become complicit in an accessory sense, as when one does not actively participate in, or profit from, a burglary, but knowingly provides the burglar with information that enables them to commit the burglary (cf. Beerbohm 2012, 63-4). However, being accessory complicit to injustice is undesirable. People should generally "avoid [being liable to] the charge of democratic accessory" (Beerbohm 2012, 74) and so, when a state perpetrates injustice, citizens should take steps to put moral distance between themselves and the state's unjust actions. In Beerbohm's words, citizens should try and fulfil the "exculpating conditions of complicity" that "break the liability relation" between themselves and their state (Beerbohm 2012, 73). Beerbohm further thinks that electoral participation is a way to satisfy such exculpating conditions, and thus he concludes that for

citizens there is a 'complicity-based reason', and more particularly an 'accessorial argument', to participate electorally and to "attempt to join with their fellow citizens to alter the course of an unjust state" (Beerbohm 2012, 74).

The literature on the ethics of voting offers a number of arguments then, as to why voters ought to take part in elections, either generally or conditionally. But as seen, there is no consensual view – some theorists, indeed, take the contrasting view that citizens are sometimes ethically required to abstain from voting (III). This is notably the view of Brennan, who has argued that citizens ought to abstain if they otherwise would engage in 'harmful voting', that is to say, if they would cast a vote for "harmful or unjust policies or for candidates likely to enact harmful or unjust policies" (Brennan 2011, 69). Brennan argues that people have "an obligation to not engage in harmful activities", at least not when the costs for doing so are insignificant (Brennan 2011, 71, 73). Harmful voting, however, is a type of harmful activity. A single vote cast for a harmful or unjust option does not do any damage in and of itself, but combined with other votes for the same option, it does. Harmful voting is thus "collectively, not individually, harmful" and a citizen who votes harmfully thus engages in a collectively harmful activity. As Brennan puts the point, "to cast an … harmful vote is to engage in a collectively harmful activity" (2011, 71) and so, if it does not entail any significant costs, citizens should avoid taking part in this activity. Brennan further argues that the latter rider condition is normally satisfied: "refraining from harmful voting has little personal cost" (2011, 73) and thus Brennan infers that voters have a moral "duty to refrain from harmful voting" (2011, 71) and that when voters plan on voting harmfully, they "should abstain" (2011, 68).

However, Brennan does not only argue that abstention is ethically called for when the alternative is harmful voting. Citizens should abstain as well if they are prone to 'fortuitous voting', that is to say voting despite a lack of "sufficient justification to believe that … [one's favoured] polices or candidates are good" (Brennan 2011, 68, 79). This is so, Brennan argues because "fortuitous voting imposes unacceptable risk" (2011, 80). To vote on the basis of candidates' emotional appeal, for example, or on the basis of group identification rather than on the basis of considerations that form epistemically sound reasons for thinking that one is picking a good option, is to make decisions on the basis of "a highly unreliable decision method" (2011, 80). Furthermore, these individual decisions can combine with the electoral decision of others to generate perfectly tangible results. Thus, fortuitous voting is a form of collective, undue risk-taking, both for oneself and for others. It is a way, Brennan says, to "expose those governed to undue risk" (2011, 80). However, this is morally impermissible. According to Brennan, "individuals should not participate in activities that impose undue risk provided that refraining from such behaviour imposes little personal cost" (2011, 80) and since the abstention alternative is virtually costless, it follows in Brennan's way of thinking that people "have an obligation to abstain from voting rather than to vote fortuitously" (2011, 79).

The arguments outlined above are summarised in Table 1 below.

Table 1: Summary: Positions and Arguments on the Ethics of Electoral Actions

I: Duty-to-Vote Position
Responsibility Defence
Expressivist Defence
Samaritan Defence
II: Conditional-Duty-to-Vote Position
Excellence Defence
Accessory Complicity Defence
III: Duty-to-Abstain View
Harm Defence
Risk Defence

5.2 Preliminary Analysis: The Implications of Particular Conceptions of Democracy

Focusing now on the conceptual connections that might exist between, on the one hand, the minimalist, the aggregative, the deliberative, and the counter-majoritarian conceptions of democracy and, on the other hand, the particular arguments just outlined, a preliminary analysis[9] suggests 8 particularly noteworthy points that are elaborated below and illustratively summarised in Table 2 at the section's end:

1. The aggregative conception is ostensibly compatible with all the arguments outlined under 5.1. The arguments that sustain positions I-III respectively invoke a range of premises – notably (but not only) normative premises about the ethical responsibilities of individual citizens – that are external to the aggregative conception of democracy. As an example, consider Beerbohm's premise that citizen should generally avoid being (accessory) complicit in state injustice. This proposition is not in any way implied by the aggregative conception, nor is it otherwise derivable from that conception. At the same time, though, there is no logical inconsistency between the two: there is no contradiction in affirming, on the one hand, that individuals should generally avoid complicity with state injustice and, on the other, that the democratic ideal is that all citizen's declared preferences weigh equally in the making of public decisions. The same goes for all other premises that feature in the various arguments in favour of I to III and, thus, the aggregative conception *permits* all these arguments to be made, though it does not positively call for any one of them.

2. The minimalist view of democracy probably cannot accept Goldman's responsibility argument. Underlying Goldman's responsibility argument is an idea that elections are causal in bringing about policy outcomes, and that voting is a way citizens may help to steer public policy into one or another direction. However, this is a way to interpret elections that the minimalist conception of democracy cannot readily accept. As seen, this conception envisions elections thinly as the mechanism by which ordinary citizens

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[9] Being preliminary, this analysis does not aim at exhaustiveness and does emphatically not aim to work out what each conception of democracy entails for every single argument in favour of I, II, and III. Rather, it picks out and develops potential connections that stand out as salient at first glance.

appoint political officials, and it is, indeed, emphatic that the crafting of public policy is reserved to those elected. Expressing this idea particularly starkly, Schumpeter writes: "The voters outside of parliament must respect the division of labour between themselves and the politicians they elect. They ... must understand that, once they have elected an individual, political action is his business and not theirs" (2010, 262). So, the minimalist conception of democracy ostensibly conflicts with the analysis of elections that informs the responsibility argument, and so this conception appears to imply a rejection of that particular argument: from the point of view of the minimalist conception, the responsibility argument is not available to be made.

3. The minimalist view seems inhospitable as well to the expressivist case. As seen, this case says that citizens ought to vote because to vote is to position oneself and to take stance on the important issue of one's time. However, for this interpretation of voting to make sense, there has got be a background assumption that a vote in one direction or another carries a substantial meaning and indicates a view on, e.g., the death penalty, the state of the economy, climate policy, or whatever. However, from a minimalist point of view, this assumption is probably not warranted. In this way of thinking elections serve to elect political personnel, not to steer public policy. The latter is, again, the domain of those elected and so, from the viewpoint of minimalist democracy there exists only a tenuous connection, if one at all, between a voter's substantial views and how s/he votes. A vote for one or another candidate is a vote for them to occupy a particular function, not really a declaration on the part of the voter of any substantial commitment. So, while the minimalist conception does not, on the face of it, contradict directly the expressivist argument for position I, it probably cannot, due how it conceives of elections and the role of voters, support the particular interpretation of voting that informs the expressivist argument. And if so, this rules out of court the expressivist argument.

4. Beerbohm's argument related to accessory complicity fares badly, too, if seen from the point of minimalist democracy. This is so because that argument, too, posits a connection between elections and substantial public policy. As seen, the argument turns on the thought that if the state is implicated in injustice, then citizens can meet a morally exculpating condition by taking part in elections. But in order to think that electoral participation constitutes a way for citizen be exculpated from their state's injustice, one probably has to think that elections and public policy are connected in a fairly robust fashion. The exculpation view of electoral participation make sense only on the assumption that elections are in principle a genuine way citizens can to try to "to alter the course of an unjust state" (Beerbohm 2012, 74). But again, this is largely denied by the minimalist conception of democracy, which treats the popular election of political personnel and the crafting of public policy as largely separate processes. As such, this view of democracy does not permit the formulation, as it were, of a key premise in the accessory complicity argument, the result being that this argument is rejected.

5. The minimalist conception of democracy is ostensibly closed as well to Brennan's two arguments in favor of the electoral-ethical position III. This so because both the harm argument and the undue-risk argument hang on a notion that elections and the shape of public policy are causally connected in a relatively tight fashion. Only when one thinks that election results have relatively immediate causal ramifications for public policy is it plausible to picture 'harmful voting' as a collectively harmful action comparable to

pollution and 'fortuitous voting' as a form of risk taking. Let the causal connection weaken, or be confounded by intermediatory factors, and those interpretations of 'harmful' and fortuitous voting become tenuous. The minimalist conception, however, denies the existence of a causally tight connection between elections and policy formation. As such, this conception precludes some of the critical background assumptions that inform Brennan's arguments, and its implication for the arguments is hence a rejection.

6. Both the deliberative and the counter-majoritarian conceptions of democracy seem unable to countenance Maring's excellence argument for a conditional moral duty to vote. A critical premise of this line of argument is that in a range of cases electoral participation is necessary to respect democracy and, thus, to excel at citizenship. But, from the point of deliberative democracy, it is not clear that voting is truly necessary for civic excellence, for in this interpretation of the democratic ideal, public policy making should be fed both by electoral processes and a process of public, inclusive and reflective reason-giving in between citizens. The democratic policy-making process is pictured as double-tracked, and consequently it is not obvious, in this way of thinking, that electoral participation is necessary for civic excellence: participation in the deliberative process – be it through active production of reasons (e.g., in op-eds) or through the passive reception of reasons – might be excellence-conferring as well. Roughly the same applies to the counter-majoritarian conception of democracy. If democracy in its ideal form is characterized by the presence of counter-majoritarian devices, and especially devices such as Pettit's contestation channels and civil-society watch-dog organizations, it is not particular clear the electoral participation stands out as a necessity for civic excellence: appealing to a local planning decision or giving to Amnesty International might be ways to excel civically, too. Of course, Maring may reply to these observations with an elaboration of the argument showing that electoral participation is connected *especially closely* with civic excellence such that, even in the context of deliberative and counter-majoritarian democracy, voting is necessary for citizens to excel in their roles. But absent such elaboration, the deliberative and the counter-majoritarian conceptions of democracy appear to foreclose the proposition that civic excellence hangs on electoral participation, thereby ruling out this particular line of argument.

7. The deliberative and counter-majoritarian characterization of democratic policy-making as a multi-facetted process that offers citizens a range of entry points over and beyond the electoral process has ramifications, as well, for Beerbohm's accessory complicity argument. It implies that if citizens are to successfully put some normative distance between themselves and their unjust state, they need (at minimum) to vote. But if policy-making is a multifaceted process, there is ostensibly no reason to think that voting is the one way to go. Exculpation might, again, be obtained by various other means as, for example, participating in marches, writing to one's MPs, or being a regular buyer of an oppositional newspaper. And so, the deliberative and the counter-majoritarian conceptions of democracy seem to foreclose this complicity argument too – at least in the absence of a further elaboration explicating why electoral participation is particularly salient for meeting moral conditions of exculpation.

Table 2: Summary: Implications of Conceptions of Democracy for the Ethics of Electoral Actions (Preliminary Analysis)

Voting-Ethical Positions & Supporting Arguments	Conceptions of Democracy			
	Minimalist	Aggregative	Deliberative	Counter-Majoritarian
I: Duty-to-Vote Position				
Responsibility Defence	Rejection	Permission		
Expressivist Defence	Rejection	Permission		
Samaritan Defence		Permission		
II: Conditional-Duty-to-Vote Position				
Excellence Defence		Permission	Rejection	Rejection
Complicity Defence	Rejection	Permission	Rejection	Rejection
III: Duty-to-Abstain View				
Harm Defence	Rejection	Permission	Rejection	Rejection
Risk Defence	Rejection	Permission	Rejection	Rejection

8. Brennan's harm and undue risks argument are ostensibly inadmissible, too, from the point of view of deliberative and counter-majoritarian democracy. As noted under 5 above, the harm argument and the undue-risk argument both turn on the idea that elections and the shape of public policy are connected in a causally tight fashion. But if democratic public policy-making is multifaceted as the deliberative and the counter-majoritarian conceptions suggest, then it is not clear that the connection between elections and policy is particularly tight. Citizens' electoral participation rather appears as one input that gets "mediated by a [whole] social system and a variety of other agents and is limited by the extra-electoral mechanisms of liberal democratic politics and constitutional structure" (Taylor Smith 2016, 231). Citizens' votes stand at a causal remove from public policy outputs, and thus it is conceptually difficult to characterize 'harmful' and fortuitous votes as positively harmful or risky. Such a characterizing, though, is crucial for the harm argument and the undue-risks argument respectively, and so the deliberative and the counter-majoritarian stance seem to preclude both these arguments along with the arguments on excellence and complicity.

6. VOTER ENDS

6.1 Arguments for Positions IV - V

Turning now to the domain of the goals that are proper for citizens to pursue when acting as voters, recall that the literature features two positive positions: one (IV) is that voters shall look only to promote the common good; the other one (V) is that voters ought to be concerned with realising substantial gender justice.

IV is the position explicitly taken by J.S. Mill, who argues that the vote "is not a thing in which he [the voter] has an option. It has no more to do with his personal wishes than the verdict of a juryman. It is strictly a matter of duty; he is bound to give it according to his best and

most conscientious opinion of the public good" ([1861] 2008, 193). IV is also endorsed by Brennan, who thinks that "voters … generally should vote for policies that promote the common good" (2011, 113), and both these theorists hold the view on the basis of the same argument. This says that to be a voter is to occupy a public office and to wield public power. When exercising the franchise, "you take on the *office* of voter" (Brennan 2011, 128, emphasis added); you "exercise … [a] political function" (Mill [1861] 2008, 193) and with that comes a role-specific moral duty. As Brennan puts it, "anyone wielding political power ought to use that power in ways that she believes …. maximally promote the common good" (2011, 129; cf. Mill [1861] (2008), 195) and thus it follows, according to Brennan and Mill, that citizens acting as "voters are obligated to choose the policy or candidate which, given the evidence, they … believe will best serve the common good" (Brennan 2011, 128; cf. Mill [1861] (2008), 195).

As for the rival position V, the argument for it ostensibly turns on the thought that gender justice (interpreted as the goal of eliminating gender inequality across social, political and economic domains (Oxley 2016, 157)) is an important, but undersupplied social ideal. Oxley reasons that "individuals should care about gender justice as a primary concern … and should vote with that in mind" (2016, 172) apparently *because* "gender justice is a critically important social goal" (2016, 173), but is not yet sufficiently implemented: "Gender justice", Oxley writes, should be for voters a "top priority", "*given* the slow progression of equal rights for women" (2016, 173, emphasis added). This, of course, is no valid line of reasoning. The fact that some ideal is important but undersupplied in practice does not in and of itself entail that it should be an end specifically for *voters*. But Oxley's observations can yield the desired conclusion if paired with a further normative proposition that voters have an ethical responsibility to try and promote through their voting those ideals that are important but not yet properly implemented. And so, Oxley's argument is best (and most charitably) interpreted as saying that voters should aim to promote gender justice through their voting because they generally owe it to promote unrealised but important ideals and because gender justice fits that description.

6.2 Preliminary Analysis: Implications of Particular Conceptions of Democracy

As for the relations between the Brennan-Mill argument and Oxley's argument and the four conceptions of democracy presently under investigation, a preliminary analysis again suggests several important points, as elaborated below and summarised in Table 3:

1. The aggregative conception seems to implicitly permit both the Brennan-Mill argument and Oxley's. The aggregative conception of democracy does not, on the face of it, entail positively any of the premises composing the two lines of argument. But it does not seem to prohibit them either. Hence, this conception seemingly permits both ways of thinking.

2. As seen from the point of view of minimalist democracy, deliberative democracy and counter-majoritarian democracy, the Brennan-Mill argument is afflicted by a fatal difficulty. The Brennan-Mill argument rests on a premise that public officials generally have a moral duty to look out for the common good. At first sight, this seems perhaps an innocuous proposition. But from the minimalist, deliberative, and counter-majoritarian viewpoints, it is not the only possibility. This is so because all three conceptions characterise democratic public policy making as fundamentally articulated. In the minimalist conception, public policy comes about through as a process of delegation: citizens elect representatives who then craft policies according to their own judgement.

The deliberative conception takes public policy to issue from the combination of electoral practices, on the one hand, and a process of public deliberation on the other. And in the counter-majoritarian view, policy is taken to issue from the interplay between political majorities and a more or less elaborate set of counter-majoritarian agents and constraints. So, in each conception, policy formation, and political life more generally, are viewed as articulated – as comprising several agents and processes – and this in turn opens the perspective that public officials might not all be subject to a uniform moral duty to service the common good. Given the articulated nature of politics, different agents may well have different moral duties depending on their particular place within the overall system or process. For instance, it might be thought that there are differentiated moral duties for those who occupy the office of member of government and, on the other hand, for those who occupy the office of voter (cf. Lever 2007); or else one might think that citizens' moral duties change depending on whether they act as voters or deliberators. At least, this a possibility within the minimalist, the deliberative, and the counter-majoritarian ways of thinking democracy and so, the Brennan-Mill argument would need to purposely explain why it is that the moral duty to promote the common good weighs uniformly on all public officials. But no such explanation is offered. As presently stated, the argument merely posits this general duty for public officials, and thus it probably is not acceptable from the point of view of minimalist, deliberative, counter-majoritarian democracy. As seen from any of these three perspectives, the Brennan-Mill argument unacceptably stipulates a potentially controversial proposition, and so it is ostensibly an argument to be rejected – at least so long as no explanation of the required kind is offered.

3. Oxley's argument is affected by a structurally similar difficulty as the Brennan-Mill line. (On a charitable interpretation) Oxley's argument presupposes that voters have a moral duty to promote important ideals, especially when they are insufficiently implemented. However, if democratic policy-making is viewed as fundamentally articulated, it is not obvious that such a moral duty should weigh on voters. Rather, one might think that the promotion of the important ideals is a duty that falls on citizens *qua* deliberators, or that it is mainly the moral business of government to see to the implementation of important objectives such as gender justice. So, here again, a substantial argument is owed to the proponents of minimalist, deliberative, and counter-majoritarian democracy as to why there is a moral duty specifically on voters to promote under-realised ideals. But no such argument is furnished, and thus the Oxley line of argument appears to be as well unacceptable from the point of view of a minimalist deliberative, or counter-majoritarian conception of democracy: As the Brennan-Mill argument, it ostensibly stipulates a proposition that from the points of view of minimalist, deliberative, and counter-majoritarian democracy is potentially controversial and requires substantiation.

Table 3: Summary: Implications of Conceptions of Democracy for the Ethics of Electoral Ends (Preliminary Analysis)

Voting-Ethical Positions & Supporting Arguments	Conceptions of Democracy			
	Minimalist	Aggregative	Deliberative	Counter-Majoritarian
IV: Common-Good Position				
Brennan-Mill Defence	Rejection	Permission	Rejection	Rejection
V: Gender-Justice Position				
Oxley Defence	Rejection	Permission	Rejection	Rejection

7. VOTER KNOWLEDGE

7.1 Arguments for Positions VI – X

If a citizen aims to vote and has some goals to guide their decision-making, what knowledge do they, ethically speaking, need to acquire? Do they need to acquire or consolidate that knowledge through particular processes? As seen already, these questions form the third centre of gravity within the ethics-of-voting literature and once again, the positions and arguments are varied.

One notable position (VI) is that voters are ethically required to acquire knowledge of such a kind that they have an epistemically sound basis for judging the extent to which candidates service the common good. This is the position of Brennan in particular, who defends the position with an argument similar to the one he deploys to vindicate the duty to abstain over fortuitous voting. To vote without having an epistemically sound basis for judgment is, in Brennan's way of thinking, to engage in a collective activity that imposes undue risks on others. When voters make their decisions on the basis of 'bad reasons' such as the candidates' emotional appeal, on the basis of group identification, or generally loose and uninformed opinion, "they impose undue risk on their fellow citizens" (2011, 80). However, this is a moral wrong, as already seen, and citizens planning on voting must thus see to it that they have an epistemically sound basis for judgment formation. Exactly what that entails Brennan leaves open to be determined by a theory of epistemology, but Brennan's rough idea is that "if they do vote, ... [people] owe it to others and themselves to be adequately rational, unbiased, just, and informed about their political beliefs" (2011, 69).

Another position on the ethics of voter knowledge – one that contrasts with Brennan's potentially very demanding position (cf. Flanders 2016, 136) – is that (VII) voters are morally required to be just reasonably, or roughly, knowledgeable about the issues and debates that crystalise around an election. This position is endorsed, on the basis of different arguments, by Flanders, Maskivker, and Lomasky and Brennan.

Flanders's argument for the rough-knowledge view is based on the value of respect. Citizens of a democracy, he thinks, owe each other a certain degree of mutual respect. However, respect is not compatible with utter ignorance on the part of voting citizens. As Flanders contends: "if you close yourself off to the facts ... , [and] you endorse policy Y anyway, even though you don't know the facts and have gone out of your way to not learn the facts ... [then]

it is hard not to see this as a matter of disrespect to your fellow citizens" (2016, 135). So, for there to be respect between (voting) citizens, there needs to be some knowledge. It simply is a necessary component of respectful civic relations – or so argues Flanders. In particular, Flanders argues that "if citizens make a good faith effort to keep themselves informed and abreast of the factual issues at the heart of many debates" then that "is enough for them to show respect to their fellow citizens" (2016, 138). And since such respect is morally called for, the conclusion is that voting citizens need to be reasonably informed about the issue surrounding an election. In Flanders's own words, "citizens have a duty to be reasonably informed about the issues … they vote on" (Flanders 2016, 135).

Maskivker, for her part, develops an argument for the rough-knowledge view that relates to the epistemic qualities of elections. As already mentioned, Maskivker thinks that people have a natural or Samaritan duty to promote and sustain just political and social arrangements, and that citizens for this reason should take part in elections, the thinking being that electoral participation is low-cost for the individual while it helps to bolster elections' epistemic qualities, thereby helping to move public policy in the direction of better and more just results. Elections, however, do not have epistemic value unconditionally. For such value to obtain, it is necessary that the participants are at least somewhat competent judges of the matter at hand. As Maskivker notes, the "epistemic properties … are unlikely to come about if individual voters fail to attain a certain threshold of competence, which we can label 'better than random'" (2016, 4). So, if citizens are to discharge their Samaritan or natural duty through electoral participation, they not only have got to take part, but also to make sure they are so well informed that their judgment is better than a coin-toss. Maskivker thinks this is possible and not excessively costly to the individual. As she stresses, "the level of competence in voters must *only* be better than random … if the epistemic virtues of … [elections] are to emerge". Voters need not be "expert in economics, public affairs or foreign policy"; they merely have to "put some thought into the [voting] decision and take the necessary steps to acquire pertinent information" (2016, 7-8) such that they know "what is at stake in the election" (2018, 411). What is more, voters only need to acquire such information at episodic intervals (2018, 413). As such, it is "not unreasonably burdensome" for citizens to acquire the relevant competence, and so Maskivker argues that on the grounds of their Samaritan or natural duty to sustain justice, citizens have a moral obligation not only to vote, but also to "acquire enough information so as to make a voting choice that is better than random" (2018, 409; cf. 2016, 1-2).

And then there is the third the argument for the rough-information position developed by Lomasky and Brennan. They argue, as seen, that citizens ought to vote in fulfilment of their expressivist, moral duty to take a stand on the important issues of their time and society. However, for a vote to reflect a stance and express something, it is necessary that the vote issues from an informed mind. "One who votes in … [a] desultory and absent-minded fashion is not", accordingly to Lomasky and Brennan "to be credited with taking a stand on anything" (2002, 263), and hence they conclude, that citizens' general expressivist duty does not merely call the citizens to the ballot box but requires of them as well that they be reasonably informed about the issues of the election. The proposition, they argue, "that individuals ought to take a principled stand on issues of great moment includes the notion that they ought to do so intelligently". More to the point, the citizen "who votes should know the issues,

scrutinize the candidates' statements, and make up their mind after weighing all the facts: this is how the voter's duty is ... expressed" (2002, 263).

The reasonable or rough-knowledge view receives support from various quarters, then. Nonetheless, it remains one among several other competitor views. Brennan's position (VI) is one, and another competitor view is the position (VII) that voters may not necessarily have to know the broad issues that are stake in the election, but ought to acquire a more focused type of knowledge that enables them to judge the extent to which parties or candidates are reliable and competent to realise the outcomes that the voter prefers. This is a position developed and defended by Goldman in particular. As related by Baurmann and Brennan, Goldman argues that it is normatively desirable in a democracy that elected officials realise the outcome preferences of ordinary citizens (Baurmann and Brennan 2009, 160-1), and in his view, this is most likely to occur insofar as citizens vote into public office persons who are reliable and competent executors of their respective preferences. As Baurmann and Brennan summarise, "the successful functioning of representative democracy depends on having representatives that are trustworthy", specifically in the sense that they "are motivated to pursue citizens' goals/ends; have the ability to discern what these goals are; and the capacity to achieve those goals/ends on the citizens behalf" (2009, 164). However, there is no automatism such that elections *simpliciter* will systematically return officials who are reliable and competent relative to citizens' objectives. Rather, this will tend to occur to the extent that citizens are able to judge the candidates' reliability and competence, which in turn presupposes the presence of the relevant information. As Goldman points out, "the functioning of democracy ... depends on the acquisition of certain types of knowledge by particular actors or role-players and what is of particular import is that voters have information such that they can judge which 'candidates ... would ... produce a better outcome ... from ... [their own] point of view" (Goldman cited in Baurmann and Brennan 2009, 159-60; 161). More concisely, the thought is that citizens having knowledge of reliability and competence-indicating information is an enabling condition for the realisation of citizens' outcome preferences, and, based on this thought, Goldman's conclusion is that the prospective voter ought to acquire knowledge that enables her to "form a considered judgements about the reliability and qualifications of a politician" (Baurmann and Bennan 2009, 166). And as Baurman and Brennan (2009, 166) elaborate, this might practically include knowledge about the candidates' competence and political skill, knowledge about the candidates' likely position in parliament, government and their party, and/or knowledge about the general conditions in which the elected candidates will operate.

A further competitor view on ethics of voter knowledge is a view that interestingly contrasts with that espoused by Goldman. It (IX) is that voters ought to acquire knowledge of information that speaks not so much to candidate's reliability and competence, as to their personal characteristics and mode of thinking and decision-making. As Baurmann and Brennan put it, voters should not, *pace* Goldman, focus on "the ability of a politician to produce a certain and specified outcome set"; rather, voters should be "interested in the characteristics of their empowered agents in their political roles" and acquire information about "the personal characteristics and intrinsic motivations of candidates" (2009, 169, 170). The argument for this view is developed by Baurman and Brennan, who agree with Goldman that it is desirable that voter preferences for outcomes be realised by elected officials (2009, 167). In their analysis, however, that objective is not enabled by the election of reliable and

competent representatives. A voter cannot, in their view, "foresee how things will work out or what policies are required to best promote his or her interest" (2009, 168) or political preferences more broadly. A voter may, of course, have relatively determinate preferences at any given moment, and they may as well be able to identify the party or candidate that is reliable and competent relative to these preferences. But as time passes and conditions change, the elector's preferences are likely to alter in ways not readily foreseeable. As such, a voter "cannot specify in advance the concrete outcome set that will at the end of the term satisfy her" (Baumann and Brennan 2009, 168) and the election of representatives that are reliable and competent relative to voters' *election-day* preferences is no guarantee, then, that voter preferences will be realised over the long haul. Rather, what secures the implementation of voter preferences, in an enduring fashion, is the election of representatives who through their particular ways of thinking and of arriving at decisions are likely to track, over time, voters' fluid preferences. How candidates think and decide – what 'decision calculus' they employ (2009, 170) – is in turn revealed not so much by party programmes and election commitments as it is by the candidates' personal characteristics and their publicly stated *reasons* for favouring particular policies (Baumann and Brennan 2009, 170). And so, it is Baumann and Brennan's contention that based on the idea that representatives ought to realise voter preferences, voters should be primarily "interested in the characteristics of their empowered agents" (2009, 169).

This finally brings us to a fifth and qualitatively different view on the ethics of voter knowledge. In contrasts to the positions VI to IX, this does not stipulate that prospective voters ought to acquire knowledge of one or another specific kind. Rather, the suggestion is (X) that voters' knowledge should be shaped through participation in a properly deliberative procedure. In particular, this is a position occupied by Ackerman and Fishkin. They propose that prior to major elections there ought to be a 'deliberation day' during which ordinary citizens attend a deliberative event together with their fellow citizens[10] and so they commit rather clearly to the position that it is desirable for ordinary prospective voters to let their beliefs and knowledge be shaped by participation in public deliberation. They offer two specific arguments for this view. The first is roughly that deliberation helps citizens to cast an authentic ballot. Participation in deliberation, Ackerman and Fishkin argue, helps voters to assess and classify the many empirical propositions that feature in political argument. The deliberation day "will be useful in allowing the participants to distinguish between relatively uncontroversial facts and a range of more controversial claims about the world" and thus it will generally "enrich the factual basis of ... [citizens'] understanding" (2004, 180; 182) That improved empirical understanding is significant in turn because it, in Ackerman and Fishkin's view, will aid people to "get a sense of the way their basic values actually apply to the great national issue before them" (2004, 182), thereby enabling people to vote authentically, in ways that genuinely reflect their political values and judgments rather than their empirical mis-information.

The other argument that Ackerman and Fishkin offer in favour of the view that citizens ought to deliberate prior to voting is that doing so enables voters to participate electorally in a normatively appropriate way. According to Ackerman and Fishkin, citizens are morally required to vote in a way that is reflective of their considered judgements. A responsible

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[10] For the precise structure of the event, see Ackermann and Fishkin (2004, 17-47)

citizen does not vote on the basis of whatever crude and passing thought they happen to have at the polling station. Rather, "the responsible citizen thinks before he acts" – he "takes the time and trouble to think seriously about the public good" (2004, 180; 183). Ackerman and Fishkin further argue that deliberative participation a is good way to discharge this expectation. Deliberation, they explain, helps citizens to develop a "critical perspective on the relative merits of competing candidates" (2004, 176). It "enables … voters to cast their ballots … thoughtfully" (2004, 184) and so, the view of Ackerman and Fishkin is that citizens should take part in deliberation not only so that they may cast an authentic ballot, but also so that they may vote in the considered fashion they are ethically expected to.

Table 4 below summarises illustratively the arguments outlined above.

Table 4: Summary: Positions and Arguments on the Ethics of Voter Knowledge

VI: Epistemic-Adequacy Position
Undue-Risk Defence
VII: Reasonable-Knowledge Position
Respect Defence
Samaritan Defence
Expressivist Defence
VIII: Reliability & Competence View
Citizen-Ends Defence
IX: Candidate-Characteristics View
Citizen-Ends Defence
X: Deliberation View
Authentic-Choice Defence
Considered-Judgments Defence

7.2 Preliminary Analysis: Implications of Particular Conceptions of Democracy

Turning now from the description of the different arguments bearing on the ethics of voter knowledge to a preliminary analysis of the arguments' relation to the conceptions of democracy under investigation, several points again stand out as particularly salient. As before, the points are elaborated below and graphically summarised the sections' end in Table 5:

1. The undue-risks argument offered by Brennan in support of the voting-ethical position VI is ostensibly not sustainable from the perspective of minimalist, deliberative, and counter-majoritarian democracy. The reasons for this broadly speaking rehearses the discussion from 5.2, point 5. The undue-risk argument proposes that for voters to participate electorally without engaging in a form of unacceptable risk-taking, they must acquire information that is of an epistemically relatively high quality. This does not make much sense under the assumption that elections and policy outcomes are connected only in a causally loose fashion, or in ways that are heavily mediated. In order to view voting without the epistemically relevant standards as a straightforward form of risk-taking, one needs to assume a relatively tight causal connection between elections and policy outcomes. But as discussed previously, this tight connection between elections

and policy outcomes is denied, in different ways, by minimalist democracy as well as deliberative and counter-majoritarian democracy. These conceptions all view the process of policy generation as fundamentally articulated, and as such they preclude a critical background assumption to Brennan's undue-risk argument, thus making the argument conceptually unavailable.

2. The minimalist conception of democracy also implicitly rejects the expressivist case for the reasonable-knowledge position (VII). This is for familiar reasons again. The expressivist argument interprets voting as expressive act through which voters commits to particular substantial views. But as seen under 5.2 (point 3) the minimalist conception cannot accept this interpretation, given how starkly it aims to keep apart the citizen-driven election of political personnel and the elite-driven formulation of public policy. And so, the minimalist conception presumably rejects the expressivist case for position VII just as much as it rejects the expressivist case for position I.

3. Minimalist democracy's strong conceptual separation between the election of political personnel, on the one hand, and policy making, on the other, further means that this conception of democracy cannot accept Goldman's and Baurmann and Lomasky's citizen-ends arguments in favor of the positions VIII and IX respectively. Both these arguments fundamentally rest on a thought that public policy should track the objectives of citizens. But as seen, this is anathema to the minimalist conception, which specifically limits the role of citizen to being mere electors of policy makers.

4. The citizen-ends arguments advanced by Goldman and Baurmann and Brennan are problematic from the point of view of deliberative democracy and counter-majoritarian democracy, too. Both versions of the argument rest on a view that public policy should reflect citizen goals and representatives ought to realize, to the extent it is possible, the political ends of citizens. The counter-majoritarian conception of democracy is beholden to a view of democracy as a system of government in which political majorities' power is tempered by counter-majoritarian devices such as constitutional rights entrenchment, judicial review, guaranteed minority representation in decision-making bodies, a contestatory civil society, and so on. So, if this conception accepts any idea to the effect that citizen ends ought to guide, and be reflected in, public policy, it will be in form a strongly qualified claim. Certainly, the counter-majoritarian conception of democracy does not accept that public policy to track the citizens goals *simpliciter,* as is suggested by the arguments offered by Goldman as well as Baurmann and Brennan. Deliberative democracy cannot endorse either the idea that citizen ends ought to generally fashion public policy. The idea with deliberative democracy is, on the contrary, that citizens ought to reason with each other, and that in large part public policy should be informed by the goals that citizens form through the process of reasoning with fellow citizens. In a nutshell, deliberative democracy affirms that public policy should be informed by, and track, citizens' considered views and judgments, not their ends *simpliciter*. So, both deliberative democracy and counter-majoritarian democracy contradict a key normative premise in the arguments advanced by Goldman, Baurmann and Brennan, thus making these lines of reasons conceptually unavailable.

5. Deliberative democracy has a relationship with the deliberation view (X) and, in particular, with the considered-judgements argument that is difficult to pin down. As

noted under point 4 above, deliberative democracy is committed to the view that public policy-making ought to be informed by citizens' considered judgments, and, as such, the conception seems to align well with the considered-judgements argument. In particular, the conception seems to positively affirm the argument's key premise that voters ought to vote on the basis of their considered judgments rather than their first best opinion. On the other hand, deliberative democracy is committed to a view of policy-making as an articulated process that combines electoral processes and a deliberative process of reasoning between citizen. This opens up the possibility that the moral duties of actors within the process differ depending on the place they occupy or the function they discharge, as discussed under 5.2, point 2. And so, it is not altogether clear that deliberative democracy in fact accepts the view that when acting specifically as voters, citizen ought to vote on the basis of their considered judgements. If elsewhere in the system there are mechanisms to identify and feed the considered judgements of citizens into public-policy making, it is conceivable that from a deliberative point of view citizens have no particular responsibility to express their considered judgments *as voters*. Indeed, it might be thought that if citizens have assurance that subsequent to the election there will extensive public reasoning about policy in the legislature, in the public sphere more broadly, or, say, in dedicated mini-publics, then they can ethically vote on the basis of their more spontaneous and intuitive thoughts. So, in a preliminary analysis, there are reasons to suggest both that deliberative democracy is and that it is not compatible with a key premise in the considered-judgements argument, and as such, the relation between these two remains unclear, pending further examination.

6. Still, on the considered-judgments argument, this argument appears to be precluded by the aggregative conception of democracy, which otherwise seems to be compatible with most of the arguments discussed thus far. Specifically, a problem here arises because the considered-judgments argument holds that it is desirable for citizens to vote on the basis of careful reflection. This seems a problematic desideratum from the point of aggregative democracy, for the aggregative conception of democracy does not mark the distinctions between citizens' considered and non-considered judgments. Rather this view of democracy proposes more simply that citizens' political preferences should weigh equally in the determination of public policy, *regardless of whether they are considered preferences or not*. And so, the aggregative conception seems incapable of condoning a central premise in the considered-judgement argument.

7. Finally, although the aggregative conception resists the considered-judgements argument, it might be compatible with and permit the authentic-choice argument that tells in favour of the deliberation position (X) as well. The authentic-choice argument rests in part on the empirical claim that by participating in deliberation, citizens can improve their empirical understanding and work out what their own political views actually are. Aggregative democracy does not, on the face of it, contradict this. In addition to its empirical claim, the authentic-choice argument also ventures the normative proposition that it is desirable for voters to cast ballots that genuinely reflect their views. It is not clear that aggregative democracy denies this claim. Indeed, it is arguable that proponents of aggregative democracy wish precisely that public policy is arrived at through a process of preference amalgamation that treats equally the views that citizens *genuinely* hold, as opposed, for example, to ones that rest on an empirical misunderstanding. In any event, the main point is that aggregative democracy seemingly

does not rule out any of the premises in the authentic-choice picture of ethical voting, and it therefore seems a permissible perspective on the aggregative conception of conception of democracy.

Table 5: Conceptions of Democracy and Individual-Level Voting Ethic

Voting-Ethical Positions & Supporting Arguments	Conceptions of Democracy			
	Minimalist	**Aggregative**	**Deliberative**	**Counter-Majoritarian**
VI: Epistemic- Adequacy Position				
Undue-Risk Defence	Rejection		Rejection	Rejection
VII: Reasonable Knowledge Position				
Respect Defence				
Samaritan Defence				
Expressivist Defence	Rejection			
VIII: Reliability & Competence View				
Citizen-Ends Defence	Rejection		Rejection	Rejection
IX: Candidate-Characteristics View				
Citizen-Ends Defence	Rejection		Rejection	Rejection
X: Deliberation View				
Authentic-Choice Defence		Permission		
Considered-Judgements		Rejection	Unclear	

8. CONCLUSION

In addition to synthesising influential philosophical conceptions of democracy and to clarifying the structure of the electoral ethical literature this chapter has aimed to throw light on several points that are potentially important for future research on ethical dimensions of voting. Subject to the caveat that its analysis is provisional, the chapter suggests that salient connections exist between how democracy is generally conceived and the ethics of individual electoral participation. While it remains unclear whether particular conceptions of democracy directly entail any specific electoral-ethical positions, the chapter offers preliminary grounds to think that one's interpretation of the ideal of democracy affects and potentially restricts the argumentative moves one can deploy in argument about the ethics of voting. The chapter further suggests that minimalist, deliberative and counter-majoritarian democracy conceptions implicitly rule out rather many of the arguments that feature in the electoral-ethical literature. This might be taken to indicate that these conceptions of democracy are somehow inhospitable to the formulation of an ethics of electoral participation, but an arguably more plausible interpretation is that this reflects a research lacuna and that in the field of voting ethics insufficient attention has been paid so

far to the development of a voting ethics that can be reconciled with minimalist, deliberative, and counter-majoritarian democracy. A final implication of the chapter is that insofar as one strives to develop an electoral-ethical account compatible with minimalist, deliberative, or counter-majoritarian democracy, a particular challenge will lie in negotiating these conceptions' view of policy-making as articulated. This is because of these conceptions' view of politics as a multi-stranded process which preclude a number of the existing electoral-ethical arguments. Thus, a voting ethics compatible with these conceptions will need to treat voters as a distinctive element within an overall political structure and tailor any ethical prescriptions and permissions in a way that fits the voter's distinct role and place in democracy.

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Chapter 4

THE CIRCUMSTANCES OF DEMOCRACY IN EUROPE

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1. PURPOSE

The pandemic period is widely recognized as a turning point in the history of the European Union and of its member states. After the long and uneven effects of the 2008 financial crisis, the Union is now experiencing the worst public health crisis in its history with severe and immediate social, political and economic effects. **It is against this backdrop that it becomes increasingly urgent to identify the specific conditions facing European democracies individually and collectively.** The present chapter, therefore, aims to provide policymakers, politicians, activists, and the general public with a simple and informative review of the challenges to democracy in the EU. Such a comprehensive mapping will also help scholars to conceptualize the difficult choices facing European voters both in present and future national and supranational elections. Against this backdrop, textboxes will shed lights on case studies by summarising the findings of recently published articles and reports.

2. APPROACH

Research for this chapter was conducted between December 2020 and April 2021. The chapter draws upon a thorough review of academic articles, reports, policy briefs, books, and media articles, with a particular focus on outputs published between 2019 and 2021. This chapter reviews and groups together in a systematic way the disperse and fragmented social scientific evidence on those challenges that can have an impact on how individual and groups think of their electoral choices.

Secondary data was collected through online resources, including the *Eurobarometer*, OECD country profiles, studies by international organization and government agencies, the *European Social Survey*, reports from national bureaus of statistics, as well as annual reviews and datasets compiled by think tanks and international organizations, such as the Economist Intelligence Unit, Freedom House, and Transparency International. A special attention has been devoted to handbooks, books and articles dealing with the topic of EU crises.

Sustained dialogue with all project partners and a process of internal peer review have shaped the design of this chapter and have been instrumental in drafting a well-informed synthesis on such a broad topic like challenges to democracy in the EU. As a result of this collaborative endeavour, the present chapter compiles a great deal of literature in a simple and synthetic form that can be easily accessed by a wide audience.

We acknowledge that there are different democratic configurations — such as, direct democracy, deliberative democracy, council democracy — in contemporary societies. Since the REDEM project aimed at contributing to coordinating and support research into the ethics of voting in European democracies, this chapter, however, focuses only on representative democracy, which is the overarching normative order of democratic practices at the national and supranational levels.

3. INTRODUCTION

One of the latest European Social Surveys attests that democracy as an ideal is 'strongly supported' by the public in almost all European countries (ESS 2020). The same survey also documents that the majority of citizens believe that democracy in Europe satisfies at least the basic procedural requirements and that the democratic performance remains more important than economic performance in determining attitudes to democracy (ESS 2020).

These trends reflect the commitment to democratic values and principles as expressed by EU fundamental treaties. According to the *Treaty of the European Union*, **"The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail"** (TEU, art. 2). Article 10 of the same treaty also says that "the functioning of the Union shall be founded on representative democracy', that 'citizens are directly represented at Union level in the European Parliament", and that "every citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen'. Article 11 states that 'The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action", that "the institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society", and that "the European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent".

In reality, despite such an intense commitment to democratic principles and some fairly positive trends, several indicators and reports demonstrate that the situation is not rosy, both at the supranational level and within several member states.

The *Democracy Index*, compiled by the Economist Intelligence Unit (EIU), reports that democracy is "stagnating" in Europe. Among the causes of this stagnation, the *Democracy Index* survey lists a widening gap between political elites and citizens, a decline in media freedom and freedom of speech, and a decline in civil liberties (EIU 2020).

Regressions in terms of civil liberties are particularly worrying in some post-communist countries, such as Hungary and Poland (Freedom House 2020a). According to Freedom House, a growing number of politicians have attacked democratic institutions and undermined democratic mechanisms of checks and balances through repeated assaults on civil society groups, media, judicial independence, and parliamentary activities (Freedom House 2020a,b).

There is also a significant discrepancy between the perception of the EU as a normative order and the perception of its current functioning. While Europeans tend to have a positive view on the European Union, the *Eurobarometer* (2020) reports that only 43% of EU citizens trust the European Union as an institution. Specifically, the survey finds that trust in the EU was highest in Ireland (73% of citizens) and lowest in Italy (28%).

Albeit partial and with well-recognized biases and epistemological problems, these reports mirror the widespread pessimism about the state of democracy in the Union. Since at least the 2008 financial crisis, the number of publications on various types of democratic crises across EU member states has grown and received significant media attention (Riddervold et al. (eds.) 2021). According to a recent report (Foa et al. 2020), Europeans face a third peak in relative dissatisfaction with democracy. The first peak was during the so-called governability crises of the seventies, the second peak followed the recession in the nineties, and this last phase began with the 2009 eurozone crisis. In the last forty years, the EU, therefore, has experienced relatively regular cases of unrest, with ups, such as the end of the Cold War, and downs, but opinion polls seem to agree that "Europe's current malaise 'feels' worse than past episodes" (Foa et al. 2020). Whether and when Europe can exit such a long period of institutional dissatisfaction, as the *2020 Global Satisfaction with Democracy* report says (Foa et al. 2020: 23)

> **will depend in large part upon the capacity of governments 'to escape its underlying pressures – economic stagnation, regional inequality within and between countries, demographic anxieties, and imbalances of power between nation states in the post-Lisbon Treaty European Union.**

A growing divide within the continent exacerbates this malaise. In terms of satisfaction, we can identify a zone of despair (France and Southern Europe) and a zone of complacency (western Germany, the Netherlands, and Scandinavia) (Foa et al. 2020). Moreover, evidence shows that wages and regional inequalities contribute to increasingly high levels of dissatisfaction (Foa et al. 2020). In the last decade, a factor in the widening of the gap between Southern Europe and Northern Europe was the discontent with issues of economic sovereignty and the distribution of public resources. This combination of economic and political factors has opened the door for populist parties and a growing tide of Euroscepticism across the continent (Foa et al. 2020).

The divide is not only between countries, but it is increasingly prominent within the European society as a whole and within Member States societies taken individually. The findings from the *European Social Survey* show that the economic crisis has undermined social integration and people's trust in politics (ESS 2013). They also corroborate the widespread feeling that the institutional framework of countries (for instance, the nature of welfare states, the employment regulations) had significant effect on the quality of people's lives (ESS 2013).

A recent *European Social Survey* also documents the increasing polarization of European societies. Specifically, 'an increased proportion of European publics felt that no migrants should be allowed to come from poorer countries outside Europe, while at the same time there was an increase in the proportion who felt that many such migrants should be allowed entry' (ESS 2016: 12). The *European Social Survey* also attests that Europeans have become less positive about migrants from poorer countries outside Europe and have negative perceptions of the consequence of migration for crime, a country's cultural life and public services (ESS 2016).

Rodden (2019) claims that ideological preferences are geographically distributed and that such a distribution reflects the relocation of process of economic activity. There is indeed evidence from several EU countries about a widening divide between urban and rural areas (Rodriguez-Pose 2020). The intergenerational divide also contributes to nurture polarization across Europe. As several experts report (Schmitt et al. 2016), lower birth rates and an aging population are reshaping the age pyramid of European countries. This asymmetry has enormous consequences on democratic politics, given the facts that older voters are an ever-expanding share of the electorate and that they tend to have more conservative viewpoints (Ford and Jennings 2020).

The *Eurobarometer* (2019) finds that the majority of EU citizens believe that responsibility for combatting fake news or disinformation rest on the media and public authorities. It also reports that 72% of respondents "who identify themselves by logging in via social media accounts" say they want to know how their data are used when they access other websites using these accounts.

In a context where 30% of respondents, as reported by a *2019 Eurobarometer* survey, come across false information or information they believe misrepresents reality every day or almost every day, several studies also document a decline in internet freedom (Eurobarometer 2019). The COVID-19 pandemic has contributed to moving several human activities and political interactions online. This transition, however, presents significant challenges to European democracies, both from a politics-of-emergency viewpoint and from the perspective of electoral security, especially considering the fact that current self-regulatory mechanisms struggle when the public interest clashes with the self-interest of corporate giants. The rise of digital campaigning and instruments such as micro-targeting have already proved several democracies vulnerable to attacks and exacerbated differences between marginalized segments of the society and wealthy minorities (Cagé 2020).

Electoral security in the digital era requires adequate instruments to protect data security, control the spread of fake news, and regulate new forms of digital campaigning. Meanwhile, cybersecurity researchers have reported substantial flaws in public opinion polls and Internet voting platforms (Specter and Halderman 2020) to the point that voting by mail is generally understood as the best available alternative to in-person voting in a context where both universal franchise and the security of voters are to be protected.

It is against this backdrop that in the following we will identify the main challenges to democracy in Europe. A challenge can be a social phenomenon, an economic and/or political trend that can have a negative impact on the performance of democratic institutions, the relationship between citizens and democratic institutions, the relationship between citizens in European representative democracies. By reviewing recent empirical and theoretical

academic literature as well as datasets and reports, this chapter aims to be of use for a mixed audience of policymakers, politicians and activists who want to have a practical guide to understand how and to what extent new and old challenges can shape present and future electoral choices across Europe. More specifically, this document shall address:

1. The democratic deficit in the EU
2. Economic insecurity
3. The increasing polarization of European public spheres
4. The rural/urban divide
5. Democratic backsliding in the EU
6. The pervasiveness of money in democratic campaigning
7. Emergency politics and the COVID-19 pandemic
8. Electoral security and the COVID-19 pandemic
9. Aging and the generational divide.

To be sure, the list of phenomena shaping the future of European democracies individually and collectively can be very long and, perhaps, include migration, climate change, disinformation, declining trust in institutions, corruption, elite reproduction, surveillance, and populism. In selecting 9 challenges, we have abstracted from perceptions and misperceptions in everyday talks about politics and focused only on what can be understood as being in itself a challenge for democracy, regardless of the specific context of application. This approach rules out several perceived challenges to democracy. From our perspective, migration, and climate change, for instance, are not in themselves challenges to democracy. They become challenges to democracy because of other factors, such as misinformation, polarization, and widespread economic insecurity. Our ambition is to list 9 challenges that could impact (or have already impacted) negatively on all democracies in the world. In this way, this chapter can also be an instrument for scholars, politicians, students and experts who conduct research on other contexts.

In reviewing the literature on such challenges, the chapter will combine the national and supranational level. In so doing, it aims to highlights the broad picture as well as those trends that impact on member states' democracies asymmetrically. The order of presentation should not be understood as implying any order of priority. Some trends, such as the democratic deficit, economic insecurity, aging, the rural/urban divide, the pervasiveness of money in democratic campaigning, have affected European politics for a long while. Other challenges, such as electoral security, emergency politics, and polarization are results of relatively new factors, such as the rise and success of social media and online political communication, and the global COVID-19 pandemic. Their impact, however, on democratic politics, processes and trust towards liberal democratic institutions can be long-lasting.

4. THE DEMOCRATIC DEFICIT IN THE EU

The so-called democratic deficit is one of the most studied challenges to democracy at the supranational level. **By the expression 'democratic deficit', EU scholars meant to capture the limited influence of the addresses of the decisions of EU governing bodies on the**

contents of those decisions and, therefore, a supposed lack of democratic legitimacy of EU's institutions (Lodge 1994).

Despite a large public and scholarly perception of the democratic deficit of supranational institutions, scholars have also argued that technical expertise, the creation of product standards, and the correction of market failures will make the public accept the EU as legitimate (Majone 2000). In the same vein, Moravcsik argues that the "myriad of institutional constraints not only render arbitrary and capricious action almost impossible but assures that legislation outside Brussels is likely to represent an exceptionally broad consensus among different groups at many levels of governance" (Moravcsik, 2004: 349). In reality, today the EU, Scicluna and Auer write (2019: 1435), looks like a highly politicized regulatory state in which democratic politics are not genuinely trusted to the point that "there is a sense in which the euro and the integration project are too important to be left to the voters".

The most popular explanations of the democratic deficits refer to three phases: input, throughput, and output. Input-based arguments about the democratic deficit observe that the EU lacks institutional mechanisms to ensure communication between those subjected to policies and decision-makers (Bellamy 2013). Throughput-based arguments about the democratic deficit claim that EU's institutions lack inclusiveness in their high-level deliberative procedures (Schmidt 2010). Arguments about the lack of output legitimacy in the EU point at the idea that EU's policy outcomes tend to be biased against particular interests and shaped by ideological prejudices.

Even if they point at different legitimating mechanisms, these three perspectives should not be taken separately. When we consider the supranational level, deliberation and output efficiency can be seen as the primary legitimating mechanisms (Schmidt 2010), while principal-agent representation tends to be centered mainly at the national level (Hix and Høyland 2013). If we read input, throughput and output in continuity, it is possible to see that at the national level, polices can be perceived as alien impositions. Specifically, one of the main challenges to the legitimacy of supranational institutions is the fact that deliberative processes and output policies at the EU level can have a significant impact on participatory processes at the national level (Schmidt 2010: 710).

According to Stie, the crises affecting the EU over the last decades have ended up strengthening technocratic and executive bodies, demonstrating, therefore, the inability to address legitimacy problems of the Union. The EU "seems to be stuck in a pattern where genuinely political questions and challenges – such as how to deal with the eurozone and migration crises – (more or less) as a rule are met with technocratic processes and solutions" (Stie 2021). Moreover, austerity has had a severe impact on the social fabric and on the democratic politics of member states. In Greece, Katsanidou and Lefkofridi (2019) demonstrate that the asymmetry in the distribution of the negative consequences of austerity measures has opened a window of opportunities for institutional change, including changes in electoral rules.

A Europe of Creditors and Debtors

Debt relations have become entrenched in the EU institutional system and can shape the perception of state-to-state relations as well as attitudes towards supranational institutions. As Losada documents in a recent article (2020), three different orders of debt relations have contributed to transforming the Union from a *community of fate* to a *community of stability* and, eventually, to the current community of debt.

In the community of fate, financial assistance was essentially an act of solidarity. Once the European Monetary Union was agreed in Maastricht, sovereign debt, as perceived by market actors, started playing a key role. Then, since the sovereign debt crisis, direct debt relations between members states have become essential. Under this community of debt, debtors are identified through objective criteria and creditor states have gained increased leverage. Moreover, "what lies behind loans granted by the several vehicles and institutions created to that end is a clash of interests between the signatories of the Memorandum of Understanding" (Losada 2020: 798).

Reference:

Losada, F. (2020) A Europe of Creditors and Debtors: Three Orders of Debt Relations in European Integration. *Journal of Common Market Studies*, *58*(4), 787-802. https://doi.org/10.1111/jcms.12988

It is also important to notice that, within the context of monetary union policies, traditional fora for democratic participation, such as the European Parliament, have lost some of their powers (Crum and Merlo 2020). At the moment, it seems that the new architecture of the European monetary union "will be more intrusive yet more distant from European citizens as we witness a mismatch between the powers exercised by the new institutions and their legitimation" (Crum and Merlo 2020: 410).

The growing relevance of supranational issues into domestic public sphere has finally politicized the integration process and helped the EU to soften some of its technocratic angles. Some EU scholars attest that during the public health crisis, incremental changes in the direction of deeper integration have occurred (Schmidt 2020). For instance, the EU has undergone "a paradigmatic shift" on the EU-level debt through the Next Generation Fund (Schmidt 2020). The problem is that during the last decade, the politicization of the integration process has brought the rise and success of several Eurosceptic movements across the Union. One of the effects of these counter-stories is that they provide an imaginary to mobilize European citizens, support claims that sustain the replacement of internationalism with illiberal nationalist policies and remain sedimented as a repertoire of collective action (Kutter 2020). Against this backdrop, Norman rightly claims (2021: 14) that

> **the challenge from anti-system actors pushed discussions towards an almost exclusive focus on the limits of this emerging transnational party system, rather than towards the creation of effective mechanisms for political participation […] What the process seems to indicate is thus that the rise of anti-systemic political forces in Europe spurs reactions that may work to counter-act the democratic development of the EU.**

5. ECONOMIC INSECURITY

By using the expression "economic insecurity" we aim to capture several levels of vulnerability. Economic inequality has increased since 1980 (Piketty 2020). According to the World Economic Forum (2020), economic inequality has risen or remained at the same level in 20 advanced economies with a significant unequal distribution of wealth. Rich and poor are those in the top and bottom 5 per cent of the income distribution, respectively. In a typical rich country, we are told, the poorest 5 per cent of the population receive around 1 per cent of national income. While a fair and desirable economic outcome is that income in the bottom 40% of the population grows faster than the economy as a whole, the best available evidence attests that in the EU only in a few countries the income growth of the bottom 40% of the population exceeded the per capita income growth in the national economy (EC 2020). As the *2020 Annual Review of the Directorate-General for Employment, Social Affairs and Inclusion* attests (EC 2020), this was the case of Estonia, Latvia, Romania and Croatia. In most of the countries, however, income growth for the bottom 40% was below average. For instance, in Greece, between 2007 and 2017, the income of the top 10% declined much less than the economy as a whole.

In reality, the extent of poverty is very wide. This becomes obvious when we consider a longer time span. As a recent report attests (EC 2020), 24% of the working age population were below the poverty threshold at some point during a four-year time span (2014-2017), compared to around 16% if one calculates poverty over a single year.

On top of this, economic competition has reshaped the map of activities and the geographical distribution of opportunities and wealth (EC 2020). Income growth benefitted mostly high-income segments of the population (EC 2020). Moreover, in the past two decades, the EU middle class has witnessed increasingly high living costs across all EU countries and a reduction in their capacity to save money. Specifically, an OECD report (OECD 2018) documents that over the last twenty years, prices for housing, health and education have increased faster than the median income.

According to available evidence (EC 2020), the EU middle classes have also faced the COVID-19 outbreak in conditions of increasing vulnerability. There is in fact evidence that the middle-class may be fracturing (OECD 2018): **those who are part of the so-called bottom 40% are more likely to further slide down, while those who are on the top of today's middle-class are unlikely to fall into low income and poverty.** Over the past two decades, a further divide among the middle classes appeared in several European countries (OECD 2018). Specifically, crucial expenses, such as health and housing, increased before the pandemic and became even more difficult to sustain under lockdown. Four in ten middle-class households are financially vulnerable, struggle to make ends meet and are unable to cope with unexpected expenses or sudden falls in income (EC 2020). According to the OECD (2018), one-in-seven of all European middle-class households fall into low income and poverty over a four-year period.

In the last decade, progress has been made in the fight against gender inequality. Nevertheless, as the *European Commission's Gender Equality Strategy 2020-2025* documents, women in the EU earn around 16% less than men per hour, women's pensions are 30.1% lower than men's pensions, only 67% of women in the EU are employed compared to 78% of men, and women are responsible for 75% of unpaid care and domestic work (EC

2020). That same document also reports that only 7.7% of CEO (and 7.5% of board chairs) are women, that only 39% of Members of the European Parliament are women (EC 2020). For instance, for a long time, Italy was one of the countries in Europe with the lowest representation of women in the national parliament. From the 2006 elections onwards, we can observe an increasing trend in the number of women representatives, with 206 women MPs (30.11%) elected in 2013. Despite this increase, Belluati et al. (2020) report that the barriers that women face are still significant: a) participation relates to degrees of media consumption as well as economic and educational levels; b) female political leadership remains exceptional; c) many of the gender representation policies present loopholes; d) parties formally comply with gender representation laws while informally violating their spirit.

COVID-19 crisis and existing gender divides in Europe

An increasingly large number of studies document that the COVID-19 pandemic is opening a Pandora box of existing gender divides in European societies. This is a frequent occurrence at the outbreak of pandemics in gender-unequal societies (Wenham et al. 2020). The several task forces and COVID-19 decision-making bodies are not gender-balanced between women and men (Blaskó et al. 2020). The EU parliament reports that during lockdowns cases of domestic violence increased by a third in some member states (Blaskó et al. 2020). Blaskó and colleagues (2020) show that women, as they take up the largest share of additional caring duties, are bearing the burden of a great mental and physical workload during the pandemic. Moehring and colleagues (2020) find that especially in the first wave of the pandemic, because of their higher representation in the low-income sector, women also had a higher probability of job-loss and unpaid furlough than men. Fana et al. (2020) reports that in Italy, Spain, Greece and Poland a significantly higher prevalence of women in the closed sector is not counterbalanced by in significant representation in teleworking sectors.

References:

Fana, M. et al. (2020). *The COVID confinement measures and EU labour markets*, EUR 30190 EN. Luxembourg: Publications Office of the European Union.

Wenham C. et al. (2020) Covid-19: the gendered impacts of the outbreak. *The Lancet, 395*(10227), 846-48. https://doi.org/10.1016/S0140-6736(20)30526-2

Moehring K. et al. (2020) Is the Recession a 'Shecession'? Gender Inequality in the Employment Effects of the COVID-19 Pandemic in Germany. Unpublished manuscript.

Blaskó, Z. et al. (2020) *How Will the COVID-19 Crisis Affect Existing Gender Divides in Europe?* EUR 30181. Luxembourg: Publications Office of the European Union.

Despite some positive trends, Europe remains a male-breadwinner society where a gendered division of tasks, household and care work are dominant norms in Eastern Europe and Southern Europe (Eurobarometer 2017). Even if in most European countries inequality between men and women in educational attainment in relation to class of origins has declined over the last decades (Breen et al. 2010), women's class mobility continues to be hindered by hierarchical barriers (Bukodi and Paskov 2020). Moreover, women tend to be over-represented in lower quality clerical, service and manual occupations (Levanon and Grusky 2016), in part-time employment (Hipp et al., 2015), and in intermittent careers (Dex and Bukodi, 2012). Gender inequality and the modern gender gap reverberates in political attitudes. For a long time, the idea has been that women in advanced capitalist economies

tend to be more supportive of an encompassing role of the state and in the redistribution of resources (Inglehart and Norris 2003). Recent evidence shows that in Europe, women tend to be more supportive of a large and encompassing welfare state when there is a more equal distribution of unpaid work and domestic care (Goossen 2020).

The perceived increase in inequality has been an important driver of political instability in several European democracies (Colantone and Stanig 2018; Guiso et al. 2018). The share of population that judges income differences in their country as too large has steadily increased over the past decade (OECD 2018). According to the OECD (2018), the level of perceived wage inequality, measured as a wage ratio between a top and a bottom worker, has increased in almost all EU countries. People's perception of how fair their societies depend on distributive concerns. In the EU, the dissatisfaction with income inequality correlates well with the measured income inequality at the national and even regional level (OECD 2018). The European Commission reports that a persistent imbalance in income distribution has eroded social mobility both at the intra-generational and inter-generational level (EC 2020). In the same vein, a rich body of literature (e.g., Filauro and Parolin 2019) has scrutinized regional disparities at the supranational and national level. For instance, Rosés and Wolf (2018) find that regional inequality, together with personal income inequality, started increasing again around 1980.

Inequality and Political Trust in Europe

A recent analysis shows that the relation between an individual's socioeconomic status and her level of political trust is dependent on the level of inequality. Moreover, when inequality is pervasive, all citizens become more skeptical about their political institutions. On the basis the European Social Survey (2002-2016) data, Goubin and Hooghe (2020) find that in societies that are able to guarantee a high level of socioeconomic equality, expectations also seem to be quite high. For societies that are affected by high levels of exclusion and inequality, expectations seem to be low from the start.

Reference:

Goubin, S. and Hooghe, M. (2020) The Effect of Inequality on the Relation Between Socioeconomic Stratification and Political Trust in Europe. *Social Justice* Research, *33*, 219-247. https://doi.org/10.1007/s11211-020-00350-z

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Against this backdrop, there is an ever-increasing evidence that economic insecurity has impacted the political choices of European citizens. Several studies demonstrate that voter turnout tends to be lower in unequal countries (Schäfer and Schwander 2019) and that democracies are becoming less responsive to the demands of the less affluent (Schäfer and Schwander 2019). As Schäfer and Schwander write (2020), "the perception of not being represented and of subjective political impotence, both sentiments in- creasing with growing economic inequality, can make abstention to appear a rational choice".

Political scientists also find that economic insecurity can lead to support populist parties. Funke et al. (2016) find that the vote for populist parties peaked in elections after systemic financial crises, such as those held in 2014. In periods of economic shocks, which can worsen stagnating incomes, household debts, and unemployment, Norris and Inglehart (2019) argue that voters will opt for populist movements and leaders who advocate an anti-establishment agenda and claim to punish elites. Lucassen and Lubbers (2012) argue that in several

European countries, shifts towards left-wing populism connect with perceived economic threats. In elections after the Great Recession, as Algan et at. (2017) demonstrate, regions where unemployment rose also display a sharp decline in trust towards democratic institutions.

Rodrick (2018) brings the origin of today's populism back to the globalization shock. Yet, Guiso et al. (2020) object that globalization shocks alone cannot account for the cross-country evidence of populist outbreak in Europe. Economic insecurity, they argue, is an important motive behind the demand for populist policies and parties. Specifically, Morelli (2020) finds a causal effect between economic insecurity and people's degree of trust in politics. Guiso et al. (2020) demonstrate that economic insecurity impacted on the propensity to vote for populist parties and on lower turnout rates. In general, as Rodrick succinctly puts it (2020: 7), given the wealth of available evidence, it seems plausible to say that

> **economic shocks can heighten feelings of insecurity, inducing voters to make sharper distinctions between insiders ("us") and ethnic, religious, or racial outsiders ("them"). They can lead voters to yearn for an earlier era of prosperity and stability, increasing the political salience of traditional cultural values and hierarchies. And to the extent that they generate wider economic and social gaps within a nation, economic shocks may reinforce more local, less encompassing identities.**

6. THE INCREASING POLARIZATION OF EUROPEAN PUBLIC SPHERES

Polarization is vastly recognized as one of the most worrying challenges to liberal democracies (SGI 2020). Polarization, as Somer et al. write, is "both a process of simplifying politics, and a condition in which an equilibrium of severe political polarization is eventually reached where neither side has the incentive to move to a depolarizing strategy" (Somer et al. 2021: 3). Polarization is both an aggregate-level phenomenon – a political system has a certain level of us-vs-them feelings – and an individual-level phenomenon - each individual has a certain level of in-and-out group feeling (Reiljan 2020).

It is possible that at certain historical junctures, a polarized political environment can contribute to disrupting undemocratic elements and promoting progress towards greater social justice (McCoy and Somer 2021). However, in contemporary Europe, there is an increasingly large consensus that polarization results from conflicts between groups with a significant divergence on key policy issues, such as migration, the role of supranational institutions, and the role of knowledge in democratic decision-making. By examining the level of trust between partisans, Westwood et al. (2018) find high levels of polarization in the UK, Belgium and Spain. On the basis of social divide, Helbing and Jungkunz (2019) also find high levels of polarization in Germany and Austria. Silva (2018) finds that in the Netherlands, the rise of Pim Fortuyn and Geert Wilders have contributed to the rise of the level of polarization among the Dutch public. Reiljan and Ryan (2021) find that in Sweden, voters with stronger partisan identities have exhibited higher levels of polarization. They also discover that the hostility towards Sweden's Democrats is linked predominantly to cultural issues, such as migration, and that in the Swedish context, populist right voters, who trust central institutions more, are less polarized towards mainstream blocs.

Prominent political economists (Acemoglu et al. 2013; Algan et al. 2017; Rodrik 2018) report that the general public is increasingly dissatisfied with the way traditional parties represent and advocate their interests against the policy preferences of the more educated and informed voters. This reverberates a divide between the so-called winners, better educated and trained citizens who can thrive in a globalized world, and losers, unskilled or low skilled workers who have suffered from the decline of twentieth century economic order as a result of globalization (Kriesi et al. 2006).

The share of university graduates has steadily increased in all Western European democracies. According to the *2016 European Social Survey*, graduates make up an average of 32% of the overall population across Western European states, with a significant concentration among the under 30s (ESS 2016). The expansion of higher education has already influenced the composition and distribution of the electorate and contributed to the creation of new cleavages (Ford and Jennings 2020). In recent years, several studies document that a greater share of graduates tend to have more positive views toward minorities (Storm et al. 2017), multiculturalism (Hooghe and Vroome 2015), open borders (Hainmueller and Hopkins 2014), supranational governance in the European Union (Goldberg et al. 2020), and substantial environmental policies (Grant and Tilley 2019).

Meanwhile, the media landscape has become more polarized, with a growing supply of ideological news (Arceneaux and Johnson 2013). For instance, Van Aelst et al. (2017) document that some news media systematically treat science as just one opinion among others, contributing therefore to science polarization along partisan lines.

We know that citizens tend to be more polarized than parties (Goldberg et al. 2020). More specifically, Goldberg and colleagues (2020) find this pattern of attitudes toward European integration and towards more specific policies, such as common EU asylum policies and EU budget authority. A possible explanation of this trend lies in the fact that there is a higher EU politicization of knowledge among citizens (Goldberg et al. 2020). Citizens' polarization has had an impact on the quality of democratic conflicts between incumbent and oppositional political groups, with certain political actors systematically adopting polarization as a strategy to attract consensus (McCoy and Somer 2021), and on the policy agenda of populist and non-populist parties. Di Mauro and Mumoli (2020) show that there is evidence of significant public-elite convergence. With a large percentage of the public opposing immigration from non-EU countries, political elites tend to prefer national decision-making when it comes to migration quotas (Di Mauro and Mumoli 2020). Braun and Grande (2021) find that even if politicization tends to be high in national elections, there have been consistently higher levels of politicization in European Elections.

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Munoz et al. (2021) find that relative polarization contributes to higher turnouts when one of the parties is close to a voter's ideal policy and the other party is ideologically far away. They also show that the effects of polarization depend on the distribution of voters and on the electoral setting (Munoz et al. 2021). Specifically, they say that "polarization of the extremes is possibly less useful for understanding voter turnout in elections with more than two parties" (Munoz et al. 2021: 8). This suggests that meaningful opposition may draw voters to the polls and that the decline in voter turnout across European democracies is linked with a widespread adoption of centrist policies by mainstream parties. In the same vein, Wagner (2021) finds that affective polarization has a stronger association with measures for citizen engagement with democracy than with perceptions of party system polarization. Therefore, polarization also relates to lower levels of satisfaction with democracy (Wagner 2021).

According to Somer et al. (2021), politics picks up on the dynamics of increased polarization and, for instance, political leaders use polarizing narratives to discredit both opponents and internal rivals (McCoy and Somer 2021). The risk is that such an interaction can lead to an equilibrium in which "actors become locked in the behaviors that reproduce pernicious polarization unless and until either an exogenous shock alters this condition" (McCoy and Somer 2021: 10).

7. THE RURAL/URBAN DIVIDE

It is well-documented (Rodriguez-Pose 2020; Kenny and Luca 2020) that inside and outside Europe, urban areas agglomerate more economic opportunities while rural areas and smaller cities face economic stagnation and decline. The increased productivity associated with high skills and higher educational levels may have exacerbated geographical self-selection into larger and advanced urban areas (Baum-Snow et al. 2018). While territorial polarization has widened, intra-country inequalities have also risen, especially between those places that have been caught in the so-called 'development traps' (Iammarino et al. 2019). **In Europe, development traps have many faces: territories that recently reached the levels of more developed regions but stalled at middle income levels; territories that are neither rich nor poor; territories that have witnessed a negative growth in recent decades** (Rodriguez-Pose 2020).

The agglomeration of opportunities in big cities and declining prospects in rural areas and small towns have also contributed to a growing divergence in values: urban dwellers tend to shift towards more progressive social values and citizens of declining peripheral areas tend to adopt a more protective frame of mind (Rodriguez-Pose 2018). It is against this backdrop that recent research has placed an emphasis on the so-called geography of resentment (Rodriguez Pose et al. 2018). According to this literature, local economic conditions inform voting patterns by voters living in places with certain territorial characteristics (Kenny and Luca 2020).

As several studies document (Kenny and Luca 2020; Lipset and Rokkan 1967; Rodden 2019), the urban-rural divide is not a new phenomenon. Yet, in recent years, there has been a growing emphasis on the influence of places on people. Overlapping territorial and attitudinal cleavages shed light on an expanding fracture in European societies (Foa et al. 2020). The 2019 Eurostat Statistical Yearbook (EC 2019) attests that there is a significant digital skill divide between rural and urban areas. It also documents those urban areas report population growth, that urban dwellers tend to perceive their health as good or very good, and that self-employed persons in rural areas are not satisfied with their job. Because of these processes, citizens are increasingly clustered into geographic areas, with political preferences being reinforced based on geographical distribution, while a reawakening of center-periphery conflicts has the potential to restructure European party competition.

Recent events, such as the UK 2016 Brexit vote and the 2018 Gilets Jaunes protests have drawn attention to the political relevance of the urban-rural divide. It is against this backdrop that a burgeoning literature is including spatial dynamics in the study of contemporary challenges to democracy (Dijkstra et al. 2020). As a result of this new line of research, there is an expanding amount of evidence on the extent to which there is a divide between the political outlook of urban and rural areas at the supranational level (Kenny and Luca 2020) and within European countries, such as the UK (Garretsen et al. 2018) and Italy (Rossi 2018). Scholars also report an increasingly spatially divided electoral geography in France. In France, there is a sharp divide between large urban centers, medium and small cities, and rural areas. In such areas, the working class and long-time immigrants are increasingly disaffected with the political system (Bacqué et al. 2016; Cusin et al. 2016). We find the same kind of polarization in the 2016 Austrian presidential election. In their analysis of the Brexit vote, Carreras et al. (2019) demonstrate that voters who live in economically depressed areas are more likely to develop Eurosceptic attitudes.

Urban-Rural Divide in Anti-EU Vote

Between 2013 and 2018, around 27% of voters in EU national elections voted for parties strongly opposed, opposed or moderately opposed to European integration. In a recent report, de Dominicis et al. (2020) find that (a) rural areas tend to vote more for anti-EU parties, even after taking into consideration economic, socio-demographic and local factors; (b) economic decline leads to more anti-EU voting in rural areas compared to towns, suburbs, and cities; (c) in rural areas, people aged between 40 and 64 are linked to higher rates of anti-EU votes.

Reference:

De Dominicis, L. et al. (2020) The Urban-Rural Divide in Anti EU-Divide. *Social, demographic and economic factors affecting the vote for parties opposed to European integration*. Brussels: Directorate-General for Regional and Urban Policy.

According to Rodden (2019), the geographical distribution of ideological preferences reflects historical processes of economic activity and residential choices. Voters in a territory where prosperity has been undermined by a relocation of opportunities may choose to pick candidates that defend protectionism (Rodrick 2020). Dijkstra et al. (2020) also demonstrate that small towns and rural areas tend to be more Eurosceptic than big cities. Luca and Kenny (2020) observe that in cities, and in towns and suburbs, people tend to vote less for anti-EU parties than in rural areas. More specifically, De Dominicis et al. write (2020: 6): **"the median vote for parties opposed and strongly opposed to the EU decreases with the degree of urbanization in electoral districts. The median vote for Eurosceptic parties is 23.4% in rural areas; it declines to 20.5% in tows and suburbs, and further decreases to 15% in cities"**. Rodriguez-Pose (2020: 1) connects the origins of electoral behaviors with the decline of places that have seen better times. In contexts such as cities, towns and regions that have suffered long-term economic and industrial decline, voters "have resorted to the ballot box to express their discontent, resentment, and anger with a system they perceive as offering them no future".

8. DEMOCRATIC BACKSLIDING IN THE EU

Central and Eastern Europe is seeing emerging democracy and rule of law crises with consequences for democratic politics at the European level. For quite a long time, enlargement processes were a flagship EU policy (Sedelmeier 2014). Despite the EU's ambitious and explicit commitment to the promotion of democratic values, noncompliance with very core democratic principles is shaking European politics to its very core (Closa and Kochenov 2016) and, in recent years, the EU has shown itself to be a hospitable environment for the emergence of increasingly autocratic governments (Wolkenstein 2020 2021).

The term 'democratic backsliding' denotes "the state-led debilitation or elimination of any of the political institutions that sustain an existing democracy" (Bermeo 2016). **In so doing, elected executives progressively undermine checks on their power and undertake a series of institutional changes that weaken the power of the opposition** (Bermeo 2016). Backsliding has advanced in Hungary and in Poland to the point that they are now considered paradigmatic cases of democratic backsliding (Grzymala-Busse 2019).

When illiberal actors reach power positions, they engineer constitutional changes to defuse courts and constitutional institutions (Castillo-Ortiz 2019). According to Levitsky and Way (2010), the Orbán regime has replaced democracy with a hybrid regime that maintains the formal democratic institutions but fails to meet the minimal standards of democracy. The Orbán regime strengthened its control over most of the media and the judiciary, erased existing checks on executive power and systematically attacked civil society groups. As of 2019, Hungary was the first EU member state ever to be downgraded by Freedom House to the status of only "partly free" (Freedom House 2019: 13). Since 2010, Fidesz, Prime Minister Viktor Orbán's party, has taken advantage of its parliamentary supermajority to seize control over the media, the academia, courts, and the opposition.

Other key features of Fidesz's entrenchment in power are the transformation of an independent business sector into a partisan agglomeration and a wholesale redefinition of the informal norms of democratic inclusion (Kelemen 2020). Specifically, as Grzymala-Busse (2019: 712) writes, "Orbán has relied on rhetorical appeals to a Christian God, homeland, and family as the bases for his legitimation. His stated goal has been to defend the Christian, conservative, and ethnically homogenous Hungarian nation, which has been facing a demographic decline". Meanwhile, the norms of accountability have also vanished (Grymala-Busse 2019).

Since his Law and Justice Party won the majority of the seats in the 2015 elections in Poland, Jarosław Kaczynski has embarked on a similar journey, which, however, clashed with the constitutional court. While Kaczynski lacked extraordinary constitution-altering powers, he faced more aggressive institutions at the supranational level and a stronger media and civil society landscape (Bakke and Sitter 2020: 12), Fidesz' ability to change the regime "was contingent on a 'perfect storm' that combined a parliamentary super-majority with a weak constitution, a supportive president, a fragmented opposition, an overcautious European Commission, and a protective EU-level political party".

The literature on democratic backsliding has focused on political leadership (Greskovits 2015), political competition (Vegetti 2019) and the role of the EU (Wolkenstein 2020 2021). Bozóki and Hegedus (2018) show that the EU has legitimized and financially supported backsliding in Hungary. According to Kelemen (2020), three factors support the EU's authoritarian equilibrium: partial politicization, money and emigration. Partial politicization contributes to create a perverse incentive and to discourage intervention against backsliding regimes. Specifically, the EU has been sufficiently politicized that there now are strong incentives for EU-level political parties to protect national parties that deliver them votes, but it has not been sufficiently politicized to bear meaningful reputational costs for supporting autocrats. EU funding also helps support the rise of authoritarian regimes. Backsliders, Kelemen writes (Kelemen 2020), can use their power to control those same supranational funding resources that help sustain their regimes. Emigration may also contribute to the stabilization of autocratic regimes in the EU. The free movement of people facilitates the emigration by frustrated and more progressive citizens, who, in so doing, drain the resources of domestic opposition (Kelemen 2020). Moreover, remittances to family members may end up sustaining the domestic economy and, in this way, indirectly support the regime (Kelemen 2020).

Inequality and Political Trust in Europe

A recent analysis shows that the relation between an individual's socioeconomic status and her level of political trust is dependent on the level of inequality. Moreover, when inequality is pervasive, all citizens become more skeptical about their political institutions. On the basis the European Social Survey (2002-2016) data, Goubin and Hooghe (2020) find that in societies that are able to guarantee a high level of socioeconomic equality, expectations also seem to be quite high. For societies that are affected by high levels of exclusion and inequality, expectations seem to be low from the start.

Reference:

Goubin, S. and Hooghe, M. (2020) The Effect of Inequality on the Relation Between Socioeconomic Stratification and Political Trust in Europe. *Social Justice* Research, *33*, 219-247. https://doi.org/10.1007/s11211-020-00350-z

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Illiberal tendencies and the very presence of defective democratic regimes weaken the integrity of the European normative consensus (Raube and Costa Reis 2020). Specifically, difficulties in addressing the current democracy and rule of law crisis may lead to questioning the EU as a normative order and its ability to have a direct effect on the law making of Member States (Raube and Costa Reis 2020).

Moreover, democratic backsliding may have an effect on the quality and quantity of political participation. Scholars are pointing to the deterioration of deliberation and to patterns of citizen disengagement (Gora and de Wilde 2020). There is a growing dissatisfaction with the political system leading to a retreat from meaningful political participation. Van der Brug et al. (2021) find that while the liberal attitudes are more widely supported than the illiberal ones, support is much lower than previous research would suggest. For instance, around 40% of the European citizens disagree with the statement that it would be good to have "a strong leader in office, even if s/he bends the rules to get things done". Citizens' attitudes are not clearly structured, and therefore, as scholars have recently documented (Van der Brug et al. 2021: 22), while many people support some principles of liberal democracy, the very same people may oppose some of its other principles. Worryingly, this may suggest that support for liberal democratic institutions and norms may be highly malleable and context-dependent.

9. THE PERVASIVENESS OF MONEY IN DEMOCRATIC CAMPAIGNING

Money has always been a necessary element of democratic politics, but the development of new technologies as well as the globalization and the COVID-19 pandemic have contributed to changes in the funding of elections campaigns across the world. Even if it is often perceived as the instrument for powerful groups to control government policymaking, money can enable representation of different interests, political participation and campaigning (Power 2020). Effective regulation of political finance is therefore key to strengthening the accountability of all democracies across Europe.

The regulation of political finance in Europe has recently attracted scholarly attention (Norris et al. 2015; Nwokora 2014). For years, the "cartel party" model has been the standard perspective in the field of political parties and electoral campaigns (Katz and Mair 1994). According to this model, political parties have become increasingly dependent on state

support and subsidies. This has led to a detachment from civil society. In these years, most of European parties are state-dependent (Orr 2018). Not only have systems of public funding been introduced in virtually all European countries, but, as Piccio and van Biezen write, "the availability of state support for parties is considered the norm as well as a basic tenet for democratic competition and political pluralism, to the extent that movements away from it are highly unlikely" (Piccio and van Biezen 2015: 213–214). In Great Britain, a country where state subventions for political parties remain relatively low, state subvention is seen as a less corrupt form of party finance (Toynbee 2015).

Yet, "in many places," as the United Nations Deputy Secretary-General, Amina Hane Mohammed points out, "the ability of private interests to influence elections is unfettered and the capture of the state by elites is warping the functions of state institutions". In her The Price of Democracy: How Money Shapes Politics and What to Do about It, Julia Cagé (2020) investigates the impact of private money on democratic competition.

Cagé lists three categories of citizens: ordinary citizens, activist citizens and plutocrats (Cagé 2020: 9-13). Ordinary citizens participate in democratic politics mainly during elections. Activist citizens are members of political organizations. Plutocrats have money to speak and be heard. Cagé recognizes the risk of an oligarchic drift in contemporary democratic politics (Cagé 2020: 49-51). Considering the system of tax reliefs on political donations and the fact that the return in tax reliefs progressively rewards the richer cohorts of society, the system prizes the preferences of wealthy donors. On top of this, in some cases, deregulation of party financing, she argues, has transformed political parties into 'captured parties' where the principal sources of finance are the mega rich.

The rise in digital campaigning (the use of digital media in elections, social media, mobile services, data tools, political campaigning software) also impacts on the problems of political finance. **While it is possible for digital campaigning to broaden and deepen political participation, deliberation, and accountability** (IDEA 2020), **it is increasingly clear that a deregulated system can cause disinformation, increase the influence of the substantial monopoly of big-tech companies, make room for digital micro-targeting, and heighten the risk of political corruption**. Unrestrained digital campaigns can increase the cost of elections campaigns, and, in this way, increasingly expose candidates to business influence (IDEA 2020). Moreover, as the Cambridge Analytica scandal demonstrated, new digital techniques present a new challenge to democratic regimes, as they impact on people's voting behaviour and the pace of political campaigns.

Digital campaigning and microtargeting require adequate expertise, awareness and the presence of real enforcement competences. It is against this backdrop that the Netherlands is drafting a national legislation on transparency for online political campaigns, which includes rules that must guarantee and increase the verifiability of online campaigns, prevent deception and provide clarity about who has paid for an ad (Netherlands House of Representatives 2020). In the same vein, the European Commission is currently preparing a Digital Services Act Package and an European Democracy Action Plan targeting online political advertising among other things.

Deepfakes and political microtargeting in the Netherlands.

While deepfakes (manipulated videos that can make it seem as if a person says or does something, while, in reality, they have never said or done anything of the sorts) are generally perceived as a very disturbing form of disinformation, studies on political microtargeting and the spread of deepfakes in Europe are still nascent. In a recent experiment, Dobber et al. (2020) find that microtargeting techniques can amplify the effects of deepfakes by enabling malevolent political actors to tailor deepfakes to vulnerabilities of the receiver. In the same study, Dobber et al. (2020) also finds that in the Netherlands very religious Christian CDA voters, as opposed to less religious people who may feel Christianity as less a central element in their lives, are the most susceptible parties to amplification. **The results of this study are not necessarily generalizable and do not entail that voters with other ideological or religious affiliations are less susceptible to amplification. Much more work needs to be done to justify generalizations beyond the Dutch context and to produce thorough comparative evaluations.**

Reference:

Dobber T, et al. (2021). Do (Microtargeted) Deepfakes Have Real Effects on Political Attitudes? *The International Journal of Press/Politics, 26*(1), 69-91.

https://doi.org/10.1177/1940161220944364

The growth of campaign spending in European countries has worsened pre-existing problems for those groups with little or no access to political funding. The COVID-19 pandemic has further exacerbated this divide by limiting gatherings and fundraising events. The political representation of women, ethnic minorities, marginalized groups, and LGBTQ groups remains low across European countries. According to a recent report, these groups experience a lack of access to sufficient political funding (IDEA 2019). For instance, low income, a lack of financial resources and costs associated with disabilities (speech-to-text services, the cost of sign language interpretation) are major barriers for disabled people to run for office (OSCE 2019).

Several international organisations (the Council of Europe's Group of States against Corruption, the OSCE Office for Democratic Institutions and Human Rights, the OECD, Transparency International, and IDEA) conduct periodic assessments of political finance systems. As one of the latest reports in the field documents, inadequately controlled political finance is one of the "most widely exploited entry points for narrow private interests to exert undue influence over politics and political decisions" (IDEA 2019). Moreover, according to the 2021 *EU Serious and Organized Crime Threat Assessment – SOCTA* (EUROPOL 2021), the use of corruption and abuse of legal business structures are key features of most criminal activities in the EU. As SOCTA documents, corruption can take place at all levels of society, with almost all criminal groups targeting public servants.

Transparency International's Corruption Perception Index can help map the perception of corruption across Europe. According to the latest Transparency International Report (2020a), in 14 EU member states over 50% of citizens rate their government badly at fighting corruption risk in the public sector. Even though there are no EU countries being classified as "highly corrupt", as of 2020, Bulgaria, Hungary, and Romania were at the bottom of the EU table (Transparency International Report 2020b). Eurobarometer has also been monitoring the perception of public sector corruption in EU member states. In a context

where the EU average stands at 68%, 86% of citizens in Hungary and 80% in Romania think that corruption is widespread in their country (Eurobarometer 2017). According to the same survey, 56% of respondents believe the "giving and taking of bribes and the abuse of power for private gain was widespread" among political parties, and 53% of respondents believe the same of politicians at the national, regional or local level (Eurobarometer 2017). Yet, it is very important to keep in mind that this index measures how citizens perceive levels of public sector corruption in their countries. The resulting classification does not necessarily reflect the reality, and it is vulnerable to bias and prejudices. According to available indicators, the problem of public sector corruption and its detrimental effects on democratic politics is particularly evident in post-communist member states in Central and Eastern Europe. In Hungary, Romania and Slovenia, a recent research report claims that the issue of corruption seems to be so entwined with all dimensions of politics that citizens also tend to perceive EU cohesion policy through the filters of their national governments, and, therefore, as corrupted (Batory 2020). In Central and Eastern Europe, as Haughton writes (2014: 84), "the most potent impact of the EU on party politics tends to be in disputes, allegations and accusations surrounding the management and disbursement of European funds". According to Batory (2020), ordinary citizens' narratives on how EU money was spent and the association between EU money, corruption and waste undermines the EU's credibility and legitimacy more broadly.

10. EMERGENCY POLITICS AND THE COVID-19 PANDEMIC

The outbreak of COVID-19 has caused a global health crisis that has revealed systemic weaknesses of European societies. Democracy, among other normative orders, has been under stress with all EU Member States facing the difficult task of balancing between fundamental principles and public health concerns. The Covid-19 pandemic, as Afsoun Afsahi et al. vividly write (Afsahi et al. 2020: v), **"has posed an unprecedent challenge for contemporary democracies around the globe. It has led to the closure and transformation of parliaments and enabled governments to rule by decree. It has curtailed citizens' fundamental democratic rights to assemble and protest. It has generated an unparalleled multinational policy debate and stimulated myriad digital innovations in democratic practice"**.

The most common response to the pandemic has been the implementation of social containment measures. It is widely accepted that while such measures are a good tool to contain the diffusion of the virus, they had a severe impact on fundamental liberties and economic activities (Fana et al. 2020).

Most of EU Member States (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden) introduced emergency measures with explicit time limits to contain the spread of the virus. Croatia and Hungary did not introduce a time limit for a state or emergency (Venice Commission 2020).

Available evidence already shows that the COVID-19 crisis has worsened the social and economic situation of the most vulnerable segments of our societies (Fana et al. 2020). Short-term impacts, such as income loss, new expenses related to health, service disruption,

and inadequate housing, may also translate into long-term consequences, such as a significant reduction in saving capacity, and severe consequences for children education activities.

Regardless of its specific and contextual legal forms, a declaration of a state of emergency in EU Member States entails a significant shift in the distribution of powers. An October 2020 Interim Report by the Venice Commission attests that several European parliaments (Austria, Croatia, Denmark, Estonia, France, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Romania, Slovenia, Slovakia, Sweden) have been able to continue working as usual. Yet, some parliaments (Bulgaria, Greece) have focused only on the review of Covid-19 related activities. In many countries, such as Italy, decree laws were systematically passed by the government without the participation of parliament. Other parliaments (Cyprus, Czech Republic) have suspended their activities and handed over nearly all their powers to governments.

The potentially negative effects of emergency politics on democratic institutions have received a great deal of attention before and during the COVID-19 pandemic (Honig 2009; White 2019). Holding elections in such extreme conditions may have an impact on several key democratic dimensions, such as the freedom of voters to form an opinion, the respect of human rights during campaigns, voting security, and the democratic universal franchise. Even if several constitutions (Poland, Lithuania, Slovenia, Spain, and Hungary) justify the option to postpone elections in emergency conditions, not holding elections, as the Venice Commission writes, may also be very problematic from the perspective of the right to periodic elections, and from a point of view of legitimacy (Venice Commission 2020).

The principle of stability of electoral law requires that changes to the rules of the game are made well in advance of elections. Nevertheless, **late changes of electoral legislation, according to the Venice Commission, can be justified in an emergency situation "if they are necessary to the holding of elections in conformity with international standards".** Yet, postponements of elections can lead to escalating polemics, or, as Landman and Di Gennaro Splendore report (2020), they can cause power vacuum or abuses of power.

The pandemic has had an effect on voting operations. For instance, the Polish Government proposed to turn to all-postal voting for the presidential elections, which eventually did not take place (Venice Commission 2020). After forty-five years, France tried to re-authorize postal voting. Several EU parliaments have also introduced new procedures, such as the use of digital meetings, the telematic registration and the consolidation of telematic channels of citizen's participation that could become permanent.

According to Rapeli and Saiknonen, who draw upon existing scholarship and preliminary analyses of the democratic impact of the ongoing health crisis, COVID-19 seems to entail a "significant but short-lived popularity bumps for current leaders", "small and positive yet fleeting effects on attitudes such as political trust", and "zero impact on party identification or other factors, which might cause permanent political realignments" (Rapeli and Saikkonen 2020: 29).

Elections During Natural Disasters, COVID-19, and Emergency Situations

The COVID-19 pandemic has reminded scholars and policymakers that there are occasions, such as epidemics and natural disasters, in which holding elections may introduce greater threats to human security and, therefore, postponing elections may be legitimate. In a recent article, James and Alihodzic claim that the postponement may break institutional certainty and lead to partisan squabbling as well as to democratic breakdown (2020: 358). A normative case-by-case evaluation should be based on five dimensions of electoral integrity: (a) opportunities for deliberation, (b) equality of contestation, (c) equality of participation, (d) electoral management delivery, and (e) institutionalization. Past experience shows that some political actors may seek to postpone elections when poll ratings are poor. Past experience also shows that there are opportunities for partisan advantage in holding elections during emergencies. Emergencies reduce opportunities for rivals to campaign and incumbents can continue using state resources.

Reference:

James TS and Alihodzic, S. (2020) When Is It Democratic to Postpone an Election? Elections During Natural Disasters, COVID-19, and Emergency Situations. *Electoral Law Journal: Rules, Politics, and Policy*, *19*(3), 344-62. https://doi.org/10.1089/elj.2020.0642

There already is some evidence about current elected office holders benefiting from bumps in their popularity. Giommoni and Loumeau (2020) have studied the short-term effects of lockdown measures on voting behaviors (Giommoni and Loumeau 2020). By assessing the municipal elections in France, they found that the severity of the lockdown significantly affected electoral outcomes and voting behaviors. Specifically, in red zone municipalities, with COVID-19 incidence rates, there was stronger support for the incumbents. These results follow a standard pattern in which the trust in leaders during disasters and military crises tends to increase (Mueller 1970). Giommoni and Loumeau (2020) also found that the enforcement of 'hard' lockdowns increased political participation, as a longer lockdown seemed to mobilize voters and motivated them to express their choice for a leader.

Amat et al. (2021) find that the pandemic can cause a durable transformation of preference. Specifically, citizens "negatively update their beliefs about the ability of democratic representative and liberal systems to protect them against these types of threats" (Amat et al. 2021).

Scholars have also argued that the pandemic may open a window for would-be authoritarian leaders and institutions, which in the first stages will not encounter resistance from the public (Amat et al. 2021). Yet, as Rapeli and Saikkonen note (2020), the grave public health crisis and its economic consequences may end up undermining the output legitimacy of authoritarian incumbents and their capacity to distribute benefits to their supporters.

11. ELECTORAL SECURITY AND THE COVID-19 PANDEMIC

The COVID-19 pandemic is posing serious challenges to electoral security. In the preceding section, we have looked at the risks connected with persistent significant limitations of basic civil liberties and fundamental democratic rights. The pandemic too has disrupted elections and the adaptations to the COVID-19 pandemic have caused an unprecedented revision of voting procedures to ensure the health and security of all democratic voters (Venice Commission 2020).

During a global health crisis, electoral security raises a number of questions about elections management and the capacity of democratic governments to ensure transparent and inclusive elections that are, at the same time, safe for voters.

The adaptation to the COVID-19 pandemic has nurtured discussions about voting by mail and online voting. It is too early to understand whether the ongoing crisis marks a fundamental shift in how citizens and policy makers conceive electoral practices, and whether it will result in moving from in-person voting on election days to a vote-at-home experience during disasters and emergency situations and returning to a general framework that ensures regularity of elections thereafter.

Early in-person voting may help spread out voters' presence at the booth over time and dilutes the health challenges associated with election-day voting over a longer period of time. Intuitively, remote voting options appear to be the safest choice for reducing contacts between the public and the election workers.

According to Sfirnaciuc and colleagues (2021), large-scale voting system should embody several properties: 1) eligibility (all legitimate voters can vote only once); fairness (it is forbidden to obtain early results); 2) privacy (all events during the voting process should remain secret); 3) receipt-freeness (a voter does not obtain any receipt attesting that she voted for a certain candidate); 4) coercion-resistance (a voter cannot cooperate with a coercer to prove that she has complied with a threat); 5) integrity of the votes (voters can check that their individual vote was recorded and counted; anyone can monitor that all recorded votes are counted); 6) correctness of counting (the final result reflects exactly the count of the ballots that have been recorded).

If one discounts the high costs of earning an adequate level of digital competence, especially in a context like the EU, where many low-income homes do not have access to computers (EC 2020), and more than 1 in 5 young people fail to reach a basic level of digital skills (EC 2020), internet voting may reduce the costs for casting a vote, eliminate exposure to variables, such as bad weather and long lines, and, eventually, have a positive impact on turnout levels, especially among voters with reduced mobility (European Parliament 2016). For instance, Vassil finds that in Estonia, on-paper voting is 16-time more time consuming than internet voting (Vassil 2015). According to Solvak and Vassil (2016), e-voting has a positive contribution to the equality of participation in the Estonian case. Petitpas et al. (2021) have recently found that in the Geneva canton, e-voting does not impact on turnout among frequent voters but has a positive influence on old and male abstainers. Germann (2020) finds that e-voting may contribute to reduce avoidable voter mistakes.

In reality, despite internet voting reducing the cost of casting a vote, there is widespread skepticisms about a complete replacement of in-person voting with online voting (Birch et al.

2014). Scholars have argued that election day voting can ensure a greater trust in the procedure, more civic engagement, more privacy, and greater confidence that vote preferences are duly registered (Smith 2017). The limitations of current technology, and the presence of malware, may be a significant barrier to the standardization of online voting (Miragliotta 2020).

Some European countries have already experimented with e-voting (European Parliament 2016). In 2005, Estonia fully implemented e-voting for municipal elections. Since that experiment, the share of voters casting their ballot online has steadily increased. In order to allow military forces serving in Afghanistan, Kosovo and Iraq to vote, Romania implemented a first e-voting system in 2003. The first e-voting trial in Switzerland goes back to 2003, in Anières, a municipality in the canton of Geneva. In 2004, the Canton of Geneva introduced e-voting for both cantonal and federal elections. In 2010, the federal government approved "the right of citizens of twelve cantons to vote via the Internet voting system of their respective canton in the context of a federal election" (European Parliament 2016). Norway conducted an early e-voting trial in 2011 local elections, which included ten municipalities, and another early e-voting trial in 2013 parliamentary elections (European Parliament 2016).

Several e-voting experiments have been the target of cyber-attacks. In 2013, reporters demonstrated that during mayoral primaries in Paris, "it was easy to breach the allegedly strict security of the election and vote several times using different names" (Lichfield 2013). According to researchers from the University of Michigan, the Estonian system was vulnerable to several kinds of cyber-attacks, such as taking over voters' PCs to cast fake votes and introducing software to alter the final count. As of 2019, ten Swiss Cantons provides voters with the opportunity of e-voting. Yet, in 2019 security flaws have been found in the Swiss Post's system. At the moment, Cantons and the Federal Government are developing a new Internet voting system in order to restart e-voting experiments across the country. These problems, however, should not discourage scholars and policymakers from exploring the opportunities offered by e-voting, which may return as "a side-effect of the Covid-19 crisis" (Petitpas et al. 2020).

12. AGING AND THE GENERATIONAL DIVIDE

The concept of generation is key to understanding present and future challenges to democracy in Europe (Ford and Jennings 2020). The young generation is often regarded as one of the most disengaged groups in politics. The British Social Attitudes report shows that in 2013, 57% of the respondents felt that they have the duty to vote, compared to 76% in 1987. According to the 2014 European Parliament Election Study (Schmitt et al. 2016), in the EU-28 region, the level of non-participation in European Parliament elections was higher than 70 per cent in the 16/18–24 age groups.

That young people are significantly less engaged in electoral forms of politics is hardly news. It is more interesting to note though that low levels of participation in voting do not necessarily equate with a lack of interest in politics. Several reports document that young Europeans tend to be interested in single-issue politics (IDEA 2017) and that such interest does not translate into votes for mainstream parties, but rather into preferences for the 'Green parties such as Germany's Bündnis 90/Die Grünen; populist parties such as Beppe Grillo's Five Star Movement in Italy; the far-left, for example, Syriza in Greece; or the many

far-right parties that have polled well among 18- to 24-year-olds, including the French National Front and the Austrian Freedom Party' (Sloam 2016).

Scholars have also argued that young people are not indifferent to politics, but rather they prefer other forms of political engagement, such as protesting, signing petitions, volunteering, engaging online, being parts of organisations, and demonstrating (Norris 2003). Specifically, Sloam (2016) also finds that the political participation of young Europeans is characterised by diverse forms of participation that reflect differences in identities and lifestyles. Along the same lines, Kitanova (2020) finds that citizens aged 18–24 are more likely to be members of organizations than affiliate with political parties.

Unlike the young generation, older voters constitute an expanding share of the electorate, who, as political scientists report, are politically distinctive due to their greater propensity to turn out to vote (Blais and Rubenson 2013) and because they tend to be located on the political right (Tilley and Evans 2014). In Europe, the older generation is generally the fastest-growing age group. Despite such a rising demographic relevance and EU's commitment to put intergenerational dialogue high on its agenda, many in the older generation live in or at risk of poverty. Over the last two decades, the evolving population pyramid has impacted the quality of democratic politics and the intensity of intergenerational conflict (Lee and Mason 2014).

Spain: the critical politicization in Spain and the Crisis Generation

The 2008 financial crisis has reached huge proportions in Spain, with the significant negative effect of a prolonged recession. Corruption scandals and austerity policies have exacerbated the situation. This long political crisis has caused a critical politicization of young people and the feeling of frustration has motivated an unprecedented wave of activism during the Indignados movement. According to Benedicto and Ramos (2018), young adults, ideologically located on the left, who see their future expectations frustrated by socioeconomic difficulties, have expressed discontent through participation in both elections and protest actions. The change in the political cycle triggered by the 15-M movement has contributed to reshaping the relationship between young people and politics. Specifically, from 2011, if compared to other age groups, the number of young people satisfied or 'conformist' with the political situation 'fell very sharply, while the proportion of what we have called the 'critically politicized' doubled' (Benedicto and Ramos 2018: 23).

Reference:

Benedicto J. and Ramos, M. (2018) Young People's Critical Politicization in Spain in the Great Recession: A Generational Reconfiguration? *Societies, 8*(3), 1-30. https://doi.org/10.3390/soc8030089

Scholars have demonstrated that age is one of the strongest predictors of political participation (Stolle and Hooghe 2009). According to the 2014 European Parliament Election Study (Schmitt et al. 2015), the turnout of voters aged 65 and older was at 47-9 per cent. **As Ford and Jennings have recently written (2020), an aging population can cause new cleavage conflicts to emerge. Since most are retired, older voters tend to be more shielded from economic shocks to labour markets; older voters are less exposed to future costs, such as climate change; older voters are more reliant on the state for health services and benefits (Ford and Jennings 2020).**

It is also claimed that age shapes differences in value orientations (Grasso et al. 2019). For instance, older people are more likely than younger citizens to identify with their nation state (Ringlerova, 2019). Evidence of this kind may entail that "the lines of differences outside the ideological extremes are more clearly demarcated between those who identify with the nation state and thus remain skeptical of the EU and those who identify increasingly with the EU and thus are more supportive of it" (Clark and Rohrschneider 2021). According to Grundy and Murphy (2017), changes in the demographic composition of European societies have shaped the way in which moderate voters see European integration. Clark and Rohrschneider (2021) show that there is a demographic change within the ideological centre and the moderate right, with the far-right becoming 7-8 years older over time. This is not true in Central and Eastern European member states, where, according to Clark and Rohrschneider (2021: 11), "the far-left and moderate left are consistently much older than the other ideological groups".

While older citizens show high levels of participation in political elections, a sense of marginalization may discourage them from being active participants in meaningful forms of collective action. Pinto and Neri (2017) report that culture and habits have an impact on senior citizens' participation. Scholars (Falanga et al. 2021) claim that communicative competences as well as the availability of resources, such as time and money, are also good predictors of political participation. Of course, the wealth status also affects individual dispositions to political participation. Bukov et al. (2002) demonstrate that among the elderly, participation tends to be gendered: men are more likely to engage in political activities and women in volunteering and care-giving.

13. CONCLUSIONS

In this synthesis chapter, we have mapped what the most recent literature on the European Union considers as the most pressing challenges facing European democracies individually and collectively. Nine challenges (the democratic deficit in the EU, economic insecurity, the increasing polarization of European public spheres, the rural/urban divide, democratic backsliding in the EU, the pervasiveness of money in democratic campaigning, emergency politics, electoral security, and the generational divide) shape democratic practice in the Union and the kind of choices (e.g., choosing between voting and abstention, choosing one candidate against the alternatives, and choosing between in-person and remote voting) European voters will have to make during elections. In these concluding remarks, it is important to say that such challenges do not necessarily affect European democracies in the same way. There might be significant variations in significance and in the way certain challenges influence choices in different contexts.

We also want to conclude by laying emphasis on two observations. Even if we have dealt with voting challenges individually, this does not mean to imply that challenges are so easily discernible. It has been years since feminist scholars have demonstrated that different aspects of a person's social and political identities combine to create different modes of advantage and disadvantage (Crenshaw 2017). In an analogous way, it is not difficult to imagine that voting challenges are interconnected. Against this backdrop, it becomes increasingly urgent to develop stronger voter-centric models that can respond to the way European voters actually perceive the interplay between different challenges and translate them into stable or fluctuating voting choices.

A voter-centric perspective should study elections and the act of voting from the first-personal perspective of the individual voter. In this way, it would unpack moral and nonmoral dilemmas influencing different voting-related decisions, such as the decision to rely on a certain source of information the decision to vote or abstain, the decision to opt for other forms of political participation, the decision to vote for a certain political party, the decision to distance from a political candidate, and the decision to vote for different political parties at local, national, and supranational levels. If seen through these lenses, the act of voting is not just a way to join a collective action process or to express a preference, but rather a constellation of multiple expressions of agency in different interrelated domains.

To set up the context of such a theoretical inquiry, it is important to have a clear and concise mapping of what scholars consider as the most relevant sources of concern in present-day European democracies The present chapter aimed, therefore, to offer a description of the context shaping individual electoral decisions. If read in continuity with other chapters, such as the review chapter on different electoral systems in Europe (Mráz and Lever 2023) and the review report on different justifications of democracy (Häggrot 2023), it contributes to explaining those empirical circumstances and theoretical elements all normative voter-centric studies of the act of voting, should take into account.

It is also important to remember that this list is far from exhaustive. Actually, this is an intrinsic limit of all reports that cover broad topics in a synthetic form. We recognize that each European democracy can face specific challenges, such as regionalism in Belgium, the clash between federal and national interests in Germany, conflicts between nationalists and unionists in Ireland, political patronage and clientelism in Malta, the narrow equilibrium between legislative stability and government instability in Italy, a declining population and an increasing dependency ratio in Lithuania, as well as challenges to the media freedom in Croatia and Slovakia. This chapter has offered a roadmap to study challenges that face European countries taken collectively and individually. It is aimed at reviewing debates about the status of democracy in Europe and at providing substantial insights for normative research on electoral choices from a voter-centric perspective. Future research should continue investing new and old challenges facing European democracies individually and collectively as well as how certain national challenges resonate in other contexts or in the Union taken as a whole.

Even if policy pundits, experts, and academics continue to debate the decline in political participation and the changing landscape of democratic politics in the EU, many of the challenges, facing democracy individually and collectively stem from factors that can be in the control of democratic institutions. Yet, it seems naïve to conclude that responses to such challenges can be only in control of a series of administrative bodies. This perspective continues to conceptualize the citizens as a passive recipient of policies and institutional innovations, whose active role is just that of giving the go-ahead when asked to cast their vote. In reality, some challenges go deep in the preconditions for ensuring equal political rights in present-day plural, capitalist, and globalized societies and, therefore, shapes the way citizens perceive not only their democratic politics, but the desirability of democracy as a political system more generally. Against this backdrop, **it is key to continue thinking about appropriate ways to study voters and their behaviours at the normative and empirical levels. Too often, we tend to think of voters just in terms of needs and interests. This approach may have a strong explanatory power, but it distributes most agency on the side**

of institutions, which are supposed to serve the interests and needs of their citizens, and, in this way, it gives the image of a citizen who cyclically becomes politically relevant only as a source of feedback for policy outcomes. The problem is that non-democratic systems could, in principle, do at least as well as democratic governments. If we want to find a distinctively democratic response to EU challenges, it becomes increasingly important to reconsider agency distribution in the study of democratic regimes and understand what the world looks like to voters. Against this backdrop, it is crucial to find normative and empirical frameworks of analysis that are more attuned to citizen agency, to the obstacles to it, and to the distinctive capacity of voter agency of contributing to solve problems that all European citizens face.

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Chapter 5

VOTER-CENTRED PERSPECTIVES ON ELECTORAL DEMOCRACY

Attila Mráz and Annabelle Lever

1. INTRODUCTION

One of the guiding assumptions of the REDEM project was that shifting the study of the ethics of voting to a voter-centred perspective improves our understanding of the ethical challenges and moral dilemmas facing European voters and opens new avenues of electoral institutional design to mitigate them.[1] The present chapter substantiates this assumption by pursuing the following three aims:

1. To describe ethical considerations relevant to voting choices, including reasons relevant to whether one votes as well as to how one votes;

2. To describe and illustrate how a shift of focus to a voter-centred perspective allows us to appreciate a wider range of ethical considerations;

3. To compare these to the ethical considerations that elitist or pluralist approaches to electoral democracy can account for, as well as describing and analyzing the differences between the former approaches, on the one hand, and a voter-centred perspective, on the other.

This chapter also serves two more general purposes. On the one hand, its findings provide normative input into the ethical burden that European political and electoral systems currently impose on voters. On the other hand, it provides academic input into democratic citizenship education, sensitising young and future voters to the ethical complexity of the choices they may face, and to the skills and attitudes necessary "to empower them to exercise and defend their democratic rights and responsibilities in society, to value diversity and to play an active part in democratic life" (Kerr 2013, p. 13).

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[1] "Ethical" and "moral" will be used interchangeably throughout this chapter.

The structure of this chapter is as follows. Section 2 lays out the methodological approach of the present chapter. In Section 3, competitive elitist approaches to democracy – the politician-centred perspective and the party-centred perspective – are reviewed as relevant alternatives to the voter-centred perspective in the focus of this chapter. These perspectives are significant, on the one hand, as they emphasize aspects of the empirical reality of modern democracies that all political and ethical theories of voting must take account of. Competitive elitist approaches are significant, on the other hand, in their normative deficiencies, as they underestimate the moral significance of both the individual voter's perspective and her embeddedness into various communities. In Section 4, elements of the voter-centred perspective are outlined and their respective ethical significance from the voter's perspective is described in detail. Section 5 concludes.

Within this perspectival survey – the backbone of which is Section 4 – the following sources of ethical challenges are discussed. First, moral issues related to multiple functions and aspects of electoral representation – including accountability, selection, authorization, descriptive representation and tensions between these functions that voters need to grapple with – are surveyed. Second, different moral or morally significant grounds – including justice, the common good, and self-interest – are mapped out which provide reasons for voters to vote, or vote for a particular option, and potential sources of conflict between these as well as potential strategies to resolve them are explored. Third, the ethical significance of communities and identities for electoral choices is outlined, with a focus on the ethical challenges of multiple group membership and intersectional identities, on the one hand, and religious voting, on the other. Fourth, the special ethical challenges that arise from the existence of persistent minorities – both for their members and for other voters – are reviewed. Fifth, ethical challenges regarding sincere or strategic (tactical) voting are discussed, as well as the relationship between these approaches and instrumentalist v. expressive conceptions of the normative significance of voting. Sixth, the concept and role of political judgment in navigating the complex ethical considerations laid out earlier is described. Seventh, specific moral considerations relevant to voters' judgment as to whether to participate in elections or abstain from them are mapped out.

2. APPROACH

The politician-centred, party-centred and voter-centred 'perspectives' in the focus of this chapter are *ideal types*. These perspectives neither correspond to particular philosophical 'conceptions' of democracy (see more on these in (Häggrot, 2023)), nor do they exactly line up with so-called 'models' of democracy in political theory (Held, 2006; on 'models' in political theory, see Johnson, 2014). This chapter integrates insights from various conceptions and models of democracy in a way which allows us to appreciate how a shift of focus from other political actors' perspectives – notably, politicians and political parties – to the voter's moral outlook enriches the democratic political ethics of voting. The presentation and comparison of the different perspectives collects theoretical insights and ideal typical tenets of conceptions and models of democracy which pay particular attention to the role of politicians, political parties, and voters, respectively. Thus, proponents of several (even if clearly not all) conceptions and models of democracy may rely on the insights of this chapter.

This chapter relies on the following methodological assumptions:

a) *Ideal vs. non-ideal theory:* A bulk of the work on philosophical democratic theory informing this project has been presented as a contribution to so-called "ideal theory": the part of political philosophy which specifies ideal social and political institutions, and the rights and duties of institutional actors as well as properly motivated citizens acting within the context of such institutions.[2] "Non-ideal theory", by contrast, specifies the rights and duties of institutional actors as well as citizens among circumstances that are potentially far removed from any moral or political ideal, without assuming citizens to be properly motivated. (On the distinction, see Rawls, 1971: 8-9, 142ff.; Swift, 2008; Simmons, 2010; Sen, 2011; Schmidtz, 2011; Valentini, 2012; Gaus, 2016; Volacu, 2018.[3]) Voters in current European democracies face a variety of ethical challenges. Some of these would or could be present in ideal democracies too because they are inherent in the ideal of democracy, whereas others are specifically non-ideal challenges brought about by a morally problematic institutional or social context. Accordingly, the voter-centred perspective to electoral democracy sheds light on some elements of ideal as well as non-ideal theory.

Further, this chapter relies on the assumption that democratic ideals should also inform the design of electoral institutions in non-ideal circumstances. It is acknowledged, though, that different non-ideal circumstances allow for the joint realization of different sets of democratic values and principles. A voter-centred perspective on institutional design enriches our understanding of both ideal and non-ideal democratic theory and political ethics.

b) *Grounded political theory, 'bottom-up' theorizing:* A full exploration of the voter-centred perspective must rely on a mutually beneficial interaction between the normative disciplines of political philosophy, philosophical ethics and political theory, on the one hand, and comparative, empirical, descriptive political science, on the other. REDEM is guided by the methodological assumption that a more fine-grained descriptive understanding of particular political institutional environments from the voter's perspective also provides valuable input into revising our normative theories of voting, over and above allowing for a more nuanced application of pre-determined normative principles. Additionally, the "from below" perspective assumed also allows us to explore and appreciate novel normative concerns that have been unexplored or underemphasized so far. Taking seriously the various considerations that arise for voters situated in particular institutional and social circumstances – as evidenced by empirical political science research as well as philosophical intuition – can provide more nuances to the ethics of voting as well as finer grained guidance for the design of electoral institutions. This assumption places REDEM on the map of the methodological approach recently referred to as "grounded political theory" (Ackerly et al., 2021).

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[2] The term "citizen" is simply used as a shorthand to refer to "an individual who is or should be eligible to vote" throughout this chapter. This usage merely serves expository ease and should not be understood as restricting the *demos* or the boundaries of the political community to those who are (legally speaking) its citizens.

[3] The ideal / non-ideal labels have grown to cover a number of rather different distinctions. Valentini (2012) provides a fine-grained conceptual mapping. For the purposes of this chapter, the above rough distinction suffices.

c) *The relationship between the institutional theory and political ethics of democracy:* This chapter assumes that there are close links between normative theorizing about democratic institutions, on the one hand, and the normative political ethics of voting in a democracy. The political philosophy of democracy prescribes or at least supports certain institutional features over others. The institutional features of a particular democratic polity, in turn, play a crucial role in determining the moral situation of the voter: her reasons to participate or abstain (cf. Beerbohm, 2012; Jacob, 2015; Saunders, 2012), the particular moral dilemmas she faces as a voter, and her reasons to engage in sincere or strategic voting (cf. Geisz 2006, Mark et al. 1994, Miller 2010, Saward, 2021; Schwartz 2010, Wolff 1994).

The ethics of voting, in this sense, is dependent on and forms part of institutional democratic theory. On the one hand, the institutional arrangements justified by the latter determine, to a vast extent, the factual circumstances of the voter. For example, the extent of opportunities to engage in strategic voting may depend on the voting system a voter faces: first-past-the-post systems may be more prone to strategic voting than proportional representation systems with low electoral threshold (cf. Eggers and Vivyan, 2020; Looney and Werner, 2020; Selb, 2012).

On the other hand, the ethics of voting may, to some extent, be guided by the self-same values which guide the design of democratic institutions. For instance, if representativeness is valuable, citizens should also give due consideration to the candidates' gender when they make their electoral choice (cf. Campbell et al. 2010, Ceva and Zuolo, 2013; Dovi, 2007; Mansbridge, 1999; Mráz, 2021; Phillips 1998). Or, if public reasoning features in the justification of democracy (Richardson, 2003), we may want to require citizens to provide reasons for their electoral choices (Vandamme, 2018). Thus, the ethics of voting can benefit from a closer look at the institutional contexts in which voters' moral challenges arise, as well as from building on the normative outlooks supplied by democratic theories which primarily focus on institutional arrangements.

Second, attention to the ethical challenges of the voters specific to institutional arrangements can also guide theoretical progress in institutional democratic theory. The political theory of democratic institutions has often provided guidance to institutional choices based on highly abstract values and ideals, adopting a top-down methodology (Beitz, 1989; Christiano, 2008, cf. Wilson, 2019). This method has its limits, as it often cannot normatively guide fine-grained institutional choices – such as between presidential v. parliamentary systems, or proportional v. majority / plurality voting systems – within the set of permissible democratic arrangements. Furthermore, the merits and demerits of more fine-grained institutional choices can also be evaluated from the bottom up. The way these choices shape the moral reasons that bear on whether and how citizens should participate in the conduct of public affairs provides valuable considerations for fine-grained institutional choices. Hence, institutionally oriented democratic theory can also benefit from a closer look at the typical moral challenges that the ethics of voting attempts to make sense of, from a voter-centred perspective.

3. COMPETITIVE ELITIST APPROACHES TO DEMOCRACY

Competitive elitist approaches to democracy include politician-centred and party-centred perspectives on electoral democracy. Both perspectives are characterized by an almost exclusive attention to the normative features of the supply side of electoral competition, with very little focus on the demand side, i.e., the voter's perspective. These approaches are elitist insofar as they conceive of (if not celebrate) electoral democracy as a proper competition of qualified elites. They are technocratic insofar as this proper qualification often involves special expertise that citizens at large are not supposed to have.

3.1 Politician-Centred Perspective

The politician-centred perspective on electoral democracy puts the ethos of individual leadership at the centre stage of democratic political ethics. This perspective directs the attention of democratic theory to certain descriptive characteristics of modern democracies which may seem to warrant the displacement of the voter's perspective and the foregrounding of the politician's – candidate's, elected office holder's – perspective instead even in normative theorizing. A perfect example are Joseph Schumpeter's (1976 [1942]) widely quoted words, "democracy is the rule of the politician" (285). Democratic political ethics on a politician-centred perspective, therefore, looks at political choices and challenges as they affect the politician, and appear through his/her eyes.

The politician-centred perspective is no novelty in contemporary political theory. Early modern theories of political representation – most notably, Edmund Burke's theory of parliamentary representation (Burke, 1986 [1790]) – exemplify an obsession with individual judgment and political leadership as the primary virtues of a representative. The so-called trustee model of parliamentary representation (Pitkin, 1967: 127–131), originally rooted in Burke's theory, holds that the duty of representatives is to exercise their judgment in making the best decision for the political community as whole or for those represented, but it is not their duty to unconditionally obey instructions by their voters.

The expectation of exercising individual judgment, on this perspective, creates logical space for *ethical or moral dilemmas* to arise for elected politicians. Ethical dilemmas in political leadership are central in Max Weber's political ethics (see esp. Weber 1948 [1919]ab). Further, they are generally characteristic, central elements in the normative outlook of so-called 'realist' political theories. Such theories pay particular attention to the competitive nature of political pursuits, and to the diverse – including, emphatically, non-moral – motivations of political actors (Galston, 2010; Rossi and Sleat 2014). The politician-centred perspective is most successful in exploring and describing the nature of the ethical dilemmas that politicians routinely face.

Earlier work on ethical dilemmas in political leadership typically takes a value-pluralist and decisionist approach. It assumes that the values which bear on the politician's decisions and actions are irreducibly plural, and that there is no principled way to guide the politician's decision between them (Weber 1948 [1919]b). Value-pluralism and decisionism often give a tragic or existentialist hue to the moral situation of political leaders in the analysis of the politician-centred perspective (see Lukács, 1972 [1919], cf. Sartre 2012 [1943]). With a focus on ethical dilemmas, this perspective emphasises the immense moral burden on individual politicians as leaders, and de-emphasises the moral burdens carried by voters in a democracy.

The politician-centred perspective and its focus on ethical dilemmas also underline *prudence* (Gr. *phronesis*) or sound judgment as a crucial value in democratic political ethics (Ackerman 1991, Overeem and Bakkler 2019, Philp 2007, Ruderman 1997). Prudence is a complex competence which allows the prudent person to *decide well*, especially in cases where different values in conflict bear on one's decision. Elected democratic leaders, just like political leaders more generally, may be praiseworthy on the politician-centred perspective if they exhibit this virtue.

Somewhat later work by so-called 'moralists' on ethical dilemmas in political leadership abandons the value-pluralist and decisionist approach of 'realists.' Moralism in political philosophy emphasizes the relevance of principled decision-making to the political sphere and its possibility therein (Kis, 2008). Moral dilemmas on this later approach involve values of the same sort on both sides of the scales, so to speak. They involve practically conflicting moral, deontological requirements. Related work concentrates primarily on the (im)permissibility of using certain morally prohibited means, when necessary, in pursuit of aims that are morally required to be pursued (e.g., Kis, 2008; McMahan, 2009; cf. Walzer, 1973). This approach accordingly somewhat underplays the role of individual judgment in leadership and aims to provide principled moral guidance for political decision-making in dilemmatic situations, as well as specifying duties of compensation to those harmed by such political decisions (Kis, 2008: 250–258).

The politician-centred perspective can also make sense of *accountability* practices in democracies. Elected office-holders, even for purely strategic reasons, cannot ignore that voters hold them to account for their past performance in periodic elections (Downs, 1957; Schumpeter, 1976 [1942]). Politicians and candidates compete for (re)election, which allows voters to exert a minimal control over who occupies elected offices. Thus voters' considerations cannot be entirely ignored in the politician-centred perspective. Yet this perspective instrumentalizes voters. Accountability, rather than a democratic value in and of itself, is a fact of political life on this approach – a strategic challenge that politicians need to live up to in order to gain or retain the political power necessary to realize *their own* political visions. Furthermore, together with a pessimistic outlook on how competently voters can participate in modern politics (Weber, 1948 [1919]a; Weber, 2019; Schumpeter, 1976 [1942]: 256–264; Held, 2006: 135, 144), voters are seen as not merely challenges but somewhat inconvenient obstacles to a more competent politics that politicians could pursue, were it not for the necessity to please the masses (cf. Caplan, 2008; Brennan, 2012, 2016). Voters, overall, are objects rather than subjects of democratic political life on the politician-centred perspective.

3.2 Party-Centred Perspective

Political parties – bureaucratically organized, institutionalized associations which specifically intend to bring their affiliates to power and help them keep it – did not figure in the political thought or constitutional imagination of early, 18th century parliamentary politics and republican ambition (Rosenblum, 2008). While factions – groups organized along shared political interests – were far from alien to republican politics already in the early days of the USA (in fact, they were one of Madison's chief concerns, see Madison 1999 [1787]), organized political parties which supply both ideology and organizational infrastructure are a newer – yet arguably global – phenomenon in modern mass democracies (Muirhead and Rosenblum,

2020), and are widely considered indispensable in contemporary democracies (Bryce, 1921: 134; Schattschneider, 1942: 1; Dalton, Farrell and McAllister, 2013).

As early as the first decades of the 20th century, political sociologists – most notably, Robert Michels (1962 [1915]) and Max Weber (1948 [1919]ab) – described what they saw as a new political reality of democracies. In this new reality, extending the franchise did not lead to mass participation truly formative of democratic politics. Instead, both winning elections in circumstances of mass politics and governing in a technologically increasingly complex world were seen to require increasing levels of expertise and bureaucratic organization. Political parties offered the necessary infrastructure to provide both, at the expense of the individual politician's significance. After the individual voter's perspective, the individual politician's perspective was accordingly also sidelined in both the descriptive political sociology and the normative political theory of the era, and it was taken over by a preoccupation with the role of political parties.[4]

Building on Max Weber's legacy, Joseph Schumpeter's (1976 [1942]) seminal work, *Capitalism, Socialism and Democracy* further emphasizes the role of political parties on the political market as analogous to trade associations on the market. Parties exist to regulate (restrict) competition and provide infrastructure and resources for professional politicians (Schumpeter, 1976 [1942]: 283). Rather than facilitating deliberation on the common good, parties are manipulative and are driven by the career interests of politicians (ibid.). Unlike Weber, Schumpeter does not see these developments as compromising electoral democracy – instead, he considers them part and parcel of democratic politics.

The deprioritization of the voter's and politician's perspectives is also motivated on this approach by empirical insights into strong *party discipline*, especially in Westminster systems (Dimock, 2012; Thompson, 2015). Party discipline – the practice of coordinating, incentivizing and enforcing representatives to vote the party line on a given issue in the legislature – makes it irrelevant for voters to take into account certain moral considerations in their choice of representatives. For example, where party discipline is strong, voters' considerations regarding the character, competence or accountability, approachability of individual candidates may become practically inert or at least morally irrelevant for voters' choices. Individual elected office-holders become instruments of their political party rather than autonomous political agents who should or could be evaluated based on their individual merits or demerits.

This bleak picture of *individual* political participation – both on the demand (voter) and supply (candidate, representative) side, as it were – results in two significant tenets of the normative outlook of the party-centred perspective. First, this perspective envisions *a decline of the ethos of the individual politician*. Contrary to earlier theories of

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[4] Political theory and philosophy have recently shown a renewed interest in the normative significance of political parties, their internal organization, deliberative procedures and relations with the external political world (Rosenblum, 2008; Muirhead, 2014; Wolkenstein, 2016; Bonotti, 2017; White and Ypi, 2016). While this line of research is a crucial step for normative democratic theory, which has so far paid little attention to political parties, it should not be seen as the successor of the party-centred perspective on electoral democracy. The party-centred perspective comes with empirical and normative commitments that newer work on political parties need not and does not invariably share. Indeed, a better understanding of the normative significance of political parties, their internal procedures as well as external relations can contribute to the voter-centred perspective to be discussed below (See Section 4), and vice versa.

representation which emphasized the politician's individual judgment, prudence and virtue, as well as deliberative contributions to decisions about the common good, this perspective expects little from individual politicians, and just as little from deliberative parliamentary politics.

Second, this perspective *cannot make sense of the value and complexity of voter's party identification* and the ethical dilemmas it gives rise to. The voters' role is reduced on this perspective to accepting or rejecting a given party's ideological supply and candidate slate. Voters are mere political consumers serviced by parties. This account ignores that voters can also *identify* with a political party as a longer term commitment to their narrower community based on political ideology, or as a matter of family, class, ethnic, racial, historical, religious or other identity (Ansolabehere and Puy, 2016; Landa and Duell, 2015). Such identification implies that voters may not necessarily wish to switch political parties when they are dissatisfied with their party, but may want to reform it. Further, voters may face complex ethical dilemmas when they need to choose between *their* party and a political proposal they would prefer to that offered by their party. Finally, voters may have multiple identities, affiliating them with multiple political parties, and they may want to have that reflected in their votes.

3.3 Technocratic Rule and the Elitist Approaches

Both the politician-centred and the party-centred perspectives offer elitist and technocratic visions of democratic politics. Both the Weberian and the Schumpeterian accounts are committed to strong executive power and weak legislative representation. On the one hand, this is driven by the assumption that *legislatures*, once dominated by parties rather than autonomous individual politicians, can *no longer be loci of genuine deliberation and accountability*.[5] On the other hand, the executive also gains dominance over the legislature on elitist approaches for a further reason: namely, the *increasing importance of bureaucratic, professionally run state apparatus* (see, e.g., Weber, 2019 [1921]). Legislatures are doubly limited in their ability to hold the executive accountable: party-based representation reduces the interest of legislative representatives to hold their fellow party-affiliates accountable, and they lack the expertise to exercise effective oversight over the complex and technical governance exercised by the executive in the modern state.

The focus on the technical aspects of government also results in the inability of these perspectives to appreciate the moral significance of *low levels of mass participation* (cf. Lijphart, 1997; Saunders, 2012). Politics is overwhelmingly about solving technical problems, as well as about the also heavily professionalized task of gaining political power. Therefore, these perspectives find little to object to in the low (and decreasing) quantity and quality of mass participation in electoral democracies seen all over Europe and North America in the past decades (see, e.g., Teixeira, 2011; Stockemer, 2017). The role of the electorate is to choose competent leaders, on the politician-centred perspective, or at least to remove manifestly incompetent leaders from office (on the party-centred perspective). This role is

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[5] In Schumpeter's (1976 [1942]) evocative formulation, "the role of the people is to produce a government, or else an intermediate body which in turn will produce a national executive or government" (269). It is the executive that matters, and not the legislative branch.

not affected, in Weber's and Schumpeter's view, by low levels of participation, whether in quantitative or qualitative terms.

As both the politician-centred and party-centred perspectives concentrate on the technocratic aspects of government, there is little room in these perspectives for morally more profound political and social conflict. The aims and moral constraints of politics are taken as a given; hence the focus on the technical aspects of government.[6] Yet, without any attention to the relationship between moral and social conflicts, on the one hand, and democratic electoral politics, on the other, these perspectives are characterized by ethical short-sightedness. They eliminate voters' moral dilemmas from their descriptive and normative analysis, rather than providing guidance to solve them or adequately theorize them. Thus, their technocratic vision is one of misleadingly consensus-assuming politics.

The technocratic vision sees voters as mere instruments of political parties. Voters are not expected to play a more active role in democratic politics than to be mere loci of political pressure and manipulation. This vision is elitist insofar as it has no ethical component in its account of the electorate: voters have little responsibility in the democratic division of political labour, and only extremely weak political agency.

The politician- and party-centred perspectives see voters, as it were, from a *third-person perspective*. The voter's own first-person perspective matters little: the voter's own interpretation of political reality is seen as the mere product of successful political manipulation (Schumpeter, 1976[1944]), and her own moral phenomenology, i.e., what appear to be important moral considerations to her, is hence discounted or ignored as uninformative or outright inauthentic. Furthermore, the second-person perspective in also missing in both the politician- and the party-centred perspectives (on the second-person perspective more generally, see Darwall, 2009; for an application of the concept to democratic theory and democratic political ethics, see Beerbohm, 2015; Ceva and Ottonelli, 2022). The second-person perspective would involve politicians and / or parties morally addressing themselves to voters – in the form of making commitments or promises, accounting for past performance, or asking for forgiveness – and voters morally addressing themselves to politicians and / or parties by means of expressing their moral expectations, publicly holding them to account for breaking their promises or more generally for their past performance. The politician- and party-centred perspectives cannot make any sense of all this: they do not see these political actors as subjects of moral duties directed toward and generated by voters (cf. Cruft, 2019 on directed duties).

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[6] Some contemporary democratic theories such as Thomas Christiano's (1996) may agree that the moral aims and constraints of political action are set for the executive. However, that is because ultimately *voters* grapple with the moral and social conflicts in society – it is the resolution of such conflicts through deliberation and voting that yields the aims and constraints that the executive works with. By contrast, proponents of the politician-centred and party-centred perspectives expressly deny the role of voters as the ultimate suppliers of the aims and constraints of political action. The respective roles of voters and representatives in setting aims for political action are further complicated by the fact that legislatures, to a vast extent, make law by interpreting already existing law (e.g., constitutionally prescribed aims of state action, international human rights treaties etc.), rather than by exercising pure political will. For the implications of this fact for the moral powers of voters and legislative representatives to set the aims and constraints of political action, see Mráz (2022).

While the politician-centred and party-centred perspectives provide impoverished accounts of the democratic moral landscape, they offer important challenges of political sociology and economy that the ethics of voting in democracies must grapple with. The professionalization of political life, the increasing role of technology and expertise in contemporary welfare states, voters' low levels of politically relevant information and motivation to participate in democratic politics (see, e.g., Caplan, 2007), are all insights that a more voter-centred perspective may also recognize, yet with a critical edge and a call for institutional reform which mitigates these problems.

3.4 Pluralism: A Voter-Decentring Alternative to Elitist Approaches

Politician- and party-centred perspectives on electoral democracy were superseded as early as the 1950s and 1960s by so-called 'pluralist' perspectives. Pluralism can be seen as a version of elitism in so far as it shares the assumption of the party-centred perspective that it is ultimately organized groups who are the main agents of electoral democracy rather than voters. However, pluralism rejects the party-centred perspective as it underlines the plurality of the *type* of group agents who serve pivotal roles in democratic politics, including not only political parties, but also trade unions, industrial lobbies, religious or ethnic groups, women's or youth organizations, and so forth (Dahl 1956, esp. 146). Democratic politics is envisaged as an outcome of the clash of various interest groups that pressure government into accepting their agenda (ibid.). In this regard, pluralists foreshadow agonistic conceptions of democracy which also highlight the conflicting interests and group agents who play out these conflicts in politics as the central features of electoral democracy (see, e.g., Mouffe, 1999, 2000, 2016).

The pluralistic perspective provides a more nuanced account of the voter's moral situation than the competitive elitist perspectives, in at least three respects. First, pluralism expects political power to be exercised in parallel through *electoral and non-electoral channels of influence* (cf., Dahl 1956: 131). Accordingly, it acknowledges that voters may have to make choices regarding which collective agents they expect to be the more effective representative of their interests, such as political parties or trade unions, and which one(s) of these they devote their scarce time and other resources to in their efforts to get their voices heard and interests represented.

Second, voters may identify with several interest groups as well as political parties claiming to represent them. Thus, even within electoral politics, voters may need to make *compromises* given their *complex political identities*. On the one hand, not all political parties that a voter can identify with represent all the interests she wants to be represented in politics. On the other hand, some of the parties that a voter may identify with on certain grounds can have mutually conflicting agendas, and while one political party may openly strive to promote some of the interests of a given voter, it may at the same time work against some of her other interests. For example, a middle-class Roma woman voter who considers her class, ethnic background and gender all equally relevant to her political interests may often have a hard time choosing which one of these identities to prioritize as a voter (see also below, Sections 4.1.3 and 4.3.1).

Third, the pluralist perspective opens up debates about proper *representation***.** Who is most qualified to represent certain interests of the voter? Whom should the voter have more reason to trust as a representative? The problem of complex political identities re-emerges

at this level too. Politicians and electoral candidates may also have complex identities, and voters may find some of these identities more important than others when selecting representatives. As these issues lead us on to the voter-centred perspective, related moral questions will be discussed in detail below, in Section 4.1.

4. THE VOTER-CENTRED PERSPECTIVE ON ELECTORAL DEMOCRACY

In this section, elements of the voter-centred perspective are laid out: issues of representation, the diversity of adequate reasons for voting, the role of voters' identities in their moral outlook, the issue of persistent minorities, the intricacies of sincere vs. strategic (tactical) voting, the role of individual judgment in the ethics of voting, and dilemmas of abstention v. participation. These elements are focal points of moral thinking in the more recent literature on and relevant to the ethics of voting. While there are complex theoretical relationships between several of these elements, as will be pointed out below, each is them is discussed here as distinct and analytically independent from the other elements. Given a particular voter's specific situation, only some of these elements, or some combination of them, or potentially even all of them may be relevant to her moral outlook.

4.1 Representation

Electoral democracies today are representative democracies (Urbinati, 2006; Manin, 1997; Saward, 2010). Voters in elections do not directly vote on policy decisions, but elect candidates for offices, and see elected office-holders to represent them, better or worse (Rehfeld, 2018). Accordingly, the concept of representation (Pitkin, 1967; Mansbridge, 2011) and the normative requirements of representation (see, e.g., Dovi, 2007) are crucial elements of the voter-centred perspective. Voters ensure good representation mostly by balancing three considerations: holding representatives accountable for past performance, selecting candidates based on likely future plans and performance, and voting for candidates who share some relevant descriptive group characteristic with them. However, as shown below, these considerations may come into conflict with one another as well as with further ethical considerations, complicating the moral outlook of the voter.

4.1.1 Looking Backwards: Accountability

One of the key elements of representation, from the voter's perspective, is accountability. Elected office-holders are accountable to voters in at least two different senses. On the one hand, voters can expect elected office-holders, especially members of elected assemblies such as a parliament or municipal assembly, to account for their past political performance before the next election (Philp, 2009). In other words, voters are morally authorized to require those whom they already voted into power to explain and justify their political decisions to them before the next election. Campaigns largely serve this function, among others (Beerbohm 2012, 2015). When representatives shirk accountability in this sense, they can thereby complicate the moral perspective of voters who may thus need to make less informed choices or none.[7]

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[7] This sense of accountability may be held to apply not only to representatives vis-à-vis voters, but also to voters vis-à-vis fellow-voters. Those who argue against the secrecy of the ballot may subscribe to this conception of horizontal accountability (Brennan and Pettit, 1990; Engelen, 2013; Vandamme, 2018), while

On the other hand, incumbent elected office-holders are accountable to voters also in the more technical sense that voters can *hold them accountable* by re-electing them or by *sanctioning* them with removal from office (Schumpeter, 1976[1944], cf. Fumagalli, 2018). In electoral democracies, this sanctioning mechanism is one of the most significant ways in which voters – at least collectively – can exert control over the legislative and executive agenda, as already emphasized by the politician-centred perspective (see Section 3.1 above). Elections held periodically, at reasonable intervals, serve to retain this electoral control (Bovens, 2007) – which, in turn, is standardly seen as incentivizing good (or at least better) representation (Manin et al., 1999).

Seen from the voter's perspective, ethical complexities arise because voters may have good moral reasons to sanction an incumbent, but at the same time, they may well have countervailing moral reasons which count against sanctioning the incumbent. The more suboptimal other candidates (contenders) seem to voters, the less willingness may voters show in sanctioning incumbents for their mistakes (i.e., for what voters see as such). The ethical complexities of holding incumbents accountable will become clearer once we take account of the several further, partly competing ways in which voting behaviour can contribute to other elements of representation.

Identifying the adequate locus of accountability is often also a challenge as seen from the voter's perspective. In this regard, independent candidates (who have held their office as independents) represent the easiest case: they can be readily held to account for their past performance and are solely liable to voters' related sanctioning. Indeed, independent legislative representatives are still a significant presence in several jurisdictions, including European ones, such as Ireland (Rodrigues and Breton, 2010; Weeks, 2014; Weeks, 2017; Kefford and Weeks, 2020). Nonetheless, regarding the more common case of party-affiliated incumbent candidates, voters face additional ethical challenges related to accountability, as they may well lack sufficient information even to decide whom it is reasonable to ask for justification for past performance – the individual candidate or her political party. Further, voters may – depending on the electoral system, see also (Mráz and Lever 2023a) and (Mráz and Lever 2023b) – ultimately have to use the same ballot to sanction both the individual candidate and the party affiliated with her, even if they want to sanction only one of these. Finally, identifying the appropriate locus of accountability and sanctioning the appropriate political agent for past performance is even more complicated regarding coalition-based legislative majorities and governments. In such cases, voters may have reason to be even more torn about whom they should fairly sanction with their vote: the individual candidate, her political party, or the coalition partners of her political party.

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those who argue for secret ballots – the democratic *status quo* in Europe (see Aidt and Jensen, 2012; Mares, 2015) – may also do so on grounds of rejecting this expansive conception of accountability between fellow-citizens (Lever, 2007, 2015). Note that the secrecy of the ballot is not merely a European *status quo* but also an internationally recognized human rights: for example, the UN International Covenant on Civil and Political Rights, Article 25 (b) provides that "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions [...] To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage *and shall be held by secret ballot*, guaranteeing the free expression of the will of the electors" (emphasis added).

4.1.2 Looking Forward: Selection and Authorization

Voters may exercise their right to vote with a backward-looking focus on sanctioning, yet they may also vote with a forward-looking focus. First, voters may concentrate on who would be the best party or candidate to *select* for the task of representing them (Mansbridge, 2009). While selection, just like sanctioning, revolves around evaluating candidates or parties, it is conceptually *future-oriented* and typically *comparative*. Accountability may be enforced non-comparatively: a voter may decide not to vote for a candidate or party because of their subpar performance (in the voter's eyes) regardless of who else is in the race. Selection, however, is typically comparative: the voter's main concern in exercising this function of the vote is to put the best (or least bad) candidate(s) into office – in terms of their political platform (Thompson, 2002) competence or (when it comes to individual candidates) character (Bartels, 2002; Hardy, 2014; King, 2002; cf. Saward, 2014).

Selection is not merely important because it is instrumental in ensuring good representation, together with accountability (Mansbridge, 2009). Selection also carries intrinsic moral weight because it is the process through which representative action is seen as subject to voters' *authorization* (Parkinson, 2006). The electoral support accumulated by a candidate in gaining her seat can be seen as an indication of her *normative mandate:* a sign of trust which – some argue – the stronger it is, the more clearly it authorizes the representative to freely pursue what seems best to her in pursuit of voters' welfare, instead of deferring to voters' judgments (Guerrero, 2010; cf. Grossback et al., 2007).

Both the backward-looking and forward-looking functions of the vote in electoral democracies are significant practically as well as morally (Fearon, 1999). (The forward-looking function is taken to be instrumentally more important, though, in ensuring high quality representation, see Mansbridge, 2009). Yet this functional duality of the vote generates several potential ethical dilemmas for the voter. A candidate with whose past performance the voter is dissatisfied may still be the best to select, given the alternatives (in the voter's own evaluation). Voters may struggle to eventually select someone they also have reason to sanction especially since voting for a candidate may well strengthen her mandate and be seen by the larger public as authorization for wide political discretion. This is potentially not only regrettable from the voter's perspective, but also *undue*, since the candidate she would select – the least bad among very bad alternatives – is still *morally undeserving* of her trust, given past performance.

4.1.3 Seeing One's Like in Public: Descriptive Representation

Candidates' past performance (if they are incumbents), future plans, competence and character may be far from all that voters have practical as well as moral reasons to care about in selecting candidates. Voters may have good reasons to select representatives who share with them some – typically, though not necessarily, identity-generating – descriptive feature, such as gender, racial, ethnic, national, cultural or class background, disability or even the same profession. When acting on these reasons, voters contribute to the generation of *descriptive representation* (Pitkin 1967), realizing a *politics of presence* in 'high politics' (Phillips 1997).

Voters may care about seeing their like in representatives for a number of reasons. First, such representatives may be seen as instrumentally better at representing the group-specific

interests of the voter (Mansbridge 1999, but cf. Gerken 2005; Landa and Duell, 2015, Reher, 2021). Some empirical research suggests this instrumental link is very strong at least when it comes to women's representation: descriptive representation may be particularly conducive to or necessary for substantive representation (Campbell et al., 2010), even if clearly not sufficient (Williams, 1998). Second, voters may want to contribute to a public perception of members of their own disadvantaged group as *able to rule* (Mansbridge, 1999; cf. Mráz, 2020; Mráz, 2021; Mráz, 2023).[8] Third, there are also systemic effects of increasing descriptive representation that voters may care about, such as a better quality of deliberation or political engagement, attachment to the polity (ibid., but cf. Gay, 2001).

Especially voters belonging to disadvantaged groups and/or identity groups face several dilemmas related to descriptive representation. First, should they use their vote to ensure that their group interests are represented in and through formal political channels such as the legislature, or should they use their vote to discharge other functions (of accountability and selection), while ensuring their group interests are represented otherwise (Celis et al., 2008; cf. Saward, 2010 for ways of informal political representation)? Second, should they vote based on their group interests, or should they vote based on their other interests and conceptions of justice or the common good (cf. Agarin, 2020; (Hochschild et al., 2021; see also Section 4.2 below)?[9] These are practical as well as ethical dilemmas, since voters belonging to disadvantaged groups and / or identity groups may be of the conviction that they *owe it* to their group, at least *pro tanto*, to use their vote with a view to promoting their group's interests.

Further, voters who do not belong to disadvantaged groups and /or identity groups may also face ethical dilemmas related to descriptive representation. This is because they may see voting for candidates who belong to such groups as itself a duty of justice or a duty to promote the common good (see also Section 4.2 below), but potentially in conflict with like duties if other candidates seem to run on a better political platform as evaluated against the voter's conception of justice or the common good as a benchmark. For example, left-leaning male voters may struggle whether to choose a more conservative woman candidate or a more progressive male candidate in a polity where there are few, if any, women in high politics.

4.2 Adequate Reasons for Electoral Choice: Justice, Common Good, Self-Interest

The voter-centred perspective explicitly problematizes what considerations should voters take into account when they decide on what or whom to vote for (or against). Voter may have a variety of reasons to choose from political alternatives and candidates who promise or can be expected to deliver on these alternatives. The literature on the ethics of voting is divided as to which kind or kinds of reasons are permissible or adequate grounds for electoral

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[8] The public perception of disadvantaged groups as able to rule may be different within the advantaged (typically but not necessarily) majority group and the concerned disadvantaged group itself. Some evidence shows that political engagement among some – racial – minorities in a US context does not increase with more descriptive representation at the legislative level (Gay, 2011), which may or may not be a sign of unaffected public perception within the disadvantaged group.

[9] As Dovi (2007) forcefully puts it, "Some members of disadvantaged groups resent, denounce, and reject wholeheartedly any particular obligation to disadvantaged groups" (34).

choice. Four salient positions can be found. Three of these are monist in the sense that they recognize only one kind of adequate reason for electoral choice: reasons of justice, reasons related to the common good of the political community, or the voter's self-interest – respectively. The fourth view is pluralist: it recognizes all of the previous kinds or their combination as legitimate reasons for electoral choice. (The last position will be referred to as "reason-pluralism" to distinguish it from the pluralistic perspective above, see Section 3.4.)

4.2.1 Requirements of Justice

Voters, according to the first – and most restrictive – monist view on adequate reasons, may adequately vote based on their conceptions of justice (see Rawls 1971: 233–234, at least on one reasonable interpretation). This view relies on two assumptions. First, it sees voters as occupying a "public office" in the act of voting (Waldron, 1993), an appearance in the political sphere, where voters' action is either seen as state action or is governed by special norms of political morality ("an ethos of political culture") such as "civic friendship" (Rawls, 1971: 234). Second, this view assumes either that state action should only pursue requirements of justice, or that in the political sphere, reasons (requirements) of justice are the proper grounds for action for citizens.[10]

Duties of justice are not necessarily owed only to or with regard to persons within the geographical or temporal limits of the political community. Duties of justice may be owed to people outside of the political community (for related debates, see Brock, 2017), and to future generations (for related debates, see Meyer, 2021). If voters' electoral choice is adequately based on requirements of justice, voters may thus need to take into consideration the rights and interests of people outside of their own political community as well.

4.2.2 The Common Good

Voters, according to the second monist view on adequate reasons, may adequately vote based on what is in the common good (e.g., Brennan, 2012, esp. p. 48, but cf. Lever, 2017). On the one hand, on a weaker conception, the common good may be thought of as the proper aggregation of the preferences of the members of the political community, or that of their shared interests, or that which is in the interest of most members, without harming or exploiting others (ibid.; Schmidtz, 1996). On this understanding, the common good of the political community is nothing over and beyond what can be expressed in terms of individual citizens' preferences or interests. However, this need not imply that it is possible to interpret the outcome of the electoral procedure as the common good even if voters vote based on their respective self-interests (cf. Arrow, 1963). Further, even if it is possible to interpret the electoral outcome as the common good, voters may still not necessarily be morally permitted to pursue the common good indirectly, through the pursuit of their self-interest, rather than

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[10] Jason Brennan, a proponent of the common good account of adequate reasons for electoral choice (see the subsection immediately below), usefully formulates the *concept* of the common good as "a variable to be filled in by the correct theory of the ends of government" (2012: 115). While Brennan's *conception* (substantive theory) of the common good is broader than (and arguably different from) the requirements of justice (2012: 48), the justice account of adequate reasons for electoral choice could alternatively be spelled out, based on his definition, as a common good account with a particularly narrow conception of the common good. In this report, this formulation is not preferred as it would mask the ethical challenges for the voter posed by the need to prioritize between requirements of justice and (a broader conception of) the common good (see the Subsections immediately below).

directly. (Otherwise, this conception collapses into the view which sees self-interest as the adequate reason for electoral choice, see the subsection immediately below.)

On the other hand, on a stronger conception, the common good may be thought of as something distinct from and irreducible to individual preferences or interests (cf. Rousseau, 2002 [1762]). This may be the case if the pursuit of justice is regarded as constitutive of the common good (cf. Dworkin, 2002). Alternatively, a communitarian moral and political vision may underlie the stronger conception, which regards the good of the community as distinct from the good of the individuals constituting it. Such a vision may be (and has been) elaborated on multiculturalist, nationalist, or neo-Thomist grounds, for example (see Taylor, 1994; Miller, 2009; Finnis, 1998, respectively).

If voters are tasked to vote based on their conception of either justice or the common good, elections may – but need not – be conceived as a collective epistemic enterprise (cf. Cohen 1986). On such an approach, the individual voter's contribution to them, through the act of voting, may be evaluated, morally as well as epistemically, based on whether due epistemic care has been exercised in forming a conception of justice or the common good and in voting on that basis (Brennan, 2012). However, proper campaign regulation, campaign financing, a rich and diverse media system and other elements of a political deliberative system may considerably alleviate this burden on the voter even on accounts which consider requirements of justice or the pursuit of the common good to be the adequate kinds of reason for electoral choice (cf. Thompson, 2002; Parkinson and Mansbridge, 2012; Erman, 2016, Thompson, 2018).

4.2.3 Self-Interest

Voters, according to the last monist view on adequate reasons, may adequately vote based on their self-interest (Goodin and Roberts, 1975; Goldman, 1999). This conception of adequate reasons for electoral choice may be justified on a variety of grounds. First, it may be held that it is the aggregation of voters' self-interested preferences through the electoral process that constitutes the common good and that voters are able and morally permitted to pursue it indirectly, through the pursuit of their self-interest (as classical liberals think about the market, cf. Posner and Weyl, 2017). Second, voters may be seen as epistemically best placed to know or form justified beliefs about their own self-interested preferences, rather than about requirements of justice or the common good (Goldman, 1999; Schumpeter, 1976 [1942]). Hence, they may be most able to cast an informed ballot if voting on their self-interest. Third, the role of the voter may be seen as contrasted with the role of public office-holders who exercise political authority. As voting in elections is not exercising political authority (but cf. Waldron, 1993), voters may be free from acting on reasons of justice or the common good alone.[11] Fourth, especially on an agonistic conception of democracy (and related political realist conceptions of political ethics), voters may have no reason not to pursue their self-interest in democratic politics because the latter is seen as an amoralized sphere of life (see, e.g., Mouffe, 2000, 2016).[12]

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[11] This is less clearly so at least in some kinds of referendums whose outcome determines policy or repeals law without the mediation of the will of legislative representatives.

[12] Public choice theory can be seen as a critique of self-interested voting. While public choice theory aims to offer a descriptively adequate and explanatory account of collective, political decision-making, including

4.2.4 Reason-Pluralism

The reason-pluralist view holds that voters may morally adequately respond to a variety of reasons in voting (Lever, 2017; cf. Wolff, 1994). On the one hand, the reason-pluralistic approach is liberating from the voter's perspective: it allows her to take into account various kinds of moral and non-moral considerations in voting. On the other hand, the reason-pluralistic view assigns more responsibility to the voter for structuring, ranking and weighing these considerations. For instance, considerations of justice may conflict with considerations of the common good. In the voter's own assessment, for example, the political community may owe it by justice to other political communities and their members to take a fair share of the burdens of mitigating climate change, but, at the same time, the voter may consider it to be in the common good of the community to develop the economy without inhibitions. Likewise, both requirements of justice and the common good may conflict with the voter's self-interest. For example, the voter may see a higher income taxation rate as both required by justice and being in the common good, but as running against her self-interest.[13]

While structuring, ranking and weighing various adequate reasons for voting is a moral burden on the voter on reason-pluralism, this approach also implies at least some normative guidance for electoral choice. It makes sense to think about more universalistic reasons as having the very function of constraining more particularistic reasons. Hence, considerations of justice often, though possibly not always, constrain the pursuit of the common good as well as that of self-interest, whereas the pursuit of the common good often, though possibly not always, constrains the pursuit of self-interest. Qualifications indicate that the voter still faces hard questions within this framework that mostly concern how much of a 'prerogative' one enjoys to pursue self-interest even when that conflicts with requirements of justice (cf. Scheffler, 1992, 1995), and likewise, how much priority the voter can attach to what members of the political community owe to one another vis-à-vis what they owe to non-members of the political community (Scheffler, 2008)

The voter's moral situation is further complicated by the fact that the very same choice may be supported by various kinds of reasons, but not all of these may be sincerely believed by the voter. For instance, while it is entirely possible to conceive of justice requiring that the state should provide free nurseries for all (e.g., as a measure enhancing equality of opportunity for women on the job market), a voter may not see it as such, or she may even see it as running *against* her own conception of (e.g., libertarian) justice, and yet could see a reason to vote for it as something clearly in her own self-interest as a young professional parent.

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voting behaviour, it is deeply critical of its consequences (see, e.g., Mueller, 2003). Others question whether voting behaviour can be convincingly explained instrumentally, by reference to self-interest (See., e.g., Brennan and Lomasky, 1993; Lomasky and Brennan, 2000).

[13] Note, further, that legislatures, to a vast extent, do not make law by merely enacting a collective political will on what is in the common good or what justice requires, or some aggregation of self-interests. In making lower order law, legislatures often engage in the interpretation of already existing, higher order law (e.g., constitutional provisions prescribing aims of state action, international human rights treaties codifying individual rights etc.). This may have implications not only for the duties of representatives but also for what count as adequate grounds for voting (see Mráz 2022).

4.3 Voting for Communities and Identities

Voters may have reasons to exercise their franchise to the benefit of their specific communities or identity groups, whether by understanding the common good narrowly, with regard to smaller communities than the entirety of the political community, or by understanding self-interest broadly, including one's non-moral interests in the wellbeing of one's smaller or larger community. Some of the intricacies of voting related to identity group membership have been discussed above, in relation to descriptive representation (see Section 4.1.3) and the common good as well as reason-pluralist accounts of adequate reasons for electoral choice (see Section 4.2). This section therefore limits discussion to the ethical challenges that arise from multiple group membership (intersectionality) and from voting as a religious person.

4.3.1 Multiple Group Membership, Intersectionality

Voters may belong to one or more identity groups, or none. Belonging to multiple identity groups may give rise to specific ethical challenges from the voter's perspective (cf. Crenshaw, 1989, 1991; Philpot and Walton, 2007). On the one hand, voters may be in a situation where they have to choose between candidates and parties whose program supports, in the voters' own assessment, one of their identity groups but not another. For example, a woman living with disabilities, even if she finds both of these characteristics as identity-constitutive for herself as well as relevant to her political choices, may not find a candidate or party who would provide, in her eyes, adequate representation for both of these identities. (In fact, they may find that no-one provides adequate representation to their specifically intersectional interests; see also Section 4.4 below.) Again, in addition to forcing practical trade-offs, such situations may give rise to ethical dilemmas for the voter if s/he considers it a matter of integrity or a duty owed to both of her communities to vote for a candidate or program benefitting her identity groups.

Ethical dilemmas may be aggravated for intersectional voters if candidates or parties offering to benefit one of their identity groups are expected to be detrimental for their other identity group. For example, a voter who both identifies as a member of an ethnic minority and identifies as LGBTQIA may find that furthering the representation of her ethnic minority not only does not benefit the LGBTQIA cause but it is actually detrimental to it, or the other way round (see Young, 2000; Williams, 1998; Dovi, 2007: 35). Such cases do not merely generate conflict within an identity group – in the example: the LGBTQIA community – (Dovi, 2007: 35), but also within the voter who has intersecting identities.

4.3.2 Religious Voting

On the one hand, voters who have *religious convictions* may well find such convictions relevant to their participation in elections. Europe has a long history of Christian Democratic (Accetti, 2019) and Christian Socialist (Cort, 2020; Norman, 2002) politics, and as a multi-faith continent, voters in several polities may see their religion as naturally *bearing on what they find just or what is in the common good*. For example, religious right-wing voters may find that their religious conviction bears on how they think about the permissibility of abortion or same-sex marriage, whereas religious left-wing voters may find that their religious conviction bears on their thinking about poverty relief or environmental protection.

The literature is divided on whether voters are morally permitted to act upon their religious beliefs in their political conduct (Eberle and Cuneo, 2017), potentially including voting. Some earlier work in the political liberal tradition called for a strict separation of the political sphere from the private sphere, and argued that faith-based considerations, just like other moral considerations, that cannot be properly justified to all citizens have no place in political decision-making, potentially even inside the polling booth (this is referred to as the principle of "religious restraint", Eberle and Cuneo, 2017; see also, e.g., Rawls, 1993: 247 n. 36, for a nuanced account).[14] More recent work returns to a more nuanced liberal democratic position which recognizes the value of citizens' faith-based normative thinking for a rich public life as well as for citizens' ability to feel engaged with the public affairs of the political community and feel recognized as equals in self-government (Waldron, 1993; Wolterstorff, 1997; Eberle, 2002; Gaus, 2010; Cohen, 2011; cf. Freeman, 2020). Voters, on this latter approach, may rely on either any religious or moral reasons they see relevant when they decide whether and for whom to vote, or at least those that are not incompatible with the basic moral tenets of liberal democracy (cf. Rawls, 1993).

On the other hand, religion may also figure in the voter's reasoning as an *identity-constituting* feature (Ysseldyk et al., 2010) rather than a source of normative thinking. Seen as an identity group, from the voter's perspective, religious affiliation or church membership generates similar ethical quandaries for the voter to membership in other identity groups or communities. Considerations of descriptive representation as well as dilemmas of multi-group membership are then applicable to the religious voter's moral outlook too (see Section 4.1.3, and Section 4.3.1 above, respectively).

4.4 Being Outvoted vs. Never Quite Winning? Persistent Minorities

While being outvoted is a recurring and morally unobjectionable experience over a lifetime in any modern democracy (Weale, 1999: 195–200), belonging to a group of voters who never have their way raises special issues in the ethics of voting. Permanent or persistent minorities are "groups that always or nearly always lose on all the issues that arise in the ultimate voting decisions" (Christiano, 2008: 226; 226–228, 288–289). Members of a persistent minority may well be alienated from and disengaged with political institutions (Christiano, 2008: 227). The group-constitutive feature of a persistent minority may vary from one political context to another: most typically, religious, national, ethnic, linguistic or political minorities may find themselves in this position (Christiano, 2008: 289).

Belonging to a persistent minority puts special pressure on affected voters to vote strategically, rather than sincerely (see the Section immediately below), making all potential compromises which allow coalition-building so as to put an end to their *de facto* exclusion or isolation from impactful political processes. However, the very reason why persistent minorities retain this status is often that their members see good enough reasons to vote based on their identity-constitutive features. Compromising on these reasons could be detrimental to the integrity of such voters. Hence, voters belonging to persistent minorities often face an ethical dilemma: either they compromise on their identity-constitutive and

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[14] It is of note that most of the discussion on the proper place of religion in public life revolves around the role of religion in legislation and public *deliberation*; much less is explicitly said on the role of religion in *voting*.

identity-expressive political positions, or they cannot cast an impactful, instrumental ballot. Voters who find themselves in this situation may see themselves as having strong reasons for abstention from a political process they see no gain from and which they may regard as fundamentally unjust to them, given the radically unequal or otherwise unreasonably high burdens they have to undertake with participation.

The existence of persistent minorities in a political community may at once generate ethical dilemmas for voters who do *not* belong to any such minority. Other members of the political community may see the existence of such minorities as providing sufficient reason for them to vote with due regard to the interests of the persistent minority, at the expense of compromising their own interests too (cf. Ceva and Zuolo, 2013). Further, other members of the political community may consider the existence of persistent minorities to be good enough reason to vote for candidates, parties and programs that promise institutional (potentially constitutional) change that is otherwise likely to end the political exclusion or isolation of persistent minorities. Analogously, a voter may see reasons to vote for the interests and convictions of fellow-citizens who are not enfranchised but, in her view, should be, or who are not but should be provided with adequate support that would allow them to vote (cf. Mráz, 2023). Populations such as adults living with severe mental disabilities often are a case in point (see Anderson, 2012, Barclay, 2013; Barclay, 2019; Braun, 2015; Fiala-Butora et al., 2014; Mráz, 2020; Nussbaum, 2009).

4.5 Sincere vs. Strategic (Tactical) Voting, Compromises

Regardless of what reasons are adequate grounds for electoral choice, voters very often face the dilemma whether they should vote sincerely or strategically (tactically).[15] Sincere voting refers to voting for the candidate, party or program that is one's most preferred choice, whereas strategic or tactical voting refers to any other candidate, party or program than one's most preferred choice – typically in the hope that one's vote could have non-zero impact this way (Riera, 2016; Alvarez et al., 2018; Bol and Verthé, 2019).

4.5.1 Making a Difference vs. Making a Statement

Sincere or strategic voting is intimately linked, both in empirical and normative terms, with what voters wish to use their ballots for. On the one hand, voters may wish to make a difference and accordingly use their vote *instrumentally* (Lomasky and Brennan, 1993): i.e., cast a ballot which (in extreme cases) determines the outcome of an election, or increases a candidate's or party's normative mandate (see above, in Section 3.1.2), or at least that is part of a causal chain that determines that outcome of the election. On the other hand, voters may wish to use their ballot instead of these aims to *express* something (Lomasky and Brennan, 1993; Hamlin and Jennings, 2011): their dissatisfaction with 'the system' as such or the political elite (Kselman and Niou, 2011), or their political, religious, national, ethnic etc. identity (Schuessler, 2000), even if that expressive act of voting cannot be expected to make any political difference, at any rate, not through determining electoral outcomes. The voter's choice as to which of these ends she prefers to put her ballot to as a means partly determines her moral outlook on sincere vs. strategic voting.

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[15] "Strategic" and "tactical" voting are used interchangeably throughout this chapter.

Strategic voting behaviour is often practically necessary in a democracy to vote instrumentally, depending on the *voting system* used (Cox, 1997). Voters in majority systems may need to resort to strategic voting more often to have an impactful or instrumental vote. (For findings based on British elections, see, e.g., Heath and Evans, 1994; Mark et al., 1994; Allen and Bartle, 2018; Nicholls and Hayton, 2020). For example, in a majority system with two major parties and a minor party, if the voter's most preferred party is the third, minor one, casting a ballot in its favour is very likely to be wasted. This arguably creates a rational incentive to rather vote for one of the major parties (but cf. Behn and Vaupel, 1984; Cox, 1997: 69ff; Geisz, 2006). The same incentive may not arise in proportional representation-based (PR) voting systems with the same frequency, although lower district magnitude or parliamentary thresholds can change this. The latter may incentivize voters to cast their ballots strategically for major parties which face no risk of not meeting the threshold, or, quite on the contrary, thresholds may incentivize voters to cast their ballots strategically for a smaller party to ensure its parliamentary presence (see, e.g., Fredén, 2014).

Voters may vote with awareness of the fact that whoever they choose would compromise their own policy positions in response to coalition pressure (Duch et al., 2010). There is considerable controversy over whether voters in proportional representation-based (PR) voting systems, where coalitions are more likely to be formed, are able to make relevant predictions and hence vote strategically, and whether they need to do so at all given that fewer votes are wasted in PR voting systems (Downs, 1957; Cox and Shugart, 1996; Bargsted and Kedar, 2009; Fredén, 2014; Hobolt and Karp, 2010; Meffert and Gschwend, 2010; Irwin and Van Holsteyn, 2012; García-Viñuela et al., 2015).

Expressive voting – if it regards *individual expression* as the purpose of voting, as it is commonly understood (Brennan and Lomasky, 1993; Brennan and Hamlin, 1998; Jones and Hudson, 2000; Kan and Yang, 2001) – may ignore strategic considerations. However, if expressive voting is understood as voting with the purpose of *collective political expression*, e.g., that of disaffection and protest, it may also justify strategic voting (cf. Kselman and Niou, 2011). This is because the individual's efforts to express something to the political community at large or the political elite etc. may be lost without a joint effort. The latter may require voters to coordinate or predict other voters' expressive behaviour and act in light of such predictions, strategically.

Strategic voting as such may be seen as morally objectionable, for various reasons. If voting is considered to be a primarily epistemic collective enterprise (cf. Section 4.2.2 above), strategic voting may be seen as threatening the outcome with distortion (cf. Cohen, 1986; Miller, 1992; Waters and Hans, 2009). Strategic votes may be seen as 'polluting' the elections just like uninformed votes (cf. Brennan, 2012). Alternatively, strategic voting may be seen as an undue compromise to (or downright betrayal of) one's identity group (see also Sections 4.1.3, 4.3, and 4.4 above). Others may find strategic voting as such unobjectionable (e.g., Riker, 1982; Geisz, 2006; Wilson, 2019). Yet others, while not objecting to strategic voting itself, object to the presence of especially difficult strategic choices for all or some voters, or the unavailability or radically unequal availability of adequate information necessary for voters to make strategic choices in an informed manner (Wilson, 2019: 206, see also Selb, 2012).[16]

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[16] It is noteworthy in this regard that some evidence suggests voters in higher age groups and with better socio-economic status are more likely to vote strategically (Eggers and Vivyan, 2020). This raises

The most pressing ethical dilemmas arise in contexts where voters have strong reasons for both instrumental and expressive voting. Familiar scenarios involve voting for the 'less evil' option in what voters perceive as 'high stakes' elections. In such cases, voters may have strong reasons to express that they are extremely dissatisfied with the political elite (especially with both parties in two-party systems), but they may also have strong instrumental reasons to prevent their least preferred party from forming a parliamentary majority. Political polarization may contribute to voters seeing electoral choices in this light (see Talisse, 2020 on polarization). Yet, as seen above, voting systems can themselves also contribute to the generation of ethical dilemmas of this kind.

4.5.2 Strategic Voting in a Narrow vs. Broad Sense, Compromising

Strategic voting may be defined in a narrow or broad sense. Voting is strategic, narrowly defined as above, when a voter casts her ballot on a candidate, party or program other than her most preferred choice. This narrow understanding of strategic voting is both prevalent in the political science and political philosophy literature and raises special ethical issues as outlined above. However, voting may be strategic in a broader sense too. Even in selecting one's most preferred choice, one often faces compromises and trade-offs. Voters may have to make peace with the fact that not all of their values are represented on the democratic political spectrum in a given election, and also that some of the values they find relevant to their political choices are represented in 'package deals', i.e., only together with other values and policies that they find unappealing (unjust, not in the common good, or against their own self-interest). For example, some voters may wish to vote for a party that runs on an economically leftist-progressive agenda but a culturally right-conservative one, yet they may find that no such party exists (see Kurella and Rosset, 2018 for an analysis of this gap in the 2015 Swiss election). In this case, voters may have to vote for a party with a progressive or a conservative agenda across the board or decide not to vote at all (Kurella and Rosset, 2017). Hence, even in sincere voting (as opposed to narrowly strategic voting), ethical issues arise regarding the morally permissible or required compromises once we take into account that from the voter's perspective, voting is often strategic in the broad sense.

Compromising on political values may be seen as intrinsically valuable (Rouméas, 2021), but it may also be objectionable when such values are seen as absolute or unconditionally valuable. So-called *rotten compromises* objectionably realize trade-offs on exactly such values (Margalit, 2010). Even if compromises are not generally objectionable, voters may consider some compromises as 'rotten' or falling under absolute prohibition. On the one hand, when an electoral option is beyond the limits of what may be coherent with democratic ideals themselves (e.g., a party which aims to replace democracy itself with a totalitarian alternative, cf. Downs, 1956: 257), such a moral prohibition is justifiable in democratic elections. On the other hand, if too many options appear as absolutely prohibited from the voter's perspective, this not only aggravates ethical dilemmas for the voter but also hinders

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questions as to whether the interests of these populations may be overrepresented, and whether these populations compared to others within the electorate find it less burdensome of vote strategically, or have better access to relevant information, or there is some other, non-objectionable reason for their more prevalent strategic voting behaviour.

her ability to use her vote instrumentally. This is particularly salient in the case of persistent minorities (see Section 4.4 above).

4.6 The Role of Individual Judgment

The focus on the voter's perspective also reveals that voters invariably – although given systemic features of present-day democratic institutions, all too often – face ethical dilemmas, compromises and strategically complex practical questions in voting (see the Section immediately above). This underlines the relevance of *individual judgment* and *prudence*, much emphasized in the politician-centred perspective (see Section 3.1 above), for the ethics of voting too. These political *virtues* need not and cannot replace principled reasoning about moral issues in voting. However, the significance of their cultivation must be acknowledged not only for political leaders but also for voters (Ottonelli, 2018; Cox, 1997). Whether in strategic voting; in deciding between backward-looking, forward-looking and descriptive aspects of representation; or in deciding which one of one's numerous identities to vote for, prudence is necessary to reliably make adequate and adequately timed trade-offs.

Having to make morally difficult choices or to bear burdens due to one's convictions is not necessarily a morally objectionable situation to be in (see, e.g., Scanlon, 1986: 117). Yet some choice-sets may be alienating one from the choice situation altogether (see the Section immediate below). It is conjectured that institutions of electoral democracy may be more or less conducive to such alienating choices. Mixed voting systems, open party lists, rank-choice systems offer voters' judgment more space to take a number of different considerations into account in their decision, and also to weigh these considerations more freely. Majority systems or closed party systems offer less freedom in this regard.

4.7 Participation vs. Abstention

A large body of the ethics of voting focuses on moral questions as to whether and when voters should or should not participate in electoral processes. Although the dilemma of participation vs. abstention seems prior to question regarding how or on what grounds voters should vote, taking the voter's perspective seriously can allow us to appreciate why some ethical dilemmas and compromises voters face alienate them from political participation.

Some of the literature argues for a robust *moral duty to vote*. This may be seen as a civic duty (Brennan, 2012: 40ff, cf. Blais and Galais, 2016), or a duty of fairness to other voters (Brennan, 2012: 38ff), or a duty of "common pursuit" (Maskivker, 2016; Maskivker, 2018; Maskivker, 2019). Further, the duty to vote may be grounded in a duty to avoid complicity for unjust outcomes (Beerbohm, 2012), or a duty to avoid at least disastrous outcomes, or to promote the public good (Lomasky and Brennan, 2000), or even to contribute to good outcomes (Goldman, 1999). Others, however, argue that there is nothing morally objectionable about living an apolitical life (Brennan, 2012; Freiman, 2020), and even within politics, there are other ways to live a life of civic virtue than by voting (Brennan, 2012). Although the existence of a *general* or *unconditional moral* duty to vote (see, e.g., Maskivker, 2019) is highly disputed, the existence of a conditional duty to vote can be a conciliatory and potentially not widely disputed position (Goodman, 2018). Likewise, it has also been argued that citizens have a *conditional moral duty to abstain* if they are indifferent to the outcome (Sheehy, 2002).

Whether or not citizens have a moral duty to vote, it is a separate question whether they should also have a *legal duty to vote* (Lever, 2010a), in other words, whether voting should be *compulsory* (Hughes, 1966; Brennan and Hill, 2014; Lever and Volacu, 2018; Umbers, 2020; Volacu, 2020).[17] Not all moral duties should be legally enforced, and some legal duties are justified even though they do not enforce moral duties at all. Indeed, most arguments for compulsory voting do not rely on a moral duty to vote, but aim to promote some impersonal democratic, egalitarian or liberal value. Compulsory voting is seen by some as an antidote to low turnout, unequal political influence and power (Lijphart, 1997) or even to the low sociological legitimacy-levels of EU institutions (Malkopoulou, 2009), as well as more generally as a means of enhancing political, social and economic fairness (Birch, 2009), or inclusiveness (Hill, 2010; Hill, 2013). Yet others see compulsory voting as a way to protect and promote liberal values such as autonomy and equal liberty (Lacroix, 2007), or to enhance democratic values such as political participation and equality (Engelen, 2007), or ensure equal political authority of all citizens (Chapman, 2019).

Others argue against compulsory voting. Some of its critics point out that a regime of compulsory voting fails to appreciate the value of the right *not* to vote (Saunders, 2012, 2016), or that uninformed voters may harm others or otherwise diminish the quality of political decision-making (Brennan 2011; Brennan, 2012; Brennan, 2016). Empirically, compulsory voting can increase the dissatisfaction of those already seeing democracy as illegitimate, rather than facilitate their engagement or mitigate their disaffection (Singh, 2018; see also Lever, 2010ab). Further, it may be unhelpful as a means to combat low turnout and unequal participation (Lever, 2009).

5. CONCLUSIONS

Shifting to the voter-centred perspective allows for a much finer grained ethics of voting. The voter-centred perspective is no *panacea* to the ethical challenges of the voter in European democracies. Nor is it meant to be so. As the present survey has shown, taking the voter's perspective as the point of departure for the ethics of voting rules lands us with an irreducible plurality of normative considerations relevant to the ethics of voting. Contributions to the rich philosophical and ethical literature typically focus on a highly limited number of these at once. By contrast, this chapter has broken some new grounds in applying a synoptic perspective which recognizes multiple (and often conflicting) ethical considerations as relevant to decisions about whether and how to vote. This new perspective is significant not only because it takes account of the multiplicity of ethical considerations and concerns that voters in a diverse geopolitical space as Europe is bring to the voting booth. Such a perspective is also unique in allowing us to ask the hard questions about resolving conflicts between the considerations surveyed, and about the design of electoral institutions that could shape not only voters' motivations but also their moral landscape.

On the one hand, taking due account of the ethical dilemmas that arise from the several aspects of electoral representation – accountability, selection, and descriptive representation

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[17] Indeed, voting is compulsory (nationwide) in a number of EU Member States: Belgium, Bulgaria, Greece and Luxembourg (Sabbati et al., 2019), as well as in a number of other countries, especially in Latin America (for a comprehensive list, see International IDEA, n.d.).

– the various potential grounds for electoral choice – justice, the common good, self-interest – the complex ethics of community-regarding voting for religious voters in general and for persistent minorities, as well as the intricacies of expressive vs. instrumental voting and sincere vs. strategic voting, lead us back to a central insight of the politician-centred perspective. Namely, that the role of judgment and prudence in navigating ethical challenges in politics is crucial. Yet the role of judgment is underappreciated in the ethics of voting, as studies on political judgment overwhelmingly focus on political leadership. In this regard, this chapter paved the way for other chapters of this collections (esp. (Fumagalli et al. 2023) and to some extent, (Mráz and Lever 2023b)) which focus on how conflicts between these elements of the voter's perspective generate ethical challenges, in general as well as in specific electoral institutions in particular, and how they could or should be resolved through the use of judgment.

On the other hand, the ethical challenges seen from the voter's perspective are not all inevitable. Some arise from failures of representation, as well as suboptimal choices of democratic institutional design. These avoidable, and often unfairly distributed, ethical burdens on European voters could be mitigated by better institutional choices that are informed both by rich normative, moral considerations laid out in this report, as well as by sound empirical findings whose relevance this report also aimed to underline. In this regard, the present report laid down the groundworks for (Mráz and Lever, 2022b), which explicitly focuses on how specific electoral institutions generate, amplify or mitigate ethical conflicts that voters face.

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Chapter 6

TYPICAL CONFLICTS OF DUTY AND PRUDENCE FACING VOTERS IN DEMOCRACIES

Corrado Fumagalli, Michele Giavazzi, and Valeria Ottonelli

1. INTRODUCTION

The main results to be produced by this analysis consist in the problematisation of the oppositional couple common good/self-interest, which underlies mainstream theories of the ethics of voting, and in the creation of a more fine-grained, complex and nuanced map of the relation between a) *different kinds of duties and obligations* that may fall on electors, and b) *two different understandings of prudence*, as the rational pursuit of self-interest and as the virtue of responsible decision making.

It needs to be stressed that although the present analysis has in view the actual practice of voting, given its real-life conditions and circumstances in contemporary democracies, its purpose is *not* descriptive, nor does it consist in predicting voters' behaviour or voting intentions. The correlation between voters' decisions and behaviour and sociological, economic, psychological and political factors has been explored by an important literature produced by political scientists and sociologists.[1] However, the main goals of such a literature are predictive and explanatory, aimed as they are to understand what social determinants and processes prompt voters' decisions. The purpose of the present analysis, instead, consists in mapping the principles, duties and considerations that may *legitimately* drive voters' choices, in order to provide *normative guidance* and a *better ethical understanding* of their relations to each other and possible conflicts. The perspective adopted, in other words, is normative and reconstructive of salient *principled* considerations, rather than descriptive.

Mráz and Lever (2023a) aimed to compare the voter-centred perspective of REDEM with party-centred, politician-centred and pluralist-centred perspectives on voting, the main

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[1] For some useful reviews and collections summarising the existing body of literature on voting behaviour and the different approaches that have been developed since the seminal works by Berelson, Lazarsfeld et al. (Lazarsfeld, Berelson, and Gaudet 1948; Berelson, Lazarsfeld, and McPhee 1954), Campbell, Converse et al. (Campbell, Converse, Miller and Stokes 1960), and Nie and Verba (1976), see Arzheimer et al 2017, and Fisher et al. 2018.

contrast that constitutes the focus of the present report is the one with mainstream accounts of the ethics of voting, which focus essentially on the opposition common good/self-interest as the two main coordinates (one moral and the other non-moral) along which we are supposed to grasp, conceptualise and discuss the ethical dilemmas and conflicts that we face as voters in democratic elections.

This report was developed in close continuity with the surveys of the relevant existing literature and the conceptual and normative analyses provided in Fumagalli and Ottonelli (2023), Häggrot (2023), Mráz and Lever (2023a 2023b). It provides the fundamental coordinates for analysing model scenarios that can serve as illustrations of the ethical complexity of electoral choices.

2. APPROACH

As mentioned, the purpose of this report does not consist in producing a predictive or explanatory model of voters' behaviour, but instead in providing a critical analysis and mapping of the conflicts between prudence and duties that voters may face when they need to decide how to cast their vote. It should also be reminded that the overarching purpose of the REDEM project, in analysing the ethical dilemmas of voting, does not consist in solving them or in offering electors ready-made prescriptions about what to do in specific cases. Rather, the purpose consists in providing a better understanding of the structure and relevance of such dilemmas, in order to better appreciate and acknowledge the complexity of the decisions involved, and to offer a framework of analysis to initiate a public conversation and elaborate educational materials on the ethics of voting.

The approach that we followed in drawing this report is a) conceptual and b) reconstructive. This means that a) in analysing the conflicts of prudence and duty we try to clarify the notions involved, to make their multiple meanings explicit, and in so doing also redraw the conceptual map around which the ethical conflicts involved in voting are usually represented; b) in analysing the conflicts of prudence and duty, we try to interpret through ethical lenses motives and rationales that often drive voters' behaviour and are reported by the empirical literature on voting. Thus, for example, we consider social identity, or self-interest, as possible factors that play a role in voting decisions, and we consider, in light of the existing debate on the ethics of democracy, whether, to what extent, and in which cases these factors can legitimately determine our vote. Through this reconstructive work, we build a typology of duties and other ethically valid motives for selecting among electoral alternatives. The conflicts between duties and prudence, and between different duties, can be analysed by reference to this typology.

In developing our analysis, we keep on the background two important conditioning elements that determine the context in which ethically relevant decisions about voting are made. The first element is the informational environment in which voters make their decisions, and their awareness of the related epistemic limitations, available shortcuts and enhancements (Bartels 1996; McDermott 1998; Baker, Ames, and Renno 2006; Alvarez, Hall, and Levin 2018). The second element is the different purposes that voting can serve (notably, depending on whether the vote is forward-looking or backward-looking), and the associated meanings. Both elements play an important role in the very description of the ethical dimensions of voting decisions. We incorporate the acknowledgment of these important

background elements in our analysis of prudence as a form of reasoning which is context-sensitive (see section 3.2). Another important background element of the ethical meaning and impact of voting decisions is constituted by the configuration of the electoral system and voting rules that voters face. This is a fundamental element because different electoral systems pose different ethical issues and make the tensions generated by conflicting duties play out in different ways.

This report is organised as follows. In the next section, we analyse two main meanings of "prudence" as a determinant of voting: prudence as self-interest, and prudence as the exercise of an ethics of responsibility. In section 4, we analyse the main duties that can be relevant in deciding how to vote. In Section 5, we map the possible conflicts between prudence in the two meanings considered and the duties justified in the previous section. In the sixth and final section, we consider three cases that illustrate possible conflicts between duties and prudence, and between different duties. The main purpose of these scenarios is to test the analytical framework that is built in the previous sections and to provide an illustration of its use in interpreting and clarifying some voting dilemmas.

3. PRUDENCE

3.1 Prudence as Self-Interest

In the literature on the ethics of voting, the typical axis on which the ethical dimension of voters' choices is theorised is the oppositional couple self-interest/common good (for a reconstruction of the debate, see Taylor 2019; Mráz and Lever 2023a). By "prudence", following an established literature, we may mean to refer to the first term of this oppositional couple. Prudence, understood in this way, responds to the question "what would be good for me, what would be in my self-interest" (Dorsey 2021: 1). Each individual has interests and goals to care about, and prudence is the reasoning and sphere of action that pertains to the attainment of such personal goals. The realm of prudence is the realm of means-ends, instrumental rationality that is meant to produce the maximum advantage for the individual. Traditionally, prudence so understood is contrasted to morality. Prudence and morality do not necessarily pull to different directions, because there are cases in which one's self-interest requires to do what is also the best course of action from the moral point of view. However, there are many instances in which they conflict, and in any event the motives behind the prudential action and the motives behind the moral action are different.

In the debate on the ethics of voting, this opposition between prudence and morality is reproduced through the opposition "voting according to one self-interest" vs "voting for the common good", where voting for the common good is usually taken to be inspired by principled, other-regarding reasons, while voting for one's self-interest is inspired by the prudential calculation of which option best further the interests of the voter. However, it may be noted that the language of "prudence", unlike the language of "self-interest", does not only refer to the outcome that is aimed at in voting (self-interest), but also to the *process*, that is the kind of rationality, that is employed in aiming at serving one's self-interest. Prudence, in other words, connotes a way of means-ends reasoning (Bratman 1987; Wood 2015; Brunero 2020) which takes into account and balances different considerations that may guide us in pursuing our self-interest.

One important question to ask is how we should conceptualise self-interest. In much empirical literature on voting behaviour, self-interest is understood quite narrowly, as the short-term gain in terms of material and financial resources, also due to the fact that many studies on the topic focus on the level of approval of economic policies. Thus, for example, Sears et al. (1980: 671) define self-interest as those considerations that "bear directly on the material well-being of individuals' private lives"; Young et al. (1987: 64) define it as the "degree to which a political issue impinges immediately and tangibly upon an individual's private life", and more recently Bali et al. describe selfish motives for voting as "earn income and acquire commodities"... "to enhance our physical welfare"(Bali et al. 2020: 2). However, how Lewin (1991) notes, this is self-interest defined in a narrow sense, as economic or material gain, while if broadly understood as the maximisation of one's utility self-interest can amount to anything.

The problem of the precise connotation of self-interest is of the utmost relevance for the *explanatory* models of voters' behaviour, since unless one precisely defines what self-interest is, explaining electoral choices and political behaviour in general by appealing to self-interest is useless. However, the issue of what counts as self-interest has also a *normative* import for the debate of what can be a legitimate motive for voting. Indeed, whether voting for one's self-interest, as opposed to other motives, is legitimate or not might depend on what we mean by self-interest. This is also true if we understand self-interest as a non-moral motive, that is if we assume that it falls squarely within the realm of purely prudential rationality in the classical, Hobbesian, sense of the term. In fact, even according to this purely self-regarding, instrumental understanding of self-interest, we still need to ask what is the best course of action for the individual, what each one should pursue and what is the time frame of the interests to be pursued. Thus, for example, the idea that the self-interest of an individual can be simply identified with their short-term economic gains may be challenged by more sophisticated accounts of instrumental rationality and conceptions on the individual good (see for example Pettigrew 2019; Arvan 2020).

When it comes to voting in representative democracies, a fundamental conceptual distinction is the one between subjective and objective views of self-interest. According to objective views, self-interest can be identified independently of the judgment of the individual concerned, by looking at their position within society, their economic and social condition, and other features that connote them as socially situated. According to subjective views, self-interest is what the subject believes that their interest is, independently of external judgments or any "objective" fact about them.

This distinction is especially important once we take into account the informational basis of the vote. According to objectivist views of self-interest, it is possible for a person not to be aware of what their interest is, because of the lack of adequate knowledge. Thus, for example, certain workers may not be aware of the fact that their economic interests are opposed to those of their employers, because they falsely believe that being in the same trade makes them share the same goals and return from economic policies. According to the seminal work of Hannah Pitkin (1967), this view of interest also justifies the notion that representatives, if enlightened enough, can act as trustees for their electors, since the electors' interests can be understood and discovered independently of the validation of the subjects involved. Other theories place on political vanguards (Gouldner 1974; Calhoun 1983; Carroll and Ratner 1994; Lukes 2011; Richard 2020), or the work of consciousness raising and political mobilisation

among peers (Fraser 1990; Babbitt, Alcoff, and Potter 1993; Sarachild 2000; Cloud 2018), the epistemic burden of uncovering the true interests of the relevant groups.

On the subjective view of self-interest, the informational basis of the vote is still important because people can be wrong about what *promotes* their self-interest (for a criticism, see Smith 1989); however, voters cannot be wrong about what their fundamental interests *are*. Accordingly–as noted by Pitkin—the functions of representatives are more akin to those of delegates. This is because representatives cannot presume to know what the interests of their electors are, given the fact that they are subjective and can vary through time for reasons that can only be ascertained by paying attention to the authoritative judgments of the electors themselves. According to this view, moreover, interests can be conceived as detached from social identities and their definition can only be negotiated in the relation between representatives and those represented (Staehr Harder 2020).

It is important to stress that one of the main assumptions of the deliberative view of democracy (for a survey, see Häggrot 2023) is that people are not aware of their real preferences and interests before they come to discuss them in public. Some seminal works in the theory (Elster 1986; Manin 1987) seem to even suggest that people do not *have* fully formed (politically relevant) interests and preferences before they enter a deliberative process. This element further complicates the notion of "voting for one's self-interest" as opposed to the common good, because in some versions of the deliberative theory of democracy, and at least for some decisions, the "enlightened self-interest" (Mill 2011) of voters that comes out of deliberation might come to coincide with what is good for everyone else.

3.2 Prudence as Responsible Decision-Making

There is a second sense of "prudence" that needs to be considered in analysing the conflicts between prudence and duty. This sense does not refer to the self-interest of the individual, but to a form of moral judgment. This distinctive form of moral judgment does not obey to deontological reasoning and is not strictly duty-based or principle-based, but still responds to a commitment to the good of the political community rather to selfish motives. Understood in this sense, prudence is the exercise of the "ethics of responsibility" in deciding in specific circumstances, and given the uncertainty of politics, which course of action is best all things considered. In Western political thought, this notion of political prudence as a virtue is contrasted to the one endorsed by a "realist" approach, which sees political prudence as a form of cunning or cleverness that consists in devising the right means for achieving one's political ends (Coll 1991). Hariman and Beer (1998: 301) thus summarise the core ideas of this classical understanding of prudence: "the political actor must strive to achieve what is good both for the individual and for the community; doing so requires the capacity for adaptive response to contingent events; this amalgam of ends and means is developed through deliberation; and it culminates in character rather than technical knowledge".

An important reference, in the history of political prudence as a virtue, is Aristotle. In his *Nicomachean Ethics*, Aristotle theorises prudence as an intellectual virtue, which concerns "deliberation", that is the exercise of judgment on matters to be decided "where the consequences are unclear, and things are indefinite" (*Nicomachean Ethics*, book III, 1112b). In this sense, prudence, or "practical wisdom", although it is an exercise of thought, is different from scientific knowledge, which concerns those things that could not be otherwise,

and on which we do not deliberate, because they are a matter of necessity and there is no action to be taken about them. Prudence is also to be distinguished from skill, because skills are employed in building and producing things (in other words, are a matter of technical expertise), while prudence is exercised in making decisions about how to act. Moreover, prudence is not to be conflated with mere cleverness; indeed, cleverness, that is the ability to devise the means for one's ends, applies to any end, while prudence is meant to achieve the "chief good" (1144b). In *Politics*, Aristotle specifies that prudence, in a polity, pertains to the rulers. The reason is that, as mentioned, prudence is a virtue exercised in action and decision making, and only rulers make decisions, while those who are subject to those decisions do not need to have prudence, but true belief (Politics, III, 1277b25-28).[2] According to Coll, the three main components of Aristotle's prudence are *deliberation*, *self-control* and *good sense*. Deliberation is the reasoning that weighs the various considerations about different lines of action; self-control is the capacity not to be swayed by one's passions and delusions; and, finally, good sense is the capacity to exercise sympathetic understanding and fairness towards others, by putting oneself in other's shoes (Coll 1991, 38).

In the same line of thought is also Aquinas' reflection on prudence. Also for Aquinas, prudence is a distinctively practical form of wisdom, which is exercised in making decisions and taking action. Pure judgment, therefore, is not prudence (Jones 314). In the *Summa* we can find a detailed analysis of all the virtues that make up the prudent character: Memory (that is, experience of past relevant circumstances); Understanding or Intelligence (that is the notion of the right universal principles); Docility (that is the disposition to be taught by those who are more experienced); Shrewdness (that is "disposition to acquire a right estimate by oneself"; Reason (that is, the capacity for good reasoning); Foresight ("the notion of something distant, to which that which occurs in the present has to be directed"); Circumspection (that is, the capacity to compare the means with the circumstances); Caution (that is, the capacity to foresee and avoid evil) (*Summa*, Primae Secundae, Question 49).[3]

J.P. Dobel has usefully tried to "operationalise" the classic lists of features of political prudence built by Aristotle and Aquinas by offering a tripartite account of the "dimensions of political achievement" associated with political prudence. The first two items of the list concern the capacities that must be cultivated by the prudent leader: (1) disciplined reason and openness to experience, and (2) foresight and attention to the long term. A second group of items includes the modalities of statecraft leaders should master: (3) deploying power; (4) timing and momentum, and (5) the proper relation of means and ends. Finally, the last two items concern the outcomes of prudent leadership: (6) durability and legitimacy of outcomes, and (7) consequences for community (Dobel 1998: 74).

Edmund Burke described political prudence as "the business of the politician", as opposed to the purely speculative inquiry on the proper ends of government that concerns the

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[2] Jagannatah explains that the "true belief" Aristotle mentions here is good judgment about the rulers' decisions. Those who are subject to the rule obey willingly because they see that the decisions are good and directed towards a good end. In this way, while not exercising prudence, they contribute to the good government of the polity (pp. 16)

[3] On the role of the Aquinas in shaping the notion of prudence, see Jones 2008. Jones offers a sophisticated history of prudence, in response to Gerver's Machiavellian account, by contrasting the teleological tradition of Aristotle and the Aquinas with the mechanistic tradition inaugurated by Marsilio da Padova, Hobbes and Machiavelli.

philosopher. The politician must "find out proper means towards those ends, and to employ them with effect" (Burke, cited in Canavan 1959, p. 62). The proper object of political prudence is the political good, which is *concrete*, that is relating to specific social and historical circumstances, *practicable*, as opposed as utopian and oblivious of the obstacles and evil consequences that can be encountered in pursuing good ends, *complex*, because it needs to take into account all the plurality of moral and factual considerations that bear on a given decision; and *imperfect*, because very often must accept that perfection is not attainable, and must strive instead for what is best given the circumstances (Canavan 1959).

Finally, we can read an account of political prudence into Weber's famous essay on *Politics as Vocation*, in which he tries to vindicate the morality of politics as a "morality of responsibility" as opposed to a "morality of conviction". Here Weber describes the three main qualities of the good politician, that is of the good "ruler", if we want to keep the language used so far in relation to political prudence. The first is *passion*, by which Weber means the sincere devotion to a cause. Politics is not an activity done for its own sake, but must be guided by principles and ideals. The second quality, however, is the *sense of responsibility*, which warns against making crucial decisions without taking into account the specific circumstances and possible consequences of one's actions. The sense of responsibility Weber advocates calls for the accurate consideration of the consequences of one's actions, but cannot be mistaken for mere calculation or political cleverness. It accounts instead for a distinctive morality of politics, which is grounded on the acknowledgment of the responsibility for the consequences of one's actions. This means that it is not enough to appeal to absolute moral principles, in justifying one's actions, but one must consider their implications in the world as it is, with all its complexities and imperfections, including the fact that in politics we interact with other actors, with their own goals and ends, so that the result of our actions depends on what other people will do. The third quality of the good ruler, according to Weber, is *a sense of proportion*. Weber warns against the danger that politicians, enamoured of their own passion and ideals and their sense of empowerment, might leave their vanity unchecked and let their ambitions and overappreciation of their own power guide their decisions. The condemnation of this sense of unchecked empowerment lies behind Weber's disapproval of *realpolitik* as a "whatever it takes" attitude only aimed at achieving one's political goals (Cherniss 2016; Satkunanandan 2014).

With this brief review of some classical texts in mind, we can summarise the main traits of political prudence as responsible decision making that can serve our analysis of the ethical dilemmas faced by voters in a democratic regime:

1. Political prudence is a form of practical wisdom, which is exercised in making politically relevant decisions.

2. Although it is not a deontological form of reasoning, it is inspired by ideals and must be guided by a sense of what is right and of the "chief goals".

3. Since it relates to the imperfect world of politics and to action in varying and specific circumstances, it needs to take into account the consequences, implications and conditions of one's actions. These include in particular three circumstances, which we might call the "circumstances of political prudence": a) our limited knowledge and difficulty at foreseeing the future; b) the interaction with other actors, whose goals and purposes may diverge from ours c) the possibility that in an imperfect and complex world

moral imperatives and ideals may pull in different directions and come into conflict with each other.

4. In the realm of politics, the preoccupation for the consequences of one's actions especially pertains to the implications in terms of its *efficacy*, that it its actual capacity to bring about its desired results, and in terms of the *legitimacy* and *stability* of the political order in which it takes place.

Since voting is the participation in a collective act of decision making and pertains to citizens as rulers and the domain of politics, this classical analysis of political prudence applies to the act of voting. In fact, although most classical analyses, including Weber's, were meant to refer specifically to political leaders and limited bodies of rulers, in a democratic regime the ultimate rulers are the members of the polity through the exercise of their voting powers. And there can be no doubt, in fact, that voting in democratic elections and other forms of consultation is the exercise of a politically relevant normative power (Ottonelli 2018; Ceva and Ottonelli 2021).

However, voting in democratic elections calls for a specific application of political prudence, given the distinctive mode of exercise of political power that is implied in such a collective and universal rule. Thus, it is important to call the attention on the distinctive way in which the traits of political prudence manifest themselves in the case of the democratic vote.

Notably, consider the "circumstances of political prudence" mentioned above, that is the circumstances that need to be taken into account in assessing the consequences, implications and conditions of one's actions in political decision making:

a) our limited knowledge and difficulty in foreseeing the future. In the case of democratic voting, this typically relates to the problem of correctly assessing the candidates and programs among which we choose. When we vote, we choose among alternatives whose features and final consequences are to a certain extent undetermined and unknown. There may be better and worse heuristics for collecting the relevant information, but part of the exercise of our political prudence will consist in taking into account this ineliminable uncertainty and develop strategies for coping with it (Popkin 1991; Sniderman, Brody and Tetlock 1993; Bernhard and Freeder 2020; Crowder-Meyer, Gadarian, and Trounstine 2020; Colombo and Steenbergen 2020).

b) the interaction with other actors, whose goals and purposes may diverge from ours. In the case of democratic voting, this especially relates to the fact that one's vote is not a self-standing and isolated act of command, but contributes to democratic decision making along with millions of other votes. Therefore, one needs to assess the likely effects of one's vote by taking into account the possible configurations of the vote of all the other fellow electors. Here deliberation needs to be supported by a good capacity in foreseeing the trends and numbers of other people's votes, and in coordinating with other voters in the pursuit of common goals through the electoral process (Cox 1999; Crisp, Olivella and Potter 2012; Ottonelli 2020; Giavazzi 2021).

c) the possibility that in an imperfect and complex world moral imperatives and ideals may pull in different directions and come into conflict with each other. This is a general truth about the circumstances of practical reasoning, but as we will see in more detail in Section 4 and 5, voters are subject to various normative requirements and duties, such as the

duty to further justice, or the duty to be loyal to one's party, or specific value commitments. It is often the case that none of the available electoral alternatives allows to fulfil all these requirements at the same time. When this happens, they need to assess the relative importance of the different normative constraints and imperatives that are relevant to the decision and establish which ones should prevail. It is important to stress that this is not a task that can be accomplished once for all and in the abstract, because the relative importance of the different duties depends on the specific circumstances to which they apply, and on the specific identity, commitments and position of the voter. This sensitivity to context is one of the main traits of political prudence.

Democratic voting also presents distinctive issues in terms of efficacy, legitimacy and stability. When we vote, we need to assess the *efficacy* of the different programs and candidates. This is because the choice between different electoral alternatives cannot be made by only looking at the values and programs as they are professed by the candidates, but needs to consider the capacity of those who propose them to carry them out efficiently. Thus, as voters we need to assess such elements as the character, past records, reliability and skills of candidates, the strength of parties and their effective ability to impose their platform, and the impact of our vote on the capacity of the institutional system in general to function properly, in the short and long term. For example, a drastic change in government at a critical juncture, such as an economic crisis or an especially violent phase of a worldwide pandemic, may curtail the government's capacity for action and guidance (for a recent discussion of prudent behaviour durind the COVID crisis, see Giommoni and Loumeau 2020). In other circumstances, such as when the main hindrance to good administration is corruption, voting for a complete renewal of government can be the best strategy (Ageberg 2020).

Moreover, when we vote we need to assess the effects of our vote on the *stability* and *legitimacy* of the political system. By voting we can undermine stability in two ways. One is when the government is made unstable, especially in parliamentary regimes, by the lack of a clear majority or the occurrence of a hung parliament. The other is when a majority is voted into power that enacts rules and decisions that are profoundly divisive, because they are strongly opposed by a large portion of the population. This can happen even when the rules at stake are formally within the boundaries of constitutional mandates and they are just or reasonable by the standards of the majority. The enactment of a divisive political program can also lead to a deficit in the perceived legitimacy of institutions, with negative consequences on the functioning of the democratic system.

4. DUTIES

In this section we try to unpack the notion that voters may have specific duties that they must fulfil in deciding how to vote. Listing the "duties" –in the plural form—that we may have as voters is important because it serves to problematise the idea that the "common good" is the only moral or principled motive in choosing how to vote that can be opposed to self-interest. In fact, there is a plurality of "moral" motives in voting, and a plurality of principles that may bear on a specific electoral choice. Moreover, looking at the plurality of normative requirements that fall on voters clarifies the need for the exercise of "political prudence" as a form of practical wisdom in balancing different duties or assessing their relative weigh in specific circumstances. Finally, looking at these specific duties helps realise that the

boundary between self-interest and morality, in the ethics of voting, is much more blurred and complex than it may appear at first sight.

The following list of "duties" does not purport to be complete and exhaustive of all the principled reasons people can have for choosing an alternative over another, or for deciding to vote/abstain in a particular circumstance. The work of making this mapping more fine-tuned and complete is an ongoing task, which can only be pursued through a careful casuistic analysis of different electoral contexts and choices. However, we hope to provide here a first preliminary taxonomy that collects the most salient duties that bear on the decision on how to vote, and can play a role in explaining the moral complexity and difficulty of electoral choices.

This list of duties is compiled through an analytical work of extrapolation from the literature on the normative theory of democracy. The underlying rationale is the following: the duties that fall on voters must be based on sound justifications from within shared normative accounts of democratic government. A review of the normative theories of democracy (see Häggrot 2023) can uncover their explicit and implicit appeals to duties that members of the democratic polity have qua voters. For each of the duties that appear in the following list, we present the relevant grounds and references in the normative theory of democracy. Of course, different theories stress and foreground different duties. For example, the early wave of the theory of deliberative democracy would stress the duty to further the common good as a fundamental point of democratic practices and must be expected to highlight the same duty also at the moment of voting. By contrast, theories of democracy as the equal opportunity to advance one's values and conceptions of the good would naturally foreground the duty to pursue one's value commitments in voting. However, it is important to keep in mind that since here what interests us is not a definite hierarchy and lexicographic order of duties, but instead the recognition of their normative traction and the possibility that they can come into conflict with each other, we do not need to follow any specific account in prioritising a duty over another, but can simply list them and offer a rationale for them that can be shared and recognised independently of the specific stress that different theories put on different dimensions of democracy.

4.1 Pursuing the Common Good

The notion that in voting one must pursue the common good traces back to Rousseau's classical theory of democracy and appears in many classical accounts of representative government, including James Madison's and John Stuart Mill's, and in various accounts of deliberative democracy (see Steiner 2012: 88-103). Mráz and Lever (2023b) stress that there is no uncontroversial notion of the common good. In fact, in most recent debates on the ethics of voting, appeals to the common good are often ambiguous about their object. They also discuss some of the most important conceptions of the common good, including those that attempt to reduce it to the aggregation of individual self-interested preferences, and underlines that there are theories that conceive the common good as the natural output of people's voting according to their self-interest. However, for the analytical purpose of distinguishing between different motives and duties in deciding how to vote, it is useful consider here the duty to vote for the common good as distinct from the duty to vote for one's self-interest, and refer to the classical notion of the common good as the good that all

members of the political community have in common. According to this classical notion, the common good is constituted by those goals that contribute equally and fairly to the interests of each and every citizen. When the interests of only some group are pursued at the expenses of someone else's interest, there is no common good.

In the context of democratic theory, the notion of common good is often associated to the idea of a general will (Rousseau 2002), which relates precisely to those interests that are shared equally by all members of the community (Runciman and Sen 1965). It is important to note, in this respect, that the common good thus understood is always relative to a specific community. The vote, in Rousseau's classical account, is supposed to reveal the general will of the community of those who participate in the vote, and the common good of their specific community, which is the object of its general will.

The notion that people should vote for the common good is a general assumption of much normative theory of democracy (Häggrot 2023; Mráz and Lever 2023a 2023b), and there is ample evidence that people do tend to vote according to their "sociotropic" motives, that is by looking at the indicators of the general welfare, prosperity and good of their community, and that this kind of motive is much more frequent than the selfish pursuit of one's self-interest (Kinder and Kiewiet 1981; Markus 1988; MacKuen, Erikson, and Stimson 1992; Solodoch 2021).

The main reason for believing that people have the duty to vote for the common good lies in considerations about the legitimacy of democratic government. The underlying rationale, which is common to epistemic and procedural theories of democracy, is that if democratic voting must not be the exercise of an illegitimate and arbitrary power, it needs to take into consideration the interests and good of each and every citizen.

The notion that democratic processes can and must track the common good has also been the object of much controversy among democratic theorists (Young 1997; Sanders 1997). Notably, some have argued that the idea of democracy as the pursuit of the common good can serve to obliterate and hide deep conflicts of interests among different classes and groups within society (Bohman et al 2021), and may serve to silence voices that express unorthodox or misrecognised interests. While keeping all these preoccupations in mind, we acknowledge here that the common good, understood as a fair assessment and consideration of the interests of all members of the political community and the pursuit of those common lines of political action that equally advance the good of each one, is a fundamental duty we have in deciding how to vote.

4.2 Pursuing Justice

As other studies (Häggrot 2023; Mráz and Lever 2023a) point out, the pursuit of the common good is not the only non-selfish rationale that we need to consider when voting. First of all, if we understand the common good as always relative to a specific constituency, it is important to realise that most voters are members of different constituencies, as participants in local, national, federal and regional elections (Lever 2017). To each of these levels presumably corresponds a different common good, and the mandates of the common good at one level can conflict with the mandates of the common good at a different level. However, things get even more complicated once we consider that we may have duties of justice towards subjects who are not members of our political community and therefore do belong to the

constituency whose common good must be pursued through the vote. For example, we have duties of justice towards people living in other parts of the globe, with which we do not share any common political institutions; we can have duties of justice towards future generations, or non-human animals, and other subjects who do not belong to our same constituency (Lever 2017). In all these cases conflicts may arise between the duty to pursue the common good of the political community we belong to and the other duties of justice we have towards other subjects. It is important to stress that in some of these cases the mismatch between the constituency we belong to and the wider circle of those towards whom we have duties of justice implies that there are subjects that are wrongly excluded from the vote; in many others, though, this mismatch does not depend on any underlying defect in the architecture of political institutions, but on the more basic fact that common good and justice are two different goals, with justice covering our relations with a much wider group of subjects than the common good.

A fundamental reason for thinking that electors should try to pursue justice through the ballot is that political institutions are among the most powerful agents of change and regulation at the local, national and global level, and through the exercise of democratic voting rights we have the chance to participate in the steering of institutional action. If we have duties of justice at all, it seems natural to think that we should fulfil them through the most efficacious means we have to change the state of the world, and the exercise of our political rights is one. Therefore, there is a powerful argument to be built for the claim that in deciding how to vote we should consider what justice requires.

4.3 Value Commitments

Along with duties of justice, people also have value commitments that their conscience mandates them to pursue. In some cases, such value commitments can be conceived as relevant dimensions of justice or the pursuit of the common good. Two obvious examples are the commitment to equality and the commitment to individual freedom. In many other cases, however, value commitments are instead related to people's worldviews and conceptions of the good. Among the most salient ones, we can list for example religious values (Bonotti 2017), or respect for the environment, or pacifism and non-violence. When value commitments can be subsumed under the idea of justice or the common good, it is natural to think that we have a duty to pursue them through the vote, as an implication of our duty to vote according to those broader goals. Nonetheless, a case can be built also for the existence of the duty to vote according to our value commitments when they are not directly related to justice or the common good. In normative political theory, the duty to vote according to one's values is discussed in the context of the theories of democratic legitimacy, as well as in the extensive literature on public reason. According to Rawlsian interpretations of public reason (Rawls 1993; Quong 2011), only those values that can be shared by all citizens can be part of public reason and constitute rightful motives for voting decisions. However, broader views of public reason, which allow citizens to advocate their value commitments in the political sphere even if they are not universally shared, acknowledge the importance of personal integrity and individuals' need to be loyal to their deepest convictions (Habermas 1995; 1998; Gaus 2009; Vallier 2011). Moreover, public reason and the very notion of the common good can be understood in progressive and dynamic terms, which means that some values that are not universally shared yet may become part of the common political culture and of the common good (as shared values) after they have been pressed in the political

sphere by committed citizens (Benhabib 2002; Baher 2008; Habermas 1995; 1996). Finally, Bonotti (2017) argues that parties may play an essential role in mediating between the core values of democratic public reason and the specific worldviews and religious affiliations of citizens. This interpretation of the role of parties, which sits firmly within the Rawlsian conception of public reasons, highlights the fact that even if we understand public reason as a common core of shared political values, in a liberal democracy electoral choices still concern different possible interpretations of such values, which are deeply influenced by a plural universe of personal value commitments and worldviews.

All this means that even if we assume a strong duty to vote for the common good as a fundamental pillar of the ethics of voting, there is still room for value commitments as specific and partly independent ethical grounds for making voting decisions. This is because value commitments may play a role as a) specifications and interpretations of the goals pursued by the common good b) goals that will be prospectively included in the common good according to a progressive conception of public reason c) tie-breakers in all those cases in which from the perspective of common good as defined by a shared core of political values there is no clear preference for an alternative over another.

4.4 Loyalty to Social Groups

Since the seminal study on the behaviour of the *American voter* (Campbell et al. 1960), social identity has been considered as a main determinant of people's decisions on how to vote. Later studies insist on social identification as an explanation for such a strong correlation (Dolan 1998; McDermott 2009; Besco 2019; Goodyear-Grant and Tolley 2019). Others relate identification with a social group with a higher propensity to turn out at elections (Uhlaner 1989; Valenzuela and Michelson 2016). Social identification is also an important element in the explanation of voters' choices for candidates who instantiate forms of descriptive representation (Ansolabehere and Puy 2016). The most relevant explanations for these phenomena have been found in the self-interest of the voters, on the assumption that people identify with social groups who share the same interests (Morton 1991; Hardin 1995), and in the in-group social pressure (Suhay 2015), on the assumption that people seek approval from their peers. However, from the voter-centric perspective of REDEM, the relevant question to ask is whether people ever *have a duty* to vote according to their group identification, that is by choosing those electoral alternatives that will further the interests and claims of the groups they belong to. Mainstream theories that appeal to the common good as the only goal towards which people's vote should be directed seem to exclude that this is the case. Voting for candidates that further the interests of one's social group seems to amount to the kind of particularistic and self-interested voting that is exactly excluded if we should vote for the common good. However, even if one accepts the duty to further the common good as central in the ethics of voting, it is not clear that voting according to group identity is always ruled out. This is especially important if we consider voting for representative bodies. Voting for those parties and candidates that appeal to the common good as the main rationale of their platforms may fail to ensure an adequate representation within legislative chambers of the voice of disadvantaged minorities and groups, with the counterproductive consequence that the decisions made by those assemblies will be less likely to actually further the common good (Mansbridge 1999; Phillips 1998; Young 2002).

Thus, we may think that electors in general have the duty to seek adequate representation of disadvantaged social groups by taking into consideration the need to elect the candidates that support their interests and claims in deciding how to vote. However, a significantly more compelling case can be made for a duty to vote according to social identity that falls on members of disadvantaged social groups. This duty is based on group solidarity in conditions on injustice. Members of disadvantaged social groups must be able to count on the solidarity of their fellows to bring about effective political action and fight oppression and disadvantage.

The special duty that falls on the members of disadvantaged minorities, therefore, can be justified on at least three grounds: 1) *epistemic*: members of those disadvantaged groups are best positioned to know which candidates and electoral alternatives represent their claims and interests; 2) *autonomy-based*: especially for those groups that have been kept at the margins of politics, the active involvement by all members in common causes is constitutive of self- affirmation and the vindication of the group's political prerogatives (Shelby 2002); 3) *expressive*: voting according to one's social identity serves to manifest the agency and political relevance of the minority one belongs to.

4.5 Partisan Loyalty

Although parties are often described as facing a period of crisis and deep transformations, they are also usually acknowledged to play an essential role in the life of representative democracies. Parties play important epistemic, justificatory and motivational functions (White and Ypi 2010; Ebeling 2016; Bonotti 2011, 2017; Leydet 2015), by structuring the political agenda, channelling the politically relevant information and creating the conditions for political agency and cooperation in the pursuit of common programs. However, parties can play their essential functions only if they can count on a stable electorate and the genuine partisan commitment of their affiliates. This is because their role is precisely dependent on their capacity to be long lasting political agents that can represent large portions of the electorate, so that extreme party and electoral volatility defeats the purpose for which parties are more needed. Therefore, there is an instrumental reason for believing that party affiliates have a duty of loyalty towards their party, which is to a certain extent independent of the specific platforms that the party adopts. This means that although of course we choose a party because we share its fundamental ideological orientation and the values and goals that it advocates, we have a reason to display our loyalty and support also when in some respects its policies and programs come to depart from what we believe it is the best course of action. This duty can be conceived as grounded on a more fundamental duty to contribute to the good functioning of democratic institutions, if we assume that they work best when there is widespread support for the party system. However, besides this instrumental ground for the moral commitment to support one's party, the duty to be loyal to the party to which one is affiliated can also be defended ad a fundamental trait of the democratic ethos. As Nancy Rosenblum and Russel Muirhead have argued (Rosenblum 2008; Muirhead 2014), there is an inherent democratic value in the attachment and loyalty some people display to their parties. Rosemblum contrasts the strong sense of political identity displayed by party loyalty to the "weightlessness" of the self-proclaimed "independents" (Rosenblum 2008: ch. 7). Her main point is that the latter fail to acknowledge and embrace the need to act in concert with others, which is the essence of democratic politics. The rejection of party loyalty amounts to the rejection of a commitment to pursue long-term lines of action in concert with

other like-minded fellow citizens. On a similar line of though, Lea Ypi claims that "Partisanship... is a form of political friendship, a friendship required to sustain and enhance political commitment" (Ypi 2016: 602). Her analysis stresses two important aspects of party loyalty. The first is the notion that commitment to long-term plans of action is definitional of agency and authorship, and the specific form that such commitment takes in democratic politics is through the loyalty to a party. The second element is the notion of "political friendship", that is the idea that loyalty to one's party is a way to honour associative duties that have an inherent value from the democratic point of view.

Put briefly, although the literature on partisan identity and partisan voting often represents the loyalty and commitment to a party as a form of "attachment" that can often be explained by non-rational, social determinants (Gerber and Green 1998; Green, Palmquist, and Schickler 2002; Dawes and Fowler 2009), from an ethical point of view a strong case can be made for a duty to be loyal to one's partisan identity. From here, it is natural to conclude that one has a pro tanto duty to vote for the party to which they are affiliated. Therefore, the duty to vote according to partisan identity must be listed among the relevant ethical dimensions of voting.

4.6 Distancing Oneself as Counterspeech

Electoral choices can be motivated by the desire to express one's stance about politically relevant matters, independently of the hope one may have to have an impact on the result of the vote. Through our vote we can express approval ("cheering") or disapproval ("booing") for political alternatives (Brennan and Lomasky 1993; Hamlin and Jennings 2019). Especially in the present climate of growing political polarisation, voting as a way to express a statement against political opponents has become more frequent and salient than the expression of approval for the favourite alternatives (Rivas and Rockey 2021). We can understand this form of expressive voting a way to publicly distance oneself from the alternatives that one opposes. Although in principle the choice to express one's view through the vote may not be associated to any specific duty, it can be argued (see Fumagalli 2023) that in some particular instances, that is when some political platforms explicitly voice racist, illiberal and hateful ideologies, there is a duty to vote in a way that publicly expresses one's distancing from them, even when there is no risk that those parties may win the elections. The duty to distance oneself from hateful and illiberal views through the vote, according to this view, derives from a more general duty of counterspeech and resistance against public discourses that are inimical to fundamental democratic and liberal values and manifest hateful and discriminatory attitudes against minorities.

4.7 Sincerity

Finally, it may be suggested that people have a duty to vote sincerely. Classically, sincere voting is opposed to strategic voting. Strategic voting occurs when the voter casts "a vote for a party that is not her favorite one... to maximize her chances to affect the final electoral outcome" (Bol and Verthé 2019). If we follow this definition, in principle there may be forms of insincere voting that do not count as strategic, because they are not motivated by the hope to maximise one's chances to affect the final outcome. Saunders (2020) considers for example certain forms of protest voting that are meant to challenge the system by choosing alternatives because that are unpopular among the establishment rather than because they

are genuinely preferred. There are various reasons for thinking that we have a duty to vote sincerely, such as the need for outcomes that correctly represent voter's preferences, the duty to be loyal to one's convictions or political identity, the duty non to "pollute" elections, the duty not to manipulate others, or a general duty to be honest (Saunders 2020), if one understands the vote as a speech act. Although there are many circumstances in which other considerations should prevail against a pro tanto duty to vote sincerely, it is arguable that such a duty exists. When people vote for strategic reasons they may feel not only regretful for being forced by the circumstances to discard their most preferred option, but also some ethical embarrassment for not being true to their own convictions.

5. A COMPLEX MAP OF POSSIBLE CONFLICTS

If we map the possible ingredients of the ethics of voting according to the above analysis, then we realise that the simple opposition self-interest/common good does not do justice to the complexity of the ethical conflicts and dilemmas that can emerge when people take part in democratic voting. A more elaborate and sophisticated scheme is the one presented in figure 1, with arrows representing oppositional relations between the various elements. Self-interest is opposed not only to the common good, but to a wider list of moral imperatives, comprising justice, value commitments, various forms of loyalty, sincerity, and the other duties considered in our analysis above. Moreover, self-interest is also opposed to political prudence, because political prudence is a moral motive that often pulls in a different direction than what serves the individual good if narrowly understood. But this does not make prudence and duties fall on the same side, because we can also experience conflicts between particular duties and prudence, like when for example the circumstances advise us not to vote for the candidates whose program would be most conducive to justice, because we realise that it would produce political instability, or it would be useless.
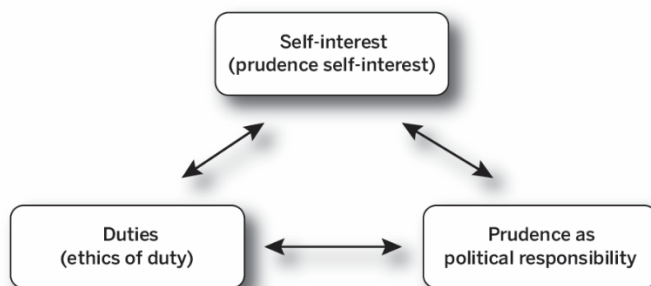
Figure 1. The tripartite map of the conflicts between duties and prudence

To this, we need to add at least three further complications.

First, as already mentioned, duties conflict among themselves. For instance, voting for the most just program and voting for the party to which one is affiliated may not coincide, or, to give a different example, one's value commitments may pull in a different direction than what would express loyalty to one's social group. This is the case, for instance, with voting for candidates that advocate sexual and reproductive freedom and are strongly supported by women's associations, but this contrasts with the traditional religious values a female voter may adhere to.

Second, value commitments do not only potentially conflict with the common good, justice, party affiliation, and other duties, but can also conflict among themselves, once instantiated in the specific circumstances of electoral politics. Even if people were capable of a complete and perfectly ordered assessment of the relative weight of each of the values they are committed to, nothing would guarantee that this specific arrangement would be perfectly instantiated in the political offer that is available in democratic elections and voting. Often, people will have to choose between different parties and candidates each representing just some portions of their value commitments.

Finally, people belong to different social groups that may call for their political loyalty, so conflicts also arise between different group loyalties. Intersectionality (Crenshaw 1991; 2017; Hughes 2011; Severs, Celis, and Erzeel 2016; Montoya 2018; Gershon, Montoya, Bejarano, and Brown 2019) complicates the simple idea that members of minorities and disadvantaged groups have a pro tanto duty to vote for the advancement of the interests of the social groups they belong to.

Going back to the conflicts between prudence and duty, it is also important to stress that prudence as political responsibility is not only an ethical principle of action that can conflict with an ethics of strict obedience to duties, but can also be seen as the virtue or mode of practical reasoning that helps in devising the proper balance between the different duties and allegiances in case of conflict.

This is especially the case if we acknowledge that the weight of specific duties may vary depending on the specific circumstances and identity of the duty bearer. Thus, for example, the duty to vote according to one's membership in a disadvantaged social group can be much weightier in circumstances in which the group is under attack or has the opportunity to gain voice and political momentum. And the duty to show allegiance to one's party can be stronger for someone who has a long story of membership in the party than for someone who has only a mild sense of affiliation.

6. SCENARIOS

The scenarios we provide in the following pages are meant to offer some simple illustrations of how the mapping of different senses of prudence and duties considered in the previous sections can be employed to analyse the ethically relevant dimensions of voting in specific circumstances.

6.1 Allegiance to a Group, the Common Good, and Strategic Reasoning

Consider the following scenario. Maria is a woman of immigrant heritage who lives in a rural area of the country. She has a long history of engagement in feminist organisations and is a strong believer in the importance of women's rights. The two main candidates in a presidential election, T and J, are sponsored by the two major parties, respectively the Reds and the Greens. The Reds are a center-left party, which is mostly rooted in the big cities and represents the interests of progressive urban liberals. The candidate of the Reds, T, is a woman. She comes from an extremely powerful and wealthy family and has had a long career as a politician. In her program she endorses women's rights and minority rights. The Greens are a conservative party, which is mostly based in the rural areas of the country and advocates economic policies that protect jobs and communal life in those areas.

There are also other parties that participate in the competition, but it is very unlikely that any of them can gain enough votes to ever win the election. Among the candidates of the minor parties there is X, an African-American woman who runs for the Yellows, a left-wing party that strongly advocates minority rights and is supported by many of Maria's acquaintances that campaign with her for women's rights.

How should Maria vote? A first observation that needs to be made is that the choice Maria faces is difficult to summarize by referring to the simple dichotomy personal interest/common good. Certainly, as a resident of a rural part of the country Maria has economic interests that are distinct from those of big city residents. The security of her employment and her community's lifestyle would probably be better protected by the Greens' party program. But it would be hard to reduce all the other considerations involved to the simple dimension of the "common good." Neither of the two main candidates has a program that will presumably produce the common good. If one were to look at fairness and common interests all things considered, that is the main ingredients of the common good, probably the best candidate would be S, who runs for the small party of the Browns. But Maria also has a strong commitment to women's rights and this is the first time a real opportunity arises for a woman to become President of the country, because one of the two main candidates, T, is a woman. Unfortunately, Maria has reason to doubt that T is really sincere in advocating women's rights, and her past record in this respect has been under attack. Still, Maria might be conflicted if she believes that independently of the personal traits of the candidate, the election of a woman to the most powerful political position in the country will send an important signal and will be a significant achievement for the women's movement.

This hypothetical scenario is not far from real life circumstances that occurred in the recent past. Two important examples are the French presidential election of 2007, when Segolène Royale's campaign appealed to women's vote in support for the first woman who could aspire to become President, but failed to gain such support, especially among the less advantaged[4], and Hillary Clinton's presidential campaign of 2008,[5] in which the gender card was supposed to play an important role, especially among women, but the personal story and background of the candidate hindered her electoral success among blue-collar and minority female voters. The fundamental point that was brought home in those occasions is that although gender might and should count in the electoral choices of female voters, it is not the only ethically relevant consideration. Gender intersects with other identities and with class, and there are other valid considerations that pull in different directions.

In the hypothetical case we just illustrated, the different element at stake could be schematised in the following way:

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[4] https://www.reuters.com/article/uk-france-election-women-idUKL0720523320070507.
[5]https://www.theguardian.com/us-news/2017/sep/25/white-women-husbands-voting;
https://blog.oup.com/2016/11/women-vote-hillary-clinton/;
https://www.npr.org/2016/04/11/473792646/is-it-ok-to-vote-for-clinton-because-she-s-a-woman-an-8-year-old-weighs-in;
https://time.com/4566748/hillary-clinton-firewall-women/

On the side of self-interest, Maria should definitely support the candidate of the Green party, because it's the one that explicitly supports the economy of rural communities, such as the one Maria belongs to.
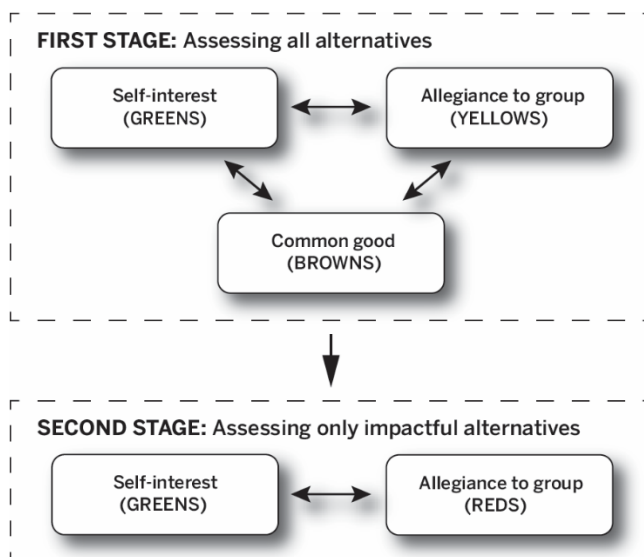
Figure 2. A two-stage process in a case of conflict between self-interest, common good, and allegiance to a group

However, Maria has also duties to fulfil, which are extremely relevant in this circumstance: a) to further the common good, by voting for the candidate that she believes to pursue the best program; b) to vote according to her social identity, to further the interests of the disadvantaged groups she belongs to. These two duties, in this particular circumstance, are in tension, generating a "policy-identity dilemma" (Brøgger Albertsen 2021).

If Maria has no special affiliation to any of the parties that participate in the competition, in her case there is no duty of partisan loyalty, and if she believes that in the election at stake none of the candidates deserves to be voted against as an act of political distancing there is no corresponding duty to do so.

However, the other relevant dimensions of duty still pull to different directions, and they all conflict with what Maria's self-interest would require. To this, we need to add a further complication, which is represented by the duty to vote sincerely. We said that it is a weak duty, which can be easily superseded by other considerations. But we can see how not voting for the most preferred candidate can still be painful. In the specific case at hand, if Maria chooses to vote according to her self-interest, she will vote for one of the two major candidates and no special strategic considerations will need to enter her reasoning. However, if she votes ethically, that is according to her duties, her preferred option would be to vote either for the candidate that best promotes the common good, that is the candidate of the Browns, or for the candidate that best represents her intersectional identity, that is the candidate of the Yellows. The choice between the two is difficult, because two different duties are at stake. However, neither candidate, unfortunately, has the slightest chance to

make it. Therefore, Maria has a strong reason not to vote for either of them, and choose instead strategically one of the two major candidates, to make her vote count. In this case, the commitment to the advancement of women in society may suggest her to vote for the candidate of the Greens. But even if Maria votes for her, this does not mean that she does not feel some discomfort at the idea that, to the extent that the vote is a declaration of preference, she is not revealing her true preference.

However, note that Maria's reasoning about strategic voting may be more complex than the two-step process just summarised. For example, Maria might first decide that in this particular election voting for a woman candidate is more important than voting for the common good or the interest of her local community to which her economic self-interest is associated, because it is the first time that a woman candidate actually has a chance of being elected as President, and that would be a path-breaking victory for women's movement. If that is the case, strategic considerations on the likelihood of the various candidates to be elected will be foregrounded at the start of her reasoning, because the preference given to a female candidate would depend on her actual chances to win the elections.

This is where the role of prudence as responsible decision making clearly emerges. The relative weigh of different duties, and the reasons for strategic voting, depend on a previous assessment of the circumstances and on the consideration of the efficacy of the different lines of action that the duties require. Voting for a woman candidate, for example, is a duty that can be more or less compelling depending on the quality of the woman candidate, her role as a representative of the claims of women's movement, and the significance of the elections in which the decision needs to be made. In this sense, the exercise of prudence conflicts with the recognition of any duty as absolute and indefeasible, and at the same time helps voters in their difficult balancing of the different duties at stake.

6.2 Self-Interest and Distancing

Mario must decide whether to vote at the coming elections. There are various parties among which he could choose, but none of them is appealing to him. Their programs fail to address those that Mario sees as the most pressing issues that affect the common good and justice. None of them will specifically advance Mario's interests and Mario can assume that his life will carry on unchanged no matter which party will win the elections. Mario does not belong to a minority and has no commitment to the political advocacy of any specific social group. He is not affiliated to any party and in the past elections his vote has fluctuated from one side to the other. On the other hand, if he decided to vote, on the day of the elections Mario would have to leave the resort where he is taking a short vacation to go back to his place of residence, and travelling back and forth would take good part of the day.

The only consideration that keeps Mario from deciding not to vote is that one of the competing parties, the National League, advocates extreme right-wing positions by adopting an openly racist and xenophobic language. Its program includes the commitment to create a highly inhospitable environment for the Roma population in the country, which is especially targeted by the racist propaganda of the party. It also constantly depicts immigrant minorities as culturally inferior and therefore incapable of integration. Let's assume, for the sake of the example, that the polls are showing that in these elections the National League will gain a larger electoral consensus than in the past, and that will be at least in part due to

its racist language and ideology. Moreover, such electoral consensus will be taken as a clear sign of popular support for that ideology and as a way to mainstream it.

The League's proposals, if enacted, would represent a breach of common good and of justice. However, it is extremely unlikely that the party will gain enough votes to decide the political agenda on these matters, and some of its proposals clearly violate fundamental constitutional provisions, which means that they would face the opposition of the constitutional court and for this reason would never become bills to be submitted to the vote of the parliament. Therefore, what is at stake in these elections is not the real danger of a breach of justice and the common good. Rather, it is the creation and expression of a popular consensus for racist and xenophobic ideologies that might one day become mainstream, but represents already in the present a serious threat to the civility of the democratic public sphere.

Thus, although none of the parties opposing the League has an appealing program, there might still be a good reason to vote for one of them as an act of "distancing" from the racist and xenophobic rhetoric of the extreme right-wing party.

In the case at hand, then, the most salient contrast is between prudence as self-interest and the duty to distance oneself from hateful parties. None of the parties has a program that especially advantages Mario's economic or personal interests, thus self-interest could not guide Mario in deciding *how* to vote; however, self-interest has a strong suggestion to make about *whether* to go to vote or not. Mario has a strong interest not to spend so many hours on a train just to cast his vote, and if he just considers his inconvenience against all the rest, the clear answer would be that he should not go. On the other hand, he knows that the more people will vote against the National League, the stronger the message will be voiced that there is strong opposition within the country to its xenophobic and racist rhetoric. The public act of "distancing" will be stronger and more visible, especially if disaffected and uninterested voters like him will show up at the voting booth and vote for the party or parties that most strongly oppose the National League. When we consider the expressive value of the vote in this particular circumstance, every vote counts and makes a difference.

It is important to note that also in this case prudence as responsible decision making has an important role to play. Mario needs to resort to this kind of prudential reasoning for judging if what is at stake is worth the effort, and this implies analysing and interpreting the political context in which the vote takes place, by assessing, for example, the relative force and impact of the National League's rhetoric and its effective capacity to mobilize large numbers of electors. By assumption, in the example considered what is at stake is not (at least immediately) justice or the common good, because there is no realistic chance that the party will come to control the political agenda. This is itself something that Mario needs to assess. But the real challenge consists in assessing the impact and possibility of the mainstreaming of hateful ideologies, its long-term consequences, whether the existing electoral options provide a way to channel and express a firm opposition to such ideologies, and, finally, which of the existing options will be best in this respect. Mario will need to consider, for example, if it would be better to vote for a larger and more visible party that openly condemns the League's rhetoric, even though by appealing to reasons that are not completely appropriate (for example, it counteracts the racist discourses against the Roma minority by arguing for its cultural homogeneity with the national mainstream culture) or if the vote should go to a minor party that more appropriately appeals to constitutional values and equal respect for

all minorities. Opting for the first solution might be much more efficient in terms of conveying the refusal of racism as a mainstream and widely supported position; however, it would imply a certain degree of "insincerity", since it would not reflect the most preferred option to choose from the point of view of the substantive content of the position endorsed. In other words, this is an example of how distancing, as a form of expressive voting, can call for complex forms of strategic reasoning, which are essential to the exercise of prudence as responsible decision making.

Here the moral reasoning can be represented as a two-stage process, in which self-interest and the duty to distance oneself from racist ideologies are initially balanced against each other, and at a later stage strategic considerations decide how to cast the vote in order to best and most efficaciously express one's distancing from racist ideology.
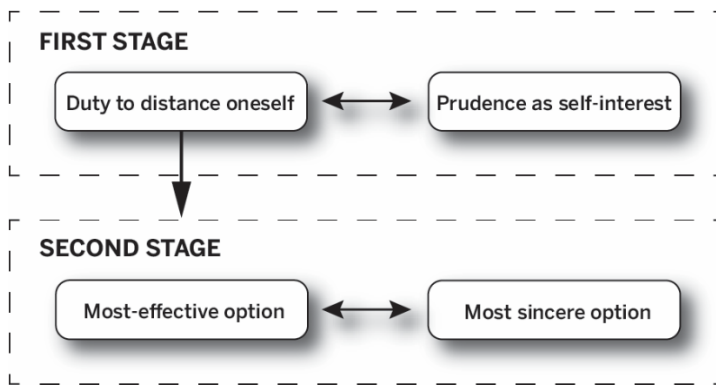
Figure 3. The two-stage decision process in a case of conflict between the duty to distance oneself from hateful party rhetoric and prudence as self-interest

6.3 Party Allegiance and the Common Good

Consider now a scenario in which Victoria needs to decide which party to vote for in the coming elections. Victoria has been a member of the Red party for her whole life. She has always had a strong sense of affiliation with and allegiance to the party, which is based on various reasons. The Red party is where she had her first political socialisation and she feels that she still shares many values and sense of common belonging with her fellow partisans. She believes that the party has represented a very important political and cultural resource for her country and is proud of its history. Above all, she believes that the party, throughout its history, has consistently sided with justice and the common good. This also extends to the recent past. The party has been in power in the past few years and Victoria thinks that it did a good job at ensuring social justice and a fair treatment of every social group in society while dealing with a deep financial crisis and the need to restructure many sectors of the national economy. However, the party has now officially taken a position that Victoria believes is completely wrong and detrimental to the common good. She believes that if the party wins the elections, it will enact the proposed measure, with disastrous consequences. On the other hand, if the party loses, it will not be in the position to enact that policy, and if it is clear

enough that the loss depends on the fact that the measure in unpopular, those who will be in power will have a strong reason not to include it in their political agenda.[6]

Assuming that in these elections Victoria has no specific battles to fight on behalf of a minority she belongs to, nor other special allegiances to be honoured, the dilemma Victoria faces is between allegiance to her party on one hand and the common good on the other. However, it is important to specify that here too there are further elements of complexity. Notably, the difficult decision Victoria needs to face can also be represented as based on a conflict between the prospective and retrospective functions of the vote in relation to the common good. This is because Victoria thinks that the Reds did a very good job at protecting the common good in the recent past, which would call for a reward to their good performance. On the other hand, she also knows that she cannot count on the party's pursuing the common good in the future, therefore prospectively she should not vote for them. This can be described as a "policy vs accountability" dilemma (Brøgger Albertsen 2021). Moreover, her reasoning might become more difficult in the case in which polls reveal that the Reds are most likely going to lose the elections. In this case, Victoria might be tempted to honour her allegiance to the Reds by voting for them, counting on the fact that they will not be able to enact the disastrous measure anyway. Prudence as responsible decision making might suggest that this is the best course of action, after all. For example, Victoria may think that if her party had to suffer a significant electoral shrinkage, this would excessively weaken it relatively to the other political forces and might undermine its chances of success and action in the future. Therefore, she may think that if there is a way to honour her duty of allegiance towards her party (by voting for it) without causing its disastrous agenda to take effect (counting on the unlikelihood that the party will win), she should take this opportunity.

In this scenario, the main conflict is between voting according to party affiliation and voting according to the common good. The especially interesting feature of this case is that what Victoria should eventually decide to do according to prudence as responsible decision making might be represented as conditional on the circumstances. Prudence can suggest going with party affiliation in the case in which Victoria can foresee that the Red party is not going to be able to pursue the agenda that she deems pernicious to the common good. In this case, prudence as responsible decision making would be opposed to the duty to vote for the option that best furthers the common good. However, if Victoria thinks that she can only prevent the Red party from enacting the disastrous policy by not voting it, prudence would suggest to pursue this course of action, and therefore its indications would conflict with the duty to vote according to party affiliation. Note that in this case Victoria might also consider refraining from voting altogether, if she thinks that not supporting her party would be enough to prevent it from enacting the disastrous policy, while sparing her the pain of voting for some other party after all those years of electoral loyalty to the Reds.

The structure of the reasoning could be represented in Figure 4.

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[6] In an internal REDEM report, Andreas Albertsen suggests that Labour's position on Brexit might have posed this kind of dilemma to lifelong affiliates in 2019 elections (https://www.csmonitor.com/World/Europe/2019/1030/As-UK-sets-poll-date-a-voter-s-dilemma-Vote-on-party-or-vote-on-Brexit).
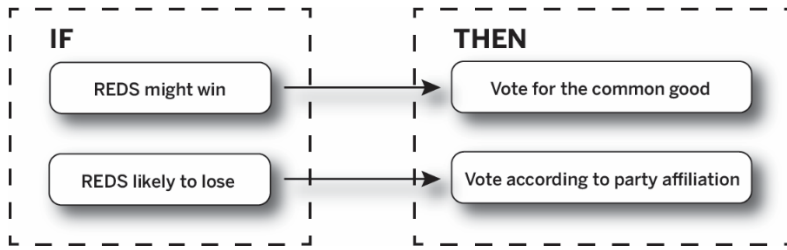
Figure 4. The conditional structure of reasoning in a case of conflict between party allegiance and the common good

7. CONCLUSIONS

The above scenarios are meant to exemplify how the distinction and classification of different duties on one hand, and of different notions of prudence on the other, can help us to analyse and understand the ethical dilemmas that voters may face. Moreover, these scenarios can serve as an illustration of how the context can deeply affect the ethical reasoning about the best way to vote. In all the cases considered, we can reconstruct the ethical reasoning about how to vote as a complex form of balancing of different duties and self-interest, premised on the appreciation and assessment of the specific circumstances in which the vote takes place. Among these circumstances, we mentioned the consideration for the effectiveness and reliability of the candidates that are being selected, the expressive impact of one's vote and its consequences on the political system, the specific heuristics required to collect the relevant information, and preoccupations for the stability and legitimacy of the political system.

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Chapter 7

HOW POLITICAL INSTITUTIONS AFFECT THE CONFLICTS OF DUTY AND PRUDENCE FACING DEMOCRATIC VOTERS

Attila Mráz and Annabelle Lever

1. INTRODUCTION

Voters in European democracies regularly face ethical conflicts in deciding whether to vote, and if so, how.[1] Some of these conflicts are unique to – and most are vastly shaped by – local political, social, or economic contexts. However, the kinds of ethical conflict voters face, as well as their severity, also depend on how electoral institutions in which voters make their choices are designed. This chapter surveys those features of electoral institutions which play a significant role in shaping European voters' ethical conflicts. More specifically, the chapter has the following two objectives:

1. To describe, using the voter-centric framework we have developed (Mráz and Lever 2023a; Mráz and Lever 2023b; Fumagalli and Ottonelli 2023) those ethical conflicts that are created or shaped by the particularities of a given electoral system or electoral institution.

2. To generate and analyse corresponding scenarios to illustrate these conflicts, based on real-world testimonies of voters.

It is worth emphasizing that while the chapter builds on empirical, descriptive findings concerning various electoral institutions, its purpose is to provide a normative map of the various issues that could arise in different empirical circumstances.

This chapter does not aim to solve ethical dilemmas or resolve conflicts of duty or moral reasons on voters' behalf. Instead, this chapter supports decision-making in two ways. First, it offers considerations for voters to take into account in exercising their democratic rights – and their franchise, in particular. It is not the aim of this chapter to offer conclusive advice as to how voters should resolve ethical conflicts. Instead, considerations identified in this chapter can serve as inputs into voters' exercise of their own political judgment (see

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[1] "Ethical" and "moral" will be used interchangeably throughout this report.

Ottonelli, 2018; Steinberger, 1993; Steinberger, 2018; Mráz and Lever 2023b, Section 4.6; Fumagalli and Ottonelli 2023)

Second, the present chapter offers considerations for decision-makers to consider when designing electoral institutions. It is an underappreciated vice of some electoral institutions that they unnecessarily accentuate and aggravate electoral dilemmas and are likely to put voters into situations where they are subject to conflicting duties in particularly salient and ethically burdensome ways; whereas it is an underappreciate virtue of other electoral institutions that they eliminate or mitigate some of these burdens. This chapter helps identify and build electoral institutions which fall into the latter category.

The structure of the present chapter is as follows. Section 2 summarizes the methodological approach of this chapter. Section 3 outlines how electoral systems shape ethical conflicts in three key ways: by regulating when one's vote becomes wasted, by regulating whether and how one can split one's vote, and by making some normative functions or meanings of one's vote more emphatic (i.e., easier to realize through voting) than others. Section 4 reviews how further salient features of electoral institutions beyond the voting system narrowly understood - namely, the (dis)enfranchisement and procedural burdens of non-resident voters; compulsory voting; and the institutions which co-constitute voters' information environment - shape European voters' ethical conflicts. Section 5 addresses complications of non-party representation and its interaction with the electoral system – whether through independent candidates or candidates affiliated with other, non-party organizations – for voters' ethical conflicts. Section 6 analyses three case study-based scenarios in detail with a view to showing how the framework drawn up in the previous sections can be applied productively in understanding voters' ethical conflicts in complex real-world situations – as well as in mitigating these conflicts by normatively informed electoral institutional design. Section 7 concludes.

2. APPROACH

This chapter relies on the findings of (Mráz and Lever 2023a; Mráz and Lever 2023b; Fumagalli and Ottonelli 2023) in the following way. (Mráz and Lever 2023a) reviewed the descriptive characteristics of democratic political and electoral systems relevant to the ethical perspective of the voter, whereas (Mráz and Lever 2023b) identified normative criteria of evaluation for such elements of democratic institutional design. (Fumagalli and Ottonelli 2023) identified general normative criteria to analyse, understand and evaluate voters' ethical conflicts and guide voters' decision-making. This chapter largely builds on and synthesizes the findings of these previous chapters, applying the normative frameworks to the empirical, descriptive characteristics of particular electoral institutions.

The methodological approach of this chapter is normative. It does not aim to empirically map the diverse psychological motives and social, economic or political explanations for why voters (do not) vote in various ways. Instead, it identifies *moral reasons* voters have to regard particular electoral choices as ethically challenging because these choices involve a conflict of moral reasons, or even more radically, of duties. The chapter is not meant to provide moral advice to the individual voter to solve highly particular ethical conflicts in a specific manner. Instead, it helps elucidate the relevant normative considerations that voters have good reason to take into account in exercising their prudence (Ottonelli, 2018;

Steinberger, 1993; Steinberger, 2018; Mráz and Lever 2023b, Section 4.6; Fumagalli and Ottonelli 2023), on the one hand, and it helps guide electoral institutional design to mitigate unnecessary ethical conflicts in voting, on the other.

The normative method applied in this chapter is that of grounded normative theory (Ackerly et al., 2021). This means that this chapter takes the institutional context and empirical reality of voting in European democracies as a point of departure (see Mráz and Lever 2023a) and explores how specific elements of this descriptive context shape the ethical conflicts that voters face. In contrast to (Fumagalli and Ottonelli 2023), this chapter does not start from general characteristics of ethical conflicts - which are also highly relevant to the analysis of the ethical challenges voters face. Instead, using the analytic toolkit of (Fumagalli and Ottonelli 2023) as well, the chapter provides a "micro" level ethical analysis which shows how some of voters' moral challenges, or at least their severity and exact shape, do not merely depend on structures of normative reasoning but also on the electoral institutional context in which voting takes place.

At the same time, the chapter generates findings that are generalizable at least within certain limits. For this reason, it does not engage in a country-by-country analysis, even though such analyses no doubt can and should identify ethical conflicts specific to a given, highly particular institutional context. Instead, the chapter brings attention to how some salient electoral institutions that are shared across a number of European countries shape voters' ethical conflicts. Thus, this chapter both illustrates how finer grained moral analysis of the voter's perspective can proceed, and contributes to such future research with the "building blocks" that finer grained, highly context-sensitive and particularized analyses can combine and examine in their interaction – with one another as well as with further, highly unique contextual elements not covered here.

This chapter also shows through **case studies or scenarios** how the considerations covered in here can be applied in the analysis of individual voters' choices and electoral design. These case studies or scenarios are based on the first-person experience of voters, and interpret and elucidate these moral phenomenologies by means of the analytic toolkit provided in this chapter. The three cases analysed are as follows. First, a case involving ethical conflicts between the normative grounds of voting is analysed as it is manifested in the institutional context of French presidential elections. Second, a case involving ethical conflicts for resident voters with regard to the representation of non-resident voters is described in light of the challenges of the voter registration procedure in Spanish elections. Third, a case involving ethical conflicts regarding abstention and strategic voting is described in the context of the mixed voting system of Hungarian parliamentary elections.

3. ELECTORAL SYSTEMS AND ETHICAL CONFLICTS

Electoral systems are crucial in determining the particular ethical burdens and conflicts of duty that voters face, and hence also in specifying the context in which their prudence is to be used (Ottonelli, 2018; Steinberger, 1993; Steinberger, 2018). Electoral systems vary considerably in the extent they generate wasted votes, i.e., valid votes which, although counted, do not influence the electoral outcome, in how far they allow voters to split votes – assuming there is more than one vote to cast in a single election – and which functions or meanings of the ballot they foreground to voters.

3.1 Wasted Votes and Ethical Conflicts

Electoral outcome-related considerations. The likelihood of a wasted vote varies across electoral systems. The higher the likelihood of one's vote being wasted, the less weighty are considerations related to one's contribution to the electoral outcome – the consequentialist, instrumental aspect of voting. This has dual significance for voter's ethical conflicts.

On the one hand, voters have reason to see likely wasted votes as morally liberating: voters need not feel too burdened about using them *well* on consequentialist grounds. For example, one may feel obliged to promote justice or the common good using one's vote, and if these come into conflict (cf. Mráz and Lever 2023a, Section 4.2.; Lever, 2016), one may be torn about which one to choose. E.g., one may have to choose between a party or candidate promoting humanitarian aid and global climate justice at the expense of the growth of the national economy, and another one having opposite priorities. However, if one's vote is rather likely to get wasted, such choices are relatively weightless. On the flipside, constituency size matters for the severity of ethical conflicts, as the latter may be much more severe in very small constituencies where one's vote has a higher chance of being decisive or pivotal – such as in municipal elections in a small village.

It is *not* implied that electoral systems generating wasted votes, and in significant numbers, are - even *pro tanto* – good for this reason. Some ethical conflicts are simply necessary corollaries of voters' political agency. The lack of political agency is not to be celebrated, and ethical conflicts need not be eliminated at the expense of eliminating political agency. The implication, then, is rather that voters faced with a high likelihood of their votes being wasted have reason to be less concerned about such conflicts of duty where one of the conflicting duties is consequentially, instrumentally oriented. Further, voters may have reason to enjoy a wider prerogative to pursue their own interests through their vote if it is likely to be wasted - and hence is objectively less suitable to pursue morally prescribed aims (cf. Lever, 2016; Mráz and Lever 2023b, Section 4.1.2).

On the other hand, taking a broader perspective, the high probability of wasted votes does not necessarily relieve voters of their ethical burdens. In cases where one's votes are split between two options - e.g., by voting for a party list and an individual candidate affiliated with a different party - the high likelihood of one of the votes being wasted makes vote-splitting a less efficient way of responding to different moral reasons. In other words, vote-splitting is somewhat illusory if one's votes are split between a ballot that is not likely to be wasted and another one that is likely to be wasted. (See Section 3.2.1 below on the significance of vote-splitting for voters' ethical conflicts.)

Wastefulness is irrelevant for non-consequentialist, expressive considerations. The wastefulness of one's vote is only significant for instrumental, consequentialist considerations about voting. Yet voters may well use their vote for expressive purposes (Brennan and Hamlin, 1998; Lomasky and Brennan, 2000), or to vote with a clear conscience and distance themselves morally from unacceptable options they do not see as adequate subjects of compromise (Maskivker, 2019: 147–152; cf. Margalit, 2010). They may wish to express or act on their loyalty to a party, to a social group, e.g., a minority they are members of, and so forth. Such considerations are not affected by the wastefulness of one's vote.

Implications for voters' decision-making. The above considerations are significant for voters' decisions as to *whether* to vote and, if deciding to vote, as to *how* to vote. Voters may have reason to see higher ethical burdens as alienating, incentivizing them to avoid a difficult choice as to how to vote by not voting at all. Yet they may also have reason to see higher ethical burdens as an invitation to take responsibility for an especially important-seeming decision and hence to participate. Lower ethical burdens regarding consequentialist moral considerations may give reasons for voters to give more weight to non-consequentialist moral considerations – or to non-moral considerations – in deciding how to vote.

Implications for electoral system choice and design. Pure plurality- and majority-based voting systems are considerably wasteful of individual votes, i.e., they generate a large number of votes which do not contribute to the election outcome. First the votes not cast for the winning candidate are wasted; second, votes cast on the winning candidate beyond what is necessary for her to win may also be seen as wasted (not contributing to the election outcome). Proportional electoral systems, including list systems and single transferable vote systems, generate much fewer wasted votes, unless proportional electoral systems are paired with a high threshold of gaining seats. Mixed electoral systems, if their subsystems are unrelated, may generate wasted votes through their plurality/majority subsystem. However, subsystems of mixed electoral systems may be connected in such a way that (some of) the votes which would go wasted in the plurality/majority subsystem are transformed into the proportionality subsystem and contribute to its electoral outcomes. (See also the scenario in Section 6.3 below; for further details, see Mráz and Lever 2023a, Section 4.2.1; cf. King, 2016.) The more wasteful an electoral system is, the more salient ethical conflicts become, but at the same time, the less consequential voters may have reason to regard such conflicts. Further, the more wasteful a subsystem of a mixed electoral system is, the less suitable it is to offer effective vote-splitting compromises to voters.

3.2 Number of Votes and Ethical Conflicts

Contrary to the well-known slogan of "one person - one vote",[2] what is common to democratic electoral systems as a default rule is not that each voter has one vote, but that each voter has the *same* number of votes as other voters.[3] Different electoral systems give voters different numbers of votes to cast altogether in a single election. Electoral systems generate ethical conflicts, to a vast extent, due to the low number of votes they offer a single voter to cast, no matter how complex her voting-relevant preferences and views are. The higher the number of votes a voter may cast in an election, the more opportunities she gets to split votes and thereby reconcile different duties that bear on her electoral choices.

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[2] The slogan dates back to a late 19th century pamphlet by George Howell (Howell 1880), but it was popularized in the English-speaking world after a series of US Supreme Court decisions starting with Baker v. Carr, 369 U.S. 186 (1962).

[3] Even this is a considerable simplification. For example, in Hungary, each resident voter has two votes in parliamentary elections, one for a list, another for an individual candidate, whereas non-resident voters only have one vote – their list vote – as that is the only one not assigned to any particular (residence-based) constituency. (Az országgyűlési képviselők válásztásáról szóló 2011. évi CCIII. törvény ['Act on the election of the Members of Parliament'], Section 12. §.)

3.2.1 Votes Available in a Single Round and Ethical Conflicts

Voting systems differ with regard to how many votes voters can cast at the same time, in a given phase of an electoral procedure. **Presidential elections** typically allow voters to choose only one candidate (whether they apply a one-round or a two-round system - but the majority of countries apply two-round system) (Reynolds et al., 2005: 130). Similarly, **pure majority or plurality-based single member constituency electoral systems** in **elections of representative assemblies** (typically, legislative, regional or municipal) allow voters to choose one single candidate. This already implies voters need to take into account all ethically relevant considerations and condense these into a single ballot decision. Further, these electoral systems aggravate conflicts of duty for voters because they have an emphatic personal element. In addition to duties of justice and the common good, and considerations of group loyalty, concerns of descriptive representation, individual authorization and sanctioning may be reasonably given considerable weight in voters' decisions. Yet all these moral considerations may well lead in different directions that voters need to consider in a single, highly individual-focused vote.

Pure list systems – one significant subtype of proportional voting systems – likewise provide voters with a single vote to cast. However, the personal element is less pronounced here, especially in closed list systems. In such systems, voters need not choose between person-related ethical considerations and other kinds of ethical considerations, or they may have sufficient reason to deprioritize person-related considerations. Voters may still care deeply about, e.g., descriptive representation or authorization and sanctioning, yet they can only compare lists and the parties (typically) establishing them. For instance, one may care about the fact that a self-proclaimed leftist political party does not nominate enough women, Roma people, or people with a worker background on its party list, or it does not nominate them in the right places. Still, as voters often have no reason to feel responsible for the election of any particular candidate on a party list, they only have reason to take these considerations into account at the party or list level.[4] Compare this with the situation of voters in a majority system, who typically have reason to weigh these considerations at the party level, and *additionally*, also at the level of the individual candidate, e.g., they may find their duties of loyalty or concerns with descriptive representation are satisfied by the local female candidate, but not the party as a whole. Such ethical tensions do not typically arise in list systems in the same form.

Proportional systems using a **single transferable vote (STV)** may technically offer one ballot to each voter, but offer a much more nuanced opportunity for voters to grapple with conflicts of duty. As all voting systems inevitably do, STV systems also require voters to exercise their judgment and prioritize between conflicting ethical considerations. However, they reduce that burden because they only ask voters to prioritize, but not to ultimately set aside some of the ethical considerations they deem relevant to electoral choice. In STV systems, voters *rank* their choices, and not only choose one of the available options.

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[4] "Often," but not always. Voters who consider voting for smaller, less popular parties' lists may know full well, for example, that only the first 1-3 candidates on the list have any chance of winning seats. In such cases, person-related considerations become more emphatic. Hence, voters' ethical conflicts in these cases may be more akin to those that voters in majoritarian systems have reason to feel burdened with.

Some voters may treat some of the conflicting duties and other ethical considerations that bear on their voting as *constraints* on the application of other duties or ethical considerations (i.e., they function as exclusionary reasons in Joseph Raz's terminology; see Raz, 1999; Raz, 2021). For instance, some minority voters may see themselves as not only willing but duty-bound to vote for a candidate who offers a credible and viable program for addressing that minority's needs, or actually even belongs to that minority, and this may, in some voters' eyes, trump all other ethical considerations. Such voters see this duty as a constraint on applying other voting-relevant ethical considerations. For such voters, rank choice voting may not make voting more or less ethically burdensome. Whether through painful or easy choices, they only see themselves having sufficient reason to vote for a single candidate or party as their primary choice. (However, even for voters who vote primarily based on a constraint-like consideration, STV systems allow further considerations to be acted on if such voters have no reasons *against* indicating a second, third etc. choice.)

However, for other voters, conflicting duties and other ethical considerations may bear on electoral choice at the same time with different *weights* attached to them, and they could be *balanced* against one another. In other words, such voters do not see any relevant ethical consideration as a constraint on taking other considerations into account. For instance, such voters may think that helping other nations who are victims of climate change (global justice) is important, but not as important as economic growth at home which also makes a state retirement system sustainable (common good), and that it is even more important for them to be descriptive represented by or to show loyalty to a Christian or a woman candidate, or a Christian democratic party or one that takes the cause of gender representation seriously. In such cases, candidates or parties can be ranked along these different dimensions, and voters can exercise their franchise with a considerably reduced ethical burden compared to majority systems and (especially closed) list systems.

Mixed voting systems offer voters the opportunity to cast more than one vote in a single election. As such systems consist of a subsystem in which individual candidates are elected, and another one in which typically lists are chosen (Reynolds et al., 2005: 91), they offer unique ways for voters to compromise (Margalit, 2010; Rouméas, 2021).

First, voters may see a mixed electoral system as offering an adequate compromise regarding reasons for and against *participation*. They may have ethical reasons to dissociate themselves from the electoral procedure, e.g., a general condemnation of the corrupt political elite, or prevalent hate speech throughout the campaign (Fumagalli, 2021). Yet they may decide, for example, that even if they are unwilling to and ethically required not to cast a valid vote for any of the party lists, they may have sufficiently good moral reasons to vote for a particular individual candidate. Or the other way round, voters may see it as their ethical duty to express through no-show or invalid ballots that their constituency's local campaign was morally unacceptable to them in tone or content - yet they may not have similar moral reservations about (and constraints on) voting for a party list. This is entirely coherent as long as they either do not see local developments as symptomatic of the general politics of the party they are inclined to vote for, or they do not see the responsibility of the party in omitting to control the campaign.

Second, a mixed electoral system may shape voters' normative reasons as to *how to vote*. Namely, voters may see reasons to prioritize person-related ethical considerations when

voting for an individual candidate. This is because such considerations are largely inapplicable when voting for a (party) list, whereas duties of justice, the common good, or even self-interest-based considerations can be relevantly applied to promises made by parties as well. Hence, the latter considerations may be deprioritized when choosing an individual candidate.

Yet even this de-prioritization may be seen as ethically problematic, from both consequentialist and non-consequentialist perspectives. On the one hand, it may be objectionable if it seen to contribute to the overall insufficient votes gained by a party to form a majority, or pass the threshold of gaining mandates (cf. Fredén, 2014). On the other hand, de-prioritizing party-related considerations in voting for an individual candidate may also be ethically objectionable from a non-consequentialist viewpoint - as a matter of disloyalty, or as a matter of disrespect for considerations of justice or the common good interpreted as deontological constraints. Thus, while mixed systems can alleviate unnecessary ethical conflicts, they are far from eliminating such conflicts through offering the option of vote-splitting.

3.2.2 One-Round vs. Two-Round Systems and Resolving Ethical Conflicts

The question as to whether voters can split their votes arises not only synchronically – at a given stage in the electoral procedure – but also diachronically, between different stages of the same electoral procedure. When this is not possible, we are talking about one-round systems; when diachronic splitting it possible, we are talking about two-round systems.

The choice between one-round and two-round systems arises in majoritarian electoral systems. If plurality, i.e., gaining the highest number of votes, whether or not that means more than 50% of the valid votes cast, is sufficient for winning, then there is no need for a second round for the system to yield a determinate outcome. Nor is there any such need for a second round in proportional electoral systems.[5] Yet if a majority is required for winning, but there is only a plurality winner in a first round, a second round (also known as a 'run-off election') may be and often is required (Reynolds et al., 2005: 52). In practice, this implies that two-round systems are typical in presidential elections as well as in majoritarian (as opposed to plurality-based) elections of individual candidates for a seat in a (legislative) assembly.

In some respects, two-round elections are analogous to mixed electoral systems in how they may help resolve voters' conflicts of duties perceived as relevant to electoral choice. Again, when voters see some of their voting-relevant duties as constraints on applying other moral considerations to their vote, two-round elections do not affect the moral burdens on voters. Nevertheless, in other cases, voters may see the two rounds as opportunities to balance or discharge more than one of the duties or act upon more than one of the conflicting ethical considerations they find relevant to their electoral choice. In other words, two-round systems can pre-empt compromises that voters potentially see as necessary but

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[5] Thresholds could complicate this, as in theory, it would be possible not to distribute the mandates that correspond to the votes gained by parties that are sufficient for winning a mandate but are below the threshold. In such cases, the mandates not distributed in the first round could be distributed in a second round. However, instead, proportional systems with thresholds typically distribute all the mandates only between those parties whose lists have gained the number of votes necessary to pass the threshold (see, e.g., Reeve and Ware, 1992: 152).

objectionable (even if they do not pre-empt all strategic compromises, cf. the descriptive findings of Cox, 1997: 137). For example, in the first round, a voter may vote for a candidate who most clearly stands for what they see as the common good of the country - judging that to be a more urgent issue than descriptive representation (which she also finds morally important). Once the candidate she considers to be the best in terms of promoting the common good drops out of the race, though, the same voter might decide to vote in the second round for a female candidate to ensure proper gender representation - seen as a matter of democratic justice (in the eyes of a male or female voter), or a matter of loyalty to shared interests of women (in the eyes of a female voter), or in some other ethically significant way.

Thus, what appear to be conflicting duties and reasons in a single-round election can be discharged in different phases of the electoral procedure in a two-round election. This considerably reduces voters' ethical burdens of choice. Entry-barriers, such as the common requirement to collect supporting signatures for candidacy, can complicate this effect, though. The complete lack of such barriers, on the one hand, may make electoral choice more difficult in the first round: voters may have to evaluate a large number of candidates based on a number of different considerations, making informed, considered, prudent judgment rather burdensome. (See more in Section 4.3 below on the information environment and voters' ethical conflicts.) Excessive entry barriers, on the other hand, can deprive voters of the opportunity to split their votes temporally, as they pre-empt the need for a second round.

In other respects, however, two-round systems may even aggravate voters' ethical conflicts by exposing them to two profoundly difficult ethical choice situation rather than only one. This is especially so if voters in the first round already see themselves ethically compelled to vote strategically, i.e., to vote for a candidate who is not their first preference but who is more likely to win than their first preference, for what they see as a 'lesser evil'. In such cases, voters may have reason to make either the same morally unpalatable compromise twice, or in worse cases, when their strategic choice proves to be an unviable candidate in the second round or does not make it to the second round at all, voters may need to resort to even harder compromises in the second round than in the first one. For example, left-leaning voters in recent French presidential elections in 2017 may have felt compelled to vote strategically already in the first round - yet then found themselves having to choose between centrist candidate Macron and far right candidate Le Pen in the second round.

3.3 Voting Systems and the Meaning of the Vote

Voting systems can shape the ethical conflicts that voters face by influencing their understanding of what they do when they cast the ballot. Different normative functions of voting – sanctioning, authorization, selection, expressing alliance (loyalty) or identity – and moral considerations pertaining to them may come into conflict. Various voting systems may make some of these functions more salient, i.e., easier to realize through voting, and thereby also guide the resolution of these moral conflicts.

Sanctioning may be reasonably seen as weightier in voting systems with more emphasis on individual candidacy: namely, majority/plurality systems, STV systems, as well as open list PR systems (Reynolds et al., 2005: 12). These voting systems are efficient means of holding individual (incumbent) candidates to account for past performance and sanction them for unsatisfactory performance. However, the fact that these electoral systems are more

efficient tools of sanctioning individual candidates may aggravate ethical conflicts which arise when other morally relevant functions of voting are relevant too in the voter's eyes. For instance, a voter may find it important to contribute to the authorization of a political party to pursue what she sees as an appealing political vision for the future. Yet she may only be able to do that in a majority / plurality system by means of voting for the individual candidate affiliated with that party whose performance she would also find important to sanction. Conversely, a voter may face ethical conflicts because she wishes to sanction a political party but cannot do so, given the characteristics of the voting system, without sanctioning the incumbent representative at the same time - even if the latter performed well in the voter's eyes.

Authorization and **selection** may also be reasonably seen as weightier in voting systems with more emphasis on individual candidacy: STV systems and majority/plurality systems. However, party authorization figures strongly in list PR systems, and even individual authorization and selection are highly relevant in open list systems. Ethical conflicts arise, in part, from the fact that voters may see their own vote as authorizing and selecting both a candidate and (through her) a party – in STV and majority / plurality systems – or both a party and (through it) its candidates, especially in a closed list PR system, even if voters do not wish to publicly create authorization for both party and candidate but only for one of these.

Expressing alliance (loyalty) or identity. Some voting systems more typically enhance the descriptive representation of women and minority members of the political community than others. Lists PR systems are often combined with gender or minority quotas, and even without that, low or no thresholds can facilitate women or minority representation (Reynolds et al., 2005: 122; on quotas, see Dahlerup, 2013; Mráz, 2021). In such electoral systems, some of the ethical conflicts are more attenuated for some women or minority voters: namely, voters whose group membership is a matter of identity or who see loyalty-based moral considerations as especially weighty or perhaps even a constraint on other relevant moral considerations in voting. Such voters may not need to make radical choices between instrumentally more efficacious parties or candidates, on the one hand, and parties or candidates which offer them descriptive representation and through which they can express group identity or loyalty, on the other hand. However, this does not mean such conflicts entirely disappear. Voters may still find, for example, that their political views and interests are instrumentally more efficiently represented in political decision-making by one party or candidate, whereas another party or candidate is superior in terms of descriptive representation and expressing their identity or loyalty. Majority/plurality systems may also use reserved seats for minorities - examples of which can be found in Asia and Africa, but not in Europe. Yet even in majority / plurality systems, political parties can increase the presence of listing women and minority members on the ballot by short-listing them during nomination. This way, to their own benefit, parties in such electoral systems can alleviate the ethical conflicts of women and minority voters who otherwise prefer the party but also care about descriptive representation (Reynolds et al., 2005: 121).

4. FURTHER ELECTORAL INSTITUTIONS AND ETHICAL CONFLICTS

Electoral systems – narrowly understood as mechanisms of generating seats out of votes – are not the only electoral institutions which shape the ethical conflicts that voters face and

which challenge voters to use their prudence. Further electoral institutions also play significant roles in shaping ethical conflicts from the voter's perspective. This chapter focuses, in particular, on three such aspects as highly salient ones in a number of otherwise rather different European democracies: the (dis)enfranchisement and procedural burdens of non-resident voters; the challenges of compulsory voting; and the institutions which co-constitute voters' information environment, including campaign regulations and official avenues of disseminating information on the electoral system and procedure.

4.1 Voting From Abroad and Ethical Conflicts

Voting rights for diaspora populations show considerable variety all over Europe: while some Member States disenfranchise non-resident citizens, others enfranchise them without any restrictions, and yet others enfranchise them with substantive or procedural restrictions.[6] Such regimes also impact the ethical conflicts voters need to face.

Especially unrestricted franchise for **non-resident citizens** may generate **ethical conflicts** for those so enfranchised. On the one hand, non-resident citizens may have no intention to return to their country of citizenship. Hence, they may perceive it as unfair to have a say in the fate of that country (cf. López-Guerra, 2014: 90); or they might consider themselves to be insufficiently following public affairs in their country of citizenship to cast an informed ballot. On the other hand, non-resident citizens may regard their special epistemic status as outsiders as not (or not only) deficient but (also at least) in part privileged, since it allows them to contribute to political decision-making with a unique perspective (cf. feminist standpoint theories and black feminist epistemologies, e.g., Collins, 2009 [1990]; Harding, 1991; Longino, 1990; Longino, 2002), and they may see themselves obliged to so contribute. Alternatively, non-resident citizens may regard themselves as having an obligation to vote at least against outstandingly unjust policies or candidates - especially in a tight race (cf. Maskivker, 2019: 147-152).

The disenfranchisement of non-resident citizens, or even the imposition of excessive burdens on their exercise of the franchise, may generate **ethical conflicts for resident voters**, in turn. In some contexts, resident voters may regard themselves as having sufficient reason to represent non-resident citizens via voting. For example, because non-resident citizens may financially support populations *en masse* in their country of citizenship, and hence may be seen as having a legitimate interest in public affairs there (López-Guerra, 2005: 229). Alternatively, non-resident, disenfranchised populations may be liable to substantive harm in other ways, which may generate a need for their representation by resident voters. For instance, resident (and as such, eligible) voters in the Brexit referendum may have seen themselves as having a reason to protect the rights and privileges of non-resident UK citizens residing in (back then) other EU Member States. However, naturally, resident voters may well see themselves as duty-bound to act upon other moral reasons in voting. Hence the possibility of ethical conflicts for them.

Enfranchisement regimes which allow the electoral participation of non-resident citizens with some restrictions may alleviate the ethical conflicts of both non-resident and resident voters. Such restrictions may be temporal - limiting non-resident enfranchisement to a

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[6] See (Mráz and Lever 2023a, Section 4.1.1.2), for details on the (dis)enfranchisement of diaspora voters; see also (Mráz and Lever 2023a, Section 7.2) on voter registration.

certain duration or at least some active (re)engagement with electoral administration through (re)registration. Such temporal restrictions may give all voters reason to believe that mostly those non-resident citizens with sufficient interest in and knowledge about the public affairs of their country of citizenship are enfranchised to vote in the elections of their country of citizenship. Alternatively, electoral participation may be restricted in other ways, by enfranchising non-residents to vote for the candidates of a non-resident constituency (e.g., Croatia[7]), or only for lists within mixed systems with geographically defined constituencies (e.g., Hungary[8]). All of these kinds of restricted enfranchisement may alleviate non-resident voters' moral concerns of unfair electoral influence. At the same time, they may also give reasons for resident voters not to feel obliged to represent non-resident citizens through their votes, as the latter are not in need of surrogate representation (on surrogate representation more generally, see Mansbridge, 2003; see also Tremblay, 2006).

From the perspective of voters' ethical conflicts, then, enfranchising non-resident voters with some limitations may be the most conflict-reducing option in **electoral design**. This applies at least to contexts where diaspora populations continue to have a typically significant role in the economic or social life of the country.

4.2 Compulsory Voting

While voting is voluntary in most European democracies, several of them apply some compulsory voting regime, including Belgium, Bulgaria, Greece and Luxembourg.[9] Compulsory voting regimes also shape voters' ethical conflicts in the following way. Voters may find it important to abstain from an election for expressive reasons - e.g., contributing to a collective signalling of dissatisfaction with the political elite - or to preserve their moral integrity, e.g., by refraining from contributing to a political process they see profoundly flawed. While some of these concerns may be alleviated by casting an invalid ballot even in compulsory voting regimes, compulsory voting arguably limits voters' sphere of liberty, moral and political agency, and prudence (Lever, 2009, 2010a, 2010b; Ottonelli, 2018: 401; Saunders, 2016).

On the one hand, for those who find it ethically significant to stay away from the entire electoral process, compulsory voting may present an ethical conflict. This is because abstaining is a violation of the law in compulsory voting regimes, and voters may value obedience to law in general. On the other hand, compulsory voting may be thought to relieve more privileged voters who are more likely to participate anyways from an ethical burden: namely, that of representing in the polling booth even those who do not turn out - typically, the less privileged voters (Lijphart, 1997; Engelen, 2007; Birch, 2009; Hill, 2010; Brennan and Hill, 2014). Yet this holds only if compulsory voting regimes effectively enforce participation, which is rarely the case in today's democracies. Thus. compulsory voting does not have clear advantages in terms of mitigating ethical conflicts.

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[7] Croatian Parliamentary Elections Act, Article 8. (Available in English translation at https://www.izbori.hr/site/UserDocsImages/Zakoni%20-%20engl/Zakon_o_izborima_zastupnika_u_Hrvatski_sabor_PT_NN%2066-15-EN.pdf.)

[8] Az országgyűlési képviselők választásáról szóló 2011. évi CCIII. törvény ['Act on the election of the Members of Parliament'], Section 12. §, Para. (3).

[9] See Mráz and Lever 2023a, Section 4.3.2 for more details.

4.3 Information Environment and Voters' Ethical Conflicts

The information environment in which voters make their choices also influences the kind of ethical conflicts they are bound to face in making electoral choices. Electoral institutions, in turn, shape this informational environment to a great extent. Crucially among these institutions, campaign regulations partly determine how much information voters receive, when, and how, without particular efforts to actively seek information. Election authorities and the government may also disseminate more or less, better or worse information about the electoral system and procedure, which can also shape voters' ethical conflicts.

Even if voters make reasonable efforts, in some information environments, they may have very limited information either in general about their alternatives or about particular candidates or parties. For example, **electoral campaigns** may be short and political advertisements may be prohibited outside of campaign periods in certain media, as is the case in the UK with TV ads[10], putting a greater burden on voters to seek out information even if that is available in other media. To take another example, in lack of **public funding**, private funding may be insufficient for emerging political parties or candidates to convey their messages effectively. Thus, voters may need to decide for or against a new party or candidate without much knowledge about their/her platform.

Ethical conflicts in such cases may concern **insufficient or unequal information available to voters about the alternatives**. On the one hand, voters may have a duty to participate in elections based on sufficient information (see, e.g., Brennan, 2012; cf. Maskivker's concept of "voting with care", Maskivker, 2019: 77-129). On the other hand, they may see themselves as having a duty to participate in a particular election, and vote for or against a particular party or candidate, even without sufficient knowledge about the alternatives. The latter is a coherent attitude for voters who recognize a plurality of normative grounds to participate in an election.[11] For such voters, the various normative reasons to participate may trigger different informational requirements. In other words, what counts as sufficiently informed participation varies based on the normative grounds for participation.

For instance, voting for the common good requires knowledge about the platforms of the various parties and candidates such that is sufficient to make a justified comparative judgment about who is most likely to promote (what is, in the voter's eyes) the common good. Yet voting to ensure descriptive representation may require no more knowledge than which candidate belongs to the relevant group that the voter identifies with and considers just to see represented descriptively. Ethical conflicts arise, for example, when both of these considerations are important for the voter but she possesses sufficient information only concerning the latter. Then she must decide whether to act on what she may see as reasons of loyalty or a duty to ensure descriptive representation (and hence vote in an informed manner in this respect), or to act on what she may see as a duty to vote for the common good (and hence refrain from voting as she cannot vote in an informed manner in this respect).

Ethical conflicts may also arise if **insufficient information is available to voters about the voting system or the electoral procedure**. Voters' ignorance about some of their options may

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[10] See the landmark decision of the European Court of Human Rights in *Animal Defenders International* v. *The United Kingdom* (48876/08, 22 April 2013).

[11] For a detailed discussion of these grounds, see (Mráz and Lever 2023b, Section 4.2).

contribute to a false impression of diminished opportunities for individual and collective political agency. For example, in mixed voting systems, unfamiliarity with the rules concerning invalid votes may lead voters to have mistaken views about whether it is possible to cast one invalid (e.g., list) ballot while casting another, valid (e.g., individual candidate) ballot. Further, missing out on certain opportunities, e.g., voter registration deadlines, due to insufficient information can create otherwise avoidable ethical conflicts for voters. For instance, failing to register in electoral procedures which require active registration for expats can create ethical conflicts for others as to whether and how to represent expats through their own votes.

The **implications** of such conflicts **for the individual ethics of voting** are the following. First, voters need to prioritize between the duty to seek out sufficient information to vote in an informed manner, and their other duties (including those related to work, family and other commitments) which also compete for their limited resources. Second, voters need to prioritize between their different normative grounds for voting. This will resolve whether reasons for voting in an informed manner with regard to one normative ground for voting should be prioritized above reasons to refrain from uninformed voting with regard to another normative ground.

The **implications for the design of electoral institutions** are the following. First, campaigns can alleviate voters' ethical conflicts by ensuring that parties and candidates can effectively convey information to voters who cannot actively seek out such information at a reasonable cost. Campaign length is a double-edged sword: on the one hand, voters learn from longer campaigns (Stevenson and Vavreck, 2000); on the other hand, knowledge gaps between voters can increase over campaigns (Nadeau et al., 2008) and longer campaigns might also have an alienating effect, fuelling dissatisfaction with democratic politics. This implies that a reasonably but not excessively long electoral campaign before each election or sufficiently free public political communication outside campaign periods is necessary, as is at least some public funding of electoral campaigns.[12] Second, campaigns can alleviate voters' ethical conflicts by ensuring that voters have access to information that is sufficiently rich and diverse to supply sufficient information with regard to the various normative grounds voters see relevant to voting. Third, campaign regulations can also ensure that voters are better situated to evaluate both campaign sources and their own epistemic position vis-à-vis such sources. This implies, for example, transparency requirements concerning who publishes and finances a particular political advert, and on social media platforms, also concerning the criteria for targeting a certain population with a particular advert.[13] Fourth, especially when electoral reforms are introduced, election authorities and the government can prevent some unnecessary ethical challenges for voters by active, timely and politically neutral information

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[12] For support for a private-public mixed funding scheme, albeit for other reasons, see the Council of Europe *Recommendation 2003/4 of the Committee of Ministers to Member States on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns* (adopted by the Committee of Ministers on 8 April 2003 at the 835th meeting of the Ministers' Deputies): "The state and its citizens are both entitled to support political parties. The state should provide support to political parties. State support should be limited to reasonable contributions" (Appendix, Article 1).

[13] Consider, for example, the recent proposal for a new European regulation on transparency and targeting of political adverts: "European Democracy: Commission sets out new laws on political advertising, electoral rights and party funding", Press release of the European Commission of 25 November 2021. https://ec.europa.eu/commission/presscorner/detail/en/ip_21_6118

campaign concerning the most important (and especially new) features of the voting system and / or electoral procedure.

5. PARTY VS. NON-PARTY REPRESENTATION AND ETHICAL CONFLICTS

The role of political parties or the lack thereof in political representation also shapes the ethical conflicts voters face, in conjunction with the institutional context of a given voting system. The role of independent candidates and coalitions, on the one hand, and the role of non-party nominating entities, on the other hand, can introduce new ethical conflicts for the voter.

5.1 Independent Candidates and Voters' Ethical Conflicts

Party-mediated representation is the most common form of electoral representation in modern democracies, but **independent candidates** are significant actors on the electoral landscape in several jurisdictions (such as Ireland, see Weeks, 2014; Weeks, 2017; Kefford and Weeks, 2020; cf. Rodrigues and Breton, 2010). Independent candidates can have a dual effect on voters' ethical conflicts. On the one hand, **their presence introduces such candidates in voters' choice sets who can be evaluated purely on the basis of their individual merits or demerits**. Thus, when voting for an independent candidate, voters need not make compromises between party-related moral considerations and individual-related moral considerations. This **allows voters to evade conflicts** between these considerations, on one level. Further, the availability of independent candidates may give reasons for voters to be less alienated from the political process, as independent candidates can often be seen as new entrants into the process and as challengers of existing elites.

On the other hand, **the availability of independent candidates invites voters to make further difficult strategic and moral decisions** on another level. Voters may have reason to cast a ballot for an independent candidate if the individual merits of the candidate are especially convincing or are even seen as morally binding. For example, the independent candidate may be the only one with the promise of providing descriptive representation to a minority voter whose minority group is not attended to by any of the political parties. A voter may see this as a very strong *pro tanto* expressive reason or even duty to vote in such cases for the independent candidate. At the same time, however, independent candidates lack access to infrastructures, e.g., financial support for assistants, networks, access to expertise, and to some extent, even formal opportunities for political decision-making, such as the right to establish a faction in Parliament, with all the subsequent right of participation in commission work[14], that parties have access to. Thus, if a voter sees elections from an

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[14] For example, in the Hungarian Parliament, members of factions have certain speech rights as well as access to committee work that independent MPs do not have. See, e.g., az egyes házszabályi rendelkezésről szóló 10/2014. (II. 24.) OGY határozat ['Decision of the Parliament on the House Rules'], Section 1. §, Paras. (3)-(4); Section 63. §, Para. (3); az Országgyűlésről szóló 2012. évi XXXVI. törvény ['Act on the Parliament'], Section 17. §, Paras. (1)-(2). Likewise, in the UK House of Commons, HM Official Opposition – MPs affiliated with the second largest party in the Lower House of Parliament – enjoy special rights in Parliament, including 17 out of the 20 'opposition days' in each parliamentary session reserved for their business, while only the rest (3 days per session) remain for the business of the opposition forces beyond HM Official Opposition. See Commons Standing Order No. 14.

instrumental rather than expressive perspective, she may also have strong *pro tanto* reasons to support candidates who are affiliated with a political party. In this sense, the existence of independent candidates can create ethical conflicts.

Some electoral systems – **pure list systems** in particular – typically make independent candidacy extremely burdensome or impossible.[15] In pure list systems, party-based representation is prevalent, especially if combined with high parliamentary thresholds (Brancati, 2008). On the one hand, then, such electoral systems do not typically offer choices to voters that would relieve them of balancing moral reasons based on the party-affiliation of a candidate vs. on her individual merits or demerits. However, for non-leading and hence not necessarily well-known positions on a list, individual merit or demerit may be reasonably outweighed by competing parties' platforms, political viability, experience, infrastructural background, accumulated expertise etc.

On the other hand, voters in pure list systems - with no opportunity to vote for independent candidates - may have more reason to feel alienated from existing elites. Hence, their ethical conflicts may reasonably concern reasons for and against participation in the elections, in the first place. Further, if they decide to participate, choosing between party-related and individual candidate-related considerations remains fraught with ethical conflicts at least regarding leading positions on a list.

Ironically enough, **strong party discipline** in parliamentary systems - which is not only possible in proportional representation, but also in majority/plurality voting systems (Bowler et al., 1999; Thompson, 2015; Whiteley and Seyd, 1999; Dimock, 2012; Martin et al., 2014), constitutes a partially analogous case, from the voter's perspective, to electoral systems with a strong presence of independent candidates. On the one hand, strong party discipline simplifies the normative structure of electoral choices, just like voting for independents. Strong party discipline diminishes the relevance of moral considerations related to individual candidates, and hence also contributes to the generation of fewer ethical conflicts (as between moral considerations related to individual candidates vs. parties). On the other hand, quite unlike the significant presence of independent candidates, strong party discipline also provides reasons for voters to be alienated from the political process. This is because it creates an impression of little to no voter influence on high level political decision-making processes. In these regards, strong party discipline in majority / plurality systems creates a similar ethical environment for voters to the one that emerges in pure list systems.

STV systems may seem to be amenable to independent candidacy, as voters are well placed to express choices between particular individual candidates. However, in this respect, empirical data show mixed results in countries using STV voting systems for legislative elections. While independent candidates continue to be significant political actors in Ireland (Weeks, 2017), they were completely absent in Malta for a long while (Hirczy de Miño and Lane, 1996). This suggests that it is hard to make general claims about the extent to which

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[15] Extremely burdensome if even small and less resourceful parties (or other types of organizations) can meet the conditions of establishing lists – but impossible if only well-established and resource-rich parties can meet these conditions in the given jurisdiction. However, it is possible in some countries for natural persons to establish a "list" as if they were a party and run on their own lists (as the only candidate on the list), especially in local elections (Reynolds et al., 2005: 144).

STV systems contribute to ethical conflicts of voters by incentivizing independent candidacy.

In **majority systems and mixed systems**, independent candidates exist but are not prevalent - and the same holds for the ethical conflicts that they present voters with. Plurality-majority systems are more favourable to independent candidates than list systems, as the former put more emphasis on the individual candidate, and small district sizes typical of such systems decrease campaign costs (Brancati, 2008). Plurality systems may be more favourable to independent candidates than majority systems. Hence, the dual effect of the presence of independent candidates on voters' ethical conflicts arises more often in such electoral systems.[16]

5.2 Non-Independent Non-Party Candidates and Voters' Ethical Conflicts

Voting systems which allow or incentivize non-independent non-party representation may introduce new ethical conflicts for voters. For example, in Hungary, each registered **national minority** may establish a list in general parliamentary elections: the list is established by the given minority's national self-government.[17] Voters belonging to a national minority, however, can only vote for one list in the elections: either for a party list or for their own national minority's list.[18] While such electoral design preserves nominal equality (one person - one list vote), it can generate potentially conflicting moral reasons for minority voters. On the one hand, voters may value immediate descriptive representation offered by a national minority list that is not necessarily available if voting for a party list; and reasons of group loyalty may also bear on voters' choice. On the other hand, voters may recognize that political parties have more potential for impactful politics, and hence outcome-based moral considerations support voting for a party list. Further, in the long run, national minority voters may see their representation guaranteed only if they do not turn their backs on party politics. As Aladár Horváth, a Roma rights activist and founder of the Roma Civil Rights Movement in Hungary put it, "For the Roma in particular, it has been a matter of life and death that politics should not isolate us from society or oppose us either to the majority population or to each other" (Czene, 2013). This example also shows that **ethical conflicts related to loyalty, identity and descriptive representation**, generated by the voting system and party system, are often **most effectively resolved at the collective, group or movement level** rather than at the level of the individual voter. In this case, a minority movement supports minority voters by signalling to them that they are not disloyal to the minority if they choose not to vote for the national minority list but for a party list. Finally, such a system severing the political representation of the minority from that of the majority also interferes

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[16] The relevance of independent candidacy for voters' ethical conflicts may also be mediated through the voters' information environment. For instance, in two-party systems typical of plurality/majority electoral systems, the official opposition party often has such opportunities to convey its viewpoint to voters that are unmatched by third parties or independent candidates. Thus, voters voting for independent candidates often have to deal with ethical conflicts that result from more limited information about the candidate of their choice. On voters' information environment, see further Section 4.3 above.

[17] Az országgyűlési képviselők választásáról szóló 2011. évi CCIII. törvény ['Act on the election of the Members of Parliament'], Section 9. §.

[18] For an extensive critical discussion, see, e.g., Kállai et al., 2018. The present report solely focuses on the evaluation of institutional design from the voter's perspective.

with majority voters' opportunities to build coalitions with minority voters, and hence may also generate ethical conflicts for majority voters as well.

6. THREE SCENARIOS

The scenarios in this section serve to illustrate with normatively complex case studies how the toolkit provided in the previous sections can be productively used to elucidate individual ethical conflicts that are shaped, at least in a huge part, by electoral institutions. Further, the following scenarios are also meant to show how considerations about the ethical conflicts that voters face can be used to deliver implications about the design of electoral institutions. All case studies are based on real first-personal accounts of voters. However, while the scenarios take voters' moral phenomenology as a descriptive point of departure, they do not stop at phenomenological descriptions: they interpret, analyse, and relate this phenomenology to the role of electoral institutions in shaping voters' ethical conflicts. To this end, all scenarios also weave in some additional information about the context in which these voters exercise their franchise. Voters' moral phenomenology may be determined by various factors. Electoral institutions are among these, yet it is not assumed that they fully or exclusively determine the ethical conflicts that voters find themselves in.

Methodologically, this section does not summarize the findings of qualitative empirical studies. Instead, it relies on publicly available sources, e.g., press reports, of voters' own accounts of their moral phenomenology regarding electoral choices they face. The selection of these cases was also constrained by the scarce availability of first-personal accounts of voters' moral challenges. However, the selection of these cases was not primarily guided by how prevalent a particular ethical conflict or moral challenge is among voters: these cases are not meant to be representative in a statistical sense. Instead, they have been chosen with a view to focusing on characteristic moral challenges that voters *could* face across European jurisdictions given certain features of their electoral institutions.

The aim of this chapter is not to substantively evaluate the particular choices voters made in the cases covered. Nor should the analyses of the cases be understood as an endorsement of the ethical perspectives of the voters involved - including the way they see or fail to see ethical conflicts and relevant moral considerations. The aim, instead, is to understand through particular examples how electoral institutions partly shape or could shape the first-person perspectives of voters.

6.1 Scenario 1: Loyalty, Justice, and Self-Interest in Presidential Elections in France

The first scenario concerns voters in a presidential election in France.[19] BBC interviewed in 2017 a number of gay voters in Paris who have decided to vote for Marine Le Pen, the far-right candidate of the party Front National (FN) in the French presidential elections - a party with an openly homophobic and xenophobic agenda. One of the voters interviewed is reported to have said, "There are priorities in France other than homosexuality. I myself am in a same-sex couple and there have been many advances in this area [...] But for me there

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[19] This scenario is based on reporting in Chalk (2017).

are more pressing issues like the economy, the national debt and unemployment" (Chalk, 2017).

Voters in this situation seem to regard several grounds as relevant to their electoral choice: the common good – issues of national debt, unemployment or the state of the national economy more generally, justice – what it owed, in their eyes, to people living in same-sex relationships, including themselves, identity and loyalty – what they owe the LGBTQIA community as voters[20], and probably self-interest – what the interviewees regard as necessary to pursue valuable lives as gay, middle class, white men in France. Yet the voters concerned each have a single vote to cast in presidential elections, and they see these ethically relevant considerations as conflicting. Hence, they must prioritize between these considerations.[21]

Electoral institutions radicalize the choice between the considerations reviewed above in part due to the nature of presidential elections. Especially in a highly polarized political environment, presidential elections are bound to be highly simplified choice situations. This polarization is, to some extent, the effect of the majority system which tends to allow parties to be pulled to the extremes (even if it does not so readily allow extreme political forces to succeed within extreme parties of their own) (Schwanitz, 2021: 31). Polarized, radical choice situations are especially likely in a second round where voters are likely to face an even more constrained choice set – in 2017, this set comprised Emmanuel Macron and Marine Le Pen.

The resolution of voters' ethical conflicts in presidential elections can reasonably turn on what difference voters see presidents capable of making, given current or expected legislative majorities. If the presidential candidate that a voter chooses would have to face considerable political opposition from the legislature, the voter may justifiably prioritize expressive considerations over consequentialist considerations in voting. If, however, the candidate that a voter chooses could readily work together with the legislature on realizing a shared political platform, instrumental considerations also gain more weight. Voters in the present case (rightly or wrongly) may not have foreseen a political will on the legislature's part to cooperate with Le Pen to dismantle same-sex marriage - while they might have seen a political will to address unemployment and other issues on the economic left.

The design of electoral institutions could somewhat mitigate ethical conflicts like the one discussed here by keeping entry barriers low in the presidential race. In the first round, at

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[20] Perhaps another interviewee's view is indicative of the community's expectations in this regard: "Is she actually going to repeal same sex marriage? I don't care. Just the fact she thinks it's OK to say it makes her very dangerous" (Chalk, 2017).

[21] It is also possible to interpret these particular voters to mean they see no ethical conflict here at all. This is convincing if the voters concerned downplay the homophobia of the candidate they are voting for, essentially seeing her homophobic stance as a purely strategic move to win conservative voters, but likely without any consequences for the lives of LGBTQIA people. Alternatively, the ethical conflict may be downplayed if the voters concerned do not think institutions such as same-sex marriage potentially at risk if a far-right candidate wins are important either to justice to LGBTQIA people or as a matter of their self-interest, and if they do not recognize the normative significance of any loyalty to other LGBTQIA people either. However, while such interpretations of these voters' stance are interesting and important to examine as a matter of political sociology and anthropology, the aim of this report is to focus on voters' ethical conflicts and how electoral institutions shape them. Hence the focus on a plausible but conflict-ridden interpretation of the case.

least, a wider array of candidates is likely to present voters with less radical choice situations. For example, requiring fewer supporting signatures for presidential nominees could have this welcome effect.[22] However, France currently requires 500 supporting signatures for nominating a presidential candidate - which might not seem to be a high entry barrier, even though before 1976, only 100 signatures were required.[23] Entry barriers are vast in the second round, though, regardless of the number of signatures needed to enter the first round. In the second round, only two candidates remain, technically creating a majority support for the winning candidate but also radicalizing the electoral choice situation.

It raises questions regarding the information environment that the voters concerned in this case may not have been exposed to viewpoints of other voter groups, including people of colour. FN's campaign in the given case allegedly aimed at reducing the ethical conflict voters in this case faced by attempting to link the interests of LGBTQIA people with its xenophobic, Islamophobic platform. As another voter reportedly said, "Where are the gays most in danger? In Islamic countries. [...] Gay people are being crucified – it's a danger and I don't want it coming to France, definitely not" (Chalk, 2017). This perspective was not countered in the given information environment by other perspectives. As another interviewee put it: "The FN supporters you spoke to, were they white? [...] Yes? I'm not surprised. [...] I feel like a lot of LGBT people are very selfish. They feel like they're not targets for the FN anymore so they think it's OK to vote for them." (ibid.).

Voters have a duty to vote in an informed manner, but the framework of ethical conflicts may contribute to making sense of why they were not sufficiently informed, in this case. Unfortunately, the information lacking here may not have been relevant to what they held as relevant grounds for voting for a particular candidate. They may have not known enough. But it may have been more important for them to vote based on the grounds – self-interest, justice to LGBTQIA people, and the common good – to which the information they had was both sufficient and relevant. At the same time, they may have found it less important to refrain from voting based on the grounds, e.g., justice for both their fellow citizens in racial and ethnic minorities as well as for would-be immigrants, regarding which they did not have sufficient information.

Institutional design may mitigate the insulation of voters' views from one another's. For example, regulations of campaign advertisements in social media platforms may prescribe transparency rules.[24] These rules can help voters realize why they are targeted by a given political advertisement, and it may make them realize that a somewhat insulated, segregated information environment is created around them. Of course, this in itself would not necessarily provide voters with sufficient information related to all of the normative grounds they find relevant to their electoral choice. Yet it would at least warn voters that they might need to seek out more information from fellow citizens with at least partly different backgrounds.

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[22] It may make the acquisition and provision of information about the candidates more costly, though (see Section 4.3 above regarding the informational environment and voters' ethical conflicts).

[23] Loi n° 62-1292 du 6 novembre 1962 relative à l'élection du Président de la République au suffrage universel ['Act on the election of the President of the Republic with universal suffrage'], Article 1.

[24] See Section 4.3 above regarding transparency requirements applied to online political advertisements, for example.

6.2 Scenario 2: Non-Resident Voters in Spanish Elections

The second scenario concerns Spanish citizens who are eligible to vote but reside abroad. Spanish electoral law prohibits permanently non-resident citizens to participate in municipal elections,[25] whereas for legislative elections, there is a separate electoral registry for non-resident voters.[26] After a reform of the electoral procedure, non-resident citizens can register at consulates to be enrolled on the non-resident electoral registry in order to receive a postal ballot.[27] Some affected expats found this new regime of active (non-automatic) registration for non-residents prohibitively costly, as – at least at some consulates (Ventas, 2015) – it required in-person voter registration. A Spanish citizen living in Birmingham (UK) summarized her situation in 2015 as follows: "I would have to go to London. But I can't ask for a whole day off for that, besides the fact that public transport is very expensive here" (ibid.). The new situation led to an 80% fall in the electoral participation of non-resident citizens between the 2008 and 2011 general parliamentary elections (ibid.).

However, a creative solution emerged in the shape of a grassroots movement called *#RescataMiVoto* and its simple technology (Ventas, 2015). The movement established a website where non-resident Spanish citizens who wanted but failed to register to vote could be matched with Spanish resident citizens who were eligible to vote but otherwise planned to abstain in the given election. The website offered an opportunity for the latter to "donate" their vote to the former, in practice acting as *de facto* proxies for expats.

Ethical conflicts, in this case, have primarily been reported not on the expats' side, but on the side of "vote donors." On the one hand, at least many of them presumably had reasons beyond sheer convenience to abstain. On the other hand, resident citizens may have had reasons of justice to help represent non-resident voters in the polling booths. A vote donor's first-person account aptly summarized this conflict: "It has long been a dilemma for me whether to vote or not, and this time I was determined not to go to the polls. [...] However, taking a vote from someone who wants to vote but is prevented from doing so seems to me to be an act of justice and rebellion against an undemocratic system" (Ventas, 2015). Voters of this persuasion prioritized between reasons for their abstention and reasons of justice that counted in favour of their participation. This may have been easier for eligible voters who decided to abstain because they could not vote in an informed manner (trusting their expat "match" to be more informed when instructing them who to vote for), or if they neither felt their interests and views represented by any of the parties or candidates nor found the election to be of utmost importance (trusting that their "match" would not be in the same shoes). Yet prioritizing may have been more difficult for eligible voters who did not only fail to find sufficient reason to participate originally, but also found principled reasons *not* to participate at all (e.g., because they found the political elite thoroughly corrupt).

Vote donors may have had to face further ethical conflicts regarding the content of their quasi-proxy vote. As an interviewee reported her concerns, "I'm praying I don't have to vote against my leanings ['tendencia']" (Ventas, 2015). On the one hand, eligible voters may be committed to voting as proxies in an attempt to act against what they saw as the unjust

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[25] Ley Orgánica 5/1985 del Régimen Electoral ['Act on Electoral Regulation'], Art. 2. Para. 3.

[26] Ley Orgánica 5/1985 del Régimen Electoral ['Act on Electoral Regulation'], Art. 31. Para. 2.

[27] Ley Orgánica 5/1985 del Régimen Electoral ['Act on Electoral Regulation'], Art. 36.

exclusion of non-resident voters. On the other hand, they might still have had weighty reasons or even duties not to vote in ways that would compromise, for example, their identity or loyalties. Such ethical conflicts could, of course, have been mitigated by the initiative itself if vote-donors had been matched with pre-declared electoral choices rather than persons. However, such a solution might have resulted in fewer opportunities for expats with certain political leanings, depending on the distribution of vote donors' political views.

The design of electoral institutions could clearly mitigate the ethical conflicts involved in this scenario. A more flexible active registration procedure, including extended opening hours for in-person registration, as well as other forms of registration, could already pre-empt much of the need for "vote donors." Automatic or "passive" registration at a declared foreign address for postal ballots could avoid the ethical conflicts above. (At the same time, it may well raise questions about how to ensure that the relevant personal data of voters get updated in the electoral registry, including the removal of deceased citizens therefrom.) An active (re)registration at particular intervals (but not for each election) - as Sweden or Hungary require, for example - may serve as a potential compromise (see Mráz and Lever 2023a, Section 4.1.1.2). With the need for "vote donation" pre-empted, vote donors' ethical conflicts would also be eliminated.

The information environment may have also significantly contributed, in this case, to the ethical conflicts described above (Ventas, 2015). Election authorities or the government could have actively informed non-resident citizens about the new electoral procedure, including registration, applying to them. The clear, timely, active communication of requirements and deadlines certainly could not have solved all the difficulties expat voters faced, and as a result, the ethical conflicts vote donors faced, but it could have mitigated these.

6.3 Scenario 3: Split Votes in Hungarian Parliamentary Elections

The third scenario concerns general parliamentary elections in Hungary in 2018. Hungary introduced an entirely unique mixed voting system in its parliamentary elections in 2011. In this system, 106 out of the 199 parliamentary seats are distributed in a single-round plurality system as first-past-the-post single-member constituency seats, whereas the remaining 93 seats are distributed in a list PR system.[28] The uniqueness of the system consists in how the two subsystems are connected. First, votes cast for individual candidates who lose in their constituencies are transferred to the respective party lists of the parties that nominated these candidates, provided that they are not independent candidates.[29] Second, much more uniquely, votes cast for *winning* individual candidates in excess of the number of votes they need to win are also transferred to the respective party lists of the parties that nominated

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[28] Az országgyűlési képviselők választásáról szóló 2011. évi CCIII. törvény ['Act on the election of the Members of Parliament'], Section 3. §, Para. (2).

[29] Az országgyűlési képviselők választásáról szóló 2011. évi CCIII. törvény ['Act on the election of the Members of Parliament'], Section 15. §, Para. (1) *a)*; Section 16. § *a)*. In practice, only the number of the votes gained by the candidate who came in second in the race *plus one vote* is necessary to win the constituency seat. The remaining number of votes cast for the winner get transferred to the relevant party list.

these candidates.[30] (Again, provided that the winners are not independent candidates.) This voting system shapes the ethical conflicts voters face.[31]

The electoral system – in the given political context, and for presumably a large number but not all of the voters – created a sharp ethical conflict. On the one hand, some opposition voters in the general parliamentary elections of 2018 – the second general election after the new voting system was introduced – argued for a 'boycott' against the election that they saw as thoroughly unfair or illegitimate given the public legal developments in the country. In the opinion of an op-ed writer, "What can be achieved if everything goes ahead with the current method? You can't win" (Hont, 2018). While boycotting as a strategy may be an alternative for opposition parties' and candidates primarily, the op-ed clarified: "the success of a boycott does not depend on how many parties participate in the election, but on how many voters", suggesting that voters should also refrain from participation on common good and justice grounds.

On the other hand, other opposition voters may well have seen the voting system as generating a *pro tanto* duty of participation and strategic (tactical) voting as a method of harm reduction from their perspective, even if they saw little chance of their preferred individual candidates winning. This is because it is through co-ordinated strategic voting for the most popular opposition candidate that the votes for the candidate coming in second could be maximized. This at once entails minimizing the number of the votes cast for the winning candidate that would get transferred to the party list of the winning candidate. It was in part in recognition of this moral consideration that a website of a civil society initiative, *taktikaiszavazas.hu* (lit. "tactical voting") informed voters of the most popular opposition candidate in each constituency, in order to facilitate voters' co-ordination. This harm-reduction initiative may be seen as aiming at limiting the authorization or moral mandate of the ruling parties when winning them is not a realistic objective, as judged from the opposition voter's perspective.

Thus, for opposition voters in the 2018 election, there were weighty moral reasons to abstain, but also weighty moral reasons to participate in a specific manner at the same time. This ethical conflict would not have arisen with such force, had it not been for the specificities of the electoral system.

For some voters, the conflict may have appeared less sharp, though: "How does it not matter how big a majority Fidesz has? It does not matter at all." This perspective may be seen as prioritizing the expressive significance of abstention over consequentialist considerations in favour of participation. However, it is more precise to reconstruct this line of thinking as regarding, in effect, all opposition votes as wasted. Those who thought this way attributed

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[30] For details on mixed voting systems, see Mráz, A., and Lever, A. 2023a, Section 4.2.1.3.

[31] This voting system received harsh legal as well as political criticism, as many regard it as a system which distorted the characteristic legal function of a list system (i.e., to provide for a proportional element in electoral representation), and many criticize the current electoral regime at once as a system that was specifically introduced by the ruling parties (the FIDESZ-KDNP coalition) for no other reason than to ensure their own victory in future elections (see, e.g., Scheppele, 2014; see also Kállai et al., 2018). While these critiques are very significant for the overall normative evaluation of this voting system, it is beyond scope of the present report to fully engage with them. Instead, this report can only analyse how the voting system shapes individual voters' ethical conflicts from the voter's perspective, which necessarily offers a *pro tanto* evaluation only.

less significance to parliamentary politics, assuming that significant political decisions mostly were either made in extraparliamentary politics or could be forced through parliament regardless of its exact composition. This is not to say such a view must ignore issues of authorization or a moral mandate (or the lack thereof). Rather, it resolved the ethical conflict outlined above by assuming that a mass boycott of the elections could undermine the authorization and moral mandate of the incumbent parties and their candidates more effectively than reducing the number of votes they would receive.

For other opposition voters, the conflict described above may well have remained sharper as they attributed more significance to the authorization or moral mandate that could be gained through the voting system, even if seen as unfair by many. Voters with this outlook had to exercise their prudence in choosing between expressive considerations in favour of abstention and consequentialist considerations in favour of participation. Those who did not see expressivist considerations as a constraint on applying other considerations to voting may have found a compromise in casting a ballot only in the single member constituency subsystem but not in the list PR subsystem. This case illustrates, however, that the normative structure of ethical conflicts, e.g., whether a consideration against participation is constraint-like or it is merely another consideration to be balanced against others, partly determines whether a higher number of votes (2 instead of 1, given the two electoral subsystems in this case) allows voters to resolve some of their ethical conflicts through compromises.

In a different political environment, the same intricate design of electoral institutions could have potentially mitigated voters' ethical conflicts. However, it is a fairly general feature of this mixed voting system that it creates ethical conflicts for those who have moral reasons to vote for independent candidates that are unlikely to win. Such voters often must choose between these reasons, usually having to do with descriptive representation or issue representation or a disillusionment with political elites - on the one hand, and consequentialist moral considerations, on the other hand. That is because voting for an independent individual candidate who is not likely to win can be expected to result in a wasted vote, since losing independent candidates votes do not get transferred to any part list. In other words, this particular connection between the two subsystems aggravates ethical conflicts that arise when voters consider a choice between sincere voting for an independent candidate vs. strategic voting for a party-affiliated candidate.

The information environment can play an especially significant role in shaping voters' ethical conflicts if these relate to complex institutional design, as this case also show. The civil initiative mentioned earlier, which operated the webpage *taktikaiszavazas.hu*, may have played a crucial part in providing voters with necessary information. The information provided may have helped voters in two ways: by explaining the significance of their choices in light of the electoral system and by guiding them toward the choice in line with their convictions - if they decided to vote strategically instead of abstaining. Both ways helped to mitigate or resolve voters' ethical conflicts.

7. CONCLUSIONS

This chapter surveyed how the most salient electoral institutions in Europe can shape voters' ethical conflicts. First, it has outlined how electoral systems shape ethical conflicts in three

key ways: by regulating when one's vote becomes wasted, by regulating whether and how one can split one's vote, and by making some normative functions of one's vote more salient. Second, this chapter has reviewed how further salient features of electoral institutions beyond the voting system narrowly understood – namely, the (dis)enfranchisement and procedural burdens of non-resident voters; compulsory voting; and the institutions which co-constitute voters' information environment – shape voters' ethical conflicts. Third, the implications of non-party representation, whether through independent candidates or candidates nominated by non-party organizations, for voters' ethical conflicts have been explored. Finally, three case study-based scenarios were analysed in detail to show how the framework drawn up in the previous sections can be applied productively in understanding voters' ethical conflicts in complex real-world situations as well as in mitigating these conflicts by normatively informed electoral institutional design.

As the scenarios show, it is impossible to conclude in a general manner which electoral systems and further electoral institutional design choices mitigate and which ones aggravate voters' ethical conflicts in European democracies. Such conclusions can only be drawn context-dependently for a particular jurisdiction, since the relevant institutional features identified in this chapter interact in complex ways not only with one another but also with the noninstitutional features of the local political, social and economic context. This chapter has achieved to identify, for the first time from the voter's perspective, the most salient institutional features which should enter any complex normative study focused on how voters' unnecessary ethical conflicts could or should be mitigated.

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Chapter 8

HOW INEQUALITY INFLUENCES THE ETHICAL CONFLICTS FACING VOTERS

Ludvig Beckman and Alexandru Volacu

1. INTRODUCTION

The aim of REDEM project was to promote research on the ethical conflicts facing voters in democratic societies. Ethical conflicts apply to the voter no less than to other agents making decisions that potentially implicate others. Voters must decide what to vote for (or against) and whether they should vote at all. These decisions are largely structured by the incentives and persuasions of the individual voter. But the decisions that voters make are neither just behavioural responses to incentives, habits, or manifestations of political convictions. Voter decisions are also reflections of ethical judgments that depend on perceptions and deliberations of relevant values and principles.

However, the values and principles at stake are ambiguous and prone to conflict. The consequent uncertainties can be understood and analysed only by taking the perspective of the voter. Insights into the ethics of voting in democratic societies must consequently be based on a more serious appreciation of the perspective of the individual voter. The guiding idea of REDEM is that an exploration of the ethical dimensions of voter decisions is instrumental to understanding the roots of voter abstention, the rise of populist political movements and dissatisfaction with democratic institutions and policies.

The ethical judgments prompted by voting are dependent on the structure of incentives imposed by electoral institutions. Other chapters in this book document how electoral system structure the ethical dilemmas that voters are facing and how these dilemmas play out in different types of elections. Some of the chapters have also surveyed how normative models of democracy, representation and accountability inform thinking on the ethics of voting.

However, the perspective of the voter and the relevant ethical concerns is affected also by her social and economic position relative to others. Our world is a world of privilege in the sense that resources and skills are unevenly distributed. Some people benefit from extant socially privilege whereas others are disadvantaged in multiple respects. Social privilege

consequently shapes the ethical conflicts of the voter and is of direct relevance to the voter-centred perspective promoted by REDEM. The aim of this chapter is to provide an overview and synthesis of research on the connections between social privilege and the ethical conflicts that play out in voter decisions.

1.1 Inequality and Voting

Increasing social and economic within-country inequality in the West is well documented. The trend towards growing disparities in wealth and income began in the 1980's and is accelerated by, among else, the deregulation of markets, the globalization of the world economy, and technological "shocks" that asymmetrically benefits different social strata (Hung, 2021; Piketty and Saez, 2014; Boix, 2010)[1]. Consistent increase of social and economic inequality negatively impacts societies in several respects. Ever widening social and economic gaps between citizens reduce long-term economic growth, undermine social trust while also bolstering crime and providing fertile ground for social unrest (Klasen et al., 2018).

In light of these facts, it is barely surprising that the extent of social and economic inequality is affecting the emergence, stability and performance of democracy. In countries ruled by authoritarian regimes and characterized by rampant inequality, the democratization process is arguably slowed or halted (Savoia et al., 2010; Boix, 2003) though the evidence to support this conclusion is debated. The macro-level relationship between economic inequality and democratization is confounded by evidence that some inequalities (in land ownership) represent more important barriers to democratization than other inequalities (Ziblatt, 2008). Also, while inequality reduces the power-resources available to the poor, it also intensifies demand for democracy. The alternative hypothesis then is that inequality does not decelerate the process of democratization though it serves to destabilize democracy once established. Inequality undermines the stability of democracy as a consequence of sharpened distributive conflicts but offers few guarantees for authoritarian rulers (Przeworski, 2008; Houle, 2009, 2018).

However, in the context of voting ethics, social and economic inequality is primarily relevant as a determinant of voting. Disparities in political participation between the rich and the poor are well known and increasingly present (APSA, 2004). How access to social and economic resources translate into political voice are well documented. A long tradition of scholarly work supplies voluminous evidence that voting turnout is strongly related to the abilities and motivations of the voter, including civic skills and networks of recruitment, that are in turn strongly associated with socioeconomic status and specifically with educational levels (Verba et al., 1995)[2].

As social and economic inequality is a determinant of socioeconomic status – indeed, inequality is often measured in terms of socioeconomic status – we should expect that citizens with less income and wealth are also less likely to participate in political life by means of the vote. Indeed, income equality is found to reduce both overall levels of electoral

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[1] Between-country inequality has decreased in the same time-period (Hung, 2021; Klasen et al., 2018).

[2] Recent research emphasizes the causal effect of the "precursors of education" that includes family context, personality and early socialization (Plutzer, 2017).

participation and to make participation skewed to the disadvantage of voters with lower income (Solt, 2010).

The causal impact of socioeconomic factors on the extent of voter participation is more complex than sometimes believed, however. Though economic "hardship" has a strong negative effect on electoral participation it does not necessarily follow that inequality as such reduces the rate of electoral participation (Wilford, 2020). Moreover, there are many factors that contribute to determine the level of voter turnout in elections, including the perceived saliency of elections (Franklin, 2004) and the organizational infrastructure of elections – distance to polling stations, their opening hours, pre-registration laws, the day of the election, and so on (Brady and Mcnulty, 2011; Burden et al., 2014; Highton, 1997). The result is that social and economic inequality is a complex determinant of voting that is conditioned by a host of other intervening variables (Jensen and Jespersen, 2017; Stockemer and Scruggs, 2012).

Nevertheless, there is strong evidence to support the conclusion that social and economic circumstances affect not only access to voting but also opportunities in voting "well". This is significant if accepted that turning out to vote may in the end be less important to the realization of the democratic ideal than the opportunity to vote – including the ability to vote in in a way that is effective given your interests and persuasions (Saunders, 2012). But effective opportunities in voting requires sufficient and adequate access to the means for voting well. Here, again, the distribution of social, cognitive and economic resources tends to distort the electoral playing field. Lack of resources and skills raise the costs for obtaining and processing relevant political information (Weβels, 2018). Hence, voters are confronting the ethical conflicts of voting on equal footing. In the making of difficult choices about whether to vote and what to vote for, some voters are more privileged than others.

2. THE EXTENT OF PRIVILEGE IN VOTING

How does privilege apply to the act of voting? The notion of "privilege" is evaluative loaded but can for analytical purposes be used as a descriptive category. Employed in the descriptive sense, a "privilege" is not by definition either just or unjust. How privilege is evaluated can be determined only on the basis of normative theory. In descriptive terms, a privilege refers either to entitlements, advantages or benefits, or combinations thereof, that are enjoyed by some and not by others (McKinnon and Sennet, 2017). Consequently, voting may be a privilege in terms of either entitlements, advantages or benefits.

Entitlements are rights – liberties, claims, powers or immunities – and constitute privileges to the extent that they are not enjoyed by all. Voting is an entitlement-privilege that confers the power to participate in the determination of legal relationships and that is associated with a claim on others to secure the means for the exercise of that power (Waldron, 1999; 2000). Voting rights in democracies are entitlement-privileges in the obvious sense that they are not extended to all: the members of the electorate have entitlement-privileges relative to non-members of the electorate.

On the one hand, the entitlement-privilege of voting is a potentially problematic in contemporary democracies. Some categories of citizens are often denied the vote, including children, people with mental disabilities and prisoners (Beckman, 2009). The exclusion from

the vote of resident non-citizens is also a source of privilege among the resident members of contemporary democracies.

On the other hand, the point that voting rights are entitlement-privileges is trivial given that democracy is the exclusive right of the members of a group to collectively determine the rules and decisions that apply to them. Few deny that some group is relevant and that democratic voting is therefore necessarily exclusive (Weale, 2007). How to define and justify the "relevant group" is controversial and is the focus of studies on the democratic boundary-problem.

This chapter is not concerned with voting as an entitlement-privilege however. The focus here is on the extent to which some voters are privileged in terms of advantages in accessing the vote and in exercising the vote well. Advantages are opportunities that helps secure benefits. Assuming that access to voting and voting well are benefits, and that some voters are advantaged in access to voting and voting well, it follows that some voters enjoy advantage-privileges that other voters do not. Privileges in terms of advantages in voting do not derive from the entitlement-privilege of the right to vote but are due to background social and economic privileges. Due to social and economic inequalities, voters have unequal access to skills and social networks that in turn affect both access to voting and the ability to vote well. The result is that some voters are privileged with respect to advantages in access to voting and that some voters are privileged with respect to the ability to vote well. Often, these privileges tend to befall the same groups of voters.

But voting is not just a benefit in itself. Indeed, voting is often taken as primarily of instrumental importance. The vote is valuable because and to the extent that it helps secure benefits in outcomes[3]. Voting confers privileges in "entitlement-advantages" to the extent that all voters are equally advantaged in securing benefits compared to non-voters. The right to vote is a source of benefit-privilege for all enfranchised if they are more likely to benefit from public decisions compared to the non-enfranchised.

That voting is a source of benefit is evinced by shifts in public policy that follow extensions of the vote to new groups. These effects are well documented in case of the extension of the right to vote to the male working class that took place in many western countries in the early 20th century (Acemoglu and Robinson, 2000; Boix, 2001) as well as in later extensions of the vote to women (e.g. Bertocchi, 2011). Similar albeit smaller effects are observed in recent studies on the effects of extending the vote to non-citizens in local elections (Vernby, 2013; Iturbe-Ormaetxe et al., 2021).

However, to the extent that voting is an unevenly distributed benefit, we should conclude that the vote can be a source of benefit-privilege. The benefits of voting do not distribute equally due to the existence of advantage privileges in voting and due to other features of the political system. The right to vote produces benefit-privileges to the extent that the interests of some voters are more adequately protected or promoted that the interests of other voters. Elections are of course intended to benefit some before others – that is the point

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[3] Though some argue that the value of voting is either mainly instrumental (Arneson, 2003) or mainly non-instrumental (Saffon and Urbinati, 2013), others insist that the value of the vote is best understood in both non-instrumental and instrumental terms (Christiano, 2008; Weale, 2007; Beitz, 1989). For an overview, see Beckman (2021).

of resolving political conflict by majority decisions. But voting is a source of potentially problematic benefit-privileges if there is a tendency for some voters to gain consistently and independently of electoral outcomes.

Although the measurement of benefit-privilege is challenging, a growing stream of research takes use of proxies based on the "congruence" between the preferences of voters and either the preferences of elected representatives or the policies adopted (also termed responsiveness). A group of voters is privileged in terms of benefits to the extent that congruence is higher compared to other groups. The influential study of Gilens (2012) argued that "responsiveness" in US politics is tilted towards the most affluent citizens. Similar findings are reported from studies of European democracies (Elsässer et al., 2018).

The debate is ongoing on how to interpret these results and if they are indeed robust.

One obvious explanation of benefit privilege is that it is a reflection of background advantage-privilege that determine access to voting. Advantage in access to the vote inflates voter participation as well as opportunities to vote well. Indeed, the possibility that the benefits of voting are unevenly distributed among the members of the electorate is the major reason for being concerned with the extent of advantage-privilege among voters.

On the other hand, benefit-privilege that consists in some voters routinely benefitting more from political outcomes than other voters does not appear fully reducible to advantage-privileges. According to Gilens (2012) and others, affluent voters tend to benefit from policy outcomes even after controlling for disparities in the rate of participation. There is in other words an enduring positive bias towards affluent voters among elected representatives than cannot be accounted for by the fact that less affluent voters tend to participate less in elections.

This result has been vastly influential but also extensively debated. Some studies offer evidence that affluent voters are disproportionally privileged in terms of outcomes in some election systems (e.g. UK) but not in others (e.g. in Denmark and Sweden) (Giger et al., 2012). Others point out that the evidence is highly sensitive to model specification (Elkjær and Klitgaard, 2021). The more radical objection is that even if true that less affluent voters are less represented in elected assemblies than other voters, it does not follow that affluent voters are better represented. Instead, representation measured as "congruence" is tilted in favour of the group of voters that encompass both middle and high-income earners (Branham et al., 2017; Ura and Ellis, 2008). This may on the other hand be unsurprising given that majority decisions tend to augment responsiveness to the preferences of the median-voter (Wlezien and Soroka, 2011).

3. PRIVILEGE AND THE ETHICAL ASYMMETRY OF VOTING: SCENARIOS AND DILEMMAS

In this section we construct and discuss a number of hypothetical scenarios, with the aim of illuminating various ethical dilemmas which voters are faced with in the electoral process[4].

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[4] The practice of drawing on hypothetical scenarios, or thought experiments, in order to either uncover inherent value conflicts, or to put our normative principles to the test by studying how well the implications of these principles fit with widely shared intuitions, has become fairly common in contemporary analytical political theory (see Brownlee and Stemplowska, 2017 for an overview).

Without going into the technical details of what constitutes an ethical dilemma, we are interested in the following type of situations: a person has to make a choice between several alternatives; there are reasonably good pro tanto moral reasons in favour of at least two of these alternatives; an all things considered moral judgement is not (at least immediately) clear. In line with the previous sections, we once again highlight that our present concern is with asymmetric privileges between citizens with different group-level features, such as economic status, gender, age etc. These features are present at the group-level and we make no generalizations regarding the beliefs, preferences, or choices made by individuals belonging to various groups. Rather, our scenarios will mainly seek to draw out *pro tanto* reasons to choose in certain ways in an electoral context, which only arise in the case of some potential voters, but not others, depending on their specifically (under)privileged circumstances.

Of course, these specifically privilege-based pro tanto reasons feed into a larger set of moral reasons, which generally appear in electoral decision-making. For example: one commonly held argument for the existence of a moral duty to vote is that abstaining amounts to a form of free-riding behaviour on the public good of democracy, and is unfair to other citizens who do pay the costs of turning out to vote (Lijphart, 1997; Engelen, 2007). On this view, the moral reason to vote applies in a similar manner to all citizens, as anyone who doesn't turn up to vote is just as much of a free-rider as anyone else, regardless of their level of advantage. As we will see however, other reasons are only applicable depending on how socially or economically privileged citizens are and it may even be the case that this status gives rise to conflicting reasons as well (e.g. by having one reason for doing X and another one against doing X or by having one reason for doing X and another one for doing Y).

Ethical dilemmas may arise at several decision-making stages during the electoral process. The most prominent ones are the choice of whether to vote and the choice of how to cast your vote, and we will examine both in turn. Other choices, such as whether to inform yourself about the alternatives on offer or whether you should "sell" your vote will also be discussed in the context of the two stages mentioned above.

3.1 Ethical Dilemmas Concerning Electoral Participation

3.1.1 Alienation

Consider the following scenario:

> ***Alienation***. Andrew works in a textile factory, making the minimum wage. His monthly income is significantly below a living wage and he is burdened with constantly increasing debt as a result. Due to the high rate of unemployment, it is unlikely that he could move to a better job in the near future. General elections are coming up next weekend. Plurality voting is employed, which frequently yields a two-party system comprising of parties A and B. Neither party campaigns on a platform of substantive economic reform.

Much of the literature on the positive effects of compulsory voting builds on the fact that turnout in voluntary voting systems tends to be lower and skewed in favour of those who are already privileged from an economic and educational point of view (see Lijphart, 1997; Hill, 2002; Keaney and Rogers, 2006; Birch, 2009; also Mráz and Lever, 2023a). More simply

put, those who have less income and are less educated tend to vote in lower percentages than their more privileged counterparts. Surely, this might be in large part due to factors unrelated to any ethical conflict particularly salient in the case of the former, such as that poorer individuals have less time to dedicate to political matters, that wealthy people tend to have jobs that increase their political engagement etc. (Leighley and Nagler, 2014). However, some of the pro tanto moral reasons for voting which the more economically privileged have may not apply to the less economically privileged.

Alienation is consistent with the theoretical predictions resulting (under certain assumptions) from the well-known median voter theorem (Downs, 1957), according to which competitors in two-party systems ideologically converge in an attempt to capture the median voter. To the extent that the preferences of the median voter do not favor substantive economic reform, parties have no incentives to engage in policies pursuing it. Moreover, the economic status-quo is also maintained in practice through the disproportionate political influence exercised by economic elites, who benefit from economic injustice (Gilens, 2012; Page et al., 2019)

In assessing *Alienation*, the first thing we might notice is that the electoral result is unlikely to foreseeably improve Andrew's material position. Barring any expressive benefits he would derive from voting, he therefore lacks prudential reasons to attend the polls. Note, however, that this does not say much about the range of pro tanto moral reasons for and against voting. Some of these reasons, such as the fairness considerations highlighted above or the democratic reasons for a duty to vote offered by Emilee Chapman (2019) may apply universally. Furthermore, some of these reasons may be specific to the general socio-economic circumstances, i.e., widespread injustice, but not to Andrew in particular. For example, some authors (e.g. Maskivker, 2018) argue that we have a Samaritan duty to vote, provided that our vote is cast for justice-based reasons. If the alternatives are not distinguishable from the point of view of justice, these moral reasons no longer obtain. Hanna (2009) goes further, arguing that we actually have a duty to abstain from voting if the political system is profoundly unjust. Again, these reasons apply to both Andrew and a hypothetical Brian, who is privileged under the status-quo.

Some pro tanto moral reasons to vote are, however, not tailored to general circumstances but to the more specific circumstances of the voter in question, and this is where the voter-centric perspective developed in the project (see in particular Mráz and Lever, 2023b) becomes essential. On one view, compulsory voting is defended because it motivates citizens to discharge a duty that is owed to citizens belonging to the same social group. Lachlan Umbers (2020) forcefully defends this view, appealing to the idea that voting discharges a duty of fairness not to any abstract concept such as democracy or good governance, but to members of one's social group. The public good pursued through voting is, therefore, "governmental responsiveness to the legitimate interests of particular social groups" (Umbers, 2020, pp. 1309-1310). But in *Alienation*, governmental responsiveness to the interests of the poor as poor is not attainable through voting (though other interests of the poor might be represented). Therefore, the pro tanto moral reason which Andrew would have otherwise had to attend the polls does not obtain. Note that this does not mean that the ethical dilemma facing Andrew has disappeared, since there may be other pro tanto moral reasons to vote. Rather, it means that the ethical considerations which Andrew must reflect

upon in order to make a choice in this situation are different from those facing more privileged citizens.

What about Brian? First, Umbers' own account is unclear about what counts as a legitimate interest, but presumably legitimate interests are not only those based on justice considerations. If this is correct, Brian does have a *pro tanto* reason for voting. However, since both parties would further the interests of the privileged, Brian would - technically speaking - not be alienated from voting, but rather be indifferent between the two alternatives. But on some views (Sheehy, 2002), indifference gives us a *pro tanto* moral reason to abstain since it unfairly distorts the resulting outcomes, with its accompanying costs and benefits for those who are not indifferent. So, while in the case of the less economically privileged, such as Andrew, an otherwise strong *pro tanto* moral reason for voting no longer obtains, in the case of the more economically privileged, such as Brian, the ethical dilemma of voting is reinforced at both ends.

Even though *Alienation* has been phrased in the context of economic circumstances, it can be varied to address other sources of privilege as well, e.g., racial, gender, religious etc. Moreover, individuals who belong to multiple underprivileged groups, and especially if these groups form persistent minorities (see Mráz and Lever, 2023b), have all the less *pro tanto* reasons to turn out and vote when compared to more those belonging to more privileged groups.

3.1.2 Political scientist

Let us now move on to a second scenario:

> **Political scientist.** Cathy is a political scientist, specializing in public policy. She has a broad range of knowledge when it comes to current political affairs, party programs and an advanced understanding of economics.

The idea that voting rights should track education or knowledge has long-standing roots in political philosophy (for a famous proponent see Mill, 1991), and even some contemporary adherents (Brennan, 2016). Even while rejecting this idea due to other reasons grounding the allocation of voting rights, some believe that those who are more educated simply vote better than the less educated and, consequently that at least in some cases the latter have a moral duty to abstain. But this view seems to implausibly gloss over several important facts. For one, those who are less educated have many interests and priorities which simply differ from those of the better educated. For another, while education *may* generally help us to better understand political processes, there are other sources of "bad" voting as well, such as holding repugnant moral beliefs which are not necessarily lessened by having a better education (Brennan, 2009). All other things being equal, however, *informed* voting does appear to be a better exercise of the vote than *uninformed* voting, even though this differentiation does not strictly track the differentiation between the less educated and the more educated (see Häggrot, 2023 for a more in-depth discussion).

Political scientist offers an extreme example: Cathy is, by stipulation, about as informed as any citizens can be when facing the decision of whether to vote. Contrast her with Diana, who has very little knowledge of both the platforms espoused by the parties running in the elections and is unfamiliar with political processes in general. This may be due to the fact that she is simply uninterested in politics, or because the unjust circumstances prevailing in

their society have made it difficult for her to become better informed (due to lack of access to education or quality information; lack of free time due to economic problems etc.). In any case, Cathy's role as a political scientist constitutes a privilege in regard to political information, since being politically informed is quite literally part of her job. By contrast, Diana is unprivileged in this regard.

The structure of Cathy and Diana's ethical dilemmas when it comes to attending the polls are differently shaped by their informational constraints, if epistemic considerations are ethically relevant (Maskivker, 2016). Cathy has a pro tanto moral reason which is exceptionally strong to participate in the elections. The strength of this reason matters: for example, a typically informed voter might be morally exempt from attending the polls if this is exceptionally costly for her – for instance, if she has to take an unpaid day off from work. But because Cathy is such a valuable voter, her participation might be so important so as to morally bind her to the choice of attending even if she would have to have pay significant costs.

On the other hand, if epistemic considerations are relevant, there is a pro tanto reason for Diana to abstain from voting. As Luke Maring (2016, p. 255) puts it, "if you choose not to vote because you are unable to vote wisely (perhaps the election concerns issues permanently beyond your ken), you manifest epistemic humility, not disrespect". So in both cases, the specific informational privilege characterizing Cathy and Diana's circumstances shapes the ethical dilemmas they can face when deciding whether to vote: Cathy has a pro tanto reason to vote, which weighs heavier than normal against any prudential (and even altruistic) reasons not to vote, while Diana has a pro tanto reason to abstain, which does not obtain in the case of more privileged citizens and can override some pro tanto reasons to vote.

Of course, Cathy and Diana are somewhat extreme examples, and most people will come somewhere in between from an epistemic point of view. But the scenario can be varied to any case, since it is concerned with the strength of reasons we have to vote or to abstain.

3.1.3 Caregiver

The ethical dilemma facing Cathy partly results from the significant costs she would have to incur if voting. An even more challenging dilemma therefore arises if these costs are morally salient. The following scenario illustrates such a problem:

> ***Caregiver***. Emma is a single mother working as a full-time care assistant. Her shift is due on Election Day. After finishing work, she has to pick up her young children from school, prepare dinner for them, and do housework. She knows, based on past experience, that the voting queue at her assigned polling station is particularly long and it would probably take her a couple of hours of waiting in order to vote.

The fact that people turn up to the polls in mass elections is baffling for some models of rational behaviour, particularly the classical instrumentalist-egotistical account put forward by rational choice theorists (Downs, 1957). Expressive or altruistic models (Riker and Ordeshook, 1968; Andreoni, 1990) seek to explain this turnout puzzle, while not necessarily departing from the idea that people engage (even if not explicitly) in a rational calculation, weighing the benefits and costs of voting before making their choices of whether to attend. One of the reasons why healthy democracies experience high turnout rates even under

voluntary voting is that electoral participation is relatively costless, so that even if we derive a small amount of benefits from the process attending, it is still rational.

However, while we take low participation costs to be the standard democratic norm, they can disproportionately increase for some citizens. This can be deliberate, for instance, because of an intention by election organizers to suppress the vote of particular groups which are usually socio-economically underprivileged to begin with. This phenomenon is indeed well-documented in US elections (Marshall Manheim and Porter 2019). But disproportionate costs for electoral participation can also follow from the negligence of election organizers, for instance, when they fail to take into account the wide range of physical and sensorial disabilities which voters may experience and which may prevent them from attending. Or they can follow from social norms and practices. For instance, an illiterate person who could be assisted in exercising her vote, might prefer not to attend the polls in order not to expose herself to the stigma of other people present at the polling station. All of these are examples where citizens have strong prudential reasons not to vote, due to the (sometimes unreasonably) high costs associated with this act.

Caregiver also builds on the idea that voting involves high costs, not because the act is in itself difficult, but rather because of high opportunity costs associated with the act of voting. Moreover, since these are moral costs, it can be said that Emma has a strong moral reason against voting, as there are weighty duties that she has to discharge in relation to other people and these conflict with her taking part in the elections. Of course, these types of costs do not apply across-the-board. Some social roles can be less privileged than others when it comes to the freedom of scheduling one's program close to one's preferences. But the distribution of social roles is not spread evenly. Rather, groups that are already underprivileged in a variety of ways often take on social roles that puts them in a disadvantaged position when it comes to the moral costs of voting as well. For example, it is well-known that care work is disproportionately performed by women rather than men (European Institute for Gender Equality, 2021). Also, because of the natural impact of ageing on health it is likely that senior citizens will be heavily involved in the caretaking of spouses at some point.

Finally, as with the previous cases, *Caregiver* is deliberately constructed so as to give a more extreme instance of a widely encountered scenario: we are often faced with having to decide whether to vote, while that time could be spent fulfilling other duties associated with our social roles. These opportunity costs of voting can be more or less morally weighty and can therefore give us stronger or weaker pro tanto reasons to abstain, but they do shape one horn of the ethical dilemma facing us when thinking about whether to vote.

3.1.4 Referendum

The final scenario in this section is tailored to one particular form of elections, i.e. referendums (see Stojanović, 2023):

> ***Referendum.*** Fred is a member of the LGBTQ+ community. Next week a referendum is taking place on whether to approve a constitutional amendment prohibiting same-sex marriage. Public opinion heavily favours the amendment. But in order for the referendum to be valid, a threshold of 30% out of all eligible voters must cast their ballots. The main LGBTQ+ organizations have expressed their opposition to the referendum and call for a strategic boycott of the elections.

This scenario is based on a real-life ethical dilemma facing Romanian LGBTQ+ citizens in the autumn of 2018, when a constitutional referendum took place along the lines of the one outlined in the example: there was a 30% threshold required for validation; a wide majority of Romanian citizens saw the amendment favourably; and both the most representative LGBTQ+ community organizations as well as prominent figures within the community have publicly expressed support for the boycott, as a strategy for invalidation. Indeed, while the voting was split approximately 93% - 7% in favour of approval, turnout was only around 21% and the referendum was ultimately invalidated[5]. However, this came as a surprise to many, since there was a widespread belief that the support of church organizations and the main political parties for the referendum, combined with the fact that most Romanians favoured the amendment, would have led to an easy clearing of the threshold.

Referendum raises an ethical dilemma for Fred. On the one hand, there are standard pro tanto reasons to vote, such as those appealing to the value of democracy or fairness and which were already discussed above. Moreover, voting against the proposal would represent a public expression of opposition which would have symbolic value both for Fred and for the LGBTQ+ community. Finally, considering that the referendum was seen as likely to be validated, Fred might think that it would be better for everyone opposed to the proposal to vote in order to dispel the notion that the overwhelming majority of citizens are against same-sex marriages, a notion which would be enforced if something like 90% or more of the votes were cast in favor of the amendment. On the other hand, boycotting the referendum seems to be the best choice from a strategic point of view. Furthermore, Fred's particular position as a member of the LGBTQ+ community may give rise to duties which are not exhausted by justice consideration (these duties would be binding for all citizens, not only to LGBTQ+ persons), such as a duty of solidarity with the community by following the generally agree upon stance of abstaining.

The case of *Referendum* is therefore interesting because it manages to draw out several pro tanto reasons both for and against voting which apply in the case of individuals who are generally underprivileged, since they face discrimination and prejudice due to their sexual orientation in communities where citizens often hold conservative social views.

3.2 Ethical Dilemmas Concerning the Exercise of the Vote

3.2.1 Vote Selling

We begin the section with the following scenario:

> **Vote selling.** Gary is currently unemployed, as a consequence of the recent closing of the company he used to work at. His household was below the poverty threshold even when he had a job, but is in a worse situation right now, and he cannot afford to pay his bills or adequately feed his children. Helen is the representative of party A's local branch. She promises Gary that if he votes for A (and proves this) in the elections held tomorrow, she will pay him a sum of money large enough for him to buy food for his entire family for a week.

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[5] A similar referendum was held in Slovakia in 2015, with a 50% turnout threshold required for validation. Both the for/against split and the turnout percentage closely resembled the Romania case.

Vote buying and selling is illegal in every democratic polity, and with good reasons. However, some contemporary philosophers have argued that the practice might be ethically defensible in some circumstances, if the consequence of the transaction is that you to vote for a "better" alternative (Brennan, 2011). Even stronger, Chris Freiman (2014) has argued that it is ethically defensible in most circumstances and should be legalized. This position in particular has been met with a range of objections, more forcefully advanced by James Stacey Taylor (see Taylor, 2019 for a synthesis), which basically boils down to the idea that such transactions are unfair because of the fact that the privileged (rich) and the underprivileged (poor) enter them from unjust circumstances. Volacu (2019, p. 773) reconstructs the argument as follows:

(1) Legalizing voting markets allow individuals to buy and sell votes;

(2) Poorer members of the electorate are more likely to sell their votes than richer members;

(3) Due to the collective action dilemma generated, it is rational for poorer members of the electorate to sell their votes even to a buyer that would enact policies detrimental to them, provided that the price exceeds the costs associated with voting;

(4) Richer citizens/parties are more likely to buy votes than poorer citizens/parties;

(5) Richer parties are likely to enact policies that favor richer voters and would be detrimental to poorer voters;

(6) Furthering the disadvantage of the already disadvantaged groups in a society is unjust;

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∴Voting markets should not be legalized.

While the argument is framed within the policy context of legalizing vote selling, it relevantly speaks to the ethics of voting, more narrowly understood, as well. After all, even if vote selling is illegal there are frequent attempts to bribe the electorate, especially in less consolidated democracies (Birch, 2020). So in *Vote selling*, Gary has to decide whether to accept the money and vote for A even if this is illegal, or reject the offer and either abstain, vote for another candidate, or vote for A but without taking Helen's money. Many people might be inclined to reject the idea that *Vote selling* raises an ethical dilemma out of hand: vote buying, they might say, is always wrong and we always have decisive reasons to refuse to engage in it. But there are at least two considerations which may relevantly bear on this problem. First, if our main objection to vote selling is that it is always wrong to vote because you wish to economically benefit from the act, then voting because of certain election promises – such as that the minimum wage would go up if you vote for a candidate – is also ethically problematic (Rieber, 2001). Second, vote selling may be performed for altruistic, rather than self-interested reasons, and Gary's motivation in *Vote selling* is in large part altruistic, as it would benefit his family.

Nonetheless, while Gary's extremely underprivileged economic circumstances give him a pro tanto reason to sell his vote, there is also a pro tanto reason against vote selling which is also

specific to his lack of economic privilege. Namely, the collective action dilemma highlighted in the argument above only applies to poorer individuals, such as Gary. If Helen were to belong to the richer segment of citizens, selling her vote would not be ethically concerning *under that argument*, because policy-making would still disproportionately (and unjustly) track the preferences of the rich. Thus, the ethical dilemma facing Gary is one that is strictly connected to his socio-economic status and is all the more difficult as it is this status that gives him both a pro tanto reason in favor and one against vote selling. Of course, the above analysis is applicable, *mutatis mutandis*, also to other strategies available to political machines in clientelistic electoral politics, such as abstention buying where voters are rewarded for not voting (Gans-Morse, Mazzuca, and Nichter, 2014).

3.2.2 Mayoral Candidate

Let's look at another scenario:

> **Mayoral candidate**. Irene has decided that she will vote in the upcoming mayoral elections. Polls suggest that there will be a very a close race between two candidates: John and Karen. John is the current mayor and has a pretty good track record in Irene's view, while also campaigning on infrastructure measures that would somewhat improve the lives of Karen and her neighbours if passed. Karen has not held any political offices thus far. Irene agrees with much of her policy platform, but believes that it would not improve the neighbourhood too much. If elected, Karen would be the first female mayor of the city.

Mráz and Lever (2023a) discuss the problem of descriptive representation (Pitkin, 1967) in the context of the voter-centric perspective on voting. That chapter emphasizes three reasons why descriptive representation could be important and may give plausible *pro tanto* reasons for voting in a certain way especially for citizens belonging to underprivileged groups: (1) representatives may be seen as instrumentally better at representing the group-specific interests of the voter, (2) voters may want to contribute to a public perception of members of their own disadvantaged group as able to rule, and (3) there are systemic effects of increasing descriptive representation that voters may care about, such as a better quality of deliberation or political engagement.

Mayoral candidate draws on the value of descriptive representation to set up an ethical dilemma often experienced in real life. For instance, many progressive feminist women may have perceived this dilemma when deciding to vote for Hillary Clinton or Bernie Sanders in the primaries for the 2016 US Presidential elections, as exemplified by the debate between Suzanna Danuta Walters (2015) and Liza Featherstone (2015) in the Nation. Irene is faced with a similar dilemma. If descriptive representation matters, this gives her a serious pro tanto reason to vote for Karen. Note that this reason is much stronger in the case of groups that have traditionally been underprivileged in regard to political representation, such as women, ethnic minorities, young adults, and others, since the second and third consideration outlined in the previous paragraph exclusively applies to them and not to groups that have already been adequately or overrepresented[6]. On the other hand, there can be many other

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[6] Of course, the extent of under-representation of women and other groups in contemporary parliaments is an empirical question. As it turns out, there is evidence to suggest that Western parliaments now better represent the preferences of women than the preferences of men (Dingler et al., 2019).

pro tanto reasons for voting against the respective candidate, including reasons given by the commitments which drive the value of descriptive representation. For instance, in the Hillary Clinton – Bernie Sanders primary many held the view that Sanders was the better choice on feminist grounds (Weber, 2016; Weaver, 2016). So, the problem of descriptive representation is challenging to address since it can give rise to an ethical dilemma where there previously was none, by giving a good pro tanto reason to vote for a candidate, even though the respective candidate might not be the most preferred ideological/policy-based option of the voter.

3.2.3 Green energy

Let's look at a third scenario:

> ***Green energy.*** Larry is an 80-year old retired citizen, with no children or grandchildren. He has no major savings, but has an average pension which keeps him considerably above the poverty threshold. There are several parties running in the upcoming parliamentary elections, and none of them are likely to substantially improve the quality of Larry's life. The Green Party, however, proposes significant environmental reforms which aim at a quick transition to green energy. While these reforms are projected to be economically robust in the long run, they are likely to lead to increasing energy costs in the next few years for all citizens.

A substantial part of the work being done in the REDEM project has rightfully approached one of the central ethical aspects of voting, namely what types of moral considerations should we have in mind when we vote (see Stojanović, 2023, Häggrot, 2023; Lever and Mráz, 2023b). Is self-interested voting morally permissible? Should we always vote for the common good? Is it permissible to vote for considerations of justice even when this is not necessarily to the common good of voters? Etc. These are ethical questions which bear on the electoral choice of any voter, regardless of her privileged or unprivileged status. However, this status can play an important role in shaping some of the normative conflicts which arise when duties of loyalty towards one's group suggest one alternative and loyalty towards society as a whole or the desire to vote in accordance with some salient value suggests another one.

Green energy illustrates such a conflict. To be sure, when it comes to the question of whether old age is a source of privilege responses can be mixed. On the one hand, since senior citizens usually live on savings or pensions (especially in countries where opportunities for substantial economic gain were unavailable throughout much of their adulthood, e.g., post-communist ones) they are socio-economically underprivileged and this is further compounded by other factors such as declining health, anxiety, stigmatization etc. On the other one, and more relevantly for our example, senior citizens turn out to the polls at considerably higher rates than young citizens and this is to some extent due to structural opportunity costs and not exclusively to voluntary choice starting from an identical playing field (Poama and Volacu, 2021). This in turn makes politicians more attentive to the preferences of senior citizens, a trend which is likely to grow as the age of the median voter continuously increases (van Parijs, 1998). In *Green energy*, Larry has a clear pro tanto intergenerational justice-based reason to vote in favour of the Green Party. However, his status as a senior citizen gives him a conflicting pro tanto reason to vote for any of the other parties. This is not necessarily because he himself will be heavily burdened by price

increases, but his friends and fellow senior citizens may indeed experience a lower quality of life, without being able to enjoy the long term benefits of cleaner energy.

The scenario can be varied to groups that can be more clearly described as (under)privileged. For example, a rich person has an excellent pro tanto reason based on justice to vote for a party that promises to redistribute more wealth to the poor, but she has a different (albeit, probably not equal in moral weight) pro tanto reason based on solidarity with her own socio-economic group to vote for one that promises more tax cuts to the rich. A more difficult case, however, is that of an LGBTQ+ activist who has a very strong pro tanto reason to vote for the party that would be most supportive of the LGBTQ+ community. However, it's not at all impossible for that party to fail in other justice-relevant dimensions, such as the economic one. The LGBTQ+ activist would then be faced with a serious ethical dilemma: to prioritize questions of economic justice, which perhaps weigh heavier in her own moral assessments, or to prioritize other forms of social justice that are intimately tied to her own identity and to the identity of her close friends and colleagues, especially if the community coalesces in a society which holds prejudiced attitudes towards LGBTQ+ people.

3.2.4 Guardian

A final scenario:

> **Guardian.** Neal has an intellectual disability due to which he is placed under guardianship. According to the current electoral law, adult citizens placed under guardianship are automatically disenfranchised. Neal is capable of forming political beliefs, though lacking political knowledge of current affairs, and would vote for party E, which would be best for the environment. Mary is Neal's guardian. She believes that the disenfranchisement of Neal is unjust. Her own political preferences favour party L, which is focused on privatization, deregulation, and less overall state interventionism in the market.

The disenfranchisement of people with severe intellectual disabilities is exceedingly common in contemporary democracies (Beckman, 2014; Brugha et al., 2016), alongside the practice of disenfranchising adolescents, convicted felons, and residents who are not citizens of a community (see Beckman, 2009 and Lopez-Guerra, 2014 for comprehensive views; also see Mráz and Lever, 2023a). In all cases, it's possible that at least some of these individuals have fully formed political preferences developed autonomously and have a clear stake in the electoral process. Since we take some form of political equality (see Beitz, 1990; Wilson, 2019) to be a central value of democracy, we might find at least some of these disenfranchisement practices to be unjust. But even if we do not, or at least in the case of those which we find to be acceptable, we must acknowledge that there are some moral costs (even if outweighed) involved in disenfranchising which have in part to do with the fact that the interests of disenfranchised groups are not as well represented as the interests of enfranchised groups. Some policy solutions have been proposed, such as proxy voting by parents in the case of children (van Parijs, 1998; Schrag, 2004; Olsson, 2008) or by guardians or professional assistants in the case of persons with intellectual disabilities (Nussbaum,

2009; Khorasanee and Carter, 2021). None of these proposals are, however, implemented in contemporary democracies[7], a fact which raises important ethical concerns.

Guardian describes a situation where these considerations directly bear on the electoral choice of Mary. Note that this case raises an ethical dilemma, but not for the individual belonging to the underprivileged group itself. There are arguably no groups that are more underprivileged from an electoral point of view than those who are disenfranchised, particularly when they can engage in political reflection just as well as enfranchised citizens. In this case, Neal is underprivileged since he is excluded from the electoral process, but Mary is the one faced with an ethical dilemma. This is because while her own preferences, which we can assume reflect some relevant moral considerations as well, point in one direction, she has a pro tanto reason to give some non-trivial weight in her moral calculation to the preferences of Neal as well. Since Neal's political preferences cannot be directly expressed through his own vote, the most likely way in which his interest can be reflected at least somewhat in the electoral process is if Mary pays attention to them in her own decision-making. But this pro tanto reason is, surely, not universally applicable but rather contingent on the particular social role which Mary occupies, as a caretaker for someone who is himself unable to vote and is therefore underprivileged in one fundamental political sense.

3.3 Final Discussion

Finally, and as a more general note to this section, it is important to emphasize that institutional design also plays a significant role in how these (and other) ethical dilemmas are shaped. For example, proportional representation systems (see Mráz and Lever, 2023a) tend to generate multi-party systems, which is conducive to both more ideological divergence and a more diverse range of interests accounted for by competitors than plurality and two-party systems. This, in turn, could give stronger pro tanto moral reasons to attend the polls for less privileged citizens in the case of *Alienation*. In both *Political Scientist* and *Caregiver* the pro tanto reasons against voting could be at least in part mitigated by allowing for convenience voting mechanisms such voting by mail or e-voting. In *Referendum*, a compulsory voting system would add another layer of moral complexity to the already existing dilemma, since there would then be a normatively-binding political obligation to vote. In *Mayoral candidate* introducing gender quotas would alleviate the problems inherent to a lack of descriptive representation of underprivileged groups. And in *Guardian* the ethical dilemma partly results from the way in which voting rights are granted and can be mitigated by either a more inclusive approach or by an electoral design allowing for proxy voting.

4. CONCLUSIONS

Inequality is an important determinant of voting that structure voter participation, the ability to vote well and the benefits gained from electoral participation. Inequality is in other words a source of privilege that translates into voter privileges in several dimensions. As shown in this chapter, varieties in voter privileges also determine and influence the ethical dilemmas and conflicts of the voter. Inequalities in economic resources, unequal access to

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[7] Though proxy voting by parents was briefly implemented in Tunisia and Morocco in the interwar period (van Parijs, 1998, p. 309).

information and asymmetries of interests between the majority population and ascriptive minorities, are structuring the unavoidable ethical challenges that are associated with the decision whether to vote and the decision how to vote.

A wealth of studies in the social sciences has highlighted how structural and institutional factors impact on electoral participation and its consequences for political representation. As this report testifies, the background factors that affect electoral behaviour and political representation are also significant in terms of electoral ethics. Voting (or not) is a choice that implies a choice between ethical values and principles that are often in tension. The aim of this report has been to substantiate the claim that the ethical complexities facing the voter are often determined by the privileges and inequalities in our societies.

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Chapter 9

OPPORTUNITIES FOR CITIZENS TO PARTICIPATE IN ORGANISING ELECTIONS IN EUROPE

Andreas Albertsen and Annabelle Lever

1. PURPOSE

The REDEM project aimed to foster research into the ethics of electoral participation. Part of the aim was to identify and develop new ways of engaging citizens in elections, whether they are currently willing or entitled to vote. This report contributes to that objective by presenting and discussing one particular idea for expanding citizens' electoral participation. The proposal is to employ those currently disengaged with electoral democracy as electoral support staff (i.e., polling station staff) on election day. While various groups in contemporary societies are presently not participating in elections as voters, this report focuses primarily on those who are too young to vote, and on adults who are not allowed or are not willing to vote. The report explores a particular proposal for increasing opportunities for participation in the different administrative aspects of elections.

2. APPROACH

We start by identifying a gap in the existing approach to voter-engagement in a democracy. The chapter situates the current proposal as a halfway-house between approaches that engage citizens as voters and those who engage citizens in non-electoral measures. Engaging disenchanted citizens as electoral support staff is different from engaging them as voters, but it is a kind of engagement with a distinctive focus on elections. To enhance our understanding of what the proposal entails the chapter provides a comprehensive overview of the tasks currently performed by electoral support staff. It then examines the barriers to introducing the proposal by looking at current limits to who is allowed to fill the roles of polling station staff across a wide range of European countries. Doing so provides a picture of current limits and opportunities for engaging the politically uninterested or disengaged in electoral democracies. The chapter concludes with a brief discussion of the broader merits of the proposal.

3. INTRODUCTION

Many Western democracies experience declining voter turnout at elections (Blais, 2007; Cassel and Hill, 1981; Flickinger and Studlar, 1992; Gray and Caul, 2000; Hooghe and Kern, 2017; Schlozman et al., 2018). As political participation is widely considered an essential part of a functioning democracy, declining participation, especially if stratified by socially salient factors, is troubling. (Dahl, 2007; Dworkin, 1987; Fishkin, 2011; Lijphart, 1997). It raises the concern that some groups' needs, experiences, and preferences are inadequately considered in political decision-making in ways that risk becoming part of a vicious cycle, (Rosset and Kurella, 2020; Schlozman et al., 2018), leading some to question the point and legitimacy of electoral outcomes. Here we will focus primarily on under-participation among younger voting-aged citizens as a group, compared to their elders and on socially disadvantaged citizens compared to those who are better off.

Young people participate less in elections than their elders (Blais et al., 2004; Konzelmann et al., 2012). Sloam observes that around 'three-quarters of (eligible) 18 to 24-year-old voted in national elections in Sweden and Denmark compared to just over one-third in the UK and Ireland (Sloam, 2016b). In the EU15 well over 80% of citizens over 30 vote, whereas the corresponding number for those aged 18-24 is less than 60 percent (Sloam, 2016b). Of course, such numbers differ based on factors such as educational level (Schäfer et al., 2020; Sloam, 2016b) and, interestingly, whether one lives at home and has parents who vote (Bhatti and Hansen, 2012). The lack of electoral participation among the young should not be confused with lack of participation as such[1]. Young people are often active in other ways (Dalton, 2015; Gaby, 2017; Norris, 2002; Sloam, 2007, 2016a). Nonetheless, their lack of electoral participation is likely to have adverse effects on public policy, skewing it towards the interests of the elderly rather than the needs of the young and the longer term interests of the population as a whole, especially because there is a relationship between abstaining as a first-time voter and abstaining later in life (Schäfer et al., 2020).

Voting patterns among adults also differ significantly. Not all adults are allowed to vote in every election –non-citizens, but also citizen-felons in some European countries, for example. (Poama and Theuns, 2019) But even those eligible to vote can face stark participatory inequalities. The research points to an educational cleavage in electoral participation and a socioeconomic one. Those with lower levels of formal education and lower socioeconomic status are less inclined to vote than those with University degrees (Dalton, 2017; Dassonneville and Hooghe, 2017; Gallego, 2010, 2015; Schäfer et al., 2020) and, as Lijphart noticed long ago, social inequalities in voting rates increase as abstention increases. (Lijphart, 1997)

Contemporary democratic theory pays a lot of attention to citizen participation, electoral and non-electoral. A wide range of proposals has been put forward to give citizens a more active role in legislation, decision-making, and government. Deliberative mini-publics, referendums, and citizen's assemblies selected through sortition all reflect the broad sentiment that there is something valuable to be gained from involving citizens in legislation or providing them with new ways of selecting legislators (Abizadeh, 2020; Caserta et al.,

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[1] For a REDEM-IPPR workshop on youth participation, conducted in November 2021, see the Events section of the REDEM project page (https://www.redem-h2020.eu/)

2021; el-Wakil, 2020; Jacquet and van der Does, 2021; Khan, 2005; Paulis et al., 2020; Smith, 2005)[2]. Nonetheless, voting remains the dominant way in which people select their governments in contemporary democracies, and the most common form of political participation by citizens[3]. In the case of elections, citizens generally participate as voters, rather than as candidates for election. Hence the importance of electoral turnout, even if non-electoral forms of participation are generally now considered essential to the quality of democracy. participate as voters electing their representatives[4].

However, creating alternative forms of political participation, and increasing electoral turnout leaves untouched alternative ways to engage citizens in elections. This chapter examines one such possibility, particularly suited to those who may not want, or yet be eligible, to vote. While voting is critical to democratic elections, people do not need to be voters, candidates for electoral office or engaged partisans, to participate in the collective event that is a democratic election. Hence, this chapter examines whether it is possible and desirable to treat the administrative aspects of elections as an opportunity to engage those who currently do not engage in elections as voters, whether by choice or not. The chapter will focus on both young people and adults. While alternate versions of the proposals are also considered, the main idea is that these positions are paid positions, to which people voluntarily apply – as opposed, for example, to unpaid positions into which they are drafted, or for which they volunteer. In terms of terminology, the chapter employs the term electoral support staff (ESS) to cover any person who has a non-executive role at the polling station and is thus responsible for carrying out tasks in the administration of an election.

The administrative aspects of elections are important. After all, it is true for all of us that we can only exercise our right to vote if there is a ballot box (or its equivalent) to put our ballot in, and someone to tally the votes once we have left the polling station, perhaps to follow the electoral count on television. These tasks are important, even if they can seem trivial. The point of the proposal, in part, is to consider whether we can design and use these positions in ways that benefit democracy beyond their primary and essential purpose. Broadening involvement in the administration of elections could enable people to feel that the elections belong to them and are something in which they can play a part, even if they are too young to vote or uncomfortable with their political knowledge or discouraged by the political choices they face. For the latter it is especially important that being able to help out on

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[2] For an overview over recent electoral innovations, see: (Smith, 2005) (OECD, 2020). For an overview of recent research, see (Albertsen, 2021).

[3] As Fourniau and Jacquet note, participation in large randomly selected assemblies averages 4% of those selected; and participation in all minipublics averages around 15%. Even were these figures to double, they would still be dramatically lower than voting rates in national elections, or even than citizen participation on criminal juries. (Fourniau, 2019; Jacquet, 2017)

[4] These proposals include various nudges (Green and Gerber, 2019); compulsory voting compulsory (Chapman, 2019; Hill, 2016; Lever, 2010a; Lever and Volacu, 2018; Saunders, 2010; Singh, 2016, 2021; Thaysen et al., 2020; Thaysen and Albertsen, 2020; Volacu, 2020); electronic voting (Abu-Shanab et al., 2010; De Cock and Preneel, 2007; Vassil and Weber, 2011); paying voters (Saunders, 2009); lowering the voting age (Bergh, 2013; Chan and Clayton, 2016; Douglas, 2016); adopting proportional representation (Lijphart, 1997) and technological remedies such as voting advice applications (Albertsen, 2020; Anderson and Fossen, 2014; Enyedi, 2016; Gemenis and Rosema, 2014; Germann and Gemenis, 2019). There is also a discussion about whether voting is a duty (Häggrot, 2023; Saunders, 2016, 2018). (Lever, 2009, 2010a, 2010b)

election day does not commit them to voting, to mentioning their political preferences or to discussing them with others.

Wider citizen involvement in elections might be valuable for several reasons. It may increase the perceived and actual legitimacy of the democratic process amongst non-voting participants, and it may subsequently motivate them to vote. The parallel here is with the benefits that jury service was found to have on electoral participation in a US study although, sadly, no one seems to have tried to replicate or extend its findings (Gastil and Weiser, 2010). At least, we may hypothesize that it would increase the experience of taking part in a collective enterprise, where each of us has roles to play and tasks to complete. This kind of value is apparent if we understand elections as something which is of collective importance (Thompson, 2004) or think of voting as a form of mutual service (Kapelner, 2022) such that facilitating participation in the electoral process becomes a visible form of engagement with something of collective, not merely personal, importance. The proposal may also help to increase understanding and acceptance of the electoral process, and increase assurances of its integrity and transparency, especially when the results are close or the process is called into question.

4. ADMINISTERING AN ELECTION: A BRIEF DESCRIPTION OF THE TASKS

This chapter examines the experiences and theoretical merits of a proposal that seeks to present a different way of engaging citizens in democratic participation. Specifically, the proposal facilitates citizen participation in tasks associated with administering the election. Across countries, we see that there are different levels of positions. While different tasks are allocated differently in various countries, there is, clearly, a hierarchy of tasks, based on the skills and responsibilities involved at any polling station. The most senior electoral administrator/office is referred to by various terms (i.e., *valgstyrer* in Denmark, *President* in Spain, and the *Presiding Officer* in the UK). Still, in every country, there are also polling station staff, ESS, without overall responsibility for the conduct of the poll in their station[5]. They are tasked with more mundane but still significant, tasks on election day. Those kinds of positions could potentially be utilized as tools of democratic inclusion. Again various terms are applied across countries (*vocales* in Spain, *valgmedarbejdere* in Norway, *Wahlhelfer* in Germany, and *Polling station assistants* in the UK), but the important thing to stress here is that the focus in this chapter is on what these subordinate roles involve, who holds them and whether they could be distributed in ways that include the young and adults from the social groups that are least likely to vote.

Which tasks are we concerned with? Many different ones - and the picture we are about to draw of them is based on a wide range of descriptions of the tasks of ESS from across Europe[6]. For readability, references are not provided for each task, as citing each place where

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[5] Various terms are used in different countries. Electoral Support Staff (ESS) will be employed throughout here.

[6] Such as: (arbetsgivarverket.se, 2022; bristol.gov.uk, 2020; bundeswahlleiter.de, 2021; Council, 2022; Electoral Office for Northern Ireland, 2022; highland.gov.uk, 2021; legislatie.just.ro, 2015; Law Governing Elections to the Assembly of the Republic, 2015; News, 2020; Økonomi og Indenrigsministeriet, 2017;

these tasks are mentioned would be impractical and unnecessary. It should be understood as a broad picture of the available tasks, while also recognizing variation between countries. A clear example of this would be Belgium, where the associated tasks are somewhat different because electronic voting is widespread (De Cock and Preneel, 2007).

But let us consider the different tasks solved by ESS: Voting booths need to be assembled the day before the election, and the polling station needs to be set up with tables etc. before Election Day. During Election Day there are a lot of small and large tasks to complete. Some welcome voters to the election. Throughout the day, there may be a need to ensure the orderly conduct of the ballot and ensuring peace and order in the voting area. One very visible task is to sit at the polling station. Here ESS verifies the voter's identity using an identity document or asking specific questions to ascertain that the voter is indeed who he or she says he is. If such a register is in place, it can also be a task to check whether the polling card number is included in the register of invalid polling cards. ESS also receives the polling card, checks its authenticity, hand out ballots, and notes which voters have turned up. During the COVID-19 pandemic, additional tasks have been in place, such as keeping the polling station and touchpoints clean, ensuring that people in queues observe social distancing, etc.

Another task is to answer specific clarificatory questions about the election. These can be practical, and many statutes are clear that ESS are not allowed to provide voting advice in terms of which party and candidate to vote for – but are expected to clarify technical questions regarding where to tick the ballot etc.

Another task allocated to ESS is to assist those, who, perhaps due to a disability, need special aid in voting. This can include helping people who have trouble walking from their car to the polling station. It is also part of the job to guide voters in the direction of the ballot box – and to ensure that the secrecy of the vote is kept intact in the voting process (i.e. ensure that voting is done in secrecy. if a voter starts writing on the ballot outside of the ballot box, he or she must be told to wait until inside it) – or if two persons enter the ballot box at the same time. For the latter instance, there are often exemptions for small children and for people who need assistance. However, it is sometimes required, for example, in Denmark, that if a voter is assisted by a family member or similar in the voting booth, then an ESS must also be present to ascertain the vote intention of the voter and the voluntariness of the vote.

Other tasks during Election Day are more practical. People may need guidance regarding which table they should queue at, the supply of ballot papers may need to be topped up, and new pencils might be required in the polling. Still, other election tasks do not take place at the polling station. Some countries allow for remote voting through mobile ballot booths. Such tasks are also done by ESS.

Polls close at the end of the day, and the votes are tallied. In some countries, such as the Netherlands and Ireland, counting is handled by a different group of ESS – but in others, this is just another task to conduct for those who have served as ESS during the day.

The above shows how running an election requires that many tasks are solved before, during and after Election Day. That these tasks are solved satisfyingly is in a very real sense the

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rijksoverheid.nl/, 2020; Riksdagsförvaltningen, 2005; swissinfo.ch, 2003; The Electoral Commission, 2019; valg.no, 2022; vasteras.se, 2022; villard-de-lans.fr, 2022; warrington.gov.uk, 2021)

backbone of electoral democracy. While each task viewed in isolation may seem minor or insignificant, taken together, they help to constitute a democratic election.

5. CURRENT LIMITS TO BECOMING ESS

There is considerable variation among European countries regarding who can help in these lower level but essential electoral tasks. Each country surveyed in this chapter has its own set of requirements. These are listed in Table 1. It is worth saying something about the parameters employed to distinguish them. The term main requirement is, of course, an artificial creation for the purpose of the chapter. In electoral law or in official descriptions of the requirement for taking on the position of ESS, there is no hierarchical ordering of the requirements. As it were, the applicants (or those selected to fulfill the role) must fulfill every mentioned criteria. But the requirement is singled out here because it provides an important initial filtering of who can attain the position, one that provides us with an overview of who the initial group of people is who can become ESS. Another point to note is that when staff must be selected from those eligible to vote, we have a de facto age criterion for serving. While the list of surveyed countries is incomplete, in the sense of not including all European countries, the aim has been to select a varied subsection of European countries. Another weakness of the comparison is that it sometimes draws on electoral laws but elsewhere draws on advertisements for ESS jobs. And as the Swedish case reveals, the latter might have requirements not stipulated by law. Additionally, there are linguistic barriers to examining adverts more widely, and they are often not available online when there is not an election coming up. Hence, there are advantages and disadvantages to reviewing the requirements for selection beyond those laid out in electoral laws.

Table 1: Requirements for being allowed to help in electoral tasks

Country	Main requirement	Language	Training	Other	Not a candidate[7]
Netherlands[8]	Age 18		(x)[9]		
Germany[10]	Voter			Lived > 3 months in Germany[11]	
Spain[12]	Voters below 70	Can read and write			
Sweden[13]	(none)[14]		x		
Romania[15]	Citizens with right to vote				x + relatives of candidates
England[16]	18 and working permit				x + relatives + those working for candidate
Scotland[17]	18 and working permit				x + relatives + those working for candidate
Northern Ireland[18]	18 and working permit			Must not have been convicted of an offence under electoral law	x + relatives + those working for candidate. Must declare other conflicts of interests.
Denmark	Voters			Must live in municipality	Candidates cannot count votes of own party or assist voters in the voting booth
Switzerland[19]	Citizens 18+				

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[7] Here 'x' means that it is a requirement that you are not a candidate

[8] (rijksoverheid.nl/, 2020)

[9] Must go through online training

[10] (bundeswahlleiter.de, 2021)

[11] and not longer than 25 years ago

[12] (legislatie.just.ro, 2015)

[13] (Riksdagsförvaltningen, 2005)

[14] Not by law, but adds asks for people over 18 and speak Swedish (arbetsgivarverket.se, 2022; vasteras.se, 2022)

[15] (legislatie.just.ro, 2015)

[16] (bristol.gov.uk, 2020; warrington.gov.uk, 2021)

[17] (highland.gov.uk, 2021)

[18] (Electoral Office for Northern Ireland, 2022)

[19] (swissinfo.ch, 2003)

Portugal[20]	Voters	Must read and write Portuguese			
Italy	Voters				
Norway[21]					x
Belgium[22]	Voters				
Wales[23]	18				x + relatives + those working for candidate
Iceland[24]	(none)				x + their spouses and closest relatives
Poland[25]	Citizen with the right to vote				x + persons connected with them
Hungary[26]	Voters residing in the district				x + relatives + members of organisations nomitating candidates[27]
Croatia	(none)				Chairperson and deputy cannot be party members

Looking at the table provides us with several interesting insights into who can serve as ESS in Europe. We see that there is a *tremendous variation* between the surveyed European countries. Let us take a closer look at this variation. The purpose is not necessarily to rank every country in terms of how permissible or impermissible they are when employing ESS. Some countries such as Norway, Ireland, Croatia, and the Netherlands, have relatively few requirements. In contrast, others, such as Romania and Poland, have several requirements, which, at least to some extent, make it difficult to use the employment of ESS as proposed in this chapter. Looking in more detail at the requirements, it is worth briefly pointing out how they affect this possibility.

Being a voter is a requirement in several countries. However, within this category of requirements, there is a distinction regarding whether everybody above a certain age is considered a voter or you have to register to become a voter. If the latter is the case, it

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[20] (Law Governing Elections to the Assembly of the Republic, 2015)

[21] (valg.no, 2022)

[22] (https://elections.fgov.be/, 2022)

[23] (*Polling Station Staff and Count Assistant Positions (Closing Date*, 2022))

[24] (government.is, 2020)

[25] (aplikuj.pl, 2020)

[26] (Act C of 1997 on Electoral Procedure, 2013)

[27] In addition, it is also stated that a number of public officials and public employees working with elections can't hold these positions.

constitutes a further obstacle and a different kind of obstacle than age to employment as ESS. In other countries, it is a requirement that you are a citizen. Such a requirement stops immigrants who are not yet (or never will be) citizens from becoming ESS. However, the weaker requirement of being eligible to vote is consistent with voting in local elections by non-national EU citizens. In any EU member country, a person is allowed to cast a vote in the country they currently reside for elections to the European Parliament and in local elections. For the latter also, non-EU citizens are often voters.

But the converse can also be true, that people can be citizens but not voters. This is the case when a person has not reached the voting age, but also when a person has been disenfranchised. In some instances, the reasons people are disenfranchised (i.e., lack of cognitive abilities or, in some countries, that they are in prison) make them unable to serve as ESS. For this reason, the situation where people are voters, but not citizens is the most relevant for current purposes. It is worth pointing out here that several countries do not have a nationality requirement (or, as in Northern Ireland, allow many nationalities to become ESS). But the differences between a voter requirement and a citizenship requirement should be clear at this point.

Looking at the other requirements, we may say that the extent to which they filter out certain groups varies a lot. Competence in the local language may make some immigrants ineligible for particular tasks. Party affiliation, or requirements that you cannot have campaigned for a candidate, will also bar some from becoming ESS. Still, this requirement is less likely to affect the young and politically marginalized.

Whether explicit or implicit, age requirements make it impossible to involve those below the voting age in the conduct of elections. In contrast, Norwegian job descriptions emphasize that school pupils can be hired as ESS even if they are not yet eligible to vote (valg.no, 2022). Sweden also has very inclusive rules, even if their job advertisements seem to include an age requirement (vasteras.se, 2022). So, looking at the formal limits, we can conclude that there is a great deal of variation, and it is quite clear which rules need to be relaxed for the proposal discussed here to work.

Another couple of points should be made in addition to this list of requirements. One is that countries differ in how people are appointed/hired. In some countries, such as Belgium, ESS are drawn by lots and serving, if selected, is a civic duty, like jury service in other countries. By contrast, in other countries, like the UK, ESS are hired after applying in response to a job advertisement. Elsewhere, such as in Denmark, the parties seem to influence the composition of ESS. We know from inequalities in political participation that the latter might not be a good idea from the perspective of equality of opportunity. Using lotteries to select ESS might therefore seem preferable. However, unweighted lotteries are unlikely to facilitate the inclusion of the politically marginalised amongst ESS, even if they will likely distribute positions to a more diverse population than will be the case if parties do the selecting. However, while weighted lotteries, suitably constructed, might broaden participation still further, even when participation is voluntary, they inevitably violate formal equal of opportunity and, more seriously for our purposes, may be less good than more targeted forms of affirmative action in encouraging the electorally inactive to consider applying and serving as ESS.

It is important, then, that ESS jobs be advertised broadly and that people from different backgrounds should be encouraged to apply and be capable of being hired. It is interesting to note that in countries advertising for ESS, the advertisements for these jobs send very different messages. In Italy, it is stressed that students and the unemployed are particularly welcome to employ. In Ireland, the officers responsible are required to ensure a recruitment process that 'encourages and welcomes applications' from those who are unemployed (INOU, 2020). In stark contrast, many UK postings advise potential applicants on benefits to first contact their local unemployment benefits office (bristol.gov.uk, 2020), which is likely to discourage people on unemployment benefits from applying, even if the effect is unintentional.

It is probably hard to say whether filling ESS positions via applications or through the drawing of lots (whether with or without compulsion to serve) is better morally or politically. These are complex issues balancing various values, but for now the proposal will be discussed in the form where it is something people sign up to on a voluntary basis.

Our discussion thus far has looked at restrictions in terms of how they impact the opportunities of marginalized groups. But, of course, there is also a further discussion about the justifiability of each requirement. Discussion of each of them in detail would be too much to cover in this chapter, but a few remarks can be made. It is likely that issues of competence and trustworthiness are behind several restrictions related to age (whether that is a minimum or a maximum age). To a certain extent, requirements pertaining to citizenship may have similar justifications. Whereas other restrictions, such as those barring candidates or their relatives from serving, are more likely to be justified by considerations of procedural fairness. Depending on who they exclude, restrictions based on whether people are voters may have a variety of justifications. Here again, matters of competence/ability (in relation to the not yet old enough or the disenfranchised) and trustworthiness (similar, but also non-nationals) may be the reasons for such limitations. It is, however, important to realise that the communicative, or expressive, dimension of such exclusions, however motivated, is relevant to their justification. While a 35-year-old party member can accept that the importance of impartiality might justify precluding them from being an ESS, the public implication that they cannot be trusted is likely to be offensive for 17-year-olds, given their legal responsibilities in other respects, and the same is likely to be true for resident non-citizens. Whether subjectively experienced as disrespectful or not, however, we may wonder whether democratic principles and considerations of solidarity, civic respect and inclusion are consistent with such limitations on the role of ESS nowadays.

6. CONCLUSIONS

This chapter considers whether we could or should relax some of the limitations on who can currently help with elections in publicly recognized roles, as one way of enabling people who are currently unwilling or unable to vote to feel that electoral democracy is for them, not just about them. Instead of relying on public servants, party- members, and perhaps the most electorally enthusiastic among the general population, a more significant effort should be conducted to reach out to those on the fringes of electoral participation. Including some of those who are not willing or eligible to vote in the electoral process could be important for a number of reasons. It sends the message that society considers them valuable and trustworthy; it shows that they have a role to play in electoral democracy and that their

contribution is valuable and valued even if they do not want to vote or are not yet legally able to do so.

The communicative aspect of the proposal is important. We do not assume that participating as ESS will make people who are currently marginalized, vote. Rather, the main purpose of the proposal is to highlight the different roles through which non-voters might participate in democratic elections, understood as a democratically important collective event, whether or not they are willing or able to participate in the process of collective decision-making and legitimation that characterizes the role of voter. Although some non-voters might thereby be turned into voters, that is not its sole, or even the primary aim. What is at issue, rather, is the possibility of making elections more accessible, understandable, and transparent to those whose families, friends and colleagues may know little about them, may dismiss them as irrelevant for people like them, or who may not be ready or able to take up the morally burdensome role of voter. As the REDEM project has emphasized, a voter-centred perspective on electoral democracy is important because contributing to the selection of political leaders and programmes can be morally burdensome in ways that are inadequately acknowledged in the literatures on abstention or the ethics of voting. (Lever, 2017; Lever and Volacu, 2018) Moreover, those burdens are unlikely to be distributed equally amongst the population, in so far as the electoral choices that some people face are often very much less appealing than those of others, despite being fully as democratic. (Mráz and Lever, 2023a; and Mráz and Lever, 2023b; Beckman and Volacu, 2023). In these circumstances the inclusive communicative aspects of the proposal are particularly important, conveying the message that you do not have to be a voter or a candidate to play a valuable part in an election and to contribute to its democratic character and success.

However, being part of the electoral process may, in fact, encourage and facilitate subsequent participation as a voter. Consider the idea of electoral ergonomics. The theme is explored in several publications by Bruter and Harrison (Bruter, 2019; Bruter and Harrison, 2017, 2020), who see ergonomics as a key term in design, architecture, and marketing. It is defined as 'the interface between electoral arrangements and voters' psychology' (Bruter, 2019, p. 2). Elsewhere Bruter and Harrison define it as a 'way in which electoral arrangements interact with citizens' psychology and optimize their experience given the possible functions of elections' (Bruter and Harrison, 2017). The idea is that once we take account of electoral ergonomics, we can see that there can be essential interactions between design and psychology. Even supposedly neutral designs may matter because they affect 'the atmosphere of the vote, the experience of the voter, his/her interactions with the system and with others and trigger different memories, emotions or broadly defined psychological reactions' (Bruter, 2019, p. 2). While electoral ergonomics has been developed in relation to voters, it seems reasonable to extend it to non-voting participants in elections as well. Thus, we could reasonably consider the ESS to experience this kind of interaction. So it could be, that this kind of effect means that non-voters may be more likely to vote in the future if they experience Election Day and are, as it were, exposed to it. Furthermore, we may say that ESS are also part of the ergonomic themselves, and thereby affect the experience of voters. Therefore, a more diverse group of ESS (in terms of age and background) might make polling stations feel less intimidating and more welcoming for those who are unsure if voting is really for people like them.

But for this proposal to matter, we must take a critical look at the rules defining eligibility to take up an ESS, especially when those rules render people who close the opportunity to those who are not yet eligible or willing to vote. Relevant groups that come to mind here are, of course, immigrants may be allowed to vote in local elections, and who if they obtain citizenship, would be eligible to vote in national elections; butt also young people who have not yet reached the voting age. The proposal is, it should be admitted, least applicable to those who have been disenfranchised for reasons related to their cognitive abilities as this may, though need not, render them unable to fulfil the requisite tasks, without unduly burdening the rest of the ESS, or calling the integrity of the count into question.

One important question, of course, would be whether this would work. Is it reasonable to think that people who are eligible to vote, but do not take up that opportunity, might be open to taking up a non-voting role in elections? Here it can be helpful to bear several points in mind. Firstly, people who abstain from elections are not necessarily hostile or, even, indifferent to democracy. If they consider the current electoral options unattractive, or do not feel confident in their political knowledge and judgements, they may be interested in serving as ESS, though unwilling to take part in an election as a voter. Secondly, paying people to undertake this task can motivate them (if it is adequately ensured that they will not lose benefits). This is in line with the practice in most countries, even if the payment size varies. Finally, many of the people for whom this proposal is relevant are not non-voters by choice, but because they are not yet legally eligible to vote or fear losing the citizenship of their birth country by adopting that of another. The ability to take part in an event of national significance, and to display their interest and commitment to it, may therefore be particularly appealing. Hence, more attention to current electoral laws on the hiring and training of ESS appears justified. As we have seen, these rules can be quite diverse, and the implicit picture that they draw of who is a trusted and valued member of society is not always appealing or justified. Thus, there are non-instrumental and communicative reasons, as well as more directly instrumental ones to consider widening the range of roles through which people might take part in democratic elections.

7. ACKNOWLEDGMENTS

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Chapter 10

THE EFFECTS OF NON-ELECTORAL PARTICIPATION ON VOTING IN EUROPE

Attila Mráz

1. INTRODUCTION

This chapter aims to document and assess available evidence on the effects of public, social and political but non-electoral participation – specifically, jury service, religious life, trade union membership and sporting associational life – on motivating and assisting electoral participation. The chapter focuses on identifying ways of engaging citizens with elections that can effectively increase electoral participation for voters of various class or education backgrounds.

The REDEM project did not pursue empirical research on the topic of this chapter (or more generally). Thus, the chapter aims to summarize and synthesize existing empirical research and highlight its normative significance. At the same time, it identifies gaps in empirical research in light of the normative significance of social mechanisms enhancing electoral participation. Identifying these gaps contributes to a research agenda in empirical political science that helps test the feasibility of normative democratic theories which hold that widespread (and relatively equally distributed) electoral participation is crucial to realizing the value(s) of democracy. The findings presented in this chapter may also serve to inspire institutional design – beyond the design of electoral institutions – in European democracies to take into consideration whether and how a given institution of social, political participation may also help enhance electoral participation.

The structure of this chapter is as follows. Section 2 lays out the methodological approach to the review this chapter undertakes. Section 3 reconstructs the so-called "participation hypothesis," an empirical hypothesis concerning the effects of participation in various domains of life on political participation, and explains the normative significance of this hypothesis in democratic theory. Sections 4-7 then review and evaluate the empirical literature which attempts to test different versions of the participation hypothesis, examining the effects of active social participation in various domains of social life – jury service, church life, trade unions and sports – on political participation. Section 8 concludes.

2. APPROACH

This chapter provides a survey of the literature relevant to the participation hypothesis in political theory and empirical political science. The thematic focus of the chapter is specifically on how *non-electoral institutions and practices* can shape *electoral participation*. While extensive research has been done on how electoral institutions themselves can shape electoral participation – see, e.g., the vast literature on liquid democracy (Blum and Zuber, 2016) – as well as on how participation does (not) enhance public engagement more broadly (e.g., Michels, 2019), this chapter does not aim to survey research on these neighbouring themes. Instead, it focuses on the effects of participation in social, political and civil institutions further removed from the institutions of electoral politics on electoral participation.

The relevant empirical literature is somewhat scarce and scattered. As the REDEM project did not pursue empirical research, the chapter can only identify the gaps in empirical research that would be worth addressing in future research, from the perspective of normative political theory. This chapter does not undertake to fill these gaps, which requires new empirical research.

The empirical research surveyed in this chapter comes from different contexts. On the one hand, the effects of social participation in some domains of life on political participation is relatively well-documented, at least within certain geographical regions. For instance, the effects of jury service or church life on political participation are fairly well explored, whereas the effects of participation in other domains, such as other aspects of cultural life or entertainment activities, as well as their causal pathways, remain largely unexplored. This chapter focuses on participation in those domains of social life in which the effects of participation on political participation are already well-researched. This evidence-driven focus is necessarily selective.

On the other hand, it is noteworthy that a lot of the relevant research available for review – for example, most of the studies on jury participation – has been conducted in North America. Generally, research on the topic of this chapter has been less extensively conducted in Europe. Our chapter highlights the size and significance of this gap in research on European politics. While empirical findings related to a North American context may be a good starting point for normative theory and institutional design in Europe, it is far from clear that findings about the effects of an institutional arrangement can be transferred from the North American context to the European context. Thus, the findings of this chapter must be read with some caution and confirmed where necessary to hold in a European context too.

The findings of this chapter complement the findings of the REDEM project in other chapters of this volume. (Albertsen and Lever, 2023) offers a comparative overview of opportunities for citizen participation in the organisation and monitoring of elections in Europe. Both (Albertsen and Lever, 2023) as well as the present chapter focus on participatory activities beyond or around the act of voting, with a general interest in ways of engaging citizens the political process. (Mráz and Lever, 2023b) presents a voter-centred perspective on electoral democracy, including ethical considerations for and against voting reconstructed from that perspective. While the present chapter assumes – as much of the empirical political science literature implicitly does – that more electoral participation is *pro tanto* better than less, (Mráz and Lever, 2023b) shows that there may be perfectly good and sometimes highly

partisan reasons for voters to abstain, as well as for institutional regimes that allow voters to abstain (i.e., by not making voting compulsory). One of the limitations of the empirical research reviewed in this chapter is precisely that it tacitly treats participation as an unconditional and non-partisan, consensual good. Thus, it provides little information on the partisan effects of various social determinants of electoral participation, and fails to distinguish between effects on valuable vs. non-valuable forms of abstention, from the voter's perspective.[1] Hence, read together, the present chapter and (Mráz and Lever, 2023b) highlight important avenues of future, more nuanced empirical research on the participation effects of social institutions and practices.

3. THE PARTICIPATION HYPOTHESIS AND ITS SIGNIFICANCE

European democracies have faced declining electoral participation rates over the last decades (see, e.g., Flickinger and Studlar, 1992; Siaroff, 2009; Kern et al., 2015).[2] While there may be good moral and other practical reasons for electoral abstention, declining electoral turnout rates are typically seen as troubling rather than neutral social facts. Republican theories of democracy regard low participation rates as an inherent threat to the preservation of freedom in society (Pettit, 2012). Yet other theories of democracy and representation, based on different normative grounds, can also imply that low participation rates distort democratic representation (Lijphart, 1997), reduce accountability (cf. Pettit, 2008), perpetuate inequalities or have otherwise objectionable outcomes (Lijphart, 1997), or, regardless of outcomes, fail to realize important democratic values (Birch, 2009). It is this crisis of democratic participation which has raised the interest of policymakers and scholars in the causes and potential remedies of low electoral participation.

The causes of low electoral participation rates are many; and presumably, so are their remedies. However, one particular remedy (or rather, set of remedies) that has gained salience over the past decades is the focus of the present chapter. This solution proposes to address the ills of low electoral participation with *other forms of public, social or political participation*, relying on a significant empirical assumption. This assumption, referred to as the "participation hypothesis" – to use the phrase of Finkel (1985) and Freie (1997) – is the dual hypothesis that (i) there is a correlation between different forms of public, social or political participation, and that (ii) increasing various forms of non-electoral public, social or political participation, at least in certain circumstances, results in increased electoral participation as well.[3] Notably, a mere correlation between these forms of participation which is reducible to third (common) causes would not support the hypothesis. This is because scholars interested in the participation hypothesis typically wish to know how participation could be increased – and for that purpose, they need to learn about causal relations, and see other forms of participation as potential means to achieving the aim of increasing electoral participation.

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[1] On valuable forms of non-participation, see also MacKenzie and Moore, 2020.

[2] Most up-to-date data are available in the International IDEA Institute's Voter Turnout Database, at https://www.idea.int/data-tools/data/voter-turnout.

[3] The participation hypothesis may also be formulated in more general versions, e.g., by focusing on the effects on broadly political (rather than specifically electoral) participation. The focus of this chapter (see Section 2 above) motivates the narrower formulation.

Interest in the participation hypothesis is not entirely new. Political theorists such as Carole Pateman already referred to the *participation effect* decades ago (Pateman 2000 [1970]) – back then, entertaining it as a hypothesis without any empirical backing. Indeed, Pateman (1989) and Jane Mansbridge (1999) expressed scepticism as to the possibility of empirically testing the hypothesis. Nonetheless, the past two decades have seen an increase in empirical studies which have been designed to test the participation hypothesis and which have, in some cases and contexts, partly succeeded in doing so.

Testing the participation hypothesis can offer important guidance about the different avenues though which electoral participation may be increased, and thus also about who is in a good position to help increase electoral participation. In other words, testing the hypothesis can also shed light on who can bear the responsibility for pursuing these avenues of mobilization. Increasing some of the potentially relevant forms of participation, such as jury participation in discharging the judicial functions of the state, can be a matter of political choice. Increasing some other relevant forms of participation, such as trade union membership and activism, may be highly dependent on (but not entirely determined by) public policy (cf. O'Neill and White, 2018 focusing on the "associational structure" of democracies – specifically, the role of trade unions). And increasing yet other forms of participation, for example, in church life or campaign participation (Freie, 1997), is mostly a matter of bottom-up, social organization or top-down but non-political social organization.[4] It matters hugely which of these forms of non-electoral participation, if any, the participation hypothesis applies to.

The more forms of non-electoral participation that facilitate electoral participation, the wider is the set of remedies for low electoral participation rates. And the more non-politically organized and less politics-dependent forms of participation the thesis applies to, the more tools civil society has to remedy low electoral participation rates – without having to construct a developed political will to pursue this aim. This is significant as lower electoral participation rates are often favourable to the interests of current political elites. When this is the case, it is not reasonable to expect the presence or even emergence of political will, at least in the short run, to take steps to increase electoral participation. Instead, in order to realize the values of higher electoral participation, it will be necessary to privilege avenues of electoral mobilization that can be pursued by other, motivated actors.

More generally, the participation hypothesis, if true, provides support for the view that a strong *civil society* is either necessary for democracy or at least strongly supportive of a democratic polity (see, e.g., Habermas, 1996, 2006; Lafont, 2019; Putnam, 2001; Verba et al., 1995). This view may also be intimately linked to a pluralistic model of democracy, which sees the essence of democracy in the interactions between various associational groups such as trade unions, industrials interests, churches, political parties, and so forth (see, e.g., Dahl, 1978). However, other non-elitist models of democracy may also recognize the significance of a strong civil society for democracy.[5]

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[4] For an overview of the diversity of phenomena covered by the respective labels "political participation" and "civic engagement", see Ekman and Amnå, 2012.

[5] See (Mráz and Lever 2023a) on models of democracy and their significance from a voter-centred perspective.

4. JURIES AND THE PARTICIPATION HYPOTHESIS

Jury trials have been a paradigmatic form of judicial decision-making in the Anglo-American world and also beyond the Anglo-American world, such as in France (Lever et al., 2021). Some of the normative philosophical literature on juries celebrates jury trials as potentially epistemically superior (less biased, more accurate) forms of judicial decision-making compared to judge-made decisions, or as judicial procedures that are more justifiable to defendants or the public (see, e.g., Brooks, 2004). However, from as early as the 19th century, juries have also been praised – notably, by Alexis de Tocqueville (2000 [1835]) and J. S. Mill (1861) – as valuable forms of citizen participation. As such, juries may be intrinsically valuable: they constitute special opportunities for jurors to be partners in the exercise of public power (Amar, 1995; Lever, 2016; Lever, 2022; Chakravarti, 2019). While this line of research is closer to the concerns of the participation hypothesis, it mostly focuses on the non-instrumental democratic values of jury participation. This chapter, in contrast, focuses on the instrumental value of jury participation – for the jurors and for democracy more generally. This instrumental value consists in increasing the future electoral participation of jurors in some circumstances.[6]

The participation hypothesis has been empirically tested and confirmed, although primarily in the US context, with regard to the link between jury participation and electoral participation.[7] Earlier small-sample quantitative research generated reasonable hope that the hypothesis could withstand empirical scrutiny (Gastil et al., 2002). Later qualitative research showed through interviews that jurors sometimes see a connection between the deliberative nature of jury duty and the act of voting, although voting itself is not deliberative and the secret ballot means that it takes place in ways that cannot be seen by, or discursively challenged, by others. The connection between jury service and voting comes from the fact that jurors sometimes (but not invariably) see both as ways of fulfilling civic, not just personal, responsibilities to others (Gastil et al., 2008: 354–355).[8]

Later quantitative research using regression analysis confirmed and added further nuance to the findings of Gastil et al. (2002) on a national – US-wide – sample (Gastil et al., 2008: 359–360). The results pointed to "a pervasive and enduring effect of criminal jury deliberation on electoral engagement" (ibid.: 359), particularly for those who were not regular or frequent voters before entering jury service. Those who were already regular or frequent voters by that time were not shown to be affected by jury service in their electoral engagement. Somewhat unexpectedly, though, jurors were affected even if their deliberations failed to lead to a verdict. The behavioural effect was significant for jurors in hung (criminal) juries as well – which suggests that it may have been the experience of

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[6] There may also be further instrumental values associated with jury participation: for instance, some argue that increased civic engaged with the criminal justice system can result in the progressive reform of punishment practices (see Dzur, 2012). However, such instrumental benefits are not of the kind that the participation hypothesis assumes jury service to generate.

[7] The application of the hypothesis to the judicial context has attracted attention in Japan as well, although not exactly with regard to a jury system but a lay assessor system (Anderson and Nolan, 2004).

[8] These findings are based on *ex post* self-reporting, which carries significant methodological limitations. Note that the findings do not concern the motivation for increased voting activity but rather the link voters see between jury participation and voting—which may or may not have to do much with their own motivation, and hence of the causal link between these two participatory activities.

meaningful deliberation that generated the participation enhancing effect, rather than the experience of convicting or acquitting a defendant.

The mechanism through which jury service increased voting was examined in a further quantitative study. This study examined the subjective experience of jurors and concluded that "those whose jury experience was relatively engaging and better than expected became more likely to vote in the future relative to those who had a less satisfactory experience" (ibid.: 363). Further, the study found that the relatively strong effect on electoral participation of sitting on a jury in criminal trials (rather than civil trials) may also be due to the more positive subjective experience of the former trial type (ibid.: 363). Jurors may find civil trials less emotionally engaging; less accessible and at the same time more frivolous; and the challenges of deliberation in civil trials less inspiring (ibid.: 356–357, 363).

The participation effect of jury membership is not necessarily randomly distributed across the population. Stone and Malkopoulou (2021: p. 12, footnote 16) assume that the elderly and less educated are overrepresented in juries. Yet this finding – coherent with the common perception that professional, wealthy and better educated are more motivated and able to shirk jury duty – may not be generalized even if it turns out to be accurate for the USA. For instance, in England and Wales, this does not seem to be the case. Research shows that it is the unemployed as opposed to the fully employed who are least likely to serve (Thomas et al., 2007). (They may be selected, but then they are granted exemptions to be able to find work.) These nuances matter considerably as they determine whether the participation effect induced by a particular institution aggravates or ameliorates inequalities of political participation at the same time.[9] Unequal political participation in the Euro-American context typically means that people with a lower socio-economic status are less likely to participate in the political process more broadly, and to vote, more specifically (see, e.g., Lijphart, 1997).[10]

5. CHURCHES AND THE PARTICIPATION HYPOTHESIS

While the antidemocratic effects of religion on politics have a long, infamous history, the positive effects of religion on democratic politics, and especially voting, have only been relatively recently addressed in research. The effect of church participation and religious sentiments on political participation has been one of the focal points of political socialization studies at least since the early 1990s (see Leege and Kellstedt, 2016 [1993]; Peterson, 1992). While some of these studies inquire more generally about the effects of participation in this domain on civic engagement (e.g., Beyerlein and Hipp, 2006; Loveland et al., 2005; McKenzie, 2001; Putnam et al., 2012; Smidt, 1999; and even much earlier, Tomeh, 1973), others (also) focus specifically on effects on electoral participation (e.g., Cassel, 1999; Gerber et al., 2016; Wilcox and Sigelman, 2001). The literature overall suggests that religion and church life continue to have significant and complex effects on political – including electoral

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[9] Note a further complication: the composition of juries does not only influence the equality of participation but also on the equality of protection afforded to defendants in criminal cases. While some policies increasing equality of participation may also increase equality of protection, there is no a priori reason to assume this is always so, and hence trade-offs may be necessary in the design of jury selection and trials (cf. Lever, 2017; Poama, 2013).

[10] See also report D3.1, which analyses the relationship between various conceptions and models of democracy, on the one hand, and the value of participation within the given conception or model, on the other. See esp. Section 3.

– participation. While some aspects of this effect were overstated in early research (e.g., Verba et al., 1995), religion continues to play a significant role in promoting electoral participation despite the growing secularization of Western societies (Ikenberry et al., 2004).

A body of more nuanced research has recently emerged which explores the complex pathways of religious and church influence on political participation. The specific effect of participation in church life and the consequent civic skills development on political – more narrowly, electoral – participation, emphasized in early research (Verba et. al, 1995), remain contested. Efforts to get further precision on the nature, causes and extent of that effect, as well as recent attempts to broaden the study of this effect to consider the varieties of Christianity as well as non-Christian religions present a more complex picture. The effects of both faith and participation in church life have been examined. In general, both have been found to have a positive effect on civic engagement (e.g., Smidt, 1999). On the one hand, religious faith – more specifically, the belief that humans can further a divine plan – in itself has been found to correlate with higher levels of political participation, across denominations, in the US context (Glazier, 2015; cf. Driskell et al., 2008).[11] On the other hand, linking church life rather than merely religious faith to political participation, studies found that in the US context, a decrease in church attendance corelated with a decrease in voter turnout (Gerber et al., 2016). A study using data which cover 65% of the global population has found that membership in religious organizations, rather than faith in general, contributes to higher levels of political participation (Omelicheva and Ahmed, 2018; cf. Aghazadeh and Mahmoudoghli, 2017, for local findings on the significance of religiousness for political participation in Iran). Another study has confirmed the causal effect of church attendance on electoral turnout in Poland (Kurek and Fałkowski, 2022).

There are several explanations for the turnout effect of church participation. One is simple social pressure (Gerber et al., 2008; Mckenzie, 2004). Recruitment to politics by a coreligionist seems to be a particularly effective way to recruit church members to politics (Djupe and Grant, 2001). Another explanation more relevant to the participation hypothesis is that church participation cultivates civic skills (Djupe and Gilbert, 2006; Verba et al., 1995). The latter explanation has been challenged in Djupe and Grant, 2001, and also found unsustainable in a European study involving 17 countries, albeit focusing on the causes of the participation effect of civil associations more broadly (Van Der Meer and Van Ingen, 2009). Further, churches also contribute to political participation by organizing or hosting political meetings, which was particularly significant in the US context for the civil rights movement and African-American voters (Harris, 2001; Lincoln and Mamiya, 1990; Morris, 1986; Wuthnow, 1991). Next, the participation effect is more pronounced in churches whose members can perceive political expectations of their church with clarity (Brown and Brown, 2003; Djupe and Grant, 2001; Wilcox and Sigelman, 2001). Strangely enough, though, direct encouragement to vote has only been found to have an effect on *non*-electoral participation in the UK, such as participating in demonstrations (Sobolewska et al., 2015). Some of the participation effects can also be explained by the secular resources that members bring to

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[11] Note, however, that not all religious faiths involve a belief in a divine plan, let alone one that humans can further, or even a belief in a deity. This in itself should make us aware that some of the findings in the literature do not and cannot hold robustly across a wide range of religions but are specific to a subset of religious faiths. For some philosophical approaches to defining religion for the purposes of philosophical and political analysis, see, for instance, Crane, 2017; Laborde, 2017.

the church (Djupe and Grant, 2001). Church attendance can also develop psychological resources necessary for political participation (Calhoun-Brown, 1996), an effect particularly important for African American voters in the US context (Chong and Rogers, 2005).

The strength of the participation effect varies among different churches (Gimpel et al., 2003). This is as it should be expected. It is not church membership *per se* which induces the participation effect, but the various causes figuring in the explanations reviewed above. Some of these causes are present in some churches, but absent from other churches. Djupe and Grant found that some of the differences are also related to whether a given religious tradition tends to prefer religious over political activity (Djupe and Grant, 2001), and these differences may explain the relatively lower political involvement levels of African-American Protestants and Caucasian Evangelicals in the US (ibid.; cf. Beyerlein and Hipp, 2006; Campbell, 2004). By contrast, it has been found that high participation levels among Mainline Protestants are mostly explained by the level of secular resources they bring to church (ibid.). Earlier, it was hypothesized that due to different effects on civic skills development, church affiliations would have different participation effects for Protestant Caucasian and Catholic Hispanic populations in the US (Verba et al., 1995). Later, however, it was found that the civic associational role of churches matters considerably more for political participation than skills development, explaining the minor difference in participation effect between these populations (Jones-Correa and Leal, 2001).

While research on religion, church membership and political participation abounds in the US context, much less research has been conducted on related topics in a European context, as well as on the participation effect related to non-Christian religious minorities. The relevant empirical research on these contexts and populations is relatively sparse and highly fragmented. A study has confirmed the participation effect in the UK context for Muslim and Sikh voters, but not Hindu voters – which the authors explain by the lack of the latter religion's political salience – and only for non-electoral participation such as being active in a political voluntary organisation, donating money to a political cause, attending a demonstration, signing a petition, or boycotting or buying a product on political grounds (Sobolewska et al., 2015). Also in the UK, in contrast to the US (see Ayers and Hofstetter, 2008; Jamal, 2005), mosque attendance has *not* been found to have an effect on electoral participation (Sobolewska and McAndrew, 2015). However, the effect of Catholic religious observance more broadly, and Catholic church attendance more narrowly, on electoral participation has been confirmed in Poland (Kurek and Fałkowski, 2022). This may partly be due to the special historic role of the Catholic church in communist and post-communist Poland (Kostelka, 2017). The highly specific nature of these findings raises considerable doubt about the extent to which it is possible to provide readily generalizable findings on the participation effects of church membership or attendance.

Some more recent studies suggest that the effects of religious attendance on political participation have been overstated. Those who have started to actively participate in politics continue to do so despite changes in their church attendance habits. Nevertheless, the effect of generating political participation, including electoral participation in the long run, through civic activities can still be observed (Ammann, 2015). In an Australian study, however, not even this broader effect could be confirmed for immigrants (Jiang, 2017), although a European study had found that the institutions of the receiving society play a mediating role,

influencing the role of religion – both Christian and Muslim – on migrants' political participation (Eggert and Giugni, 2011).

6. TRADE UNIONS AND THE PARTICIPATION HYPOTHESIS

Trade unions, when strong, may be a significant force in shaping political (Becher and Stegmueller, 2021) and not merely economic life, even if post-WWII they have been less involved in direct political action (Dahl, 1978; Freeman and Medoff, 1984; Streeck and Hassel, 2003). However, trade unions may have multiple political roles. They can engage with politics directly as associations through legislative or executive lobbying or party ties, or even as campaign contributors (Taylor, 1989; Becher and Stegmueller, 2021). But they may also play a more indirect role in engaging their members (and potentially people beyond their membership) in political action and conveying to them information relevant to electoral participation. There is evidence that this latter explanatory route is more significant in explaining the correlation between strong trade unions and the better representation of workers in politics (Flavin, 2016). While trade unions and related participatory effects have been on the decline in the global North (see, e.g., Rosenfeld, 2014 and Stansbury and Summers, 2020 for the US; cf. Mosimann and Pontusson, 2017 for the European context), trade unions continue to be crucial spheres of political socialization and as such to have a role in democratization in Africa (Karreth, 2018; for a South-East Asian perspective, see Ford, 2014).

Evidence from the US suggests that trade unions, despite their significant decline, continue to have an impact on their members' policy preferences and on the level of sophistication of their views – at least concerning trade issues (Kim and Margalit, 2017). Further, recent evidence confirms the role of trade unions in informing their members concerning matters relevant to their electoral choice (Christiano, 2022: 422–424). Trade union members are better informed about candidate and party positions on political issues than their non-unionized co-workers (Macdonald, 2021).

Trade unions may also have an effect on electoral participation through direct mobilization (see, e.g., Zullo, 2004; cf. Rosenstone et al., 2003). More indirect positive effects on electoral participation have also been found in the US, mostly for less educated individuals (Kerrissey and Schofer, 2013), which may be a welcome finding, given that they are less likely to participate in elections otherwise (see, e.g., Verba et al., 1995). Minority electoral participation, more specifically the turnout of Hispanic voters in the US, has also been associated with trade union membership (Francia and Orr, 2014). A cross-country study including several European states – as different as Croatia, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Latvia, Netherlands, Norway, Poland, Portugal, Slovenia, Spain and Sweden – confirmed the positive effect of trade unions on turnout, and even found a "spillover effect," meaning that the positive electoral turnout effect of the presence of strong trade unions is not limited to union members (Flavin and Radcliff, 2011).[12]

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[12] The presence of strong trade unions may also trigger mobilization *against* unions. Yet Falvin and Radcliff (2011) describe the role of unions in contributing to the spillover effect as "equal opportunity mobilizers", i.e., the mobilization effects are observed within the population of lower socio-economic status and in favour of the political alternatives supported by unions (633–635).

However, for the participation hypothesis, the crucial question is whether an eligible voter's active involvement in trade union life also increases her probability to participate in elections. Direct mobilization is irrelevant for the participation hypothesis, as is the effect of unions on party positions, which may be one of the mechanisms, according to Benjamin Radcliff and Patricia Davis (2000), behind the positive turnout effect of unionization on workers. (In other words, if at least some parties better represent workers due to the political presence of unions, workers may be more likely to turn out and vote for them.) Somewhat closer but still not quite identical to the participation hypothesis are explanations which emphasize the role of political education and peer pressure experienced as a union member (Asher, 2001: 136). Central to the participation hypothesis are explanations of the turnout effect that emphasize voters' active participation in trade union life.[13] Generally speaking, the participation effect of union membership has complex and contested explanations which include direct and indirect effects on electoral turnout. Some have even found that most of the turnout effect is not due to membership itself but to socioeconomic factors such as employment status or age that distinguish union members from non-members (Freeman, 2003), and which therefore cannot count in favour of the *participation hypothesis* itself. In other words, people who belong to some social groups – e.g., older persons – are more likely to be union members than others, and it this belonging to this social group, rather than union membership itself, which results in the participation effect.

Some related studies focus on workplace participation instead of trade union participation. Thomas Christiano (2019: 956–658) argues in favour of more employee participation at the workplace based on some of the empirical findings related to the participation effects induced by trade unions. However, workplace participation need not be unionized. For example, workers' participation in the management of the firm may also produce desirable participation effects. While such worker participation has been proposed in political theory and philosophy for various reasons over the past decades (see, e.g., Anderson, 2017; Gerlsbeck and Herzog, 2020; Pateman, 2000), its effects on political and specifically electoral participation are yet to be explored after early promising findings (Elden, 1981).

7. SPORTING ASSOCIATIONS AND THE PARTICIPATION HYPOTHESIS

Sports associations have been historically as well as recently important conveyors of political messages, and affiliation with or support for a certain sports association can also correlate with political preferences (see, e.g., Kaufman, 2007). Sporting associations also create senses of belonging and community; and they may offer significant networking opportunities to individuals. Through both certain forms of supporting sports (e.g., cheerleading, rooting) and especially playing sports, individuals may be involved in shared projects, acquire and use skills necessary for contributing to something seen as bigger than their individual lives, build trust, and acquire politically relevant information. For these reasons, it is worthwhile examining whether sporting associations also serve as sites of political education,[14] and whether participation in them enhances political – more specifically, electoral –

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[13] Trade union members are not uniform in this regard either: some may be more willing than others to take part, e.g. in collective action such as strikes. (For a psychological explanation which predicts participation in collective action mostly, though not exclusively, based on group identification, see Kelly and Kelly, 1994.)

[14] For example, participation in extracurricular activities in one's youth has been shown to predict greater political and civic involvement in (at least young) adulthood (Smith, 1999).

participation.[15] The participation hypothesis may be especially plausible with regard to sporting associations which explicitly endorse some publicly oriented concern or political aim. Examples of such associations include the Lithuanian Riflemen's Union, a state-supported paramilitary organization – an association with a long history of acting as a resistance movement against occupiers – or some sports associations participating in resistance movements in France under German occupation in WWII (Rathbone, 2022). Sports in general have become heavily politicized in a number of ways. Public commitment to political causes such as reducing poverty, anti-racism and anti-homophobia is increasingly seen as part and parcel of good sportsmanship in some regions of Europe (see, e.g., Alexander-Arnold, 2021; Hattenstone, 2021; Liew, 2021), whereas they are seen as the undue politicization of sports in others (AFP, 2021).

Sporting associations may be significant boosts to political integration and may enhance participation especially in poorer neighbourhoods. In such contexts, the lack of institutional and social infrastructure leave local residents without the knowledge, skills and motivation necessary for political – including electoral – participation (Dacombe, 2013). It is contested, though, whether in such deprived neighbourhoods, introducing sports associational life is in itself sufficient to induce civic participation effects (ibid.: 1273). Here again, concerns about the effects of promoting participation on political equality and inequality may arise. While sporting association membership may be suitable to increase political participation, it is possible that its participation effects are conditional on further background conditions, such as infrastructure and skills, that only less deprived neighbourhoods and populations enjoy.

In general, no clear effects of membership or participation in sports associations or activities on political participation or participation-relevant attitudes have been found. Some studies have suggested that sports activities and sports club membership may increase participation in other social activities, though not, it seems, in politics generally, or voting, more specifically. For example, some research has recently been conducted in a European context on the effects of membership in a sports club on social capital-related attitudes, i.e., attitudes associated with and necessary for the formation of social capital, such as trust, helpfulness, or sociable orientations (Burrmann et al., 2019). However, so far sports-membership seems to have limited effect on social capital-related attitudes, While the political participation effect of sports association membership or sports participation may be achieved in causal pathways other than through the nurturing of social capital-related attitudes, no evidence is available on such alternative causal pathways either. To take another example, in a Canadian context, while youth sports participation was found to be positively related to community activity involvement more broadly, the effects were found to be small, though lasting throughout the lifecycle (Perks, 2007). Research in Norway reached similar conclusions, finding that the effect of sports association membership – through social capital-building – on generalized trust and political commitment is weaker than that of membership in voluntary organizations more generally (Seippel, 2006; cf. Brown et al., 2014). More disappointingly, the more politically relevant the effect examined was, the weaker the effect of specifically

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[15] Historical memory often and understandably associates the link between sports and political mobilization with totalitarian regimes and their cult of health in 20th c. European history. However, political mobilization through sports was not only a concern of totalitarian regimes even historically, and not even necessarily a means of top-down mobilization. A notable counterexample is Nordau's speech at the Second Zionist Congress, where he advocated for a "Judaism of Muscles" (Kaufman, 2007: 554).

sports association membership was found to be (Seippel, 2006). It is unclear whether sports clubs potentially becoming more individualistic, if this is the case, is related to any of these somewhat disappointing findings.

8. CONCLUSIONS

This chapter has reviewed empirical literature on the participation hypothesis which examines whether active participation in other domains of public, social life has an effect on political participation – and more specifically, on electoral participation.

Firstly, while there is a relatively large empirical literature examining the effects of a variety of different social associations on civic and political participation, there is relatively little empirical research that focuses on electoral participation specifically. In fact, out of the domains reviewed, only jury service, church participation and trade union membership have been examined through this lens. Instead of a focus on the specific factors that might increase or decrease electoral turnout, much of the empirical literature is concerned with the determinants of broad phenomena such as levels of trust in institutions or fellow citizens, or with the effects that social association might have on different types of civic and political activities (such as demonstrations, boycotts) whose relevance to voting is unclear. This underlines the need for further empirical studies, especially on the effects of participation in sporting associations, and perhaps also in new domains such as entertainment and music culture, on electoral participation (cf., e.g., Jones, 2017; Perera, 2018).

Secondly, there are significant gaps in the available literature concerning the social determinants of political participation in general and of voting in particular. Thus, even where positive effects of social association and activity on political participation have been found – as in jury service or trade union membership – there is little agreement on the causal pathways through which those effects emerge. Not only does this make it difficult to distinguish correlation from causation, but it is also difficult to distinguish direct from indirect effects and intermediate from final causes, i.e., social determinants, in the relevant causal chains, and their relative importance. The most detailed inquiry in this regard concerns the effects of jury participation. Overall, there is no evidence ruling out the co-existence of multiple possible social determinants of a participation effect. Some of these may have much stronger effects on electoral participation than others, and some of these social determinants may be less characteristic of one domain of participation than others. In such cases, being able to distinguish stronger and weaker causal paths to increased turnout would be desirable, and so would greater clarity on how cause and effect are related, given that some of these may not have been anticipated by social scientists or citizens themselves.

Moreover, the available literature on the contemporary effects of social association on political participation tend to be dominated by studies of North America, and of the United States in particular. It is far from obvious that its findings, such as they are, can be transferred to other contexts. In particular, the differences between North America and Europe since the Second World War, including the effects of the pre-1989 era on the former Eastern Bloc and the existence of prominent Communist and Christian Democratic political parties in Western Europe, only emphasise the size and significance of the gaps in our social scientific knowledge. In these circumstances, even the replication in Europe of research already

conducted in North America might significantly improve our understanding of the social determinants of political behaviour, and of voting in particular, in Europe.

The relative lack of literature focused on Europe, rather than North America, may reflect the fact that 'political science' is a relatively recent academic discipline in continental Europe, where the study of politics was usually pursued in the disciplinary context of law and sociology. The relative lack of Europe-focused literature on the non-electoral causes of electoral turnout is perhaps also explained by the fact that 'low turnout' is a relatively recent European phenomenon – electoral participation has often been quite high in Europe (even without compulsory voting); and non-electoral forms of civic and political participation are generally valued in their own right, or as exemplars of civic or regional pride, rather than for their consequences on voting particularly.

Thirdly, in most domains of social participation reviewed in this chapter, not only the causal pathways through which the participation effect emerges but also the strength of this effect is contested or less impressive than what the political theory literature originally envisaged. This should not lead us to underestimate the normative significance of the findings. It is illusory to seek a single remedy for the low and declining electoral participation rates of today's European democracies. Electoral participation may still be enhanced through the participation effects induced in non-political domains of civic life reviewed in this chapter. However, these beneficial results are likely to arise from the accretion of small changes across different aspects of social life, as opposed to being the noticeable consequence of one change in particular. As the institutions and practices reviewed here do not primarily aim to promote electoral participation, the participation effect should be regarded as their collateral benefit – and therefore as one factor amongst others that should be taken into account when people try deliberately to shape their political and social environment.

Finally, future empirical research should be attentive to three complications in the study of the effects of social participation on political, and especially electoral, participation. First: not all political mobilization is democratic in kind. Antidemocratic, even authoritarian, mobilization have been a feature of recent European politics, for example, political mobilization around anti-LGBTQI referendums). Thus, future research should also identify which social determinants of electoral participation are more prone to generate democratic v. antidemocratic kinds of participation. Second: not all participation is valuable from the voter's perspective. Abstention may well be a reasoned, principled choice of the voter in several situations. Accordingly, there is a need for empirical research into the social determinants of electoral participation which distinguishes these effects on valuable vs. nonvaluable forms of electoral participation as seen from the voter's perspective. Third: social conflict or antagonism may be as, if not more, significant for electoral participation than civic bonds or associational life. In fact, certain kinds of civic association may have a dual effect: mobilising members and opponents politically, even if the latter is unintended. Hence, while the political science literature we have examined tends to present increased electoral participation on the assumption that it can serve as a proxy for, and a contributor to, democratic legitimacy, it is as well to remember that democratic politics involve competition, not just cooperation. As such, higher political participation, whether induced by deliberate political mobilisation or by more diffuse associative paths, should not be confused with the absence of political and social antagonisms, or with an attachment to collective, rather than to sectional political goals. Thus, progress in identifying and evaluating the

electoral consequences of non-electoral forms of participation requires sensitivity to the complexities and ambivalences of democratic politics.

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Chapter 11

ELECTORAL PARTICIPATION AND NON-ELECTORAL PARTICIPATORY PROCESSES

Maria Victoria Inostroza and José Luis Martí

1. INTRODUCTION

Over the past 20 years, various observations have been interpreted as indicating that democracy might be in crisis or endangered, including in the European Union. This crisis has multiple dimensions: from a deep and steady decline in citizens' trust in political parties and representative institutions, such as parliaments and executive governments, to the rise of illiberal democracies and far-right, neo-fascist political parties, to the emergence of (left-wing and right-wing) populism, and to the social fragmentation and polarization of our societies and the subsequent deterioration of our public deliberation and political life in the public sphere. Our democratic life is dangerously weakening everywhere. In this critical context, finding ways to strengthen electoral participation, even though it may not be the only path to a solution, should be an absolute priority to reconstitute our democratic systems. Efforts in this direction are happening at European, national, and local levels.

Despite its significance, it is not obvious what strengthening electoral participation means, and whether policies towards achieving this objective have a meaningful impact. In contrast to the attention paid to increasing turnout in elections and despite being essential for strengthening electoral participation, significantly less has been said about the quality of electoral participation. Many scholars have proposed non-electoral citizen engagement and participation as a fundamental strategy for reconstructing democracy (Habermas, 1989; Geißel and Joas, 2013; Smith, 2009; Lafont 2020; among others), and we agree that deepening or strengthening democracy requires expanding the opportunities for citizens to participate in public decision making well beyond their periodic involvement in electoral processes. There is a growing literature studying these forms of citizen participation, from the more traditional ones, like citizen initiatives, public hearings, and consultations, to novel ones, like citizen assemblies, citizen juries, participating in online platforms, and mechanisms of crowdlaw and crowdsourced civic engagement (see Fung 2003, 2006, 2009; Goodin and Dryzek, 2006; Alsina and Martí, 2018; Landemore 2020). Part of this literature has addressed the difficult question of measuring the quality of participatory processes (Smith

2009, Geißel, 2013). Comparisons of varieties of non-electoral participation, such as citizen assemblies and mini-publics in general vs. popular voting processes like referendums and initiatives (el-Wakil and McKay 2020; el-Wakil 2020; el-Wakil and Strebel 2021; Stone 2021) are increasingly frequent in recent literature. Nevertheless, there remains a gap in covering the connection between non-electoral participatory processes and strengthening electoral participation. The fundamental question is: Do non-electoral participatory processes have a positive impact in strengthening the quantity and quality of electoral participation, and, if so, under what conditions? This question is of utmost importance, given how central electoral processes are for the legitimacy of our democracies. We will not be able to provide a definitive answer to this question. Our research is an attempt to clarify some key issues related to it, as well as to assess some existing policies at European, national and local levels aiming to strengthen electoral participation.

2. APPROACH

The general objective of the REDEM project has been to investigate aspects of reconstructing democracy in times of crises from a voter-centred perspective. There can be no democracy without citizens, as there can be no democracy without elections and voting procedures. Better understanding how citizens in general, and voters in particular, engage in their political actions, as well as clarifying their rights, duties, and responsibilities, have traditionally been central tasks for democratic theory, and they need critical updating in times of new, multiple and overlapping crises. In this context, we have been particularly interested in exploring in depth ethical commitments which voters should adopt in a well-functioning democracy. We have also been interested in how expectations on citizens' skills, attitudes, judgments and ways to act on information might have an impact on strengthening democracy and on improving its quality. We have called this the ethical voter-centred approach.

We have tried to connect the voter-centred approach to a wider view of citizen participation, based on the assumption that the ethical rights, duties, and responsibilities of voters in a democracy should be present in other forms of citizen participation, and be compatible and mutually reinforcing under a coherent general view of the role of citizens in contemporary democracies. Recent literature on democratic theory and innovations has discussed the centrality of periodic elections. It has also stressed the importance of non-electoral citizen participation for the legitimacy of our democratic systems, whether in general voting – but non-electoral – processes, such as referendums or initiatives, or in more limited deliberative settings such as citizen assemblies or citizen juries. More traditional understandings of representative democracy, which basically restricted the role of citizens to voting in periodic elections, have been enhanced with wider and more complex ideas of a democratic system in which, in addition to elections, citizens' choices may be expressed through a variety of other processes and contexts. These recent developments, however, should not be seen as alternatives to the election of representatives by citizens, which remains a central concern of democratic theory.

This chapter focuses on advancing research on ways in which citizens' electoral participation can be enhanced or strengthened. This participation suffers today from several shortcomings and weaknesses which correlate with factors such as the decline of citizens' trust in democratic institutions and of adherence to democratic values. Concerned with these

shortcomings and weaknesses, as well as with a more general crisis of democracy, authorities at European, national, and local level are trying to design specific policies that aim to strengthen electoral participation. Such policies deserve a closer analysis and assessment, especially from the perspective of a voter-centred approach.

The challenge of identifying ways to strengthen citizen participation can be approached from several perspectives, and it requires knowledge from disciplines such as political science, sociology, psychology, and political and legal philosophy. The project meetings and conferences have regularly brought together experts from these disciplines, in addition to practitioners such as politicians, think tank professionals, and activists and citizens engaged in civic associations. This chapter too has been developed in line with this overall interdisciplinary research approach.

The REDEM project did not include empirical research activities. Therefore, the nature of our research work has been mainly theoretical, and the chapter relies on existing empirical evidence, as well as on the views of experts and practitioners involved in REDEM project activities. Nevertheless, in doing so, we also aimed to make our findings relevant for subsequent and much needed empirical research and practical applications.

To conclude, this chapter adopts the general voter-centered perspective of the REDEM project but connects this particular angle with a wider view of democratic participation and engagement. Specifically, it explores how citizen participation might be enhanced in ways that enhance the quality of voting procedures and elections. The underlying research is interdisciplinary and practically-oriented, and it aimed to be based on the best empirical evidence available.

3.   THE IDEA OF STRENGTHENING ELECTORAL PARTICIPATION

Democracy is one of the foundational values on which the European Union (EU) is based. It is a core European value and a precondition for any state that aspires to be part of the EU. It is a system which allows citizens to shape and reshape their destiny by casting laws and public policies. Democracy is the only political system that allows people to live under their own terms in conditions of freedom and political equality, and for that reason it is the only political system that can be deemed morally legitimate (Pettit 2012). In current democratic theory, there is almost unanimous agreement that a purely direct democracy, which has never existed but is now and for once empirically possible, is not a desirable ideal for real world's democracies. Even if so-called representative democracy has been under substantial theoretical and practical criticism in the last decades, the shared view among all democratic theorists is that any form of legitimate democracy must incorporate representative institutions at its core. Some recent literature questions the centrality of elections and electoral representation by arguing for alternative forms of representation, e.g., lottery or random selection of non-professional representatives (Fishkin, 2011; Landemore, 2020; among many others). Such proposals for democratic innovation remain minoritarian and they do leave some role for periodic elections. Elections and citizens participating in them remain an essential part of democracy, not only in its present-day forms, but also in forms that democratic theorists are envisioning for tomorrow (Urbinati, 2006; Christiano, 2008; Pettit, 2012; Lafont, 2020; Wolkenstein, 2023).

From a more practical perspective, all attempts to measure the degree of democracy or the legitimacy of political systems, including well-known rankings such as the Democracy Index or the V-Dem index, use a variety of indicators reflecting the quality of democratic systems that go beyond citizen electoral participation. Free and periodic elections and the conditions of voting in those elections area among the most critical elements used to evaluate the strength of democracy. Trying to enhance citizen participation, should therefore focus on electoral participation in conjunction with considering other forms of participation not necessarily as subsidiary, but as potentially complementary.

The idea that allowing people to live under their own terms requires people's involvement in electoral as well as non-electoral forms of participation is supported by theoretical arguments of political scientists subscribing to a variety of perspectives, as well as by empirical evidence. Substantial attention has been paid to ways in which we might enhance non-electoral citizen participation, as well as to identifying the factors that determine its quality. Surprisingly, scholars have recently paid much less attention to methods to strengthen electoral participation, or even to what strengthening electoral participation might mean, especially when it comes to looking at more qualitative aspects that go beyond attempts to increase voter turnout. Finally, almost no research has been conducted on how both kinds of participation, electoral and non-electoral, connect to each other, and, more particularly, on whether and how citizen non-electoral participation might help enhance not only the quantity, but also the quality of their electoral participation.

Allowing people to live on their own terms implies that their participation in democratic political life must be meaningful.[1] It is not, however, self-evident that people will always play a meaningful role in the government and administration of their polities. Two distinct perils have recently been identified in relation to the challenges of participation in democracies: the weaknesses of democracy (Dalton et. al., 2006; Habermas, 1973) and the democratic backsliding (Przeworski, 2019; Wolkenstein, 2022). While the first phenomenon refers to the lack of democratic legitimacy of governments, the low level of trust in politicians, or the increasing reluctance of citizens to vote, the second phenomenon is related to the rise of populism and illiberal democracies. Put differently, the weaknesses of democracy affect it from the inside, whereas democratic backsliding is the consequence of external processes. Apart from having an impact on democracy itself, both phenomena also affect electoral participation.

As John Dewey first (Dewey, 2012) and Jürgen Habermas later (Habermas, 1973) explained, having a non-institutional but rich and vivid public sphere, in which citizens may engage beyond their participation in periodic elections, is essential to the strength, stability and quality of our democratic systems. The decline in civic life that can be observed in most current democratic systems (Putnam, 2000), and the impoverishment of the quality of

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[1] People should be able to make their own choices without the danger of interference by being manipulation, replacement or misrepresentation. In terms of electoral participation, this requires securing freedom of expression, freedom of information and a plural and strong civil society. People should be allowed to participate in periodic elections to choose their representatives, but they should also be involved in a more dynamic and permanent manner in what has recently been described as 'participatory democratic innovations.' (See Smith, 2009; Geißel, 2012, 2013).

public debate fueled, among other factors, by the emergence of social media (Benkler et al., 2018), affect an important part of citizens' democratic life, and also have an impact on their involvement in periodic elections and the quality of democratic institutions. The two worlds are connected by democratic institutions requiring active, well-informed and politically engaged citizens, able to meaningfully participate in several forms of democratic decision-making processes. Citizens' increasing lack of trust and interest, their growing disengagement from public issues, and their feeling that democratic politics is not inherently connected to their lives, rights and duties, has a devastating effect on both their institutional and non-institutional political life (Dalton et al., 2006).

On the other hand, the rise of populism, illiberal democracies, and the far-right are threatening to change the traditional approach to elections and voting processes. Instead of seeing them as an opportunity for citizens to pass judgment and impose direction on democratic institutions after examining political issues and publicly deliberating on them, populism extends the idea that elections are simply a confrontational means to gain power in which diverse views of society compete for hegemony. In populism this is an end that justifies any means, such as ideological manipulation, the use of fake news, or even disloyalty to democratic and fair procedures through attempts to rig the elections or to raise suspicion that they have been rigged by others. (Laclau, 2005; Mudde and Kaltwasser, 2017; Mouffe, 2018)

Electoral participation remains central for the quality and legitimacy of our democratic systems. The idea of strengthening electoral participation, however, has been largely overlooked by experts and recent scholarly literature. At this point, some relevant distinctions may clarify the conceptual background in which public policies oriented to enhance that participation should operate.

The first relevant distinction is the one between quantitative and qualitative factors. An obvious way in which electoral participation might be enhanced is by adopting strategies oriented to increase voter turnout. Lower voter turnout has traditionally been identified as a clear indicator of citizen disengagement and as potentially undermining the democratic legitimacy of representative institutions. The purely quantitative goal of increasing voter turnout, therefore, has been identified as one of the main focuses in most institutional policies that tackle crisis issues of democracy.

Important as the quantitative aspects of strengthening electoral participation are, there is a wide variety of qualitative dimensions that should also be taken into account. The issue of the quality of voting has been largely ignored by the literature on citizen participation. One might even think of it as a taboo issue. This may be explained by the fact that assessing the quality of voting seems to be equated with the ability to assess whether the particular ballot cast by every citizen has been the correct choice or not. This is not only impossible given the secrecy of voting, but also very dangerous, precisely in a democratic system where the value of pluralism prevents us from passing judgment on correct political choices in elections. No substantive standard of correctness can be taken for granted.

However, there is another way of evaluating the quality of voting that does not depend on having a substantive standard of correctness. It consists in identifying the main elements that stand for quality of electoral participation on a more general level, and then verifying to what extent those conditions obtain in different contexts. One of the limitations of our

research is that it was not mandated to engage in empirical research on this issue. However, our aim has been to provide an adequate theoretical framework to conduct such empirical research in the future.

When identifying conditions that affect the quality of electoral participation, it is important to introduce another relevant distinction which consists in differentiating procedural conditions, background conditions, and individual conditions. The scholarly literature on elections have tended to mainly focus on the first type of conditions, somewhat less on the second one, and has largely overlooked the third one.

The procedural conditions of the quality of electoral participation refer to the relevant features of the electoral process itself, and they have been largely studied by political scientists. They are related to the principles of democratic inclusion, guaranteeing that nobody is excluded from participating, not only formally but also in other indirect ways, and to electoral integrity – the set of principles that must govern electoral processes to ensure that they are fair and trustworthy (Norris, 2017). Ensuring inclusion and electoral integrity is obviously critical for a well-functioning representative democracy. Contrary to what one might think, in most contemporary advanced democratic systems there still are weaknesses in this area, such as underrepresentation of certain social groups, or shortcomings in electoral integrity. Thus, in addition to the goal of increasing voter turnout, it is essential that our democracies adopt more ambitious policies oriented to strengthen these procedural qualitative conditions of electoral participation.

The background conditions are those objective conditions of the society and the institutional system in which the electoral processes take place. One of the background conditions for voting quality identified by all indexes and rankings of democracy is the effective respect for fundamental democratic freedoms, such as freedom of expression, freedom of thought, and freedom of association, among others. Another important background condition is a well-functioning rule of law based on separation of powers and institutional accountability. Public transparency is also crucial, since voters need to have access to all relevant information to form solid political judgments that may orient their voting choices. In addition, and rightly identified by the European Democracy Action Plan, a critical background condition for the quality of voting is a rich and vivid media system that complements public transparency and contributes to holding public authorities accountable for their decisions and actions. Perhaps the most important background condition is the existence of a vibrant and robust public deliberation, one mediated by a strong media system. As we shall see in subsequent sections, all these background conditions have been correctly identified by both the scholarly literature on democratic theory, particularly the one on deliberative democracy, and by the European and national institutional policies that aim to strengthen democracy in general and electoral participation in particular.

Finally, the individual conditions of the quality of voting are those conditions that characterize voters individually and empower them to vote in a wiser or more meaningful way. From a theoretical perspective, there is no doubt that the quality of voting depends, in addition to the other two types of conditions, on certain capacities and attitudes that voters must possess individually. The underlaying general idea is that better citizens make better choices and votes. And here it is important to introduce a final relevant distinction between two types of individual conditions: first, cognitive conditions, such as the level of political

knowledge held by citizens, their ability to understand and contrast information, and form sound, informed, knowledgeable judgment on that basis, and their ability to reason and discuss with people who hold different views; and second, the democratic attitudes and values that are instrumental for a better electoral participation, such as the central democratic values of freedom, political equality and civility, respect for pluralism, commitment to the public interest or the common good, etc.

Both the cognitive conditions and the attitudes and values of voters crucially depend, among other factors, on an adequate system of civic and political education. Democracies have made various attempts to improve the level of civic and political education, and, even if this is a widely studied topic (Berinsky and Lenz, (2011; Galston, 2001; Gutmann, 1999; Persson, 2015; Willeck and Mendelberg, 2022), we lack of a commonly accepted integrating theoretical framework and good empirical research allowing us to identify those policies that are most successful in strengthening electoral participation. A system of civic and political education must obviously include specific subjects in the primary and secondary education system, as well as educative strategies aiming to develop the right kind of democratic values and attitudes among children. We should also not forget the idea of long-life learning and therefore we should try to design strategies to improve and develop adequate knowledge and cognitive capacities as well as values and attitudes among adult citizens. This integral approach is still largely missing both in the scientific literature and in the institutional policies enacted by our democratic systems.

Many of these cognitive and attitudinal individual conditions have been identified in the extensive literature on civic or political culture (Dalton, 2014; Dalton et al., 2001, 2004; Dalton and Welzel, 2014; Pateman, 2012; Pharr, Putnam and Dalton, 2000). However, there is no widespread agreement neither on the concrete factors that constitute civic or political culture, nor on the main indicators that might be used to measure it among citizens. In terms of political knowledge, for instance, it is common to test citizens' knowledge about political parties or leaders or the rules that govern representative bodies and elections. Important as this might be, however, it is obvious that knowing the names of the ministers in the cabinet, or the main items in a party's electoral program, or having an accurate idea of how the legislative process works is not all that matters when it comes to being able to make wise choices and to the quality voting.
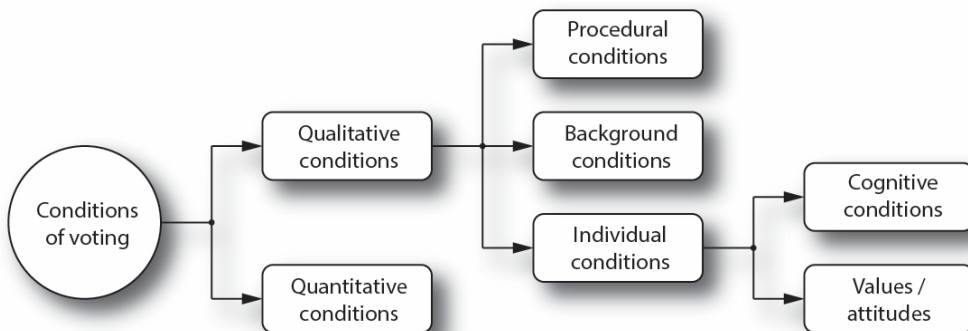
Much more research is needed on the three types of conditions that may strengthen electoral participation, and more particularly on the third one, where the conceptual framework is still weak. Considering these deficits in the scholar literature, it is not surprising that the European and national policies oriented to strengthen electoral participation that we will review in the next two sections may come across as vague and incomplete.

4. POLICIES FOR ENHANCING EUROPEAN ELECTORAL PARTICIPATION

The EU has recently implemented several actions aiming to protect and enhance electoral participation. The *2020 EU Citizenship Report*, together with the *European Democracy Action Plan*, have set a framework of action to empower citizens and build more resilient democracies. These documents propose several concrete actions aiming at strengthening democratic participation. The *European Democracy Action Plan*, for instance, seeks at a general level to strengthen and support the resilience of EU democracies by tackling the digital transformation of democracies, acknowledging the benefits, but also the risks that online campaigning and online platforms present for election integrity. To ensure a free and plural media, and to protect the democratic process from misinformation and disinformation of political behavior and decision-making, democratic resilience should be strengthened by supporting free and independent media, by countering disinformation and by promoting free and fair elections and strong democratic participation.

Besides countering disinformation, the *European Democracy Action Plan* sets out as a goal the protection of electoral processes and the empowering of citizens in an open democratic debate. It does so by promoting free and fair elections and by strengthening media freedom. The European Commission (EC) has also set out its priorities in strengthening democratic participation by introducing in 2021 new rules on transparency in political advertising, by revising existing rules on the financing of European political parties in 2021, by setting up a new EU operational mechanism for electoral resilience, by promoting respect in the public debate and by fighting against online hate speech.[2] In the same vein, the Commission explained that "maintaining democracy requires more determined action to protect electoral processes, preserve open democratic debate and update safeguards in the light of new digital realities. Democracy is about the richness of participatory practices, civic engagement and respect for democratic standards and the rule of law, applied throughout the electoral cycle."[3] These policy priorities address some of the procedural and background conditions for strengthening electoral participation, such as the procedural conditions of electoral integrity and the background conditions of a healthy media system and of a robust public deliberation.

Measures to increase overall electoral participation focus largely on voting rights in elections for the European Parliament and support an effective electoral system and an informed and engaged electorate. This is evident from the report on the 2014 European elections,[4] in which

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[2] See European Commission, Joint Research Centre (2020), Technology and democracy: understanding the influence of online technologies on political behavior and decision-making. See also (Report on the implementation of the action plan against disinformation (JOIN(2019) 12 final, 14.6.2019).

[3] Brussels, 3.12.2020, COM (2020) 790 final. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

[4] See COM (2015) 206 final.

the Commission highlighted the need to examine the reasons for the persistently low turnout in European elections in some Member States and to find ways to remedy this situation. These measures aim to increase electoral participation but not only that, as they are also intended to improve citizens' participation in democratic life in the EU. There are several ways in which electoral participation can be enhanced. Efforts to increase turnout and make voting truly representative are derived mainly from the actions recommended by the European Union to its member states. These efforts can be categorised into (i) *general actions* aimed at increasing overall turnout, for example by intensifying citizens dialogues and by promoting public debates aiming to improve the public's understanding of the impact of the EU on the daily lives of citizens and to encourage the exchange of views between citizens; and (ii) *specific actions* aimed at increasing turnout among a particular segment of the citizenry, such as youth or women, or at enfranchising the disenfranchised, for instance by promoting best practices that help citizens vote and stand for office in EU elections, including retaining the right to vote when moving to another Member State, and by facilitating cross-border access to political news.

As part of general actions, and as part of the overall effort to ensure free and fair elections, the Commission adopted in September 2018 an electoral package calling on Member States to establish national election networks, involving national authorities responsible for electoral matters and authorities responsible for monitoring and enforcing rules on online activities related to elections. This recommendation has not had any national development yet. This European cooperation network on elections serves as a platform to warn of threats, share best practices, discuss common solutions to identified challenges, and promote joint projects and exercises between national networks. In terms of promoting the rights of EU citizens at the local level, the European Week of Regions and Cities serves as a forum for implementing the European Union's cohesion policy and demonstrates the importance of the local and regional level for good European governance.

In the 2020 EU Citizenship Report, the Commission highlight the importance of the promotion of European Union citizenship rights, which include electoral rights and full democratic participation, both in the context of the effective exercise of voting rights and of strengthening citizens' participation in the democratic process. This is in continuation of the 2017 EU Citizenship Report to promote and strengthen citizens' participation in the democratic life of the EU.[5] The 2020 Citizenship Report revealed that EU citizens are increasingly making use of their electoral rights: In the 2019 European Parliament elections turnout was 50.66%, up 8.05% compared to 2014 and the highest in two decades, largely due to young voters and first-time voters.

On a different track, but also with the aim of improving the reach and efficiency of the 2019 European Parliament elections, the Commission issued in 2018 a Recommendation (COM(2018)900 final) to competent national authorities inviting them to promote the exercise of the right to vote by underrepresented groups, including persons with disabilities, and overall to support democratic behaviour and the increase voter turnout. This addresses the principle of full and effective inclusion – another procedural condition for strengthening electoral participation.

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[5] See COM (2017) 30 final.

The Commission also asked for research into best practices for identifying, mitigating, and managing risks to the electoral process from cyberattacks and disinformation. Together with the general actions pursued to increase electoral participation, there are also specific actions aimed at specific segments of the population. These actions are designed, for example, to increase the participation of Roma people, persons with disabilities, women, young people, 'mobile' EU citizens and the disenfranchised, among others.

Increasing turnout in specific segments of citizenry brough 'mobile' citizens into focus.[6] Mobile citizens pose a particular challenge to electoral participation. They are a growing group of citizens who have moved to another Member State to live, work or study, but who have the right to vote and stand for election to the European Parliament. It is estimated that 13.3 million EU citizens live in an EU Member State that is not their country of origin, of which over 11 million are of voting age.[7] Although Council Directives 93/109/EC and 94/80/EC allow mobile Europeans to vote in European and local elections in their country of residence, and Member States have successfully transposed both directives, voter turnout of mobile citizens remains low compared to that of nationals. Member States have exchanged views on the problems they identified and on the solutions proposed to mitigate the risks and clarify the relevant provisions to ensure greater participation of mobile EU citizens. These include, for example, harmonizing the deadlines for exchanging information on their registration on electoral rolls, increasing the importance of campaigns to raise awareness among mobile EU citizens about registration on electoral rolls and informing them about their rights, and addressing the issue of double voting in a comprehensive manner.[8] The 2017 Citizenship Report took stock of how mobile citizens have exercised these rights since 2012 and charted ways to improve knowledge about democratic participation, to inform and to raise awareness among citizens about their rights, to simplify the electoral process, and to work with stakeholders to achieve these objectives. Key factors of success were the promotion of best practices helping citizens to vote and to stand for office in EU elections, including retaining the right to vote when moving to another Member State, and enhancing cross-border access to political news.

Despite the fact that under EU law every EU citizen has the right to vote and to stand as a candidate in the EU country where he or she resides under the same conditions as nationals of that state, there are still obstacles affecting the turnout of these voters in EU elections. As a result, there have been continuous efforts in recent years to increase their turnout, as well as to increase citizen participation in all stages of the democratic process, which is central to European democracy.

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[6] See 2017 Citizenship Report, the Commission published a report in February 2018 (COM /2018/044 final) on the right of EU citizens to vote and stand for office in local elections when living in another EU Member State.

[7] See https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2021)694233. Accessed on February 20, 2023.

[8] See https://ec.europa.eu/info/sites/default/files/minutes_28-29_january_2021.pdf Accessed on February 20, 2023.

In 2020, specific measures were taken to increase Roma voter participation. In particular, a new strategic framework for Roma equality, inclusion and participation was adopted.[9] One of the objectives of this framework is to encourage participation of Roma in political life at local, regional, national and EU levels in Member States with significant Roma population, to ensure they register as voters, vote or run as candidates. In this sense, member states need to develop strategic frameworks allowing Roma people to participate actively in civil society at all stages of policy-making and ensuring their involvement in national and EU platform processes.[10]

People with disabilities are also underrepresented in in terms of exercising their right to vote and be elected. It is estimated that 800.000 EU citizens from 16 Member States were possibly deprived of the right to participate in the 2019 elections to the European Parliament[11] because of barriers to voting, such as limited accessibility to voting centres, and insufficiently accessible information on candidates and debates. However, national governments, together with the Commission, are working to ensure that persons with disabilities can fully exercise their right to vote. France, for instance, explained in the Meeting of the European cooperation network on elections held on 24 January 2022 that measures to ensure full participation of persons with disabilities in elections 'include introducing polling assistants at polling stations and adapting ballot boxes to help people with limited sight or reduced movement, as well as allowing for outdoors voting when voting stations do not allow access to people using wheelchairs, among other measures.'[12]

Throughout history women have been denied their right to political participation. Even if they are now enfranchised in all democratic systems, women continue to be underrepresented in virtually all national legislative bodies. However, the last few years have witnessed a rise of women participation in EU elections, largely due to various measures taken by Member States. Ireland, for example, has allocated public funding for political parties to promote women participation, Spain has introduced quota systems for candidate lists, and Romania has introduced a general obligation for political parties to have gender-balanced lists of candidates.

Young people form another population segment with low electoral participation. As a result, the European Union has launched in 2019 the *European Union's Youth Strategy*.[13] Its aim is to engage, connect and empower young people in Europe in shaping the politics of the society where they live and encourage democratic participation. An important instrument is the EU Youth Dialogue, an EU-wide participatory mechanism whereby opinions, views and needs of

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[9] See https://ec.europa.eu/info/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participation-full-package_en Accessed on February 20, 2023.

[10] See point 13 of https://www.europarl.europa.eu/doceo/document/TA-9-2020-0229_EN.html Accessed on March 03, 2023.

[11] See 2019 report of the European Economic and Social Committee *Real rights of persons with disabilities to vote in EP elections*. Accessed on March 03, 2023.

[12] See *Minute: Twelfth Meeting of the European Cooperation Network on Elections*, European Commission Directorate General Justice and Consumers, 24 January 2022. https://commission.europa.eu/system/files/2022-02/minutes_ecne_-_january_2022.pdf Accessed on 28 March 2023.

[13] See Resolution 2018/C 456/01.

young people and youth organizations are taken into account when defining EU youth policies. Last year, for instance, the French Presidency of the Council of the European Union, in collaboration with the National Youth Council and with the support of the European Commission, organized the European Youth Conference which connected more than 300 young people with decision makers from all over Europe to discuss the commitment of young people for a sustainable and inclusive Europe.[14] The EU Youth Dialogue is also a participatory tool organised around theme cycles set by the Council of Youth Ministers, a body that contributes to bringing young people's ideas into European policy discussions. This special focus on young citizens parallels policy recommendations made by the Council of Europe (Council of Europe, 2006) and the United Nations Development Programme (UNDP, 2015).

In promoting strong democratic participation, two elements have been identified as necessary conditions: (1) supporting a vibrant civil society, and (2) promoting and enhancing democratic participation. Both conditions, but especially the second one, overlap with new steps in participatory and deliberative democracy taken by several Member States via mechanisms of democratic innovation in order to get people involved in decision-making, to empower them in matters of public concern and to increase democratic legitimacy and trust. It is remarkable that the Action Plan clearly establishes a link between electoral and non-electoral participation and emphasizes the importance of both kinds of participation for the general quality and legitimacy of the democratic system.

Considering that this plan was enacted less than three years ago, it is too early for a proper empirical evaluation of its impact on European and national democracies. In 2023, the Commission committed to review the implementation of the action plan, the conclusions of which remain to be published. This chapter puts forward only a general assessment, restricted to the voter-centred perspective pursued by this project and the conceptual framework for the conditions of voting developed in section 3.

The European Democracy Action Plan provides a valuable framework to strengthen democracy and electoral participation. It is also noteworthy that in September 2020 the European Commission conducted a process of public consultation in which citizens, civil society and stakeholders could have their say about the priorities that should characterize the Action Plan. Among the strengths of the plan is the fact that it adopts a risk-mitigating approach. It correctly identifies some of the most important risks that current European democratic systems face, such as the increasing risk of manipulation or unfairness in voting procedures, the growing weakening of media freedom and its impact on the quality of public debate, the problem of disinformation and fake news, and the existence of particularly vulnerable groups of people whose political and electoral rights are not fully and properly guaranteed. These are critical issues to address in any attempt to enhance electoral participation and ultimately strengthen democracy. As mentioned before, another key strength of the Plan is the link between electoral and non-electoral participation and the identification of the importance of both dimensions of citizen participation for democratic legitimacy.

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14 See *Report On The European Youth Conference* (2022), Directorate of Youth, Non-formal Education and Voluntary Organisations at the French Ministry of Education and Youth in association with the French National Youth Council, CNAJEP.

However, it is important to notice some shortcomings and limitations that the action plan had from the beginning. First, and most relevant for this chapter, neither the *European Democracy Action Plan* nor other instruments, initiatives or documents issued by the EU, define what is meant by strengthening democracy or enhancing electoral participation from an over-arching perspective like the one developed here. Regarding electoral participation, the emphasis is either put on overriding the obstacles that might make voting more difficult for European citizens or on increasing electoral turn-out. That is, it adopts a mainly quantitative approach to enhancing electoral participation. Some of the risks identified, such as media manipulation or disinformation, are also connected to a more qualitative dimension. Other key factors such as the cognitive conditions and the values and attitudes that should be promoted among citizens, the importance of adequate education and formation of citizens, or the more general idea of how voting quality of should be understood, are largely missing. All these factors are central to the voter-centred approach adopted in this research project.

As stated in section 3, strengthening electoral participation requires paying attention to qualitative factors as well as to quantitative ones, and among the former it is critical to pay attention not only to the effective inclusion of all citizens and to background conditions, such as the need for a healthy media system and a robust public deliberation, but also to more individual cognitive and attitudinal conditions that voters should develop, and that institutional policies should help promote. The *European Action Plan*, as illustrated by the initiatives undertaken so far at national and local levels, lack of this integrating framework, and remains vague and incomplete.

This is not intended to be a general objection to the plan, but rather an identification of some of its shortcomings and weaknesses to be addressed in its review. In support of this, we hope that some considerations presented further on in the chapter, and which are part of our findings, may be relevant.

In this context, we agree that democracy must be protected and reinforced if we are to live in a free society, and one way to do this is by enhancing electoral participation. As already mentioned, one possibility consists in increasing turnout. However, increasing turnout is not a necessary and sufficient condition to make people's participation meaningful. The question we seek to answer in this chapter is whether and when do non-electoral participatory processes have a positive impact on strengthening the quantity and quality of electoral participation. This question can be addressed through various approaches, such as: (1) by studying electoral integrity; (2) by trying to raise democratic turnout; or (3) by enhancing the civic education of younger generations. However, these areas do not fall within the ethical voter-centred perspective that this work is proposing (See Section 2). In this chapter we will argue that increased turnout can be achieved through an enhanced voting quality via the impact that non-electoral participation has on participation in electoral processes. An example is the impact that mechanisms of citizen participation such as the '*Conference on the Future of Europe*' are likely to have on electoral participation. In what follows, we will describe and explain th ways in which electoral participation can be enhanced. Then, we will focus on how non-electoral participation could strengthen electoral participation.

5. NATIONAL AND LOCAL POLICIES AND NON-ELECTORAL CITIZEN ENGAGEMENT

There is no strategy or plan comparable to the *European Democracy Action Plan* at the national and local levels in Europe. All states have their own policies on electoral integrity or for political inclusion of underrepresented social groups, as has been already mentioned in the previous section. Some states have adopted additional initiatives to try to protect some of the background conditions for voting quality of voting, to guarantee civil rights and to protect the media system. All such policies, however, are fragmentary and lack a general framework for strengthening electoral participation. National and local initiatives to strengthen democracy have created new opportunities for non-electoral participation, some of them facilitated by recent developments in democratic theory. Unfortunately, these initiatives do not concern themselves with the key issue of whether and how non-electoral participation may connect or have an impact on electoral participation. In this section we turn to these democratic innovations to examine whether they might contribute to strengthening electoral participation.

In the last few decades, we have witnessed two intertwined central developments in democratic theory. One is the rise of the idea of participatory democracy, first promoted by citizens and social movements in the protests of the 1960s and 1970s, then incorporated in democratic theory by some prominent authors (Pateman, 2000; Habermas, 2015; Mansbridge, 1983; Barber, 2009), and finally implemented experimentally in all democratic systems since the 1990s. What started as a peripheral claim to strengthen democracy through a widening of opportunities for citizens to engage in public decision-making, ended up being the mainstream of democratic innovation and experimentalism, as we will explain below in more detail.

The other crucial development in democratic theory has been the so-called 'deliberative turn' (Bohman, 1998). Even if the idea of deliberative democracy is not new, and can be traced back to Ancient Greece, deliberative democratic theory developed in the 1980s and 1990s and became almost hegemonic in democratic thought (Habermas, 2015; Elster, 1998; Bohman and Rehg, 1997; Besson and Marti, 2016; Bachtiger et al., 2007; Parkinson and Mansbridge, 2012). The deliberative turn, in which participatory democracy plays an important role, places emphasis on people talking to each other rather than just on the cumulation of their votes (Dryzek, 2008). In representative democracy, people elect their rulers; votes are counted, winners are declared; those elected rule for a given time period and at the end of that period they face again the voters. All that is required of citizens is to cast a ballot from time to time: in most cases, if and only if they feel like it. They are not asked to sit down with others to discuss the issues that affect them. They are not asked to justify their voting decisions to others. Even fewer people are asked to take a public stand and actively participate in campaigning to persuade others that they should vote the same way (Dryzek, 2008).

These two developments in democratic theory have been put into practice at national and local levels through democratic participatory innovations,[15] ranging from direct democracy

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[15] Participatory democratic innovations are those 'that […] represent a departure from the traditional institutional architecture that we normally attribute to advanced industrial democracies. They take us

processes, such as referendums, to mechanisms such as mini-publics, participatory budgeting, citizen juries, consensus conferences, planning cells, deliberative polls, etc. (Smith, 2015). Democratic innovations show what deliberative democracy can look like on a small scale when people exercise the deliberative turn, i.e., when they come together to discuss common problems, see things from each other's perspective, understand each other's interests and arguments as well as their own, and agree on solutions. Accordingly, it is possible to link the practices of democracy on a small scale with decision-making in larger societies under a more systemic approach (Parkinson and Mansbridge, 2012). In order to better understand this, we will analyse how democratic participatory innovations foster citizen participation and influence the institutional apparatus of representative democracy in one particular aspect: the quality of voting.

Over the past years, the literature on participatory democratic innovations has begun to provide a framework for evaluating participatory innovations in consolidated democracies (Geißel, 2012, 2013; Smith 2009; el-Wakil and McKay 2020; el-Wakil 2020; el-Wakil and Strebel 2021; Stone 2021). Along with the literature's focus on democratic innovation, the use of participatory democratic innovation has increased in Europe over the past decade. These participatory innovations are expected to have a positive impact on the ills of democracy. Especially in elections, participatory innovations are expected to mitigate low trust in politicians and the increasing reluctance of citizens to vote. Indeed, more and more citizens, practitioners and governments are pinning their hopes on participatory innovation as a means of curing the democratic ills from which representative democracy has suffered.[16] Using this framework, we argue that participatory democratic innovations can positively influence the quality of electoral participation.

The participatory emphasis of democratic innovations has led to the implementation of different types/methods of participatory processes aiming to involve citizens in policy formation and decision-making (Geißel, 2013). In the last 10 years, more than 100 participatory democratic processes have been conducted in Europe (see Tables 1 and 2). Their outcomes feed into political processes, influence public debates, test proposals in the marketplace, legitimize public policy, build trust and constituencies for policy, promote popular control and resist co-optation. Among the wide range of possibilities, we will focus on one in particular: influencing public debates with the objective of improving the quality of electoral participation.

Traditionally, participatory innovations have been approached as case-studies mostly lacking a more general perspective, with some exceptions, like Smith (2009), Geißel (2009),

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beyond familiar institutionalised forms of citizen participation such as competitive elections and consultation mechanisms such as community meetings, opinion polling and focus groups.' (Smith 2009: 1). Another definition is the one pointed out by Geißel: 'we refer to participatory innovation as new procedures consciously and purposefully introduced with the aim of mending current democratic malaises and improving the quality of democracy' (2013: 10). These democratic innovations include popular assemblies, participatory budgeting, mini-publics. Direct legislation processes such as referendums and popular initiatives are also examples of participatory democratic innovations. Their underlying mechanisms directly engage citizens in political decision-making, by providing direct influence on political decisions, and they have institutionalised participation at local, state, transnational, and global levels.

[16] See (Warren, 1992), (Cain et al. 2003), (Dalton 2013), (Dalton et al., 2001, 2004), (Dalton and Welzel 2014), (Pateman, 2012, Pharr), (Putnam and Dalton 2000), among others

and Geißel and Joas (2013). The approach developed by these scholars constitutes a systemic, criteria-based approach. It offers a more comprehensive insight for the evaluation of democratic participation processes. In this chapter we adopt the systemic criteria-based approach to analyse democratic participatory innovation in Europe. In addition, we also include several brief case studies solely to illustrate outstanding democratic innovations together with their background and objectives.

5.1 Forms of Non-electoral Participation and Democratic Innovations

Different kinds of democratic innovations result in different kinds of non-electoral participation.[17] The aim of these procedures and mechanisms is to directly engage citizens in political decision-making, by seeking to directly influence political decisions. Since the impact of these processes of democratic participation on the quality of voting and turnout in elections is not entirely clear, we have tried to understand the kind of contribution that they might make in this respect. For more clarity, we have divided them into two categories: general participation processes and fragmented participation processes.[18] The former call on citizens to participate, either through traditional directly democratic mechanisms such as referendums, consultations, or plebiscites, or through indirect mechanisms that complement traditional representative decision-making processes such as citizen initiatives or recalls. The latter mobilize only a fraction of the citizenry, whether randomly selected or self-selected (or, more usually, a combination of the two), and it includes mini-publics, citizen assemblies, deliberative opinion polls, consensus conferences, citizens' juries, planning cells, etc. This distinction is not always clear, since some participatory processes might be open to everyone, including residents with no political rights, but end up engaging only a very small segment of the population.

Some of the processes of general participation can fit the umbrella-concept of direct democracy (See Coppedge, Gerring and Altman, 2018; Welp and Ruth, 2017). For the purpose of this chapter, direct democracy constitutes 'a set of procedures allowing citizens to take political decisions directly through a vote beyond the regular election of representatives. These procedures are regulated either by the constitution or by law. Some are triggered automatically (i.e., mandatory referendums), some by political actors in power ('top-down' procedures), and some call for the prior collection of citizen signatures ('bottom-up' procedures). The results of the activation of these mechanisms may be binding or merely consultative (Welp and Ruth 2017, p. 1)'.[19] These elements may different significantly in their characteristics, depending on who is in charge of deciding the issue that is included on a political agenda or up for a vote (Hug and Tsebelis, 2002).

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[17] For a detailed map of the different institutional innovations available, see Gastil and Levine, 2005.

[18] This distinction resembles -but it is not equivalent to- the most recent one introduced by some scholars between popular vote decisions and assemblies (el-Wakil and McKay 2020; el-Wakil 2020; el-Wakil and Strebel 2021; Gherghina and Geißel 2017).

[19] According to the Venice Commission Report CDL-AD (2005)034, 'The general practice in Europe is for a national referendum to be provided for in the constitution. Where there is no such provision, referendums have either not been introduced on a permanent basis or are quite exceptional' (p. 6) the constitution of the majority of European states provides for the organization of national referendums. States who have no provisions for this are: Germany (See Geißel 2017: 156), Belgium. Netherlands and Cyprus.

Direct democracy is playing an increasingly central role in efforts to legitimize political change in democratic systems. Indeed, mechanisms of direct democracy now exist in law and in practice in various states and at different levels of government. This chapter concentrates on direct democracy in the form of referendums, more specifically on constitutional or legislative referendums, and on citizens' initiatives, agenda initiatives, and recalls (Beetham, 2008), because referendums give citizens a direct say in matters that would otherwise be decided by their representatives. In recent years, direct democracy mechanisms have become more prevalent at local and state levels, but their use has expanded to the supranational EU level (Mendez et al., 2014). Specifically, the EU holds three types of referendums: (1) referendums on EU issues, (2) citizens' initiatives on EU issues at member state level, and (3) European Citizens' Initiatives (ECI).

Let us focus on referendums as the paradigmatic instance of direct and general participation. Since 1972 59 referendums have been held in Europe on EU matters concerning membership, ratification of treaties or specific policy issues (e.g., the introduction of the Euro), (Del Monte, 2022). As Table 1 shows, in recent years referendums seem to have taken two directions. On the one hand, we find those that aim to involve citizens in important decisions concerning internal policies affecting their daily lives, as was the case in referendums held in Croatia. On the other hand, we find referendums on EU-related issues, which differ from those held between 1972 and 2000, as they now focus on issues of salient national importance, for instance, the referendum carried on by Denmark to join the EU's defence policy.

Table 2 provides information on the experience with direct democracy at state and supranational levels. Interestingly, a very recent empirical study seems to show that organizing and holding more referendums might have a negative impact on voter turnout. Apparently, when citizens are called to vote too frequently, a larger number of them decide not to vote (Kostelka et al., 2023).

The last decade has also witnessed the introduction of innovations of more fragmented participation, mostly deliberative ones, with the aim of engaging citizens in political will formation (See Geißel 2013, p. 8), and providing them with a formal role in established institutional procedures (Smith 2009, pp. 2-11). One of the reasons for their popularity is that these mechanisms have the capacity to address a variety of deficits that affect current democracies. Participatory innovations can be motivated by epistemic concerns with improving the quality of the content of the results, by democratic considerations to improve citizen participation and the representativeness of political decision-making bodies, or by a combination of both (Lafont 2019, p. 101). Participatory innovations should lead to informed decisions that consider the interests, values, and ideas of citizens, because these decisions are reached by people deliberating together on the issues or policies in question. Putting the emphasis on citizen deliberation can lead (not only through increased voting) to judgments that are informed, track relevant facts, and are considered.

Mini-publics are the most popular kind of participatory democratic innovations (Wright and Gastil, 2019; Reuchamps et al., 2023). John Dryzek defines mini-publics as a mechanism designed 'to be groups small enough to be genuinely deliberative and representative enough to be genuinely democratic – although they rarely meet standards of statistical representativeness, and they are never representative in the electoral sense' (Bächtiger,

Dryzek, Mansbridge, et. al. 2018, p. 13; see also Goodin, 2008, p. 11). According to Paulis, Pilet and Panel et. al (2021, p. 522), mini-publics 'are based upon two basic constitutive elements: (1) They must run a deliberative process, meaning that participating citizens reach their conclusions or recommendations after receiving information and engaging in a careful and open discussion about the issue or issues before them; and (2) Its members are selected to constitute, as far as possible, a representative subset of the wider population.'

One well-known form of mini-public is the *Deliberative Opinion Poll* (Fishkin, 1991, 1995, 2011, 2018). This mechanism was designed and launched in 1988 by James S. Fishkin and his Centre for Deliberative Polling. A Deliberative Opinion Poll is set up by drawing a random sample of 250 to 500 citizens. They listen to expert testimony, break into smaller groups of about 15 people each to formulate questions for experts, and then gather in plenary to present these questions to expert panels. Participants are surveyed before and after to measure both information gathering and changes in opinion over the course of the event. Deliberative polls are a large and expensive undertaking and are usually conducted in collaboration with the media, which publishes the results. Ackerman and Fishkin, in their book Deliberation Day (2004), suggest expanding this model into a nationwide Deliberative Poll before national elections, with simultaneous events across the country in which all citizens could participate.

Citizen assemblies constitute another variety of mini-publics, one that has become very popular in the last few decades (Curato et al., 2021; Reuchamps et al., 2023; though for concerns about their democratic credentials see Lever, 2023; Lafont, 2021). They consist of a number (usually between 50 and 150) of randomly selected citizens, usually stratified and adjusted to ensure their fair representativity, which meet regularly to deliberate about a topic or a range of topics, generally with the aim of producing some decision or recommendation, which may eventually be submitted to a wider referendum. In contrast to deliberative opinion polls, citizen assemblies are normally geared to reach some kind of agreement which is taken by majority rule. Their nature is essentially deliberative too. They are seen as contributing to wider public deliberation and decision-making guidance. The first modern citizen assemblies were organized in 2004 in British Columbia (2004) and in 2006 in Ontario, Canada (Warren and Pearse 2008). Other very popular citizen assemblies were the ones organized in Ireland in 2016 to debate issues to be submitted to constitutional reform (Farrell and Suiter 2019).

Citizens' Juries were created in the US, in 1974 by Ned Crosby and the Jefferson Center with the goal of resolving important questions about policy or planning. Citizens' Juries receive information, hear evidence, cross-examine witnesses, and then deliberate on the issue at hand (see, e.g., Coote and Lenaghan, 1997; Crosby, 1995; Gastil and Levine, 2005, Smith and Wales, 2000; Stewart, Kendall and Coote, 1994). Usually, a Citizens' Jury is commissioned by a public authority to which it makes its recommendations. Citizens' Juries were first used to evaluate Presidential candidates in the 1976 U.S. election. Beyond the Jefferson Center and the US, the Citizens' Jury method has been adapted for use in Australia, Germany, and was particularly widespread in Tony Blair's Britain on issues such as health policy, transport and infrastructure, planning issues and local governance (Smith and Wales, 2000).

Planning cells were designed as a method for deliberation in the form of a "micro-parliament" with the purpose of improving citizens' representation, especially vis-à-vis their government

representatives. Their aim is to improve the efficiency of decision-making in the planning process and to provide citizens with new opportunities for political participation (Garbe, 1986). To this end, a small group of people from different backgrounds work together in a planning cell to develop a set of solutions to a problem assigned by a commissioning body. These solutions are then evaluated and the final recommendations are presented in the form of a citizens' report.

Consensus Conferences were initiated in 1987 by the Danish Board of Technology (Joss, 2002). They are a way to deliberate on policy issues with a highly technical content using a combination of lay people and experts. Under the original Danish model, a small group of 15 lay people holds two weekend preparatory meetings to set the agenda for a four-day public forum. There, experts give testimony and are questioned, after which the lay panel retires to write a report that is presented at a press conference at the end of the fourth day, usually attracting the attention of politicians and the media (Dryzek, 2008). In essence, consensus conferences are meetings to formulate and present the opinion of the average member of society on a given issue. The participatory consensus conference functions similarly to a jury, except that laypersons and experts deliberate on technical problems (Joss and Durand, 1995; Hendriks, 2005; Sclove, 2000).

Finally, one of the most innovative ideas that have been launched and implemented in our democratic systems in the last decade is crowdlaw (Noveck, 2018; Alsina and Martí, 2018). Crowdlaw can be defined as any mechanism that, tapping into the use of digital technologies, favours the engagement of large numbers of citizens in the cycle of law and policy making with the double aim of enhancing legitimacy and the effectiveness and efficacy of the resulting decisions and policies. Based on the idea of collective intelligence and the power of collaboration, crowdlaw presents a totally new approach to public management and to the task of solving public problems (Noveck, 2021), and has the potential to provide citizens with much wider opportunities for citizen engagement. In contrast to most democratic innovations discussed in this section, crowdlaw allows for the engagement of large numbers of citizens, facilitated by technological means, and lets citizens have a more direct involvement with legislatures and the public administration (Noveck, 2015; Neblo et al., 2019). One of the first implemented examples of crowdlaw was the Peer to Patent project led by Beth Noveck which transformed the process of patent reviews in the US Patent and Trademark Office (Noveck, 2009). Another significant example has been the project of Crowdlaw for Congress implemented in the US (Noveck, 2020). The number of crowdlaw experiences has been multiplying in the last few years all over the world. In fact, two of the case studies that will be reported in the next section – Decidim and vTaiwan – are usually seen as typical examples of crowdlaw.

This section has reviewed the variety of forms of non-electoral citizen engagement that have exploded and spread over our democratic systems in the last decades. However, there is no evidence available on the actual impact of all these forms of citizen participation on enhancing electoral participation. Intuitively, we might expect that insofar as citizens have greater opportunities to engage in public decision making, they will be more active politically, better informed, more interested in public issues, and perhaps will also develop more democratic attitudes. But we have no empirical support for that claim. One of the few works that have been undertaken in this direction seems to actually indicate that multiplying the

opportunities for voting, for instance by organizing more referendums and consultations, might have a negative effect on voter turnout, by lowering it (Kotelka et al., 2023).

5.2 The Quality of Non-electoral Citizen Participation

Returning to non-electoral participation and its impact on the quality of voting, it might be the case that some mechanisms of citizen participation operate in such a way that participants learn about the views of others and learn to respect those views and engage in a meaningful exchange of arguments with mutual recognition and reciprocity. By extension, we can ask whether these mechanisms may impact wider public deliberation and other conditions associated with the quality of electoral participation, and, more specifically, enhance the democratic culture of citizens in ways that improve the quality of their voting. The numerous democratic experiments that have taken place in the last two decades and in recent months give reasons for optimism about the link between democratic participation and democratic culture. If this is indeed the case, it will offer more clarity on whether democratic participation leads to a democratic culture, which will ultimately be reflected in an improvement of the conditions of quality of electoral participation described in section 3.

The discussion of democratic culture is illuminating in finding links between the quality of voting and non-electoral citizen participation. In particular, there seems to be a link between good democratic culture and democratic participation. People who participate in some form of democratic process appear to be better informed, more knowledgeable about how to influence democratic decision making, and elect representatives who better reflect their attitudes and values. As a result, it has become quite common, to consider democratic innovations increasing citizens' participation beyond elections as a possible cure for challenges faced by traditional representative institutions – low trust in politicians, declining turnout to elections, or partisan disaffiliation (Dalton et al., 2004; Hay, 2007; Mair, 2013).

As previously indicated, some scholars have taken a more systemic or general approach to the study of democratic innovations and their impact on democratic systems and on citizens themselves, instead of the more common, particularist, case-study approach (Goodin and Dryzek, 2006; Smith, 2009 and the work of Geißel). They do so through a common framework for impact analysis applicable to different democratic innovations (see for an overview Geißel and Newton, 2012; Geißel and Joas, 2013, also e.g. Smith, 2009; Fung, 2003, 2006; Reuchamps and Suiter, 2016; Goodin and Dryzek, 2006).

As shown in Table A, some authors focus on criteria such as inclusion and equality, on efficiency and effectiveness, or on aspects of legitimacy and accountability. Smith (2009), for example, applied the following criteria: inclusiveness, popular control, considered judgment, publicity, efficiency and transferability. Geißel, on her part, proposed five criteria for democracy innovations (although she calls them participatory innovations): 1) inclusive participation and meaningful participation, 2) legitimacy, 3) deliberation, 4) effectiveness, and 5) enlightened citizens.

Table A shows different generations of frameworks which share common points, the most frequent being (1) inclusive participation, (2) meaningful participation, (3) effectiveness and (4) quality of deliberation. In contrast, fewer frameworks included (5) legitimacy or (6) citizens' enlightenment as necessary criteria.

	Renn et al. 1995	Chess and Purcell 1999	Rowe et al. 2004	Abelson and Gauvin 2006	Dalton et al. 2006	Holtk. et al. 2006	Papadop. and Warin 2007	Fung 2008	Smith 2009	Geißel 2009	Michels 2011	Geißel 2012
Inclusive participation	(x)	(x)	x	x	x		x	x	x	(x)	x	x
Meaningful participation			x	x	(x)		(x)	x	x	(x)	x	x
Legitimacy		(x)		x		x				x	x	x
Quality of deliberation	(x)			x			x	x	x	x	x	x
Effectiveness		x	x	x		x	x	x	x		(x)	(x)
Citizens' enlightenment	(x)	(x)		x					(x)	x	x	x
Other criteria (examples)	fairness		many	process rules	trans-parency		publicity, accoun-tability		trans-ferability			trans-parency

x = mentioned explicitly, although terms differ
(x) = mentioned implicitly

Table A: Frameworks and Criteria Applied in Evaluation Studies on Participatory Innovations. Source: Geißel, B., and Joas, M. (Eds.). (2013). *Participatory democratic innovations in Europe: Improving the quality of democracy?*. Ed. Verlag Barbara Budrich.

Many of the criteria that have been used to evaluate the quality of non-electoral citizen participation can be also used to assess their instrumental capacity to enhance the quality of electoral participation, basically by connecting them with the three types of conditions identified above: procedural conditions, background conditions and individual conditions, both cognitive and related to attitudes and values. This, in turn, may be a useful guide for institutional policies aiming at strengthening electoral participation under a clear and integrated framework.

For instance, democratic innovations that strengthen the cognitive abilities of citizens, such as mini-publics, could help voters develop their capacity to compare candidate voting records (priority panels); legislative panels could evaluate the performance of legislators; and candidate selection panels could evaluate candidates for executive, judicial, and administrative offices (Gastil, 2000: 139-163). As Gastil explains, these mini-publics could act as 'a transmission belt from deliberation to voting, from the expression of the public's deliberative voice to its ability to reject unrepresentative public officials' (Gastil, 2000: 162).

Other forms of non-electoral participation may have positive effects in strengthening democratic attitudes and values of voters. This may be the case, for instance, for citizen assemblies or deliberative polls, since they bring together a group of citizens in an environment designed to promote discussion, increase knowledge, motivate participants, and help them form opinions on public issues in a more rational way (Fishkin, 1995).

In a study conducted to empirically evaluate the effects of the 2007 deliberative poll set up in Turin to discuss immigrant voting rights in local elections and the construction of a railroad line, Fiket and Memoli (2013) found evidence that this procedure promotes a deliberative democratic approach, consisting in democratic debates and exchanges of rationale aiming to reach consensus for a best argument. This clearly has a positive impact

on inclusive participation and on citizens enlightenment and, depending on institutional design, could also have a positive impact on meaningful participation and effectiveness.

To conclude, many scholars have contributed to advancing the understanding of the quality of non-electoral participation. The frameworks they have developed may prove useful to both better understand the quality of electoral participation and to find out whether forms of non-electoral participation may have a positive impact on the quality of electoral participation. We still lack solid empirical evidence showing that non-electoral forms of participation might have an impact on the quantity or quality of voting. But one way in which empirical research might be conducted would be to relate the main elements of the quality of non-electoral participation to the set of procedural, background and individual conditions that determine the quality of electoral participation.

5.3 Four Cases of Participatory Democratic Innovation

As a way of complementing the general overview of non-electoral citizen engagement, we look in greater detail at four specific cases of citizen participation at local, national and European levels which have been regarded as having a positive impact on strengthening democracy: DECIDIM in Spain, vTaiwan, the Chilean Constitutional Convention, and the Conference on the Future of Europe.

5.3.1 DECIDIM

The 15 million Spanish Indignados Movement of 2011 led, among other things, to a deliberative wave across all of Spain. Some of its members ended up forming political parties, some of which were successful in the Spanish local elections of 2015. The deliberative wave that had been catching momentum found its way into Spanish institutions (Haberer, 2022). In 2015, to support deliberative processes, the Madrid city council launched CONSUL, a citizen participation digital platform, which was adopted by the city council of Barcelona a year later and became the seed of DECIDIM.

DECIDIM ('we decide') is both a free software platform and the name the city council of Barcelona uses to name its citizen participation programmes. As a platform, it is becoming a *de facto* standard and has been adopted by hundreds of public administrations, civil society organisations and private firms, among others the Catalan Government, the European Commission, the French National Assembly and Senate, and the cities of New York and Helsinki.

As a participation programme, DECIDIM was first implemented to collectively draft the Barcelona Strategic Plan (PAM) 2016-2019 and has since been used in more than one hundred participatory processes, from strategic plans at the city or the borough level, to sectoral planning like urban planning, draft ordinances or to gather opinions on a variety of topics. It has supported different types of citizen participation, including deliberative processes, citizen assemblies, participatory budgeting or crowdlaw initiatives.

The programme has had a deep impact: It has enhanced the meaning of concepts such as participation, deliberation, being a citizen, governance and decision-making. It has shifted norms on how citizens' issues are diagnosed, how consensuses are reached, and how laws are designed, implemented and enforced. It has led to shifts in power by redefining legitimacy,

representation, the organisation of civil society, minorities, and the right to have a voice (Peña-López, 2019).

Through DECIDIM, deliberation has become a cornerstone of democracy at the level of the Barcelona city council and in the relationship between institutions and citizens. A key precondition for deliberation is full openness of public information. Thus, transparency and open data are key elements of the entire participatory programme, even if they are not formally part of DECIDIM.

Of course, DECIDIM has changed neither mainstream politics nor mainstream policy-making. But it has become an irreplaceable part of the city council, and, more so, part of civil society organisations and of individual citizens. It has structured the public debate, made it more transparent, improved its traceability. It has also contributed to better identifying the main political actors, helped them to coalesce and to build critical mass, and to assess the actual magnitude of issues.

The challenge, for the nearer future, is to tell to what extent DECIDIM has not only improved participation but has also succeeded in reaching out to actors that usually are not part of the public agora. That is, whether the impact is not only qualitative but also quantitative.

5.3.2 vTaiwan E-Rulemaking Public Consultation Meeting

In 2015, the 'vTaiwan e-Rulemaking public consultation meeting' was organised in Taiwan to involve citizens in government decision-making through crowdsourcing. vTaiwan was conceived as an open consultation process, with online and in-person discussions, bringing together experts, government officials, stakeholders, and citizens to reach consensus and issue recommendations for national legislation. In this particular case, the public consultation was successfully used to facilitate negotiations between the Taiwanese authorities, citizens and Uber in order to decide on the latter's regulation in Taipei. More than 4000 participants were crowdsourced to set the agenda of the government meeting, on which anyone could submit propose proposals. The results of the poll were then discussed via live video broadcasts.

Similar to the use of DECIDIM to support a participatory program that involves crowdlaw initiatives, vTaiwan was managed via the Pol.is platform. Pol.is is an artificial intelligence-based system enabled by advanced statistics and machine learning that facilitates real-time conversations by collecting, analysing, and understanding the opinions of large groups of people expressed in their own words. The use of crowdsourcing combined with machine learning enabled various stakeholders – citizens, stakeholders, Uber representatives, taxi drivers, experts, and government officials – to crowdsource ideas and identify areas of consensus. The deliberative process was conducted using online and offline methods. Various supporting technologies ensured that the process was transparent and open to public participation and review. The process included statements that others could agree or disagree with, government ministers speaking on television about the consensus points, government co-hosts holding mixed stakeholder meetings, and a government commitment to ratify the consensus points.

Two aspects of the vTaiwan case need to be emphasised. The first one concerns the lack of initial consensus among actors. In fact, initially groups were fiercely divided regarding how to deal with the Uber issue. However, the recommendations that emerged at the end of the

process reflected a high consensus and were used as a starting base for talks with Uber, taxi drivers, and the government. Importantly, these discussions were broadcast live and transcribed. At the end, the process resulted in Uber and other groups making important concessions in response to the suggestions made, and the government adopted new regulations in line with vTaiwan's recommendations. The second aspect concerns the overall process. Despite the exceptional character of vTaiwan, several additional editions were organized. It was a successful example of how participatory innovations can lead to the passage of laws by Taiwan's national legislature, and increase trust in officials and in the legitimacy of political decision-making.

5.3.3 The 2021-2022 Chilean Constitutional Convention

On October 6, 2019, thousands of school and university students in Santiago, Chile, initiated a massive, coordinated campaign of fare evasion in the subway system. The movement, which responded to a fare raise, led to several instances of confrontation between protesters and the police. When , on October 18, the Minister of Interior and Public Security initiated criminal proceedings against some students, the conflict rapidly escalated: There were widespread protests, looting, and confrontations throughout the country. The focus of the protests quickly shifted from a discussion over subway fares to a widescale questioning of various aspects of Chilean social, economic, and political life. On October 19, President Sebastián Piñera decreed a state of emergency and subsequently ordered curfews in several cities in the country. The protesters responded with massive demonstrations, many of which led to new confrontations with the police.

The social outburst that shook Chile in 2019 had historical proportions. On several occasions, hundreds of thousands (and even millions) of Chileans took to the streets to demand "dignity" from their political institutions. According to a UN report, 26 people died and over 12,000 were injured in the confrontations.[20] Appeasement only came in November 2019, when Chile's National Congress signed an agreement to hold a national referendum on constitutional reform. Chile's constitution at that time dated from 1980 and was written by the government of dictator Augusto Pinochet. Several previous reform attempts had failed, due to restrictive procedures set out in the constitution itself.

On October 25, 2020, a national referendum was held, asking the citizenry whether they wanted a new constitution and which institution should draft it. Despite fears over the then-raging COVID-19 pandemic (which forced a temporary, 6-month postponement of the plebiscite), the referendum had the largest turnout in Chilean history so far. Over 7.5 million Chileans went to the polls to request a new constitution (78% to 22%), and for it to be drafted by a newly elected Constitutional Convention (79% to 21%). The turnout for the 2020 constitution referendum was over four times larger than the 1.8 million votes cast in the 2017 presidential election. In 2021, the Constitutional Convention was elected with a turnout of over 6 million. That same year, 8.4 million Chileans voted in the second round of

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[20] United Nations, Office of the High Commissioner for Human Rights, Report of the Mission to Chile: 30 October-22 November 2019, available at

https://www.ohchr.org/es/2019/12/un-human-rights-office-report-chile-crisis-describes-multiple-police-violations-and-calls.

the presidential election in which Gabriel Boric – a 36-year-old activist and former student leader, highly engaged in the 2019 protests – was elected President.

There is widespread agreement among commentators that the protests contributed to the reinvigoration of electoral procedures in Chile.[21] Claudia Heiss explains that the participation of a 51% of the electorate in the constitutional referendum was "a significant showing given the low turnout that ha[d] become a feature of political life in Chile".[22] More significant yet was the nature of the electoral participation, which can be directly traced to the protests: while "[t]urnout was lower than usual in wealthy districts, perhaps because the 'no' option on the constitution-making process had come to be seen as a lost cause", "young voters and those with lower incomes – segments of the electorate often missing at the polls – upped their participation significantly".[23]

The Constitutional Convention began its work on July 4, 2021, and delivered a final proposal for a new constitutional text in 2022. The text was submitted citizens' approval in a new referendum, which took place in September 2022. The Convention was presided by Elisa Loncón Antileo, a representative of the Mapuche (an indigenous people). To support the Convention, several venues for public participation were established: There were 327 "cabildos" (town halls),[24]   77 popular law-making initiatives (with nearly one million participants),[25] and 248 initiatives from indigenous peoples.[26] However, in September 2022, the new constitutional text was rejected in a referendum by 62% majority.

5.3.4 The Conference on The Future of Europe

The Conference on the Future of Europe (CoFoE) was a citizen-led series of debates and discussions organised between April 2021 and May 2022, which allowed people from across Europe to share and debate ideas towards shaping a common future. Its objective was to give citizens of the 27 Member States the opportunity to express what they expect from the European Union. It represents one of the most recent examples of how debates and collaborations between citizens and politicians can develop successful models for deliberative democracy through experiments with deliberative assemblies.

The CoFoE has provided useful insights into experiments in participatory democracy. As with many democratic experiments, CoFoE had its own structure and represented an

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[21] See, e.g. Heiss (2021, 42), "Latin America Erupts: Re-Founding Chile".

[22] Heiss (2021, 42).

[23] Ibid

[24] "Cabildos" are "self-convened or municipal organization meetings that will allow a group of people to meet to deliberate on constituent issues, allowing their subsequent systematization in order to promote inputs for the deliberation of the thematic commissions." See Plataforma Digital de Participación Popular, "Cabildos y Encuentros", available at https://plataforma.chileconvencion.cl/m/cabildos/.

[25] See Plataforma Digital de Participación Popular, "Iniciativa Popular de Norma", available at https://plataforma.chileconvencion.cl/m/iniciativa_popular/.

[26] "The purpose of the indigenous participation and consultation process will be that, within the framework of the operation of the Constitutional Convention and the proposed Constitution that it elaborates, the State of Chile recognizes, specifies, respects, promotes, protects, and guarantees all its obligations towards the different pre-existing indigenous peoples and nations, which emanate from the international obligations contracted". See Plataforma Digital de Participación Popular, "Iniciativas de Pueblos Originarios", available at https://plataforma.chileconvencion.cl/m/iniciativa_indigena/.

extraordinary experiment in terms of size and ambition. It encompassed a multilingual digital platform for idea sharing, decentralized events – online, in person and hybrid events with national, regional and local European authorities, as well as four Panels, each made up of 200 European citizens chosen through random selection, in addition to national panels and a Conference Plenary.

Each of the four European Panels[27] of the CoFoE included young people and convened in three sessions. The panels allowed citizens to have direct exchanges with politicians by following 'a rigorous methodology and a clear deliberative protocol, built on the already rich experience of citizens' assemblies, with input from experts, facilitators and fact-checkers, will be implemented to allow a true bottom-up and citizen-driven deliberation.'[28] The panels were divided into three phases of work that coincided with each of the sessions. In the first phase – agenda setting – citizens prioritized the issues they wanted to address and to delve into as a group. In the second phase, citizens addressed the previously identified issues in a 'thematic deepening' process. The third and final adopted recommendations. To accomplish this work, panels' sessions consisted of plenary parts, where general presentations were made and discussions were held with input from all participants, and breakout sessions or working groups, where work was concentrated on subtopics.

The most innovative element was the Conference Plenary, where, after final recommendations were made, a final feedback event allowed citizen to track responses to their recommendations and possible practical implementations. The recommendations of the citizen panels were debated without a predetermined outcome. Two specific aspects were innovative. The first concerns the end of the deliberative process, the final recommendations of the panels. Its function was to transform the citizens' agenda into a political process. It worked like a 'chain of connection' between the panels and the plenary, but also took into account the contributions collected on the multilingual digital platform used for interactions during the Panel sessions. The second innovative aspect concerns the hybrid format of the plenary, together with its time-limited focus and its multi-level process structure.[29] Composed of more than 400 people and taking place in the hemicycle of the European Parliament, its purpose was to debate and discuss the substance of the topics of the National and European Panels. Working on a consensus basis, the plenary presented its proposals to the executive board of the Conference, which then drafted and published its conclusions.

An analysis of the qualitative data from the SenseMaker survey[30] conducted by Citizens Take Over Europe to measure public attitudes toward the Conference on the Future of Europe carried out by the European University Institute (EUI) showed 'that most respondents want to be involved through participatory instruments, such as working groups,

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[27] Panel 1 - "Stronger economy, social justice, jobs, education, culture, sport, digital transformation"; Panel 2 - "EU democracy, values, rights, rule of law, security"; Panel 3 - "Climate change, environment, health"; Panel 4 - "EU in the world, migration."

[28] See Conference on the Future of Europe, The European Citizens' Panels - questions and answers, available at https://futureu.europa.eu/en/assemblies/citizens-panels?locale=en

[29] See https://missionspubliques.org/towards-the-plenary-of-the-conference-on-the-future-of-europe/?lang=en Accesses on December 7, 2022.

[30] See Davis 2022.

citizens' panels or thematic surveys which should be disseminated throughout CoFoE. They envision a collaborative process of drafting policy recommendations with other EU citizens, ensuring their voices are heard and improving existing proposals. Respondents perceive themselves as capable of working on solutions for complex problems and thereby offering valuable input to improve the quality of policy-making.'

6. CONCLUSIONS

In the current context of the crisis of democracy, strengthening electoral participation is a critical objective which can be described via quantitative factors, such as voter turnout, qualitative ones, or both. While elections remain central for the legitimacy of our democratic systems, a plurality of forms of non-electoral participation and democratic innovations have proliferated and have been implemented throughout our democratic systems. These innovations and non-electoral participatory processes may have a significant role to play in enhancing the democratic legitimacy of our systems by reinforcing democratic inclusion and by improving the epistemic capacity of public decision-making processes. However, it is an open question whether the use of such non-electoral forms of citizen participation may have a positive or negative impact on electoral participation. More research is urgently needed on this issue.

In this chapter we have provided, first, a general framework of analysis to better understand the idea of strengthening electoral participation, both in its quantitative and qualitative dimensions. We have introduced several relevant distinctions that have allowed us to understand the various types of conditions that should be fulfilled in order to strengthen electoral processes and voting. We have distinguished between procedural conditions – such as the principle of inclusion and electoral integrity, background conditions – such as respect for basic civil democratic freedoms, the existence of a robust public deliberation and of a healthy media system, and individual conditions, which include political knowledge and cognitive capacities, as well as the ability to develop the right kind of democratic values and attitudes. This framework, even if it still needs further and more detailed development, can be useful in guiding institutional policy efforts to strengthen democracy in general, and electoral participation in particular, as well as to assess those policies that have already been adopted at European, national and local levels.

Second, we have studied some European initiatives that have been recently launched with the aim of strengthening EU and national democratic elections. We have argued that, even if such initiatives correctly identify some of the most important risks threatening our electoral processes, they do not provide a precise and complete framework of analysis and leave several gaps unfilled.

We have also explored the most important strategies pursued at national and local levels to strengthen democracy by promoting different forms of non-electoral participation, with a special emphasis on some recent democratic innovations. We conducted four case-studies of different instruments/processes of non-electoral participation: the DECIDIM online platform developed by the city of Barcelona, the vTaiwan digital space for citizen engagement in Taiwan, the recent Chilean constitutional convention, and the Conference for the Future of Europe. Even if some take for granted that promoting forms of non-electoral participation is the key strategy to strengthen not only democratic legitimacy in general, but the quantity

and quality of electoral participation in particular, we argue that this is not yet a foregone conclusion.

In general, we lack conclusive evidence of which policies may be effective in strengthening electoral participation. More concretely, we do not know whether non-electoral participation might have a positive impact on electoral participation. Some initial empirical research might actually suggest that at least some mechanisms of direct democracy, such as referendums and consultations, might have a negative impact on voter turnout. But no empirical study has shown how non-electoral participation might improve the quality of voting in elections.

Finally, we have explored some of the frameworks most commonly used to evaluate the quality of non-electoral participation, and we have briefly examined how some of the criteria used to evaluate this type or participation might be connected to some of the constitutive conditions of the quality of voting. The four concrete case studies we have selected exemplify the kind of European, national and local strategies that aim to promote non-electoral participation as a way of enhancing democratic legitimacy and the quality of electoral participation.

The ultimate conclusion should not be a surprise. Much more research is urgently needed, both theoretical one but also and especially empirical. The research conducted in this chapter aimed to improve the understanding of what strengthening electoral participation means and how it can be achieved, by assessing the main policies enacted at the European, national and local levels targeting this objective, and by exploring whether and how promoting non-electoral participation might be an adequate strategy to strengthen electoral participation.

Table 1: Referendums in Europe 2012-2022

Country	No. of direct democracy processes	Voter trigger	Vote trigger actor	Total electorate	Turnout	Result status
Austria	2	Top down	Parliament	6.378.628	-	-
Belgium	-	-	-	-	-	-
Bulgaria	5	Automatic (1); Top down (1); Bottom up (3)	Constitution (1); Parliament (1); Citizens (3)	6.952.183	51% (max)	Binding
Cyprus	1	Top down	-	175.258	-	Binding
Croatia	2	Automatic (1); Bottom up (1)	Constitution (1); Citizens (1)	4.504.765	-	Binding (1)
Denmark	4	Automatic (3); Top down (1)	Constitution (3); Parliament (1)	4.153.041	72% (max)	-
Slovakia	3	Bottom up (3)	Citizens (3)	4.411.529	21%	Binding (3)
Slovenia	6	Bottom up (6)	Citizens (6)			
Spain	-	-	-	-	-	-
Estonia	-	-	-	-	-	
Finland	-	-	-	-	-	-
France	-	-	-	-	-	-
Greece	1	Top down	Government	9.858.508	62%	Binding
Germany						
Hungary	1	Top down	President	8.272.625	44%	Binding
Ireland	7	Automatic (7)	Constitution (7)	3.397.636	64% (max)	Binding
Italy	3	Top down (2); Bottom up (1)	Various territorial units (1); Citizens	50.995.985	65% (max)	Binding
Latvia	1	Bottom up	Citizens	1.545.004	-	-
Lithuania	-	-	-	-	-	-
Luxembourg	3	Top down (3)	Parliament (3)	246.974	86%	Non-binding
Malta	1	Bottom up	Citizens	338.450	75%	Binding
Netherlands	2	Bottom up (2)	Citizens (2)	13.064.932	52% (max)	Non-binding
Poland	1	Top down	President	30.565.826	8%	Non-binding
Portugal	-	-	-	-	-	-
Czech Republic	-	-	-	-	-	-
Romania	4	Automatic (1), Bottom up (1); Top down (2)	Constitution (1), Citizens (1), President (2)	18.277.511	43% (max)	Non-binding (2), binding (1)
Sweden	-	-	-	-	-	-

Sources: Participedia; C2D | Centre for Research on Direct Democracy; and Del Monte, M. (2022). Referendums on EU issues: *Fostering civic engagement: In-depth analysis*. European Parliament.

Table 2: Deliberative processes in Europe 2012-2022

*1. **Global and Supranational Level***

Title	Level	General topic	Year	Method	Number of participants	Organiser
Global Citizens' Assembly on Genome Editing	Global	Science and technology Health	2021	Citizens' assembly Citizens' jury	-	Centre for Deliberative Democracy and Global Governance
The World Wide Views on Climate and Energy	Global	Environment: climate change Regional and global governance	2015	Deliberative polling Deliberation Citizens' summit World Wide Views	10.000	The World Wide Views Alliance
World Wide Views' Global Consultation on Biodiversity	Global	Environment: species protection; environmental conservation Regional and global governance	2012	Consult: Facilitate dialogue, discussion, and/or deliberation	3000	The World Wide Views Alliance
Conference on the Future of Europe	Europe	Governance and political Institutions Environment Economics	2021	Multiple deliberation mechanism. Consult: Propose and/or develop policies, ideas and recommendations; Facilitate dialogue, discussion and/or deliberation; Recruit/select participants	More than 800 citizens have participated in citizen panels	European Union: European Parliament (EP); the European Council and the European Commission

2. National Level

Title	State	General topic	Year	Method	No. of partic.	Organiser
Mini-Public on the Future of Agriculture in Austria	Austria	Environment Agriculture	2012	Deliberative and dialogic process Deliberation Civic Lottery Sortition	12	National government
My DNA: all concerned	Belgium	Science and technology	2018	Citizens' Jury	32	l'Institut de recherche fédéral Sciensano et la Fondation Roi Baudouin
"Notre Futur": Deliberative Process on Aging in Belgium	Belgium	Ageing issues	2013	Consult: Facilitate dialogue, discussion, and/or deliberation. Focus group.	24	The World Wide Views Alliance
OpenGov.gr - The Greek Open Government Initiative	Greece	Governance and political institutions Transparency	2012 (end date)	Deliberative and dialogic process Evaluation, oversight, and social auditing Online deliberation	-	National government
Citizens' Assembly on Democracy in the United Kingdom	UK	Democracy	2022	Citizens' assembly Online deliberation	75	Involve (charity)
Citizens' Assembly on Brexit	UK	Governance and political institutions International affairs Immigration and migration	2017	Deliberative and dialogic process Opinion survey, voting	50	The Constitution Unit (University College London)
Climate Assembly UK	UK	Climate change Alternative and renewable energy Carbon capture and sequestration	2020	Deliberative and dialogic process Citizens' assembly Sortition Deliberation Q&A session	108	National government

UK Citizens' Assembly on Funding for Adult Social Care	UK	Aging issues Quality of health care Long-term care	2018	Deliberative and dialogic process Sortition Citizens' assembly Deliberation Q&A session	47	NGO
Public Dialogue on Emerging Policy Involving Science and Technology General Issues	UK	Science and technology	2014 (end date)	Deliberative and dialogic process Workshop	43	National government
Openness in Animal Research Dialogue	UK	Animal welfare Biomedical research and development	2014 (end date)	Deliberative and dialogic process Experiential and immersive education	80	NGO
Citizens Juries on Artificial Intelligence	UK	Artificial intelligence	2019	Citizens' Jury	36	NGO
Public Engagement on Shale Gas and Oil Developments	UK	Energy Environment Science and technology	2014 (end date)	Workshop Deliberation	71	National government and for-profit business
Space Weather Dialogue	UK	Science and technology	2015 (end date)	Deliberative and dialogic process Workshop Survey Information and Communications Technologies (ICT) Online consultations	1100 approx.	National government
Naturally Speaking… Public Dialogue for the UK National Ecosystem Assessment	UK	Environmental conservation Water quality	2015 (end date)	Workshop	118	UK Natural Environmental Research Council
Leap Seconds Public Dialogue on Time Changes in the UK	UK	Science and technology	2015 (end date)	Workshop Deliberation Survey Pop-up Online deliberation	111	National government

Estonia's People's Assembly 'Rahvakogu' on Government Spending	Estonia	Government transparency Government spending Government corruption	2013	Online consultations	314	National government
Rahvaalgatus.ee: Online Participation at the National Level in Estonia	Estonia	Public participation Government transparency	2016	Information and communications technologies (ICT) Voter information services Online consultations Online voting Petition Direct democracy	-	National government
Danish Deliberative Poll on Denmark's Full Integration in the European Police Force (National folkehøring om Europæisk politi)	Denmark	Police Regional and global governance	2015	Sortition Deliberation Civic lottery	384	National government
Danish Deliberative Poll on the EU (Folkehøring om EU)	Denmark	EU integration Future of EU	2017	Deliberative poll	105	National government
Danish Deliberative Poll on the EU (Folkehøring 2018 om EU)	Denmark	EU integration The role of Denmark within the EU	2018	Deliberative poll	400	National government
Citizen Workshop on Future Research Areas in Denmark	Denmark	Science and technology Research and development	2017	Deliberation workshop	18	The Danish Board of Technology Foundation
The Irish Citizens' Assembly on Gender Equality	Ireland	Gender equality and equity Gender identity	2021 (end date)	Deliberative and dialogic process	100	National government
Irish Citizens' Assembly on Gender Equality	Ireland	Gender equality and equity	2020 (on-going)	Deliberation Citizens' assembly Civic lottery Sortition	99	National government

Irish Constitutional Convention (2012-2014)	Ireland	Constitutional reform Human rights LGBTQ issues	2014 (end date)	Deliberation	100	National government
The Irish Citizens' Assembly	Ireland	Constitutional reform Climate change	2016	Citizens' assembly Q&A session Deliberation Expert advisory panel	99	National government
We, the internet: Internet governance, with and for citizens	France No geographic limits	Internet governance Artificial intelligence Citizenship and role of citizens	2020	Deliberative and dialogic process Collaborative approaches	5000	-
French Mini-Public in the Framework of a National Debate on Bioethics	France	Biomedical research and development Aging issues	2018	Deliberation Sortition Civic lottery	22	National government
French Mini-Public on Healthcare and Big Data	France	Health Care Reform	2016	Deliberation Sortition Civic Lottery	17	National government
French Mini-Public on Addictive Behaviour at School	France	Education Health Youth issues Addiction treatment and management	2017	Deliberation Sortition Civic lottery	15	National government
French Mini-Public on End-of-Life Care	France	Health Aging	2013	Deliberation Sortition Civic lottery	18	National government
Citizens' committee on vaccination against COVID-19	France	Health	2021 (on-going)	Citizens' jury	35	National government
French Citizens' Jury on Vaccination	France	Health	2016	Citizens' jury Deliberation Survey	22	National government
Citizens' Consultations on Breast Cancer Screening in France	France	Health	2016	Consensus conference Online consultations	27	National Government
CESE Citizen Group on Social Inequality in France	France	Economic inequality	2019	Deliberation Workshop	27	CESE

Online Participation at the National Level in France	France	Public participation Government transparency	2013	Collaborative approaches Direct democracy Evaluation, oversight, and social auditing	-	National government NGO
Citizens' Assembly on restrictions and recommendations in response to the COVID-19 pandemic	Finland	Health	2021	Citizens' assembly	70	Academic Institution: University of Turku
Germany's Citizens' Assembly on Democracy (Bürgerrat Demokratie)	Germany	Citizenship and role of citizens Political rights Public participation	2019	Citizens' assembly Sortition Deliberation	160	NGO Mehr Demokratie
German Citizen Conference on Climate Policy	Germany	Climate change	2016 (end date)	Deliberation Sortition Civic lottery Citizen conferences	472	National government
Citizens' Councils on the Integrated Environmental Program 2030	Germany	Environmental conservation Climate change Sustainable development	2017	Deliberation The Vorarlberg Bürgerrat model, aka Citizens' Councils Civic lottery Deliberative forum Online deliberation	79	Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety
The Constitutional Forum in Romania	Romania	Governance and political institutions	2013	Deliberation Public debate Sortition Civic lottery	-	National government
CONSTITULUX: Citizens' Consultation in Luxembourg	Luxemburg	Constitutional reform	2016	Deliberation Sortition Civic lottery	60	National government and academic institution
Citizens' Assembly of Scotland	Scotland	Governance and political institutions	2020 (end date)	Citizens' assembly Deliberation	100	National government

Sources: Participedia.net; POLITICIZE Dataset: Paulis, E., Pilet, J.-B., Panel, S., Vittori, D., and Close, C. (2021). The POLITICIZE dataset: An inventory of deliberative mini-publics (DMPs) in Europe. *European Political Science*, *20*(3), 521–542. https://doi.org/10.1057/s41304-020-00284-9

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This book contains 11 reports from the Horizon 2020 research project *Reconstructing Democracy in Times of Crisis: A Voter-Centred Perspective.* Their aim is to illuminate the challenges facing advanced democracies from the perspective of voters as moral and political agents, who must decide whether or not to vote and on what criteria they should base their decision. Being a voter in a democracy is a paradoxical situation: collectively they will take part in deciding who governs their country and 'speaks in their name' but, as individuals, they have no real power at all. While the justification of democratic government rests on the authorisation provided by voters, simply as voters citizens will have little say on the electoral choices presented to them, the political programmes on offer, or the likely consequences of choosing one rather than another candidate. In short, being a voter is both morally weighty and yet its political consequences are often hard to determine and, for the most part, beyond our control. Not surprisingly, being a voter is a more complicated experience than it first seems, and disenchantment with that experience and alienation from electoral democracy are increasingly common phenomena. These reports aim to articulate that experience, and to respond to its challenges. In so doing, they emphasise the limitations of ideas about democracy, explanations of political behaviour and exhortations to voters that ignore what it is like to be a voter, and the experiences of collective responsibility but, also, of powerlessness that mark that experience for so many.

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