

# COMPULSORY VOTING



It is compulsory for all Victorian residents who are Australian citizens aged 18 years and over to be enrolled to vote. It is compulsory for all people on the electoral roll to vote at State elections.

## When was it introduced?

In Australia, voting was first made compulsory in Queensland State elections in 1915. Compulsory voting was introduced at the Federal level by a Private Member's Bill in 1924, and operated for the first time at the 1925 Federal election. In Victoria, compulsory voting was first introduced for Legislative Assembly (Lower House) elections in 1926, and it was introduced for Legislative Council (Upper House) elections in 1935.

## How is compulsory voting enforced?

When electors vote, their names are marked off an electoral roll that is later scanned by computer to identify which enrolled electors have not voted. If an elector has not voted, he or she should be prepared to receive a notice from the Electoral Commission asking for the

elector's reason for failing to vote. If the person's reason for not voting is not in accordance with those acceptable in legislation, a fine (currently about \$50 at a State election) can be levied against non-voters. It is possible to appeal against a fine through the courts. Non-payment of fines is also dealt with by the courts.

## Voting in other countries

Australia is one of the few countries of the world to have compulsory voting. In Australia, it is estimated that approximately 88% of the voting age population (Australian citizens over the age of 18 years) actually enrol and vote. Other countries with compulsory voting include Belgium, Cyprus, Fiji, Luxembourg, Nauru, Singapore and Uruguay.



Voting is not compulsory in the majority of the world. Some information on voting in the UK, NZ and the USA is provided below:

### United Kingdom

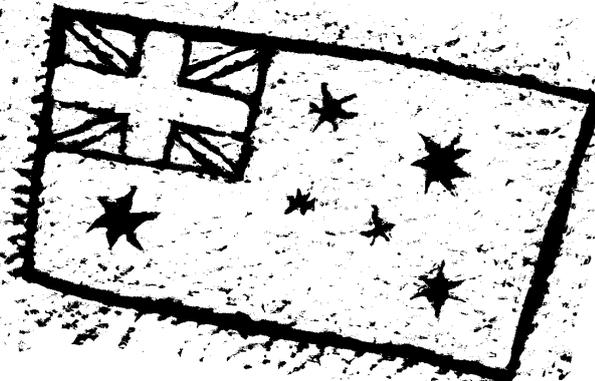
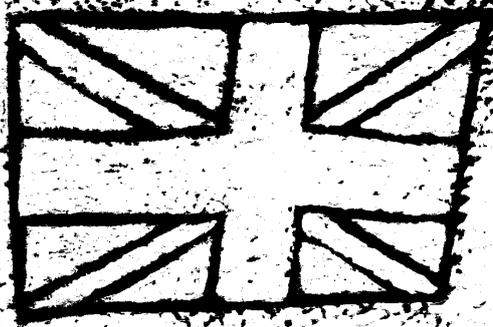
At the general election held on 05 May 2005 approximately 61.3% of the voting age population voted.

### New Zealand

At the general election held on 17 September 2005 approximately 80% of the voting age population voted.

### USA

At the US presidential elections held on 02 November 2004, 56.2% of the voting age population voted.



### **Some arguments put forward in support of compulsory voting are as follows:**

1. In the Federal Parliamentary debate over the 1924 Bill, it was argued that compulsory voting would minimise the cost of elections, as parties would not have to spend money persuading people to vote. A lot of money is spent in the United States, where voting is not compulsory, persuading electors by computerised mail, telephone and other means, to vote.
2. If everyone who is eligible votes, it is argued that the poll will result in the election of a government most preferred by the majority. It is said that this is a key requirement of a healthy democracy.
3. If voting is compulsory, it is said that electors will be more inclined to inform themselves about current political issues, in order to decide for whom to vote. Informed citizens are a necessary pre-condition for a healthy democratic, political system.
4. Voting corresponds to other duties that society requires of citizens, such as giving evidence in court proceedings, jury service, paying rates or participating in compulsory education.
5. Voting is a most important civic duty, yet the burden is extremely light: spending a short time voting at each election.
6. Elected representatives will have to take into consideration the views and interests of the whole of the community, if voting is compulsory.
7. It is said that electors benefit from additional services, such as postal and absentee voting, that are provided by electoral administrations because voting is compulsory.

8. Compulsory voting contributes to the maintenance of more accurate electoral rolls, as post election non-voter follow-up action is an effective roll audit. This checking of the rolls helps prevent electoral abuses.

### **Some arguments put forward against compulsory voting are as follows:**

1. In a democracy, it is argued that no one should be forced to vote. The right to vote should entail the right not to vote if an elector does not want to participate – as is the case in most Western democracies.
2. Compulsory voting, it is said, has made political parties 'lazy' between elections. It has been argued that comparatively low party membership in Australia has resulted from parties' failure to try to convert voters to their particular political philosophies and programs between elections.
3. It is sometimes said that cynicism amongst voters has developed as they are compelled to vote, even if there is no cause or candidate they wish to vote for.
4. Compulsory voting could be said to encourage political parties to pitch their election campaigns at the 'lowest common denominator', and to concentrate on winning over the 'swinging' voter as the first priority with sometimes emotive or sensational campaign claims and accusations being made.





### Opinion game

1. Arrange four signs in different corners of the room. Each corner in the room is labelled with one of the following: STRONGLY AGREE, AGREE, DISAGREE, STRONGLY DISAGREE.
2. Read some of the statements below about compulsory voting to the students who must decide how they feel and where they stand on each statement.
3. The students will move to a particular location in the room depending on their viewpoints.
4. The teacher should ask students in each of the locations to give reasons for their opinions and provide the opportunity for the class to discuss the views expressed.
5. Another variation of this game is to place a string down the centre of the classroom. One end of the string represents STRONGLY AGREE and the other STRONGLY DISAGREE with the centre of the room labelled as UNDECIDED.

The following is a selection of statements that can be used for the opinion game:

1. Voting should continue to be compulsory in Australia.
2. Penalties for failing to vote should be made harsher (currently a fine of about \$50).
3. Removing compulsory voting would improve the chances of worthy candidates being elected.
4. Most people who vote only do so because they have to.
5. Compulsory voting is not a democratic process.
6. Compulsory voting is necessary to ensure representative government.

# Compulsory voting

**On 30 November most Victorians will quietly obey the law that requires them to vote.**

Why are we made to vote? Compulsory voting was not introduced because Australians were losing interest in voting. It was first introduced in Queensland in 1914 when at the previous election 75% of the people had voted, the best turn-out at state elections at that time.

The Liberal government that introduced the measure faced almost certain defeat at the elections due in 1915 and Labor looked set to win a majority of seats for the first time. Labor was better at getting its supporters to the polling booths because it had thousands of campaign-workers devoted to the cause. So the Liberals decided to make its supporters turn out in equal force by making voting compulsory.

Labor in Queensland did not oppose the introduction of compulsory voting. It went on to win the 1915 election which made it think quite well of it. Compulsory voting quickly became part of Labor's national platform. The advantage to the parties of compulsory voting was that they would not have to spend money and effort in getting people to the polls. 'Getting out the vote' would become the government's business.

In 1924 the two major parties in the federal parliament quietly co-operated to make voting compulsory. There was almost no debate. Only one member spoke strongly against the measure as a denial of liberty. The Bill was carried on the voices—no votes were recorded. It took only 52 minutes in the Representatives and 86 minutes in the Senate for compulsory voting to become law.

During the centenary of federation we were asked what sort of nation is it where people don't know the name of their first prime minister. We might well ask in what sort of nation can compulsory voting be introduced without discussion or debate?

The answer may be a nation where government was already playing an unusual role in elections. From 1901 the citizens of the new Commonwealth did not have to register to vote: the police visited each house and enrolled the eligible voters. They did a good job but in a highly mobile society their rolls were always going to be out of date. So in 1911 the government made it compulsory for citizens to enrol.

It was only a small step from compulsory enrolment to compulsory voting. In 1911 several politicians were ready to take it. They asked what was the point of getting everyone on the roll, if they did not bother to vote. If parliament was ready to force people to do their civic duty as regards enrolment, why not force them to perform

the higher duty of voting? Government could produce a near-perfect electoral roll and it could complete the job by engineering a near-perfect turn out. Governments could do anything—even make apathetic men and women into citizens.

Once the Commonwealth had adopted compulsion the rest of the states followed—Victoria in 1926.

Opinion polls record that over 70% of the people are in favour of compulsion. If all those people voted voluntarily that would be a respectable turn-out. However, compulsion remains not because there is convincing evidence that Australians would not vote under a voluntary system, but because it suits the interests of the parties. The parties are fortunate to have a compliant electorate. The Australian people want to be compelled to vote.

Those who write and comment on politics are overwhelmingly in favour of compulsion. In defending compulsion, they make a distinctively Australian contribution to political philosophy.

They argue that with compulsion governments have to pay attention to the interests of everyone and particularly of the poor which they could ignore under voluntary voting. That may be so, but they go on to claim that to move to voluntary voting would 'disenfranchise' the poor. This is amazing double-speak. To allow people the freedom to vote or not would be to take the vote from them!

The writers and commentators are scathing about the low-turn out for American presidential elections and boast that in Australia governments have greater legitimacy because all the people take part in their creation. They do not think their case is weakened because the people are compelled to take part.

To the objection that compulsory voting is a denial of liberty, they argue that governments regularly make citizens do things—to serve on juries, to pay taxes, to fight in the defence of the country. Of course governments compel citizens, but compulsory voting relates to another issue altogether: how are governments themselves created. Are citizens to be forced to create governments?

These arguments have been developed in a society where the value placed on personal liberty and the responsibilities of citizenship has shifted markedly from that in other English-speaking democracies. The existence of government is taken for granted and the people can be forced to be citizens. Any-one who takes citizenship seriously must wish it were otherwise.

John Hirst has recently published 'Australia's Democracy: a short history' (Allen & Unwin). 2002

**Clear thinking – Questions on John Hirst's article (below):**

1. What position does John Hirst take on compulsory voting?
2. What are the main arguments supporting compulsory voting?
3. What are Hirst's comments about one of these arguments?
4. What historical event in the article did you find most interesting?  
Explain your answer.
5. How persuasive do you find his arguments on the topic of compulsory voting?  
Explain your answer.

Read the following article which discusses compulsory voting from another perspective and answer the questions that follow.

## A right or a duty?

**T**HE right to vote is a fundamental democratic principle. But is this right also a duty? Would the Australian political system be less democratic if our government could be elected by a minority? Our present system of compulsory preferential voting is designed to ensure that this does not generally happen. The distribution of preferences in close-fought electoral contests means that to be elected, a candidate must have the support of the majority of voters. In these terms, to make voting voluntary would reduce the level of participation in elections and might lead to the election of minority-based governments less representative of the electorate and, therefore, less democratic. The proponents of a shift to voluntary voting also argue from democratic principle: Senator Nick Minchin, a founder of the John Stuart Mill Society, which debated the idea this week, argues that to compel people to vote is a breach of the principle of individual freedom.

Australia is one of only a few countries to have adopted this system, but many others wish that they had. It has worked well here and there is a sensible axiom that applies well to this case: if it ain't broke, don't fix it. Indeed, the geographic vastness of the country and of some rural electorates would probably make for a lower voter participa-

tion rate under a voluntary system here than in more densely populated nations.

Compulsory voting was introduced in 1924 by a small group of parliamentarians concerned at voter apathy. Tellingly, only five senators and three members of the House of Representatives contributed to the debate. Voter apathy is still with us, as Senator Minchin points out. In the conventional analysis, to overturn compulsory voting would result in a decline in voting by disadvantaged groups and the elderly, who normally vote Labor. Interestingly, however, the Liberal MP and former state director Petro Georgiou argues that such a transition would now do more harm to his party, since the Liberals have more marginal seats, which would become more costly to defend if voting were voluntary. He pointed out that US parties spend up to 25 per cent of their election budgets on persuading people to vote. In Australia, this would translate to an impost of \$2 million to \$3 million.

The argument for a change to voluntary voting comes down to a choice between competing democratic priorities — the individual right not to vote or the collective duty to participate in the democratic process. The debate that is likely to surround this issue is an important one; the argument for change will have to be well made.

The Age  
1 November 1996

1. What position does this article take on compulsory voting?
2. Should the right to vote be viewed as an individual right or a collective duty in a democracy?
3. How does seeing voting as a right differ from seeing it as a duty?
4. Why is compulsory voting viewed by some as undemocratic?

#### Debate

Should compulsory voting be maintained at Victorian elections?