Inclusive voting practices:

lessons for theory, praxis, and the future research agenda

Abstract

Inclusive voting practices have been defined in this special issue to refer to policy instruments which can reduce turnout inequality between groups and mitigate other inequalities within the electoral process. This concluding article reflects on the lessons learnt from the empirical studies about a) how citizens come to be excluded at the ballot box; b) which electoral processes are effective at bringing about inclusion; c) what the wider effects of inclusive voting practices are; and, d) why such policies instruments not undertaken by the state. It argues that there are major lessons for the theorising of democracy, as well as policy and practice in elections worldwide.

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The twentieth century ended with a sense of triumphalism about the apparent success of liberal democracy, with the political system heralded as 'the end of history' (Fukuyama 1989). Elections are at the heart of this system and democracy promotion was an ingredient of foreign policy and a key focus of the international community (Carothers 2003; James 2020). Decades later, concerns have been raised about whether democratic backsliding is underway, and a fourth wave of autocratisation has taken place (Mechkova, Lührmann, and Lindberg 2017). Triggers for this have included the behaviour of politicians who have been encouraging polarisation, socio-economic inequalities and transformations in digital communication (Levitsky and Ziblatt 2018; Moore 2018; Runciman 2018). These have been so severe that some have argued that we are witnessing the end of representative democracy – the system in which citizen involvement is limited to taking part *just* at a periodic elections (Tormey 2015). Solutions for democratic renewal have been broad ranging and often involved broader socio-economic reform or rewiring of political communication infrastructures.

The importance of elections for securing democracy has therefore come under pressure. But while well-run, periodic elections do not guarantee democracy, a polity cannot be a democracy *without* elections. Many proposals to augment democracy or redress significant problems may have great cause, but they should not overlook fundamental problems in the electoral process itself.

This special issue has focussed on one such problem that has remained unresolved, even at liberal democracy's zenith. Radical conceptual and policy rethinking may therefore be required. The problem is relatively simple. Elections are decided by who votes. Many people do not participate at an election. As the introduction to this special issue demonstrated, those who vote are not the same as those who do not. It follows that the results of many elections, the structure of many governments and coalitions, the policies that are passed by legislatures, and the individuals who sit in legislatures to represent the people are all likely to be affected by the turnout gap. New challenges to democracy such as the use of digital communications and the role of dark money in elections, will need to be addressed and considered as well; but the problem that we sketch out cannot be overlooked.

To return to the research questions set out in the introduction, this special issue considered the questions:

- What are the different causal pathways for causing exclusion at the ballot box? Who tends to be excluded or negatively affected by voting processes?
- Which electoral processes are effective at ensuring inclusion? Which are not? What proactive state action and regulation is required?
- Beyond introducing political equality, what are the wider effects of inclusive voting practices?

- Given their importance, when and why are such policies instruments not undertaken by the state?

The remainder of this concluding article returns to these questions. Firstly, it sketches out the different pathways to turnout exclusion and inequality that were identified in the empirical articles that formed this special issue. Exclusion and inequality come in many forms throughout all societies, stemming from many complex economic, cultural and political relationships. We are more narrowly focussed here on how this can be present in the electoral process itself since this system is supposed to be characterised by political equality. Secondly, the article identifies examples of inclusive voting suggested by the contributions to this special issue. Thirdly, the article draws together the evidence about the effects of these voting practices. Fourthly, the article considers the lessons for why such voting practices, given their normative basis, are (or are not) adopted.

Pathways for exclusion

The introduction set out a strategic-relational framework to conceptualise the different factors that may lead to citizens not voted. This rests on a distinctive theory of the relationship between structure, agency and political change which has not previously been used to explain non-participation. It holds a number of advantages over existing accounts that tend to be limited to logics of calculus, borrowing from rational choice theory. A number of pathways for exclusion were postulated in the introduction which include the effects of electoral laws, the availability of financial resources, cultural practices, the strategic behaviour of actors, and informational resources. Subsequent articles show how these are indeed important pathways for exclusion with empirical analysis.

What have we learned?

There has never been much doubt that the *electoral laws and institutions* can be a pathway for exclusion, but the articles in this special issue provided new insights. The franchise defines who has the right to even participate in an election, and who does not. History shows many examples of states excluding citizens from elections altogether on the basis of gender, ethnicity or the absence of property ownership. This pathway of exclusion continues today, however, as Victoria Shineman demonstrated in her article on felon disenfranchisement, with four million American citizens denied the right to vote due to laws that restrict voting based on a criminal record. The US is clearly not alone. One study found that 29 out of 66 jurisdictions surveyed worldwide had voting restrictions on prisoners who are convicted and serving a prison sentence (Penal Reform International 2016). But, as Shineman demonstrates, disenfranchisement can extend after their sentence is served, and even if mechanisms are in place that could re-instate their voting rights

The effects of other electoral laws and institutions were also revealed too with new research. Guntermann, Dassonneville and Miller drew attention to how the level of compulsion involved in voting could affect turnout. James and Clark showed that the requirement to present identification before being able to vote in English local election pilots led many to not be able to cast a ballot. For some, this was because they didn't have the correct form of identification on election day. Others, however, protested about the requirement to provide identification by not casting a ballot. Voter identification requirements are common in many polities, but the research provides new evidence that it provides a pathway to exclusion – especially in countries where a single identification requirement is not issued by the state.

The differential effects of voter identification requirements, alongside voter registration and ballot submission methods were explored by Johnson and Powell. Using survey data, they revealed that voters with disabilities experience greater barriers in American elections.

Electoral rules may directly affect how elections are run, but they also require humans to implement them (also see: James, 2020). The *technical, managerial and financial resources* available to electoral officials matter too. The implementation of electoral rules can therefore be another pathway to exclusion. Anthony and Kimball showed how this can happen in their case study of the implementation of new voter identification requirements in Missouri. They showed that identification was unevenly requested by electoral officials in two elections. Voters therefore had uneven and unequal experiences. Meanwhile King showed how voter experiences at polling stations were uneven across the 2008, 2012, 2014, and 2016 US elections. Compared to white, Hispanic, and Asian voters, African American voters were most likely to report waiting more than 30 minutes or experiencing a problem with the voting machine or their voter registration.

The *strategic actions* of other actors are an exclusionary pathway laid bare by Schneider and Carroll. Electoral violence had plagued many elections worldwide (Birch and Muchlinski 2018; Hafner-Burton, Hyde, and Jablonski 2013; Höglund 2009). It involves, as Schneider and Carroll freshly define it, 'purposeful or calculated' acts to '…to discourage or prevent an individual or group from participating, or to alter an election process or outcome.' But what is particularly important is that it can be gendered in nature. Drawing from fieldwork in Uganda they provided examples of (predominantly male) youth gangs being paid to intimidate eligible and entitled voters. This obviously violates the principals of equality set out in the introduction in the gravest way.

Their research is also significant in that it provides evidence of how *cultural practices* can become exclusionary. Electoral violence does not require explicit threats or acts of harassment. It is often the 'unsaid' practices that can be exclusionary throughout the electoral cycle. Exclusionary cultural

practices were also recorded by James and Clark who noted how 'men shouting at women' was sometimes a feature of behaviour inside polling stations at English local elections. The reasons for King's finding that wait times and other problems are unevenly distributed by ethnicity would require further investigation, but if these differences are the result of uneven resource distribution then this suggests systematic racism in American election administration.

The role and importance of informational and educational resources, which was flagged as a potential pathway in the introduction, was less clear from the specific studies published here.

Inclusive voting practices

This special issue defined inclusive voting practices as *policy instruments which can reduce the voter turnout inequality between groups*. The introduction was clear that such policy instruments may have different effects in different contexts as actors respond to divergent meanings and culturally diverse settings. The articles do point to some broader generations about likely inclusive voting practices, however. These would seem to include the *enfranchisement of those citizen*s who are principally affected by public policy decisions within a policy. Shineman's study focussed on disenfranchised felons, but many states also have franchise laws based on arbitrary historical factors rather than a rationale democratic theory. The voting rights of citizens who are barred from voting because they are 'underage', living abroad on Election Day or not considered a citizen in legal terms (eg, because of nationality) should also be considered. The idea that people who are 'principally affected' should have the right to vote is not new.

Compulsory voting would appear to be an inclusive voting practice based on the discussion provided by Dossenveille et al. More relaxed voter identification requirements, at least in polities where a single state issued form of national identification does not exist, would also appear to be important to avoid the unnecessary prevention of voting, based on the findings from James and Clark, and Anthony and Kimball, in this special issue

Better *resourced electoral management bodies* would appear to be one take-away point from King's study, on the basis that differences in wait times may result from uneven investment. The study of voter ID in Missouri also points to the need for better investment in *poll worker training*. Such training is not purely about improving knowledge of 'facts' about the electoral process, but training about democratic values and behaviours.

Mechanisms for identifying electoral violence, which should prominently include gendered electoral violence is a further important lesson from Schneider and Carroll. The independent and external *observation of elections* has been the prominent, albeit imperfect, tool commonly used by the

international community. Clearly this should continue, but the gendered nature of electoral irregularities that come from broader societal relations should be more explicitly noted.

The wider effects of inclusive voting practices

The introduction to this special issue set out the normative case for inclusive voting practices, which included anchoring it in democratic theory. A strategically selective environment in which individual or groups of citizens may be more or less likely to vote as a result of factors outside of their control required states to undertake interventionist policy instruments in order to bring about political equality in the electoral process. The crucial effect of an inclusive voting practice is therefore, by definition, that it alleviates political inequality.

The studies show the wider effects of inclusive voting practices, however, which strengthens the case for their adoption. Victoria Shineman looked at the effects of restoring voting rights to previously disenfranchised citizens on political efficacy. King provided evidence that voter confidence could be negatively affected by absence of inclusive and robust practices. Schneider and Carroll identify the nature of representation can be affected.

This is not an exhaustive summary of all possible inclusive voting practices, not least because the studies included in this volume are finite. The article authors will also have their own views about what policies should follow from their work, which may differ to ours. However, it is important that a leap is made from research to praxis if the ambitions/work of this volume are to be realised.

Why are inclusive voting practices (not) adopted?

Explaining why political institutions change has been a common focus of enquiry within political science. Although it was slow to take off, there is now a wide body of work on why electoral systems (Blais 2008; Dunleavy and Margetts 1995; Renwick 2010) and even other electoral institutions such as electoral administration (James 2012; Pallister 2017) changes. The introduction to this special issue set out a strategic relational approach in which different paths to change were more likely than others. This is a new approach which emphasises that making changes will take place in a context more conducive for some outcomes than others.

For example, Pallister provides new evidence of the forces behind the adoption of inclusive voting practices that allow non-resident citizen to vote from abroad. This was based on cases of El Salvador and Guatemala. He finds that lobbying from emigrant community was crucial for enfranchisement alongside the diffusion of an international norms. Partisan calculations, the availability of resources and the policy agenda were also important factors. This research helps remind us that those looking

to promote inclusive voting practices are involved in an active politics struggle where strategic agency is important. Skills, strategy and agency will shape whether inclusive voting practices are adopted.

Conclusion: conceptual and policy consequences, and a call to action

Democracies worldwide remain plagued by turnout gaps. There are highly uneven levels of participation which have profound consequences for policies and politics within each state. To address this and bring about the realisation of democratic ideals states should identify differential levels of turnout and other forms of exclusion in the policy process and consider the reforms necessary to fix this. This has been the main argument of this special issue.

There are a number of conceptual and policy consequences of these ideas. Not least, evaluating whether a state is a democracy may need to include an assessment of whether the state takes proactive measures to rectify the consequences of the strategically selective environment on which actors find themselves. This means that it should be a feature of the concepts, datasets and reports from organisations such as VDEM and Freedom House that provide these assessments (Freedom House 2019; V-Dem 2019). The classification of constitutional systems had been a common focus of politics scientists and the electoral system in place has usually been used to decide into which category a country should be placed (Gerring, Thacker, and Moreno 2005; Lijphart 1999). Given that countries will vary according to whether they have repressive, laissez faire or interventionist procedures for promoting inclusive voting, it would make sense for this to be featured here too. There are consequences for practice too since whether inclusive voting practices are in place could be featured and normatively supported in reports by international electoral assistance agencies and overseas observers. It should feature in the 'best practice tools' on electoral observation such as the Carter Center (2014)'s *Election Observations and Standards* manual. It should be featured in textbooks and undergraduate lectures that define what a democracy is and differentiate between electoral systems.

Each article in this special issue has brought forward research about what could be an inclusive voting practice, but much further research is needed. The context-specific nature of inclusive voting practices as a policy instrument means that cross-national studies are important, but regional, national and local contexts need to be explored in detail to see how interventions interact in different environments. Research needs to follow up on the introduction of such interventions to see what effects they have in the long term. Research also needs to have a broader geographical reach. It has hereto continued be dominated by an analysis of American elections because of the strength of the US research community and the state-level variation in practice that provides some quasi-experimental conditions. But scholars should reach out further, not just to the established democracies of Western Europe and Australia, but the new and consolidating democracies and

electoral autocracies of Asia, Africa and beyond. The move towards the use of biometrics in electoral registration and as a required form of voter identification, for example, may pose a major threat to inclusivity. Such innovations have been more widespread outside of Western Europe and North America (Cheeseman, Lynch, and Willis 2018). The research agenda on inclusive voting practices should therefore be continuous and global.

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