

# Should voting be compulsory or should we have a right not to vote?

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Each year, millions of people fail to vote without reproach. Does abstention constitute a citizen's right not to vote? This article in *Australian Journal of Political Science* explores whether we have a legal right to a 'no vote' and if such a right should be protected as fiercely as the right to vote. Lisa Hill discusses the 'no vote', its implications for society and reaches a firm conclusion.

Many assert that not voting is a fundamental right, a free expression of political discontent. Some go as far as to say that compulsory voting is worse than being denied a vote and a violation of rights. Legal cases have been brought in defence of the right not to vote but to date no court has enforced it. Should it be true that the right to vote could be waived and hence in itself be a right not to vote and deserve constitutional protection? If so could other basic rights be waived? The [minimum wage](#)? Equal employment? Hill argues that legal recognition of the right not to vote is a dangerous path to tread.

The right to vote is an individual liberty but crucially a collective right at the core of democracy. Without political participation from society, government, public interests, security and the very fabric of society would be at stake. Vulnerable social groups would lose their voices; failure to vote could bring political oppression and far greater infringements to personal freedom. Hill therefore reasons that voting is a right and a duty; key to the structure and values of [society](#), a moral responsibility and more important than an individual's right not to [vote](#).

So voluntary voting systems can continue to allow abstention, compulsory systems can have exemptions but as Hill states this "will not – and should not – constitute the exercise of any particular right," and "doing so would endanger – and possibly destroy – the system for which it exists: representative democracy."

**More information:** "Does compulsory voting violate a right not to vote?," *Australian Journal of Political Science*, Volume 50, Issue 1, 2015, [DOI: 10.1080/10361146.2014.990418](https://doi.org/10.1080/10361146.2014.990418)

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