

Introduction

1) MOTIVATION: IN DEFENSE OF VOTING

Why does voting need a defense? And how can reinterpreting the terms of the voting calculus with a view toward election law and policy help to provide this defense? Perhaps the title of this dissertation itself needs a defense, or at least an explanation. The title is admittedly more descriptive than evocative, although it might have been even more descriptively accurate had the initial title read: “In Defense of Mass Electoral Participation in a Liberal Representative Democracy.” There are indeed many reasons why the institutions and practices of voting in modern democracies—and particularly in the United States—are in need of defense, desperately some might say. Democracy itself seems currently to be undergoing a period of grave crisis—not just in this country, but all around the world, and widespread skepticism regarding the value of participating in elections is a significant part of the problem. The current crisis of democracy has deep historical roots, but the general loss of faith in electoral institutions seems particularly profound and prevalent more recently.

Unfortunately, academic scholarship has probably not helped much with this situation; in fact, it may have contributed to the current crisis in no small part. While electoral institutions in this country and elsewhere have been widely scrutinized for empirical effects on voting behavior and political outcomes, there has been far less attention to how normative assumptions about the meaning and purpose of democracy undergird its implementation in particular legal and administrative contexts. More problematically, as discussed throughout this dissertation, both theoretical and empirical research on democracy and elections have given reasons for fundamental skepticism regarding the value of voting: Rational choice scholarship has led to the general claim

that participating in any large election is essentially useless from an individual perspective, and even if one's participation were thought to matter somehow to the outcome, participatory theorists have generally maintained that the ability simply to choose one's political representatives is not a meaningful form of democratic engagement. Empirical political scientists have further asserted evidence claiming to show that democratic citizens generally lack the minimum levels of political knowledge needed to vote in a competent manner, and relatedly, many political theorists have expressed reservations about whether mass participation, in the form of high voter turnout, is something that is necessary—or even necessarily something that is good—for effective democratic governance.

At the same time, there is an ongoing partisan political battle raging around the rules and procedures for voting in American elections. This is accompanied by a general consensus among election law scholars that Supreme Court jurisprudence in this area is missing basic theoretical foundations needed to make fair and principled decisions on these matters. However, legal research seems thus far to have failed to fill these gaps between theory and practice adequately, especially with respect to clarifying the normative foundations for the value of voting to individual citizens. Institutions of mass participation in general remain undertheorized, and there is a particularly critical disconnect between conceptions of the role of voting in democratic theory and election laws and policies that implicate the individual-level interest in participation. These missing links are particularly problematic in the American context, given a system of highly decentralized administration substantially controlled by partisan officials, and the current antagonisms of polarized politics extending into the realm of election law and policy. Making progress in ongoing disputes over election administration and voting rights will require expanding the conversation about basic democratic norms. In short,

there is an urgent need—not just in the academy, but also in the courts, and in the general public discourse—for increased attention to the normative foundations of electoral institutions.

There has of course been a great deal of research into the causes and effects of variation in voter participation—whether at the country, group, or individual level; however, there has been relatively little attention to how conceptions of democratic theory may contribute and respond to this variation. This might be because the general question of how much participation is desirable from a normative standpoint is essentially unanswered, and in fact remains a matter of fundamental debate. As discussed throughout this dissertation, this basic theoretical question has enormous implications for election law and policy, as well as broader relevance for the conditions of citizenship in a modern democracy. The defense of voting in this work is thus also intended to lay the groundwork for a more supportive view of the value of mass participation in elections, and thereby to provide a stronger foundation for law and policy reforms aimed at increasing and equalizing voter turnout. To be clear, this research is motivated in large part by a perceived problem of low and unequal participation in American elections at the national, state, and local levels. It is particularly concerned with how patterns of socioeconomic inequality may be reproduced in the political sphere by electoral institutions that structure voting in ways that contribute to unequal participation among different demographic groups. Addressing the missing links between the theories and practices of elections may thus be crucial to preventing the perpetuation of social and political inequities in the United States and elsewhere.

For reasons discussed in the methodology section below, public policy research should be well placed to help better fill some of these gaps between the theories and practices of democracy. This dissertation seeks to advance that agenda through a broad

policy-oriented analysis of varying theoretical perspectives on the meaning and purpose of participating in elections, and of the implications of these varying perspectives, both for individual voters and for electoral institutions. More specifically, this work focuses on the motivating factors of voter turnout in order to demonstrate how normative conceptions of voting not only influence participation decisions at the individual level, but also provide foundations for election laws and policies that influence participation levels, both in the aggregate and for groups of potential voters.

2) ANALYTICAL FRAMEWORK: REINTERPRETING THE TERMS OF THE VOTING CALCULUS

This work's defense of voting and its effort at bridging the gap between the theories and practices of democratic elections is framed by the rational choice calculus of voting, which formalizes the individual-level decision of whether to vote or abstain in a particular election as follows:

$$pB - C + D$$

The terms of the calculus—the variables p , B , C , and D —yield a four-fold classification of individual-level motivations for the turnout decision, which respectively are as follows: 1) the probability of an individual's vote having a causal effect on the outcome of the election; 2) the expected instrumental benefit derived from an individual's preferred candidate or choice prevailing; 3) the costs of voting, both substantively and in terms of information; and 4) any expressive or otherwise non-instrumental motivation for participating, including a perceived civic duty to vote. The formula of the calculus represents the following decision process by any prospective voter: First one multiplies the perceived probability of having a causal effect on the outcome by the expectation of benefit from one's preference prevailing ($p*B$, or just pB), then one subtracts the costs of

voting (*C*), and adds the perceived utility of any non-instrumental benefit from participating, such as fulfilling the duty to vote (*D*). If the result is positive, the individual decides to vote, while if negative, the individual abstains. The four elemental terms of the calculus provide the outline for the four main chapters of the dissertation.

Although the voting calculus originates in the economics-based school of rational choice, the calculus itself can be seen as just a generic model of the voting decision. In this work, the calculus is not being utilized as the empirical model it was originally intended to be, but rather is employed simply as an analytical framework to parse the potential motivations for voting. Moreover, the use of the calculus here is not intended to provide support for rational choice as a broadly explanatory or predictive theory of political behavior, at least not in its conventional form, although this work does engage an expansive notion of rationality as goal-oriented choice that can include ethical or otherwise non-utilitarian motives. There is also no assumption here that individuals actually proceed explicitly through the decisional logic of the calculus, but the terms of the calculus are assumed to represent, at least abstractly, all relevant considerations in the decision of whether to vote or abstain.

As indicated above, and as discussed throughout this dissertation, the scholarly literature on democracy and elections has tended in many ways to devalue the act of voting. The terms of the calculus have thus often been interpreted in ways meant to explain—and to argue—why individuals *do not*—and why they *should not*—participate in elections. There are at least four ways in which this interpretative devaluation has taken place, which parallel the four elements of the voting calculus, as follows: 1) Scholars have concluded, almost universally, that the individual act of voting in a large election is basically pointless, since one vote is incredibly unlikely to have a causal effect on the outcome. 2) Many theorists have suggested that the instrumental benefits of voting

under current systems of representative democracy are essentially worthless, since choices between candidates are often effectively meaningless, and because voting is a weak and ineffectual form of participation in general. 3) Scholars have generally assumed that the informational costs of voting are relatively high, or even prohibitively high with respect to many—if not most—citizens, given a presumption that substantial political knowledge is needed to cast a minimally competent vote. 4) Scholars have argued that non-instrumental motivations for voting are normatively problematic, and more generally that voting should not be conceived as a universal duty incumbent on all citizens of a democracy, but is rather best left as a purely voluntary choice to be undertaken only by those who are sufficiently—and perhaps properly—motivated to participate.

This dissertation critically examines these views and takes the opposite tack, reinterpreting the terms of the calculus in a manner meant to explain—and to argue—how the individual act of voting can in fact be highly valuable, and thus why individuals *do*—and indeed generally *should*— participate in elections. This work thus provides new perspectives on the motivations for voting, first by redefining the probability of an individual vote having a causal effect on an election outcome, then by reevaluating the normative significance of both instrumental benefits and the various types of voting costs, and finally by exploring the theoretical and practical implications of non-instrumental motivations, particularly the idea of a civic duty to vote. The four main chapters of the dissertation thus argue and explain as follows: 1) An individual vote can have a high degree of causal efficacy even in the largest of mass elections. 2) The expected benefit of having one's preferred candidate prevail in contemporary elections may reasonably be perceived as extremely high. 3) Informed voting for representatives in a liberal democracy is not and should not be viewed as prohibitively costly. 4) Electoral participation should be institutionalized, and possibly enforced in some manner, as a

constitutional civic duty. Each chapter further derives policy, legal, and broader ethical implications associated with these new interpretations of the terms of the calculus, and then makes specific proposals for election law and policy reform in the United States.

Chapter 1 begins with p in the calculus and the so-called paradox of voter turnout, which assumes that participating in a large election can never be instrumentally rational from an individual perspective, given the infinitesimally small probability that one vote will ever have a causal effect on the outcome. This chapter critiques that mostly unquestioned assumption, and it develops a new formal model of the value of p that draws on the innovative approach of Richard Tuck in his book, *Free Riding* (2008). In this model, if an election is expected to be highly competitive, the prospective probability of any one vote having a causal effect on the outcome is essentially equal to one—not zero as generally assumed. The chapter then discusses how this new approach to the instrumental rationality of voting could have important consequences for election law and policy in areas of voting rights and partisan gerrymandering, as well as broader normative implications for the understanding of collective action problems in general.

Chapter 2 considers the instrumental benefits of voting represented by B in the calculus, formally defined as the expected utility differential between candidates on the ballot. Transcending the alleged paradox of voting, this chapter interrogates prevailing assumptions about a lack of meaningful instrumental value in voting, and it suggests a new interpretive focus that yields insights into how and why instrumental motivations lead individuals to vote or abstain in particular elections. The analysis proceeds by distinguishing three typical attitudes that diminish the perceived value of B in the calculus: indifference, alienation, and ambivalence. Indifference is most commonly associated simply with lack of information, and some basic policy reforms are suggested to reduce indifference-based abstention by providing additional information on the ballot,

particularly in state and local elections where it is most needed. Alienation presents a more difficult normative problem, analysis of which leads to discussion of the rationality and ethics of voting for a lesser evil, and the possibility of an instrumentally-based duty to vote even under conditions of extreme alienation. The chapter then explores the problems of ambivalence in the face of conflicting political ideals or motivations, and it evaluates the difficult ethical dilemmas that can arise when elections pose particularly hard choices, whether between perceived goods, perceived evils, or between instrumental motivations to vote and expressive reasons to abstain. The chapter concludes with a brief discussion of democratic theory as it relates to the instrumental benefits of voting under contemporary political conditions.

Chapter 3 discusses the *C* term representing the costs of voting, which are divided into two primary categories: substantive costs and information costs. While substantive costs—which involve the administrative and logistical burdens on casting a ballot—are observed to vary widely, information costs implicate long-running normative debates about whether mass electorates have the knowledge and reasoning abilities deemed necessary for democratic competence. This chapter delves into foundational issues of democratic theory by comparing the informational requirements of voting under two broadly opposing approaches, drawing on William Riker’s seminal distinction in *Liberalism Against Populism*. The populist interpretation of voting, which relies on a strong epistemic assumption of independent standards of correctness, is associated with deliberative theory and its skepticism about mass participation in a representative democracy. As an alternative, Riker’s liberalism is elaborated into a unified theory that incorporates the value of participation within a broader framework of competitive democracy. Mass electoral competence is thus demonstrated to be viable through a more procedural political epistemology and a value-based approach to representation, under

which the costs of voting in a minimally informed manner are more widely affordable. The chapter then discusses implications of this theoretical approach for constitutional design and election law jurisprudence, and for policy reform proposals that aim to increase participation by minimizing the substantive costs of voting.

Finally, Chapter 4 on the *D* term of the calculus considers the question of whether electoral participation should be treated—and perhaps institutionalized—as a general obligation of all adult citizens in a liberal democracy, or whether it is best left as a purely voluntary choice. The chapter first discusses the nature of non-instrumental benefits in general, and it reviews specific implementations of the constitutional duty to vote and compulsory voting laws in democracies around the world. The chapter then proceeds to outline a normative argument—based on Rawlsian principles of equal justice—that voting should be not just a civil right under a liberal democratic constitution, but a civic duty as well. Some of the primary arguments against voting as a civic duty are then discussed and rejected, although possible limits on the duty to vote—both in principle and in practice—are acknowledged and briefly explored. The main implication of this chapter’s argument centers on a proposal for amending the U.S. Constitution to declare that all citizens have a duty as well as a right to vote, which could have significant consequences for election law and policy even without implementation or enforcement. Some possibilities for implementation or enforcement in the United States are nevertheless discussed, and while monetary fines associated with compulsory voting laws may be inconsistent with American sensibilities, there might be more openness to positive incentives that are not seen as actively compelling citizens to vote, and more generally to policies that are conceived as enabling and encouraging participation by offsetting the costs of voting.

Each of the four chapters of the dissertation can stand alone and be read independently, but they are held together by the framework of the calculus and by common themes running throughout the work. Furthermore, the chapters build upon each other and are in some sense cumulatively directed toward the ultimate conclusion in Chapter 4, which incorporates the arguments of previous chapters in its conclusion that the civic duty to vote can supply the missing foundation for broadly participatory theory and practice under modern conditions of liberal democracy. In this manner, the chapters all contribute to a more positive interpretation of the value of participating in elections, and all form part of this defense of voting.

3) METHODOLOGY: A VIEW TOWARD TO ELECTION LAW AND POLICY

The methodological approach of this work is somewhat unconventional for a dissertation in public policy, and so this too may require explanation and defense. First is the presumption that law and policy are interrelated on a fundamental level, and that they can—and arguably should—be studied together. Clearly there is substantial overlap between these two interdisciplinary subject areas, the boundaries of each of which are already somewhat blurry. Certain areas are conventionally seen as the domain of law—constitutional interpretation, for example; however, judges interpreting the Constitution may be seen as “making policy” just as they are often seen as making law. Similarly, the political and administrative process through which government action is planned, promoted, implemented, and evaluated—which generally defines the policy process—clearly entails the involvement of law at many points. Policy needs law, just as law needs policy. In fact, law’s need for policy seems generally acknowledged and understood, for there is little doubt that law at all levels should be backed by policy principles, and that

judges in their interpretations of law should generally be guided by those principles of policy. However, it may be somewhat less well understood and acknowledged that policy is also crucially dependent on law, although perhaps this too should be obvious, as it is primarily—though not exclusively—through law that policy is given effect. Law and policy are thus inextricably linked in many subject areas, and the rules and procedures for conducting elections provide just a typical example. The first methodological assumption is therefore that legal and policy research should be more closely connected, and this work accordingly represents an effort to bridge the two disciplines.

This leads to the second methodological assumption—which is probably even more in need of defense—namely, that academic research in public policy should pay more explicit attention to the normative dimensions of policy problems. Again, scholarship in the legal academy appears generally to acknowledge and understand the need for normative theory and methods of analysis, but public policy as a discipline seems less open to this kind of approach. Instead, academic policy research seems largely to focus on applying empirical—and mostly quantitative—analytical methods to policy problems, as exemplified in its emphasis on “evidence-based policy,” in the general excitement about the promises of “big data,” and in the rising popularity of randomly assigned studies and “quasi-experimental” design approaches. Indeed, academic research in public policy is not generally known for engaging in normative theory and analysis, and most dissertations in the discipline take an approach very different from this one. This, arguably, is unfortunate, for while empirical methods may be crucial in helping to resolve many important policy problems, ignoring the need for foundational normative theory can lead to research questions and answers that are largely irrelevant in terms of the actual policy process.

Different areas of policy may be more or less in need of increased attention to normative issues, but voting rules and procedures might provide a perfect example of the need for this type of approach, given that the gaps between theory and practice seem so clear in this area. Rather than avoiding these admittedly difficult and politically charged issue areas, academic research in public policy could actually be in a perfect position to help connect democratic theory and practice in a more meaningful way. In fact, one of the forefathers of public policy, Harold Laswell, referred to the discipline around its inception as the “policy sciences of democracy,” which he anticipated would be specifically oriented toward identifying and resolving the “discrepancy between doctrine and practice” with regard to democratic ideals (Laswell 1951, 10). While Laswell may have been somewhat enamored of the burgeoning potential for quantitative analytical methods at the time, he was also sensitive to the need for policy research to include “a very considerable clarification of the value goals involved in policy” (9). Of course Laswell also clearly recognized the value of an interdisciplinary approach in policy research, and he specifically mentions the intersection of law and policy as a promising new development at the time of his writing (14). He concludes, “It is probable that the policy-science orientation in the United States will be directed toward providing the knowledge needed to improve the practice of democracy” (15).

The methodological approach of this dissertation is thus consistent with Laswell’s overall vision for research in public policy: It explores fundamental ideas in democratic theory relating to the value of participating in elections, utilizing normative methods common in legal research, and incorporating findings from empirical political science and formal analytical methods, to produce a policy-oriented analysis with real-world implications, particularly for electoral institutions in the United States, but also more broadly for democracies worldwide. For as argued throughout this dissertation,

foundational conceptions of voting in modern democratic theory, including basic notions of the meaning and purpose of participating in mass elections, have profound implications for election law and policy. A central premise of this work is that electoral institutions embody democratic theory in practice, and so election laws and policies—from U.S. Supreme Court doctrine down to the decisions of local administrators—are inevitably expressive of democratic ideals and values. Any critical analysis of electoral institutions therefore requires fundamental normative assumptions about what voting means—and how or whether voting matters—under prevailing conditions of democratic politics.

Additionally, the approach taken here further assumes that election laws and policies may themselves reflect back on normative conceptions of voting and inform prevailing ideas about the meaning and value of participating in elections. This is broadly consistent with the interpretive policy analysis of Dvora Yanow, which asks the general question, “*How Does a Policy Mean?*” (1996). Similarly, Suzanne Mettler and Joe Soss have drawn attention to this mode of policy analysis in an important article entitled, “The Consequences of Public Policy for Democratic Citizenship: Bridging Policy Studies and Mass Politics” (Mettler and Soss 2004). In contrast to conventional methods of analysis, Mettler and Soss advocate for conceptualizing political behavior as resulting from “policy feedback,” an analytical method they say “offers scholars an approach to mass politics that clarifies the place of public policy within the field of political behavior” (57). In fact, Mettler and Soss specifically associate their approach with analysis of low and unequal voter turnout, an approach they see epitomized in E. E. Schattschneider’s influential work on the structural reasons for nonparticipation in American politics (58). Indeed, in *The Semisovereign People*, Schattschneider expressly states, “The expansion of the participating political community ought to be a major objective of American

politics,” an objective he indicates will require development of “public policy about politics” (Schattschneider 1960, 112-113). Moreover, he states this approach should force scholars to “reexamine the chasm between theory and practice” in American democracy (131).

The essential point here is that many—if not most—of the key legal and policy issues related to electoral rules and procedures involve fundamental normative questions, for not only do theoretical conceptions of the value of voting have important implications for electoral institutions, but these institutions themselves also have significant consequences for ideas of democratic meaning and purpose. Empirical analysis may therefore be incapable of providing much guidance in the major problem areas of election law and policy.

For example, research on strict voter identification laws—the subject of widespread debate in recent years—has largely focused on analyzing the effects these laws may have on patterns of turnout, and particularly on their potential for discriminatory demographic or partisan effects. This line of research may be interesting and informative, and perhaps even useful in some manner, but it neglects a fundamental normative question regarding these administrative requirements, which is as follows: Is it acceptable for *any* individual citizen to be disenfranchised due to lack of an official identification document? This question arguably poses a more policy-relevant problem than estimating the turnout effects of various ID laws, although it is a normative question that is presumably more difficult, particularly since it may have no objectively correct answer. Nevertheless, this work posits that these types of questions pose important policy problems that demand discussion and analysis (and there might actually turn out to be more consensus than expected on the answers). Again, this is not to say that empirical analysis of the effects of voting rules and procedures is not also interesting and important,

and potentially relevant to election law and policy: For instance, if an ID requirement is demonstrated to have a discriminatory effect on the participation of certain groups, this should certainly count as a strong policy argument against it, and it may of course have legal consequences as well. However, empirical analysis cannot substitute for—and should not be allowed to “crowd out”—research on broader normative problems relating to voting rules and procedures.

Furthermore, it is essential not to allow policy questions to be determined by the methodological tools that happen to be available, but rather first to determine what policy questions are important, and then to use whatever methods are best suited for addressing these questions. The framing of what are considered to be policy-relevant questions not only influences the substance of public policy debates, but perhaps more importantly, it reveals and reinforces certain theoretical assumptions, some of which might actually be counterproductive to broader normative objectives.

Returning again to voter ID laws, current debates revolve largely around the assumption of an inevitable tradeoff between competing interests in electoral integrity and participatory access. Without entering here into the details of this debate, there should of course be no dispute about the need to secure the electoral process from fraud and error, which clearly entails identification procedures of some kind to ensure that individuals vote only once, vote in their own name, are eligible to vote, etc. However, administrative procedures for electoral integrity must be designed around fundamental democratic norms. For example, the institution of the secret ballot makes securing elections much more difficult, but it is today universally accepted as a normative requirement of democracy, and efforts to ensure electoral integrity simply have to work within the constraints of ballot secrecy. Similarly, if disenfranchisement for lack of a valid identification document were viewed as normatively unacceptable, as a matter of

participatory democratic theory, then security procedures would just need to work within that constraint (which incidentally is not that difficult in practice, though that matter is beyond the current scope). The fact that scholarly debates around voter ID laws seem instead to center mostly on empirical questions of how many individuals might be deterred from voting, and whether certain demographic groups are disproportionately affected, can be seen as conceding the fundamental normative question of whether it is acceptable for even *one citizen* to be disenfranchised by an unnecessary administrative requirement.

This methodological critique may extend to other areas of public policy where empirical analysis seems generally insufficient to answer important questions, and might even in some ways be counterproductive. However, the need for a normative approach seems especially evident for policy issues involving electoral institutions and the motivating factors of voter turnout, as explored in this dissertation through the framework of the calculus. In fact, many of the election laws and policies discussed in this work have effects on turnout that are fairly clear; what is unclear is how to interpret the normative significance of these effects. Thus, the overall argument here is that public policy in the area of voting rules and procedures is not really in need of more empirical research at this time, and to the extent that such research may be needed, it can probably be provided by the traditional academic disciplines. Rather, now in particular—with the value of voting and democracy itself under serious threat—what is urgently needed, what the discipline of public policy is in a unique position to provide, and what this dissertation aims to contribute, is increased attention to the normative foundations of democratic elections. One might hope this approach will contribute to the eventual development of broader consensus in this area, but even if no consensus on these matters is possible, the discussion itself may be important and useful—especially in drawing attention to the gaps

between theory and practice regarding the individual-level interest in electoral participation.

Some might respond that current debates over voting rules and procedures are at root matters of base political partisanship, and thus arguably do not even deserve to be treated as matters of election law and policy, except perhaps to suggest procedural reforms seeking to constrain the manipulation of electoral institutions for political purposes. The problem of partisanship in the adoption—and reform—of voting rules and procedures is certainly an important area of focus, but more substantive discussion of normative theory is also needed, not least because partisan actors generally try to frame their actions as based on substantive principles. Furthermore, even if the influence of partisanship could somehow be eliminated—or perhaps at least reduced—the missing links between democratic theory and practice would remain, and would still need to be addressed.

There is no doubt that the issues raised here are highly charged politically, particularly given the polarized environment currently dominating American politics, where suggestions of electoral reform are almost automatically perceived—probably quite often correctly—as intended to influence electoral outcomes and the distribution of political power. Moreover, beyond the partisan battles there is also a potentially more principled argument over where the authority to determine voting rules and procedures should actually reside, and precisely how that authority should be distributed among federal, state, and local levels of government—and perhaps also the judiciary. It might therefore be especially difficult to locate foundational normative principles underlying these complex and highly politicized debates. However, scholarship in election law and policy should not evade these important issues simply because they are politically sensitive or philosophically contentious. In fact, it is specifically hard problems like these

that arguably deserve and require increased scholarly attention, and abandoning the field only makes it easier for partisan manipulation of electoral institutions to continue.

Once again, the discipline of public policy—with its methodological flexibility and its orientation toward improving the democratic process—is ideally suited for this type of research, at least if there is a willingness to devote more attention to the normative dimensions of policy problems and to avoid the temptations of bright-line distinctions between policy and politics. As Deborah Stone has emphatically stated, “Policy analysis is political argument, and vice versa” (Stone 1997, 375). Stone’s approach relies on recognition that the policymaking process is inevitably structured by conflicting interpretations of fundamental normative ideals and standards, which is why there is a need for critical-interpretative perspectives in policy analysis like the one in this work. More research along these lines might actually help better define the function and position of public policy among the academic disciplines, perhaps bringing it closer in line with the overall model of the legal academy. Regardless of methodological proclivities, in the end, the approach taken in this dissertation is hopefully justified by the outcome of the research itself—to the extent that important and useful perspectives on election law and policy do emerge from reinterpretation of the terms of voting calculus, and that this defense of voting may be judged successful.