

# Social Critiques of Electronic Voting

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## INTRODUCTION

The use of computers in the electoral process—to count punch-card ballots, or to maintain a register of voters—has been in place in many countries for some time. We now see many countries move to more thoroughly integrate computers into the voting experience, by introducing what are commonly known as “electronic voting” systems. The use of such systems in public elections combined with the role of voting in creating and maintaining democratic institutions requires that we pay attention to the impact that changes to the electoral process have on the construction of the public nature of elections.

## BACKGROUND

The essential characteristic of an electronic voting system, as discussed here, is that voting takes place through the use of a computer or specialized electronic interface—commonly called direct recording electronic (DRE) equipment. Such systems usually also collate votes and calculate results through electronic means, but this latter characteristic is shared with other systems not considered here (Cranor, 2001). In restricting ourselves to systems with an electronic interface, it is important to note essential differences between electronic voting in polling stations, voting in kiosks, and remote Internet-enabled voting where voters can vote from any Internet-enabled computer (Chen, Roberts, & Gibson, 2002). Although all three forms constitute electronic voting and introduce computing technologies to the voting process, they have quite different impacts.

Media attention to electronic voting often focuses on system failures, and expert-driven critiques of the technical shortcoming of the various systems, such as the need for a voter verified audit trail (VVAT). Social critiques, if considered at all, are often relegated to anecdotal accounts of the ease of use (or lack thereof) of the system. However, much of the rationale put forward for the transition to electronic voting presumes a social critique, such as arguing that “the practice of voting ... has not kept pace with social and economic change” (Pratchett, 2002, p. 4). It behooves us, then, to interrogate the social impacts of electronic voting, given particularly the centrality of

voting to our social and political structures. In doing so we focus on three main aspects. First, we examine general social critiques of technological development and the implications of these for discourse around electronic voting. Second, we examine the impact of electronic voting on the public nature of elections. Third, we examine issues of usability and participation. There is, necessarily, overlap between these various areas—both questions of public space and usability can be understood to turn on the issue of accessibility and inclusivity—but these headings provide a convenient point of departure for a consideration of the questions to be addressed.

## EXPERTIZATION AND TECHNOCENTRIC DEBATE

Much analysis of electronic voting stems from a neutral conception of technology, divorced from any consideration of the cultural context of technology’s production or consumption. Linked to this is a belief that any problems with the implementation of a technology are technical in nature, and can be addressed by technical fixes. This frame can be used, for example, to explain debate over the need for—and means of implementing—a voter verified audit trail in electronic voting systems. Alternative approaches arise from those who view technology as existing primarily within a cultural framework. Kling, for instance, challenges the “tool” metaphor, arguing (1996, p. 20) that “part of what is required ... is a willingness to examine computer issues as part of a larger socio-technical system, not just as a component.” For such theorists an exclusive concentration on, for example, cryptography, or questions in computer science has at least three troubling aspects. First, it ignores issues that cannot necessarily be considered within a technological frame, such as the nature of the public-private divide or the interplay of technology and culture. Such issues form the basis of the remaining sections of this article.

Second, a neutral conception of technology is tied to a view that newer, more “high-tech” solutions are somehow necessarily better, by virtue of their novelty and innovation. Such an approach doesn’t accommodate a belief that a technology may be “sufficiently advanced” or that technological innovation is not synonymous with

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progress. One report, for instance, chides voting processes (Pratchett, 2002, p. 4) explicitly for having “changed very little in over 100 years.” Illich has criticized the cycle of obsolescence that emerges in a society where:

*Periodic innovations in goods or tools foster the belief that anything new will be proven better....The “better” replaces the “good” as the fundamental normative concept.* (Illich, 1973, p. 74-75)

Illich is wary of a situation where “a few corporate centers of decision-making impose compulsory innovation on the entire society” (1973, p. 73) and concerned with the manner in which a certain form of technology gains what he calls a “radical monopoly” over the accepted range of approaches to social innovation. Efficiency and speed, modernization, an image as a technologically advanced society: all become aims in themselves, irrespective of whether they are needed to address identified problems. A more techno-skeptic approach would prompt greater scrutiny of, and skepticism about, the rationale for introducing electronic voting, asking, for instance, whether its introduction is focused on a necessary change, or whether it is the most effective solution to identified problems with the existing system. To what extent might electronic voting circumscribe or influence the possibility of future choices, such as—to take a topical issue in the U.S.—the introduction of instant run-off voting?

Third, full engagement with the issues raised within a technocratic framework frequently requires a level of expertise and knowledge that serves to exclude most people from discussion concerning matters of great public importance. In a similar vein, Mercuri notes in relation to electronic voting that:

*Electronic balloting and tabulation makes the tasks performed by poll workers, challengers, and election officials purely procedural, and removes any opportunity to perform bipartisan checks. Any computerized election process is thus entrusted to the small group of individuals who program, construct, and maintain the machines.* (Mercuri, 2001)

## PUBLIC-PRIVATE DIVIDE

Apart from the purely functional matter of electing officials, elections are seen by some to act as a legitimating ritual (Hoffman, 2000; Oostveen & van den Besselaar, 2004), serving as a symbolic process that both acknowledges and, in doing so, creates the “public.” One can usefully ask how adoption of electronic voting—particularly Internet voting—might affect the significance of

voting as “a symbol which unite [sic] people in a common commitment toward democracy” (Monnoyer-Smith & Maigret, 2002, p. 283). There seem to be two related issues at play in such a critique. First, by removing the solemn, and sometimes arcane, aspects of the ritual of voting we risk obliterating the cultural markers that identify an election as an important social act. Some observers (Schaffer, 2002) go so far as to suggest that moves designed to “clean up” elections may, perversely, be linked to disenfranchisement and demobilization. Second, voting becomes increasingly refigured as an individual act. Barber already criticizes the existing system of secret voting in representative democracies:

*Our primary electoral act, voting, is rather like using a public toilet: we wait in line with a crowd in order to close ourselves up in a small compartment where we can relieve ourselves in solitude and in privacy of our burden, pull a lever, and then, yielding to the next in line, go silently home.* (Barber, 1984, p. 188)

With Internet voting we do not even need to attend a public place, thus reducing even further the social nature of the act of voting. However, this is also true with absentee or postal ballots, and so this criticism, as leveled at Internet voting, is perhaps best understood as one of remote voting generally. Barber’s dislike of the secret ballot is, it should be noted, somewhat unusual, but it does raise the question: why secret? The secret ballot was introduced to protect individual voters from coercion and manipulation, and to prevent vote selling. Remote voting, in which oversight by election officials is absent, and where it cannot be assumed that voters will be free from intimidation or observation, removes these protections. Thus there are concerns (Oostveen & van den Besselaar, 2004, p. 6) that “with remote voting...family members, colleagues, or employers may try to influence the voter’s decision...Internet voting is expected to substantially increase the scale of these problems.”

For Jürgen Habermas elections and similar systems are the necessary but fallible “legal institutionalization of the general conditions of communication for a discursive formation of will” (1992, p. 450)—necessary because in practice we need some means to move from debate to action, fallible because of temporal and other constraints under which voting occurs. Systems put in place for holding elections should encourage the discursive, reflective formation of opinion by individuals, rather than an “unpolitical follower mentality” (Habermas, 1992, p. 450) where people act only for their own personal short-term preferences. In this context, processes that make voting more convenient for individuals, but which diminish the social, deliberative and discursive elements of the electoral process are doing both the voter and society a

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