



The Ballot: Right or Privilege?

Why Voting Is a Fundamental Right of Legal Citizens—and Why It Cannot Exist Without Verification

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Uncompressed Thinking

Abstract

A democracy fails not only when citizens are denied the right to vote, but also when that right is diluted. The ballot is not an abstract symbol—it is a governing instrument. It belongs, in law and in principle, to **legal citizens**, and its protection requires a dual obligation: to guarantee access for every eligible citizen and to ensure that only those legally entitled participate.

The current public debate often treats these obligations as competing—framing verification as suppression and access as sufficient. That framing is structurally wrong. It stems from a deeper conceptual error: failing to distinguish between a fundamental right and the structured conditions under which that right is exercised. Voting is a fundamental right of legal citizens, but it exists within a framework of eligibility, verification, and responsibility that protects its meaning.

A functioning democratic system must do both—secure access and enforce integrity—or it ceases to function as intended.

I. The Core Proposition: A Right That Must Be Protected in Both Directions

At the center of a fair democracy stands a simple proposition that should not be difficult to defend: voting is a fundamental right of **legal citizens**, and it is the government's duty to protect that right in full. Protecting it, however, means protecting it in both directions. It means guaranteeing that every legal citizen has a real and unobstructed path to cast a ballot, and it means guaranteeing that no person without legal standing as a citizen can dilute that ballot.

Both duties are inseparable. Access without integrity is not democracy. Integrity without access is not democracy either. A functioning republic requires both.

This is where much of the current public discussion loses its footing. The debate is often framed as a choice between access and verification, between voting rights and voter identification, between fairness and security. That is a false choice. The task of government is not to select one side of this divide, but to secure the entire structure.

II. A Lesson in Civics: Bruce Jensen and the Meaning of Structure

I did not arrive at this position through partisan alignment. I arrived at it through civic understanding—much of it shaped by my friend Bruce Jensen.

Bruce was a team leader in our work on nuclear nonproliferation in the late 1990s and early 2000s. Beyond the technical domain, he was a leader who held your back. That alone builds strong systems—teams, institutions, even nations. We also shared something deeper: a genuine appreciation for this country, a sense of gratitude toward it, and a serious, almost quiet patriotism about preserving what makes it work.

Bruce also became, in his own way, a mentor in American civics and constitutional thinking—areas where my Soviet education had left gaps. One of those lessons began with a simple question:

Is driving a right or a privilege?

The answer, as he guided me to understand, was that it is a privilege—not because it is unimportant, but because it is consequential. Driving requires identity, qualification, and compliance because misuse can harm others.

That distinction—between rights and privileges—was not semantic. It was structural. And it became increasingly clear to me over time that some of the most important rights in a democratic system are exercised through frameworks that resemble privileges: defined eligibility, verification, and responsibility. Voting belongs precisely in that category. The right itself is fundamental—but the conditions under which it is exercised are structured, and necessarily so.

III. The Legal Foundation: Voting as a Right of Citizens

Fast forward to today, and one of the most contested issues is voter identification. The argument is often presented as though requiring identification inherently infringes upon voting rights.

But the starting point must be precise:

the right in question belongs to legal citizens.

American constitutional law reflects this clearly. The Constitution and its amendments protect the right of **citizens** to vote against denial or abridgment on prohibited grounds—race, sex, age (over eighteen), and others. The language is not accidental. It consistently ties the franchise to citizenship.

At the same time, the Constitution entrusts the administration of elections largely to the states. This creates a system in which voting is both:

- a **fundamental right of citizens**, and
- an **administered legal process**, governed by rules, procedures, and safeguards.

Federal law reinforces this boundary. Non-citizen voting in federal elections is unlawful. This is not a marginal technicality—it is a defining feature of democratic self-governance. The right to select a government belongs to the legal members of that polity.

Recognizing this does not diminish anyone. It clarifies the structure within which democracy operates.

IV. Access and Integrity: The Dual Obligation of Government

Once voting is understood as a fundamental right of legal citizens, the responsibility of government becomes clear—and it is twofold.

First, government must **guarantee access**. Every legal citizen must have a practical, real, and unobstructed ability to vote. This includes ensuring that any requirements—such as identification—are accessible, affordable, and not used as hidden barriers. This is not optional. It is a core obligation.

Second, government must **guarantee integrity**. The system must ensure that each ballot cast corresponds to a legally eligible voter. The principle of “one person, one vote” is not a slogan; it is a structural requirement. Without it, representation loses meaning.

These obligations do not compete. They reinforce one another. A system that expands access but neglects integrity invites dilution. A system that enforces integrity but obstructs access invites exclusion. Either failure damages democracy.

A common objection is that voter identification requirements may disproportionately burden certain populations and thereby restrict lawful access to voting. Taken seriously, this concern does not weaken the framework presented here—it completes it. If the state requires identification, then the state carries the full responsibility to ensure that such identification is readily obtainable by every legal citizen entitled to vote. Accessibility is not a concession; it is an obligation. In that sense, the question is not whether identification should exist, but whether the state is fulfilling its duty to make compliance universal and practical. Once that duty is met, the argument that identification is inherently suppressive loses its structural basis, and the focus properly returns to preserving the integrity of the ballot.

V. Voter Identification: Instrument of Integrity, Not Its Opponent

This brings us to voter identification.

In current discourse, ID requirements are often portrayed as inherently suspect. But that framing is conceptually flawed. The real question is not whether voting should be accessible—it must be. The real question is whether a system can remain credible if it refuses to verify who is participating in it.

Modern societies routinely verify identity for activities far less consequential than voting: boarding an aircraft, entering secure facilities, driving a vehicle, or accessing various services. It is difficult to argue that selecting the government requires less care.

A right that cannot be verified at its point of exercise risks becoming detached from the very conditions that give it meaning. In the case of voting, that meaning is inseparable from lawful participation by legal citizens.

Properly understood, voter identification is not an obstacle to voting rights. It is one of the mechanisms by which the state fulfills its obligation to preserve those rights in their meaningful form.

That statement, however, carries an essential condition: identification requirements must not function as barriers. If the state requires ID, it must ensure that such ID is realistically available to every legal citizen entitled to vote. Once that condition is met—and in this position, it is assumed as a given—the argument shifts. The issue is no longer access versus suppression. It becomes whether a democracy serious about its own structure is willing to verify participation in its most consequential process.

The Supreme Court, in *Crawford v. Marion County Election Board*, recognized that states have legitimate interests in preventing fraud, safeguarding voter confidence, and maintaining the integrity of elections.

That recognition does not permit abuse—but it does affirm a basic principle: integrity is not an illegitimate goal.

VI. The Danger of Conceptual Drift

Where I part company with much of modern discourse is in the steady blurring of essential distinctions.

There is a tendency to speak in universal terms—rights, dignity, fairness—while quietly eroding the legal boundaries that give those terms operational meaning. A country may owe many obligations to all persons within its borders. But the right to choose that country's government belongs, by definition, to its legal citizens.

If that boundary becomes unclear, citizenship itself begins to lose practical significance. And when foundational categories lose clarity, institutions follow.

This is not a theoretical concern. Democracies depend on distinctions that are respected in practice:

- citizen and non-citizen
- access and integrity
- inclusion and eligibility

When those lines are blurred—whether out of carelessness, ideology, or short-term political advantage—the result is not progress. It is confusion. And confusion, sustained over time, invites mistrust, manipulation, and eventual institutional weakening.

VII. An Explicitly Apolitical Position

This argument is deliberately apolitical.

It rejects the idea that any political party should benefit from ambiguity in voter eligibility or enforcement. Any such ambiguity can be exploited—by any side—and when it is, the result is the same: dilution of the legal citizen's vote.

The principle at stake is simple and neutral:

No individual or group should gain political advantage from uncertainty about who is legally entitled to vote.

A system that enforces both access and integrity equally protects all participants. It removes incentives for manipulation and restores trust in outcomes.

VIII. Conclusion: The Ballot as an Instrument, Not a Symbol

I return, finally, to Bruce Jensen—with gratitude.

He did not offer conclusions so much as he offered a way of thinking: separating concepts that are too easily merged, asking structural questions where others rely on slogans, and treating civic language with precision.

That lesson applies directly here.

Voting is a fundamental right of **legal citizens**. That right is neither weakened by verification nor strengthened by ambiguity. It is protected when the system that carries it is both open and secure.

The ballot is not merely a symbol. It is an instrument by which a legal citizen participates in governing the republic. That instrument must remain accessible, protected, and legally bounded.

If we lose any one of those qualities, we do not improve democracy—we begin to erode it. I hope this position would be approved by Bruce, his faithful student in civics 101. More importantly, I hope it contributes to restoring clarity where clarity is urgently needed.

Because in the end, democracy is not sustained by good intentions alone. It is sustained by structures that work—and by citizens willing to defend them with precision.