

VOTING RIGHTS FOR OLDER CHILDREN AND CIVIC EDUCATION

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INTRODUCTION

The issue of voting rights for older children has been high on the political and philosophical agenda for quite some time now, and not without reason. Aside from principled moral and philosophical reasons why it is an important matter, many economic, environmental, and political issues are currently being decided—sometimes through indecision—that greatly impact the future of today’s children. Past and current generations of adults have, arguably, mortgaged their children’s future, and this makes the question whether (some) children should be granted the right to vote all the more pressing. Should (some) children be given the right to vote? Moreover, does the answer to this question depend on civic education, on whether children have been deliberately prepared for the exercise of that right? These are the questions that will occupy us in this article. Our answer to the first will be that older children—children roughly between 14 and 16 years of age¹—ought to be given the right to vote.

Our intentionally open definition of “older children” warrants a brief comment. Politically speaking, it will, of course, be necessary to draw an arbitrary line where the age of eligible voters is concerned. Yet rather than argue for a specific age, we leave the range somewhat open because, firstly, the empirical evidence is simply inconclusive in this regard, and secondly, it may turn out that, owing to various contexts, background conditions, and other relevant variables, a range of ages exists at which children can be deemed competent to vote. The speed with which children develop physically, cognitively, and emotionally is not biologically fixed, but rather is dependent on various socio-economic, educational, and political factors. For instance, it is influenced by the demands made on children, the responsibilities assigned to them, and the age at which these occur.² The point is that the voting age may legitimately vary from one polity to another.

As we will demonstrate, older children are able to satisfy the minimal standard of competence that functions as the criterion of eligibility for voting. In order

to satisfy this criterion—and this is our answer to the second question—one does not normally need to have received any formal civic education, so such a requirement should not be used as a further criterion of eligibility. Even so, the civic education children receive, and the age at which they receive it, may be one consideration among others that may help to determine the exact voting age in different polities. Further, civic education may be necessary for those exceptional cases where the minimal standard of competence would otherwise not be met. Hence, the fact that voting rights for older children do not crucially depend on the civic education they have received does not mean there is no significant role for civic education, and we will devote our closing section to an exploration of the potential contribution that civic education can make.

We proceed as follows. In the first section, we will home in on the only compelling argument against granting children the vote, namely the competence objection. We focus especially on the relevant competences older children are able to demonstrate because we understand less than we should about the benchmark for competence. By clarifying the appropriate competence threshold, we then defend the view that older children should indeed be given the voting right. Following this, we take up the question of the role of civic education. Here, we explain that although civic education is not a necessary condition for older children's voting rights, it still may play an important supportive role.

LOCATING THE THRESHOLD OF COMPETENCE

There are only two criteria that could justify excluding children from exercising the right to vote: membership and competence.³ Yet, most children already *are* members of a particular nation-state. Importantly, too, membership within the democratic community is best determined by the criterion of those who are “bound”—and not only affected⁴—by government decisions. Because children, then, clearly qualify as members of the demos, only the criterion of competence carries any weight. Thus competence is the decisive issue because the basic presumption in a liberal democratic society is that everyone should be allowed to vote. This presumption tracks with the principle of *democratic inclusion*. Democratic inclusion, in combination with the principle of equality or equal rights—a principle generally taken to be fundamental to democracy—leads to the view that “exclusions from the franchise should be conceived of as exceptions to fundamental constitutional principles and are, as such, clearly in need of justification.”⁵ And this is highly relevant because it is indeed in terms of competence—or children's putative incompetence—that their exclusion from the franchise is most often justified.⁶

Now, if competence is the critical variable, where should the threshold be set? The available answers are highly variable. For example, we might insist that competent persons exhibit lofty motives, say, exhibiting an obvious preference

for the collective vs. one's own personal good. Such a lofty ideal might incline us to favor some kind of equivalent to Plato's philosopher rulers, whose infinitely wise decision-making competences are the special reserve of an elite few.⁷ Or we might insist that competence requires an intricate knowledge of political systems or the specific functions of elected officials. However, both of these competence standards set the bar too high. Both in fact require that the average voter ought to possess the qualities of an *ideal citizen*. Indeed, both require competence of such a demanding sort that only a tiny percentage of citizens would likely meet the standard.

Notice, too, that both criteria move us rather far away from any *democratic* conception of civic competence. Consistent with the principle of democratic inclusion, the more members of a polity who are allowed to vote, the more democratic suffrage is. Accordingly, while "democratic competence" certainly implies broad inclusivity, it does not require that one's motives be pure, or that one have a sweeping command of political knowledge. Rather, it implies merely that one have knowledge and discernment sufficient to the voting enterprise and be able to demonstrate *some* understanding about the rationales behind different political positions.⁸

But then, what counts as sufficient knowledge and understanding? Delineating the required minimum will be inherently problematic, for any proposal will be to some extent arbitrary and therefore contestable. We can, therefore, only roughly indicate where the threshold ought to be fixed. Consider David Archard's definition concerning what the minimal threshold of a voting competence might entail:

The competence required of the voter is a minimal rationality, an ability to distinguish between parties, candidates and policies in terms of interests, aims and goals which can be identified as worth promoting. In short, the ability is that of making a choice between alternatives on relevant grounds.⁹

As with most approximate definitions, we are confronted with some degree of imprecision. In particular, Archard's definition requires a bit more specificity concerning what "minimal rationality" entails. By minimal rationality, we understand him to mean that persons are able to demonstrate the ability to assess complex information, consider different perspectives and possible outcomes, and weigh both the available reasons and evidence offered on any particular issue before arriving at an informed conclusion.

Of course, no definition on such a broad subject will satisfy everyone. Yet, in contrast to overly demanding notions of competence, Archard's definition appears to satisfy a reasonable threshold of competence necessary for democratic inclusion. Further, his definition meshes well with the principle of democratic inclusion, which implies that what we find to be an acceptable level of competence for adults should also apply to older children. So, with regard to the required knowledge and understanding this means, for instance, that voters should understand that voting

influences who will enter political office, and that this will have some impact on the policies made and implemented by the government, that they have some idea of what political debates are about, and so on. These requirements are in fact fairly minimal.¹⁰

But even if one rejects—as we have—an overly demanding standard of competence, it is important to remember that competence must always be located on a continuum. It admits of degrees. Further, owing both to human fallibility as well as the necessary possibility for improvement, competence does not describe a fixed point but rather an *acceptable* capacity to execute certain performances. Even the most competent surgeon or pilot, say, is capable of serious error in perception, judgment, or performance, and therefore cannot be expected to *flawlessly* exercise a particular competence.¹¹ Accordingly, *basic* competence does not betoken an overly demanding list of requirements but rather the satisfaction of a minimum standard, recognizing that some minimum standards will be more demanding than others.

And because competence admits of degrees, it stands to reason that even the most competent person—in any domain—is capable of improving his or her skill or craft. Competent teachers, brick masons, and athletes can strive for higher levels of competence without ever arriving at some absolute level beyond which both continued improvement and error are impossible. Further, once a basic threshold of competence has been reached, gradations of competence may still be considerable among competent persons. One doesn't need to have the skills of a Formula 1 driver to get one's driver's license, nor does one have to be a star at parallel parking; similarly, a basic level of knowledge and didactic skill are enough to qualify as a teacher—more refined judgment and experience may or may not develop later. Voter competence, too, follows this logic. We therefore approvingly endorse Archard's minimalist account as indicative of what is necessary to satisfy the basic requirements of civic competence.

Do Older Children Meet the Criterion of Eligibility for Voting?

Opponents of lowering the voting age typically use developmental arguments that refer to qualities such as immaturity, lack of judgment, emotional instability, impressionability, and impulsiveness.¹² Empirical evidence is adduced to show that children lack the requisite qualities. Brain research is sometimes cited to support this view. A well-known finding in the neurosciences is that teen brains are not fully developed compared to adult brains.¹³ In particular, the frontal lobe, an important brain region for complex decision making, is decidedly incomplete.

Yet, such evidence on its own cannot settle the matter before us, namely whether children are incompetent to vote. In fact, since brains are said to go on “maturing” at least until persons are in their mid-twenties, brain research provides no clear argument for keeping the voting age at 18; instead, it might just as well be used

to argue for *raising* the voting age. Presumably, however, such a proposal would meet with the objection that competent voters would then be excluded from the vote—which is exactly the issue we address here with regard to older children.

Further, in psychology, various researchers¹⁴ have found little if any difference between early teens and adults in terms of their ability to understand fairly complex issues, weigh possible outcomes, and make informed decisions. Emotional maturity, rather than age or cognitive development, has been shown to be more highly correlated to understanding complex issues.¹⁵ Moreover, the literature on informed consent is replete with examples of young people capable of understanding and processing complex information but also enjoying full mandated power with respect to their own medical treatments.¹⁶

The literature on impulsivity and self-control also does not support the current common age limit of 18. Research by Eysenck et al.,¹⁷ Casey et al.,¹⁸ and Steinberg et al.,¹⁹ for instance, cannot be used to justify the present voting age. In fact, it might just as well be used to argue for raising it. This, however, would imply the exclusion of large numbers of competent voters, and again, would presumably be more controversial than lowering the current voting age. As with most domains of research, there is no absolute consensus on the capacities of young people. But the point here is that even if we turn to what is arguably the most immediately relevant empirical evidence, the exclusion of older children from the franchise still seems baseless.

Now, it is true that some young people display low levels of civic competence²⁰ owing to poverty, abuse, or exposure to environmental hazards. But these outcomes tell us nothing about the competence of young people generally; instead, they point to the appalling environmental conditions in which some children are being raised. Moreover, a number of cross-national comparisons have found that the democratic competences of 14-year-olds are rather sophisticated.²¹ Indeed, many older children also exhibit a rather impressive capacity for critical thinking and understanding; they are able to explain, evaluate, and provide reasons using logical thinking and knowledge of relevant evidence at least as well as many adults. (Parents and teachers accustomed to arguing with teenagers will know this to be true.) Each of these findings are significant for the present discussion inasmuch as they convincingly corroborate Archard's minimal rationality standard, the threshold we have argued is necessary for demonstrating the competence necessary to vote.

Of course, some might object to the enfranchisement of older children not because they lack a capacity for reasoning, but rather because they lack *judgment*.²² The intuition behind this objection might be that children—even older children—lack maturity and judgment, and thus before one can responsibly enter the political realm, one would need to develop a capacity for judgment, and that this can only be learned with time and experience. Indeed, the ephemeral stage of

adolescence is thought by many to be a training period for cultivating the judgment needed for the demands of adult life. Consistent with this line of argument, younger persons presumably are denied the vote because suffrage involves—or is meant to involve—acquiring but also assessing rather complex information and being able to discern the long-term effect of the votes that one will cast.

Similar paternalist arguments are enlisted on a range of behaviors, such as consuming alcohol or gambling. So, there is a standard of legal self-responsibility implied in voting that older children are thought not to have. Indeed, most minors generally display psychological, social, and economic *dependency*. Accordingly, the average legal adult is assumed to possess the requisite ideal qualifications—or meet a certain threshold—while older children presumably do not possess them.

To be sure, time is needed to develop certain competences, the ostensible reason behind the delay in being granted specific political freedoms. Older children, like everyone else, are not likely to understand all of the complexities behind the relevant political issues; they also are prone, like everyone else, to make errors in judgment or to be unduly swayed by misleading campaign promises and advertising. Further, it is obviously the case that with more experience, there will presumably be greater insight and wisdom about how best to approach a particular task such as voting.²³ But it is problematic to define the threshold of competence in terms of judgment, not only because it is a much vaguer notion, but also because it could easily be (ab)used to exclude sane adults from the franchise.

In any case, none of the foregoing counts against the ability to satisfy the minimal threshold of competence. In fact, older children who are not allowed to vote are generally deemed competent enough to be held fully legally responsible for their actions. Thus Lau is surely correct to observe that both the competences assumed necessary for voting as well as legal self-responsibility “require the agent to decide between several courses of action and to understand the consequences of those choices. Indeed, legislation for both crimes and voting in various jurisdictions requires an awareness of the nature and significance of the action.”²⁴ Further, Archard argues that “it does seem inconsistent for a jurisdiction to hold a given age group responsible at law for their actions, but not mature enough to play any part in the process whereby that law is shaped and validated.”²⁵ In contrast to the voting franchise, where no exceptions with regard to voting rights are made for particularly competent older children, a child’s age is almost always taken into consideration in criminal law when punitive measures are being considered. So there is a clear—and, it seems, untenable—asymmetry here.

But critics might also argue that children are incompetent in another way; they might stress children’s lack of knowledge of politics and the political system. Suppose that older children are not as well informed as adults, or even that they express apathy toward politics, something that Chan and Clayton argue is confirmed by their empirical research.²⁶ Should we be concerned about this? Not if we are chiefly

interested in the minimal threshold of competence. Remember that this threshold will be one entailing minimal rationality. With respect to the voting franchise, Archard's minimalist conception, quoted above, entails only that one have an ability "to distinguish between parties, candidates and policies in terms of interests, aims and goals which can be identified as worth promoting." Older children on average may be less politically mature or competent than older voters, but these averages are not relevant to meeting that standard. Were the opposite the case, then voter ignorance and apathy in the adult voting population would warrant curtailing the voting right. And in fact, Hart and Atkins provide powerful empirical evidence for their conclusion that "16- and 17-year-olds are generally indistinguishable in their capacity to function as citizens and to vote responsibly from the youngest adults [18-year-olds] who are entitled to vote."²⁷ This evidence encompasses civic knowledge, political skills, and political efficacy, among other things.

Summing up, the evidence we have reviewed seems to support the idea that older children would typically understand what they were doing if they were voting, and they would not be obviously distinguishable from adults in their rationality or the manner in which they would cast their vote. It is also important to notice that, given the presumption in favor of democratic inclusion, we do not need to make a conclusive positive case for older children's competence in order to defend their right to vote. It is enough to show that the empirical evidence does not clearly speak *against* (some) children's competence. In short, the argument that children should be excluded from the voting franchise on the grounds that they lack the requisite competence fails in the case of older children. It is therefore unjust to withhold from them the right to vote.

What Is the Best Way to Track the Eligibility Criterion?

If competence is the crucial issue, one might ask, why not use an assessment instrument such as a competence test or exam—similar to a driving exam—capable of distinguishing the incompetent from the competent, instead of relying on age as a proxy for competence? This arguably would abolish the need to rely on empirical evidence of the kind assessed above, and accordingly settle the matter more simply and decisively. It is an important question, since different answers would lead to rather different views concerning who, exactly, should be granted the right to vote.

Archard,²⁸ however, offers a number of reasons why introducing a competence test would be a bad idea: first, it would be extremely costly and impractical, involving periodic re-sittings; second, the risks of corruption and the abuse of power would be high, as many examples from history and current practice will show; finally, he continues, "the initial terms of a competence test and the grading of responses to it could be endlessly controversial."²⁹ It is well known that tests of this kind—for example, those seeking to acquire citizenship—are notoriously

trivial in the items they test, for example, names and dates of persons and events of doubtful importance. More odiously, some governments have used items such as literacy tests in order to intentionally exclude specific minority groups from voting.³⁰ Thus whereas the use of age as a criterion generates stable expectations, that is, citizens know exactly when they qualify for the right to vote, the use of a competence test both entails risks and creates insecurity.

Now, it might be objected that these arguments only apply to a “thick” competence test, but not to “thin” or less demanding tests. For instance, Cook argues for the use of a procedural test for minimum electoral competence.³¹ Rejecting tests of “political maturity” because they are inevitably controversial and too “thick,” and because “maturity” is a vague concept, he advocates a test of minimal literacy and independence. The voting process can in fact serve concurrently as the required test, for “the literacy required of voters can be tested by requiring that they provide in person their name, address, [and] date of birth, and sign to consent to the rules of the ballot.” Further, “the capacity for independent democratic choice may be tested by making voter registration and voting voluntary and private.”³² This, according to Cook, makes for a “transparent and determinate test,” a “clear and determinate threshold,” for we can plainly see whether someone is able to read and write, and we can also plainly see whether someone turns up by himself to register and make sure he or she casts his or her vote in a private booth. There are several problems with this proposal, however.

Firstly, as Cook admits, this kind of “independence” says nothing about the independence of voters’ democratic choices. But if that is so, it is unclear what “independence” means here, apart from turning up by oneself and entering the voting booth alone. The privacy of the voting booth is obviously important and, as he suggests, does indeed offer the opportunity of voting as one wishes. Yet, the potential role of duress is not cancelled out, especially since it may prevent a person from registering in the first place. Secondly, and more importantly for our purpose, it is unclear what the relevance of this kind of “independence” is to the question concerning who should be granted the right to vote. That people are able to go along with this procedure does not mean they know what they are doing. To be sure, people who understand the procedure are very *likely* to also understand what voting is about; but the latter is what matters, and it is not clear that a test of the former is a better proxy than age for the minimal competence required for the right to vote. Thirdly, the criterion of minimal literacy is both too restrictive and too permissive. It is too permissive because one can be minimally literate in Cook’s sense without having the competence required for voting; and it is too restrictive because there are illiterate people (in the sense that they cannot write and perhaps in some cases cannot even read) who are nevertheless competent in the relevant sense. Not being able to write can even go hand in hand with strong political competence, as post-colonial and anti-racist scholars continue to remind us.

Arguably, a stronger suggestion might be to use a minimal competence or capacity test *as a supplement* to an age limit. This is what Munn proposes.³³ In this system, everyone above a certain age is allowed to vote, barring those judged to be incompetent (for instance, because they are thought to be cognitively disabled). Those who are excluded—persons either below the age limit or judged to be incompetent—can challenge their exclusion by means of a competence test (“capacity test,” in Munn’s terms). The “regime” Munn proposes would be “inclusive, minimal, voluntary, and sortal”: it seeks to include more people by way of a minimal test that supplements the age criterion, a test that people can voluntarily take, and that leads only to a pass or no-pass (i.e., no judgment about the level of capacity). This proposal largely avoids the problems identified by Archard; accordingly, we agree that a minimal capacity test can be used to supplement the age criterion that functions as the main way to track competence, the criterion of eligibility for voting.

Consequences of Granting Older Children the Vote

Extending the voting franchise to older children would certainly have consequences, both in terms of electoral outcomes as well as on the children in question. Whatever the case, we should stress that our argument is not consequentialist; that is, our case for inclusion of older children in the franchise is not based on the expected consequences of doing so, but rather on the injustice of their exclusion. Yet, that fact does not mean that we can afford to ignore the consequences of lowering the voting age. For if the consequences of giving older children the vote were to be dramatic, either for themselves or for society at large (or both), in theory, this could override children’s right to vote. For this reason, it is worth considering the possible consequences.

A common fear is that lowering the voting age would decrease voter turnout, which, presumably, would be bad for the legitimacy of the government. As Chan and Clayton convincingly show, however, it is a mistake to focus only on average turnout.³⁴ Enfranchising older children would normally not lead to a decrease in participation of older citizens. And however low the turnout among the new voters is, we would still have gained representation, however limited, of a new section of the population. It is hard for us to imagine this development in negative terms.

The worry about lower turnout is just one variant of the argument that giving older children the vote would somehow be detrimental to society. But how exactly would the political engagement of older children cause more harm than what is already permitted (e.g., corporate lobbying, super PACs, misleading political advertising) in politics? To the contrary, there is reason to believe that things might actually—if only marginally—improve. In any case, since voting rights protect fundamental interests, opponents of extending the franchise to older children would have to show that doing so would harm the *fundamental* interests of others. Merely pointing out *potential* damage will not suffice. And even if fundamental

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interests could be shown to be at stake, these would still have to be balanced against older children's right to vote. This objection, then, fails.

Another objection is that lowering the voting age will curtail childhood by imposing "adult-like" responsibilities. But this argument is fraught with difficulties. Firstly, it enormously exaggerates the "burden" of voting. Ideally, perhaps, voters are strongly impressed by a sense of the importance and seriousness of the task before them, but it is not plausibly the case that the average adult experiences it in this way. Voting is not, for most people, an extremely burdensome thing, and certainly for young people, it is fair to assume that a new right is even an enjoyable and interesting thing to have and exercise.

Secondly, many older children already shoulder serious responsibilities, including working to attain a diploma, having a job, caring for siblings, and so forth. These are not evidently less "burdensome" than those entailed by the right to vote. In fact, allowing older children to vote might actually *contribute* to their development; it might help children to explore and reflect upon their commitments, consider alternate points of view, and so on.

So what about the positive consequences of enfranchisement? These might include an increased sense of recognition, the satisfaction of having one's say, the excitement of participating in elections, waiting for the outcomes, and so forth, and finally, the benefit of combining learning and doing. But the benefits accrue to society as well. Giving older children the vote would provide some kind of balancing out of the voting realities presently obtaining in most liberal democracies where, for instance, the retired and elderly represent a very large percentage of the voting bloc and, on the strength of their well-organized special interest lobbies, unduly influence the issues taken up in the political process.³⁵ There is also strong anecdotal evidence to suggest that young people, perhaps owing to their idealism, are more inclined than their older fellow citizens to become politicized.

If we are right about these things, then we should not be surprised if politicians generally avoid addressing the spoken concerns of young people, knowing that they are ineligible to vote. Examples of such concerns might include the increasingly alarming effects of climate change, the rising costs of university education, decriminalizing nonviolent drug offenses, institutionalized racism and sexism, undocumented student protections, the urgent need to expand and improve vocational educational opportunities and apprenticeships, the trend in all segments of the labor market toward the use of flexible and short-term rather than permanent contracts, and so on. Older children having the right to vote would mean that on these and other matters, politicians would have to be *at least as* concerned with the interests of the young.

On balance, then, it seems to us untenable to suggest that giving older children the vote would have dramatic detrimental consequences, either for the young voters or for society as a whole. The consequences may be significant, but they

are not likely to be worrisome. To the contrary, the potential gains significantly outweigh the purported risks.

THE ROLE OF CIVIC EDUCATION

Having demonstrated that a strong case can be made for extending the voting franchise to older children, we now consider the role of civic education in this context.

Do Voting Rights for Children Depend on Civic Education?

The more substantive the notion of competence used as the criterion of eligibility for voting rights, or the higher the threshold of competence people are required to meet, the greater the role of civic education is likely to be. However, because we have defended the use of a minimal threshold, the role of civic education is likely to be more circumscribed. Given that what is required for voting is a minimal rationality and a minimal understanding of the democratic system and the business of voting, we conjecture that most older children will acquire the necessary competence even in the absence of formal education in this area. It is hard to live in a society with a representative democracy without picking up fairly quickly how the system works, what people do when they vote, and so on. This is, admittedly, a speculative empirical argument, albeit in our view a plausible one.

As it happens, the evidence of civic competence in minors found in empirical studies, such as that undertaken by Hart and Atkins,³⁶ comes from a background where children commonly receive civic education in school. It is probable that in the absence of this education, children would have less knowledge and understanding of politics and the political system, and it is theoretically conceivable that some would not meet the threshold of competence with regard to knowledge of the political system. This alone provides a good reason to continue with civic education in school. But even if empirical research were to establish that civic education is *necessary* in order to ensure that most children are able to meet the threshold of competence, for reasons outlined above, it would still be a mistake to make the right to vote dependent on having passed an exam. That is to say, factual dependency of competence on education—which we don't think exists for minimal competence—should be separated from normative dependence of voting rights on civic education, and the latter should be avoided. Civic education, at least with regard to the required minimal competence, is best viewed as a backup system to ensure that as many as possible older children will meet the basic threshold. Since the appropriate age limit may differ from one polity to another, however, the contents of civic education and the age at which children receive it may constitute one consideration among others that may help to determine the voting age. If a country's education system were to be such that

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virtually all 14-year-olds have a good basic knowledge of, and interest in, the political process, this would surely count in favor of a lower age limit.

Is There a Further Role for Civic Education?

While we see a limited role for civic education when it comes to settling the question concerning whether older children should be granted voting rights, and while a definitive civic competency exam strikes us as both inexpedient and ripe for abuse, we nevertheless wholeheartedly endorse combining an extension of the voting franchise to older children with renewed attention to civic education. Even though the right to vote is premised on fairly minimal requirements, there are good reasons to try and boost older children's knowledge, understanding, and skills *beyond* that minimum. We see three possible contributions of civic education that are of immediate relevance to voting rights for older children.

Firstly, there are strong indications that civic education has a highly significant effect on items like knowledge of the political system and voter turnout. Dee, for instance, provides evidence to suggest that the consistently observed strong correlation between civic education, on the one hand, and civic knowledge, attitudes (e.g., concerning the principle of free speech), and participation, on the other, is at least partly due to a causal effect of education.³⁷ Since voting is meant to have an impact, the potentially beneficial effects of civic education on civic knowledge and attitudes provide a strong reason to offer it. Perhaps more important here than the possible outcomes at the voting booth is the development of moral character and the reasoning capacities worthy of democratic citizens and necessary for consciously reproducing democratic norms, though these need not be confined to civic education programs.

Secondly, schools have the opportunity to function as a “playground” democratic environment, integrating civic education with the life of the school.³⁸ This would allow children to develop basic civic competences—preferably not based on merely accepting the political state of affairs as it is but rather on cultivating historically informed critical discernment and the capacity for dissent—and to practice these in ways appropriate to their level of intellectual and emotional development. As suggested earlier, the importance of putting these into practice also gives us an additional reason to allow children to participate in the democratic process as soon, and in as many ways, as possible.

Thirdly, since older children in most countries must already take classes on government and civic responsibility, where they learn about their rights and responsibilities as citizens and the importance of political participation, giving them the vote would signal to them that we are serious about these issues. Indeed, older children arguably are *better* positioned to vote competently relative to others if they also can see the immediate relevance of what they are *learning* with what they are also *able to do*. Currently, older children learn that while knowledge of,

and participation in, the political process is important and they each have a role to play, competences many of them already exhibit cannot be put to good use for a few more years.

CONCLUSION

In a democratic society committed to the fundamental equality of all people, exclusions from the voting franchise require justification. Those under the age of 18 are commonly excluded from the voting franchise on the supposition that they lack the relevant competences. However, as we have demonstrated in the case of older children, it is far from clear whether the evidence concerning their competence warrants their exclusion. There certainly is little evidence to suggest that they do not normally meet the minimal threshold of competence they need to satisfy in order to be eligible for voting rights. Therefore, given the presumption in favor of democratic inclusion, older children ought to be given the right to vote. This right should not be predicated on their having received a civic education intended to prepare them for its exercise. Nevertheless, there are good reasons—reasons related to the cultivation of civic competence generally, and to the exercise of the right to vote specifically—for providing civic education.

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NOTES

1. We acknowledge that the age may vary from one polity to another, as it currently does in countries that have already lowered the voting age.

2. Most books on child development pay ample attention to the various factors that influence the pace and direction of development; one example is Lightfoot, Cole, and Cole (*Development of Children*).

3. Blais, Massicotte, and Yoshikana, “Deciding Who Has the Right to Vote,” 42.

4. After all, those “affected by” certain government decisions may include those in countries far away.

5. Beckman, *Frontiers of Democracy*, 53; cf. Grover, *Young People’s Human Rights*, 49.

6. Munn, “Capacity-Testing,” 1135–36.

7. Cf. Brennan (*Ethics of Voting*), where the author provides a fascinating ethical account for when persons should feel themselves bound *not* to vote.

8. See Friedman (“Democratic Competence”).

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9. Archard, *Children: Rights and Childhood*, 101.

10. In his defense of the supplementary use of a capacity test Munn writes that “each enfranchised voter must, in order to have capacity [*sic*] for political participation, understand the nature of voting and the effect of voting and have the ability to make choices between options.” See Munn (“Capacity-Testing,” 1139–40).

11. Neither does being competent necessarily mean that one can, or will, indefinitely execute a particular competence. Competences can be lost, through injury, trauma, or absence of routine practice. Loss of a competence may be temporary, say, recovering the capacity to serve a tennis ace after convalescing from a debilitating shoulder injury, whereas in other instances, the loss of a competence is irretrievable owing—for the time being—to an incurable condition such as Alzheimer’s.

12. Cf. Chan and Clayton (“Should the Voting Age Be Lowered?” 549–53).

13. See Powell (“Neurodevelopment”); and Strauch (*Prima Teen*).

14. See, for example, Weithorn and Campbell (“Competency of Children and Adolescents”); and Beyth-Marom et al. (“Perceived Consequences”).

15. Dorn, Susman, and Fletcher, “Informed Consent in Children and Adolescents.”

16. See Kuther (“Medical Decision-Making and Minors,” 250).

17. Eysenck et al., “Age Norms.”

18. Casey et al., “Behavioral and Neural Correlates.”

19. Steinberg et al., “Age Differences in Sensation Seeking.”

20. Hart and Atkins, “American Sixteen- and Seventeen-Year-Olds.”

21. Hoskins et al., “Comparing Civic Competence”; Kerr et al., *ICCS 2009 European Report*; Rychen and Tiana, *Developing Key Competencies*; Schultz et al., *ICCS 2009 International Report*.

22. López-Guerra, “Enfranchising Minors,” 117. López-Guerra takes this phrase from Waldron (“Core of the Case,” 1378); López-Guerra himself does not develop the notion of judgment, however, speaking of understanding and valuing the act of voting instead.

23. However, greater insight and wisdom with more experience is not a foregone conclusion; much depends on the quality of media and information to which one is exposed, the willingness of persons to change their minds on the strength of the evidence, the complexity of understanding that ordinary citizens might be expected to have in order to cast a discerning vote, and so on.

24. Lau, “Two Arguments,” 867.

25. Archard, *Children: Rights and Childhood*, 100.

26. Chan and Clayton, “Should the Voting Age be Lowered?,” 552.

27. Hart and Atkins, “American Sixteen- and Seventeen-Year-Olds,” 220.

28. Archard, *Children: Rights and Childhood*, 90–91.

29. *Ibid.*, 91.

30. Filer, Kenny, and Morton, “Voting Laws, Educational Policies.”

31. Cook, "Against a Minimum Voting Age," 450.
32. *Ibid.*, 451.
33. Munn, "Capacity-Testing."
34. Chan and Clayton, "Should the Voting Age be Lowered to Sixteen?," 537.
35. See Leib and Ponet ("Fiduciary Representation"); Seelye ("Mini-Mutiny"); Van Parijs ("Disenfranchisement of the Elderly").
36. Hart and Atkins, "American Sixteen- and Seventeen-Year-Olds."
37. Dee, "Are There Civic Returns?"
38. See Kohlberg ("Just Community Approach"); and Oser, Althof, and Higgins-D'Alessandro ("Just Community Approach").

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