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How Young Should Voters Be?: 16-Year-Olds' Entitlement to the Most Basic Civil Right [Part V]

Posted By [Vivian Hamilton](#) On January 22, 2013 @ 2:30 pm In [Civil Rights, Election Law, Uncategorized](#) | [6 Comments](#)

This is the last in a series of posts on the voting age. In what is becoming a global trend, more than a dozen democratic nations have lowered their voting ages to 16, and others are seriously considering doing so. Two days from now (on Jan. 24), the House of Commons will [debate](#) ^[1] a pending [bill](#) ^[2], the Voting Age (Comprehensive Reduction) Act 2013, which would set the voting age to 16 across the United Kingdom. Parliamentary assemblies in Scotland, Wales, and the self-governing British Crown Dependencies have already voted to do so. The United States is not among the democracies considering this issue, but it ^[3] should be. As we extol the virtues of political participation to nascent democracies around the world, we should also remain open to reexamining our own electoral processes — particularly those that result in individuals' categorical exclusion from political participation. (See my [first](#) ^[4] post.)

It is time we too reexamined the voting age. It was lowered in 1972 from 21 to 18 to bring it in line with the draft age. "Old enough to fight, old enough to vote" remains catchy and has intuitive appeal, but the logic is questionable, as the ability to do one does not necessarily imply the ability — or inability — to do the other. We now know more about voter decision making in general, processes of cognitive development, and adolescent decision making in particular. This knowledge contributes to our ability to make better-informed assessments of what competent voting entails, and the age by which that competence is reliably attained.



Generally, our voter qualification rules aim to ensure would-be voters' (1) interest in and ongoing connection to the political community; and (2) vote decision-making competence. The young are interested members of the community, so only their presumed lack of competence justifies their exclusion. Informed by empirical studies of voter decision making, I have argued for a cognitive-process-driven conception of vote decision-making competence (see my [second](#) ^[5] post). I explained in my [third](#) ^[6] post why this conception of competence would not operate to disfranchise current voters. A conception of vote decision-making competence instead provides us with a tool we currently lack — a principled standard against which to assess the age or age range by which typical individuals reliably attain the capacities that constitute competence. Upon reaching that age, individuals would, just as they do today, automatically gain the franchise. The state should then bear a heavy burden to disfranchise individuals presumptively entitled to vote but whose competence is nonetheless in question, such as adults with mental impairments. (For a thoughtful critique of individualized assessment tools advocated by some, see [this](#) ^[7] article by [Prof. Nina Kohn](#) ^[8].)

I argued in my [most recent](#) ^[9] post that 16- and 17-year-olds have attained the cognitive and decision-making capacities required for vote decision-making competence. That alone ought to justify their enfranchisement; their unwarranted exclusion diminishes our democratic legitimacy. (For an elaboration of the above arguments, see my recently-

published [article](#) ^[10], *Democratic Inclusion, Cognitive Development, and the Age of Electoral Majority*.)

Correcting the arbitrary exclusion of this (competent) cohort of the political community is arguably the most powerful reason for enfranchising 16- and 17-year-olds. Lowering the voting age may also improve our democratic processes in other important ways. It may, for example lead to:

Increased Voter Knowledge: Public ignorance of basic civics, government, and politics is [well established](#) ^[11]. Becoming eligible to vote while still enrolled in high school, however, makes lessons in civics/government more immediately relevant to students' lives. That immediacy — the real-world application of acquired knowledge — can give students added enthusiasm and incentive to learn, and can provide educators with invaluable teaching tools. Currently, many students will leave high school before becoming eligible to vote, may no longer be in a structured educational setting once they do become eligible, and may wait several years before having the opportunity to vote in a presidential election. Their political disengagement is obviously not inevitable; we have simply lost an opportunity to impart lasting lessons, generate early enthusiasm, and encourage lasting habits (see below) of political engagement and participation.

Greater Political Attention to Youths' Issues and Increased Political Engagement by Youth: Government exists to serve all. Yet it doesn't serve all equally. Young people have neither money to contribute nor political power to exert. Lowering the voting age at least alters the latter. If a greater number of young people had the vote, legislators might take better account of the issues and services that affect them most directly — public transportation, public education, etc. My town (Williamsburg, VA) has two large public high schools. If I were campaigning for local public office, and I knew that half of those students were eligible to vote, I'm pretty sure I'd arrange to to pay the schools a visit, participate in a school-sponsored debate, etc. For their part, adolescents able to meaningfully engage with local leaders and have a voice statewide and nationally may develop and maintain interest in and enthusiasm for civic participation.

Increased Rates of Voter Participation: Voting is a habit. Those who vote once tend to become habitual voters, whereas those who do not tend to remain nonvoters in subsequent elections. Political scientist and sociologist [Eric Plutzer](#) ^[12] [noted](#) ^[13] that "as young citizens confront their first election, all of the costs of voting are magnified" as they must identify how and where to register to vote, where their polling place is, etc. High-school graduates, moreover, have frequently moved out of their parents' homes or gone to college. Researchers have found that the geographic mobility that typifies emerging adulthood substantially increases barriers to voter registration. Lowering the voting age to 16 means that virtually all young people would become eligible to vote while in high school and still living with their parents. Both school enrollment and stable residency can simplify registration and voting processes.

Reasonable people who favor the status quo have argued that "[y]oung people . . . have neither the worldly experience nor the historical perspective to make comparative judgments about social values . . . [They] do not have settled convictions. They are still too young to have occupations, professions, or incomes . . . [T]heir voting behavior would be erratic, [and] render electoral patterns less reflective of rooted values and genuine interests." Yet these words were published in 1968, in an article arguing against lowering the voting age from 21 to 18. (William G. Carleton, *Votes for Teen-Agers*, *The Yale Review*, LVIII, October 1968). They should remind us of the power of the status quo to render itself seemingly inevitable and close our minds to the reality that sometimes, it's just the status quo. It is true that, when they cannot, it is our obligation to speak for our children; but when they can, it is our obligation to let them speak for themselves.

Image: http://upload.wikimedia.org/wikipedia/commons/b/bf/Votesat16_Logo_web.jpg

"[The Votes at 16 Coalition](#) ^[14]" is a U.K. coalition comprising more than 40 youth and democracy organizations.

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URLs in this post:

[1] debate: <http://www.parliament.uk/business/committees/committees-a-z/commons-select/backbench-business-committee/news/debates-for-january/>

[2] bill: http://www.publications.parliament.uk/pa/bills/lbill/2012-2013/0046/lbill_2012-20130046_en_2.htm#l1g1

[3] Image: <http://www.concurringopinions.com/archives/2013/01/how-young-should-voters-be-16-year-olds-entitlement-to-the-most-basic-civil-right-part-v.html/youth-vote-5-16-2>

[4] first: <http://www.concurringopinions.com/?p=69068>

[5] second: <http://www.concurringopinions.com/?p=69122>

[6] third: <http://www.concurringopinions.com/?p=69229>

[7] this: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1216252

[8] Prof. Nina Kohn: <http://www.law.syr.edu/deans-faculty-staff/profile.aspx?fac=147>

[9] most recent: <http://www.concurringopinions.com/?p=69296>

[10] article: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2086875

[11] well established: http://www.amazon.com/Just-How-Stupid-Are-We/dp/0465014933/ref=sr_1_1?s=books&ie=UTF8&qid=1358802212&sr=1-1&keywords=just+how+stupid+are+we+facing+the+truth+about+the+american+voter

[12] Eric Plutzer: <http://polisci.la.psu.edu/people/exp12>

[13] noted: <http://www.jstor.org.proxy.wm.edu/stable/3117809>

[14] The Votes at 16 Coalition: <http://www.votesat16.org>

[15] : <http://hq.ssrn.com/submissions/MyPapers.cfm?partid=397446>

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