



## Should Children Have the Right to Vote?

*Eric Wiland*

1. Suffrage, or the right to vote, is one of the most important political rights citizens of democratic states possess. Although there are many ways the ideal of self-governance can be politically instantiated, almost all make some use of voting to direct the affairs of the state, whether by voting on initiatives, referenda, or (most commonly) candidates for political office. A state that is directed entirely by unelected officials who execute policies that are not approved by the public violates citizens' right to self-governance. Further, such a state is highly unlikely to rule in a way that benefits its citizens.

Suffrage, however, is not universal anywhere. In every nation in the world, a significant proportion of citizens are barred from voting simply because they are *young*. Is the disenfranchisement of children just? In this chapter, I review several arguments for concluding that it is indeed just. I also give some reasons for thinking none of the arguments work and argue that the voting age should not merely be lowered but abolished.

2. There is no shortage of considerations one might cite in order to argue that citizens of a certain age should be denied the right to vote. Here are just a few common arguments for the conclusion that it is not unjust to deny children the right to vote. We can categorize these arguments into different kinds:

A1. Children's interests are already represented by their parents, and thus it is not unjust to deny them the right to vote. Their parents or guardians vote in ways that adequately reflect not only their own interests, but also the interests of their children.

A2. Children will be pressured by their parents to vote the same way that they are voting, and thus it is not unjust to deny them the right to vote. Given

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E. Wiland (✉)  
University of Missouri-St. Louis, St. Louis, MO, USA

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this pressure, children will not vote in a way that represents their own interests when their interests in fact diverge from the interests of their parents. They will just cast another vote for their parents' interests. So even if children were to vote, their vote would lack the value voting has when it represents the interests and the will of the individual voter. So, denying children the right to vote is not unjust.

A3. Children are not intelligent (or rational or informed) enough to vote well, and thus should not have the right to vote. Justice requires democracy because democracy has epistemic benefits not shared by other forms of government. When a state's policies reflect the will of its citizens, its policies benefit the populace. But these benefits obtain only because voters vote intelligently, at least for the most part. If voters were instead ignorant or irrational or otherwise unintelligent, then the candidates they elect and the referenda they support would not reliably serve the public interest. Were such the case, justice would not demand that citizens have the right to vote.

A4. We justly prevent children from doing many things that adults have the right to do. Children do not have the right to make contracts, possess alcohol, drive on public roads, join the armed forces, consent to sex, and so on. And whatever justifies depriving children of these things also justifies depriving them of the right to vote.

Each of these arguments might alone suffice to show that it is not unjust to disenfranchise children. Together, they seem to make it obvious that disenfranchising children can be just.

3. I explore responses to the several arguments above. Consider A1, the argument that it is not unjust to deprive children of the right to vote because children would vote the same way their parents would vote. Spelled out, the argument looks like:

(A1a) Children would vote the same way their parents vote.

(A1b) If children would vote the same way their parents vote, then it is not unjust to deny children the right to vote.

So, (A1c) It is not unjust to deny children the right to vote.

One might raise worries about the truth of A1a, and in fact, later I briefly consider whether children would vote the same way adults do. But here I respond directly only to A1b. A1b is implausible. First, note that no one thinks:

(A1b') If parents would vote the same way their children vote, then it is not unjust to deny parents the right to vote.

An argument for pedarchy (rule by children) on these grounds is ridiculous. Nor does anyone today still think:

(A1b'') If women would vote the same way as their husbands vote, then it is not unjust to deny women the right to vote.

More generally, it is clearly false that:

- (A1b\*) If one group of citizens would vote the same way as another group of citizens, then it is not unjust to deny the right to vote to citizens in one of these two groups.

In light of this, the case for A1b looks very weak.<sup>1</sup> And so A1 is likely unsound.

A2, however, looks more promising. A2 is based upon an asymmetry: the asymmetry that while parents pressure children to vote a particular way, children do not pressure their parents to vote a particular way. Perhaps an asymmetry such as this could sustain the conclusion that it is not unjust to deny the right to vote to children but *only* to children. Thus, this argument does not threaten to deprive parents or anyone other than children of the right to vote.<sup>2</sup> Spelled out, the argument looks something like:

- (A2a) Parents would successfully pressure their children to vote as they themselves vote.  
 (A2b) If parents were to successfully pressure their children to vote as they themselves vote, then it would not be unjust to deny their children the right to vote.  
 So, (A2c) It is not unjust to deny children the right to vote.

This argument appears to be valid, and I grant A2a for immediate purposes.<sup>3</sup> I thus question A2b. I do not think it is just to deny all children the right to vote simply because parents would otherwise pressure their own children to vote as they do. For I do not think that there is any plausible general principle from which A2b would flow. Consider

- (A2b') If husbands were to successfully pressure their wives to vote as they themselves vote, then it would not be unjust to deny their wives the right to vote.

No one today thinks *that*. No woman should be disenfranchised just because *another* successfully exerts undue pressure on her. That would be punishing the victim. More generally, it is wrong to deny someone a political right just because some others would successfully pressure them to use that right in some particular (but legal) way. That is, the following principle is plainly false:

- (A2b\*) If those in one group of citizens were to successfully pressure those in another group of citizens to vote as they themselves vote, then it would not be unjust to deny those in the second group the right to vote.

A2b would be supported by a more general principle like A2b\*. But A2b\* is patently false. And it is not clear what *else* would justify A2b. So A2 too appears to be unsound.

Arguments A1 and A2 seek to justify a minimum voting age on grounds concerning the relationship between children and their parents or families. But they do not work, at least not by themselves. It is more promising to consider arguments that focus directly on children's immaturity.

4. A3 argues for the disenfranchisement of children on the grounds that children are not intelligent, rational, or informed enough to vote well. I concede that as a class children are less intelligent, less rational, less informed, and less physically competent than adults. I also concede that this fact makes it more difficult to argue that children should have the right to vote than it is to argue that women or nonwhite adults should have the right to vote. If women or nonwhite adults were, as a class, less intelligent or informed than enfranchised adults, then this would merely be a *consequence* of the fact that the societies they inhabit have denied them equal opportunities rather than *grounds* for so denying them.

Not so with children. While children who have the right to vote may in various ways flourish *more* than children who lack this right,<sup>4</sup> it is not the case that children who have the right to vote would ever be *as* informed or intelligent or rational as other enfranchised citizens are. There is no way to completely obliterate this difference, at least not without leveling down adult voters.

The more important question is: what does this fact imply? I argue: not much. Consider the following argument:

- (A3a) On average, children are less intelligent<sup>5</sup> than adults.
- (A3b) If one group of citizens, on average, is less intelligent than another group of citizens, on average, then it is not unjust to disenfranchise citizens in the less intelligent group.

So, (A3c) It is not unjust to disenfranchise a citizen who is a child.

This argument is valid, or can be easily made valid by adding some uncontroversial premises (e.g. "Children are a group of citizens."). The argument is unsound, though, and this is because (A3b) is false. The problem with (A3b) is clearer if we see what is wrong with the following variation of the argument:

- (A3a') On average, non-professors are less intelligent (informed, rational) than professors.
  - (A3b) If one group of citizens, on average, is less intelligent than another group of citizens, on average, then it is not unjust to disenfranchise citizens in the less intelligent group.
- So, (A3c') It is not unjust to disenfranchise non-professors.

This too is a valid argument, but (A3c') is obviously false, and the problem lies with (A3b). It is not just to deny everyone in a group of citizens the right to vote merely because there is some *other* group of citizens who are, on average, more intelligent (or informed or rational).

Can we repair the argument by improving upon (A3b) in a way that keeps the argument valid? The alleged problem with children voting is not really that they are less intelligent than some other group of voters. It is putatively that they do not reach some *threshold* of intelligence necessary for voting or voting well. It does not matter if there are some *other* citizens who are more intelligent. This is why non-professors should be able to vote, even if they are not, on average, as intelligent as professors are. So we might have:

- (A3a'') On average, children are not intelligent enough to vote properly.<sup>6</sup>
  - (A3b') If a group of citizens, on average, is not intelligent enough to vote properly, then it is not unjust to disenfranchise those citizens.
- So, (A3c) It is not unjust to disenfranchise a citizen who is a child.

(A3b') is much more plausible than (A3b). But it too is false. The fact that the average member of some group lacks a property, the having of which guarantees the right to vote—*this* fact does not make it true that it is just to disenfranchise everyone in the group. Consider all of the citizens currently at Springfield Preschool. It is plausible that, on average, citizens who currently are at Springfield Preschool are not intelligent enough to vote properly. Even so, it would be unjust to deprive everyone at Springfield Preschool the right to vote for this reason. A teacher at the school, for example, should have the right to vote, even though *she* is in a group whose average member is not intelligent enough to vote properly. It would be absurd to determine whether *she* has the right to vote based upon the fact that she is in a group whose average member lacks enough intelligence to vote properly. Averages just do not matter.

Can we repair the argument? Let us look at why felons, for example, are (or might be) justly disenfranchised. Felons are not disenfranchised merely because they belong to a *group* that has certain properties, nor because the *average* felon has certain properties. Rather, being a felon is *itself* taken to be grounds for disenfranchisement. It does not matter whether there are other felons, nor how many there are, nor what other felons are like, nor what non-felons are like. All that matters is whether an individual *himself* is a felon.

Now, *one* property a person can have is the property of being a child. Perhaps the mistake is looking at whether there is a *group* whose individuals may be disenfranchised. Instead, we might consider whether an individual may be deprived of the right to vote on grounds that concern *her herself* rather than on grounds that relate her to some family, household, or other group of individuals. If it is just to deny her the vote, then this must be due to some intrinsic property she has or lacks in virtue of being a child, rather than some relational property.

What could this intrinsic property be? There are many plausible candidates. As the argument above suggests, it might be just to deny someone the right to vote because she is unintelligent, irrational, ignorant, incapable of long-term thinking, or easily manipulable. There are other plausible possibilities as well.

But I am not sure that the very fact that a citizen is of a certain *age* is itself plausible grounds for denying someone the franchise. At best, a citizen's age can be a very useful proxy for some *other* characteristic that disqualifies one from voting. For example, if we somehow knew that every citizen over 72 years of age had committed a felony, it might be just to deny the right to vote to every citizen older than 72. Or if we knew that everyone under the age of 18 was too irrational to vote responsibly, it might be just to deny the right to vote to every citizen under 18. In such cases, age would be a perfect proxy for some *other* characteristic that really does spell the difference between meriting and not meriting the right to vote. But age itself is not that property.

So if it *is* just to disenfranchise children, then this is because there is some *other* property citizens can have that permits disenfranchisement, and that being a child correlates sufficiently with having that property, and not being a child correlates sufficiently with lacking that property. Call this property (or set of properties) *P*. *P* might be the absence of intelligence, rationality, knowledge, or whatever. The idea, then, is:

- (A3d) If one is a child, then it is very likely that one has *P*.
  - (A3e) If one is an adult, then it is very likely that one does not have *P*.
  - (A3f) It is not unjust to disenfranchise a citizen who is very likely to have *P*.
- So, (A3c) It is not unjust to disenfranchise a citizen who is a child.

This argument makes no reference to children, citizens, or any other *group* or plural noun. Moreover, (A3e) is not necessary to the argument but including it reminds us not to take *P* to be a property that is easy to possess; in arguing that it is just to disenfranchise a child, we do not want to be forced to conclude that it is just to disenfranchise very many adult citizens too.

The proponent of this style of argument has several tasks. One is to find some property *P* such that (A3d) and (A3e) are both true. I take it that developmental psychologists are as well placed as anyone to assess this. (That said, it may be that there is no one sufficiently well placed to assess this.) So, I will set aside assessing (A3d) and (A3e) for now. There may be one or more properties that fit the bill. So, let us now consider only (A3f).

(A3f) says that it is just to disenfranchise a citizen who is very *likely* to have some property *P*. Note that this has a different form from the form of the claim that it is just to disenfranchise a citizen because she *does* have some property, like *being a felon*. Surely, there are *some* such properties. But *P* plays a different role than properties like these. So, are they *any* properties (whether or not they would make (A3d) and (A3e) come out as true) for which (A3f) is true? Is it ever just to disenfranchise a citizen simply because she has a property that (merely) makes it *very likely* that she has some *other* property, where that property *would* indeed justify disenfranchisement?

Suppose for the sake of argument that it is indeed just to disenfranchise felons. Now, as things are, we do not need to examine a citizen's properties that merely correlate with being a felon in order to determine whether to disenfranchise her.

We have public records about who is and who is not a felon, and the voter registration office can use these records to disenfranchise the right individuals. We do not need to guess.

But we can imagine a scenario where we *do* need to guess. Suppose due to fire, electromagnetic impulse, hurricane, or some other act of God or demon, the public records about who is a felon have been wiped out. Election officials have no way of directly determining who has committed a felony. They thus face some options about how to proceed. One option is to act as though *everyone* has committed a felony and thus permit no one to vote. A second option is to act as though *no one* has committed a felony and thus permit every citizen to vote. Both of these options are blunt.

Other government agencies, however, come to the rescue. These agencies tell us that they can provide election officials with the first and last names of everyone who is a felon. Thus, we can know that *someone* named, say, Robert Eaton is a felon. We will not know whether some particular voter named Robert Eaton has the same social security number or date of birth as the felon named Robert Eaton. We have *only* the name to go by. And so we could eliminate from the voting rolls *everyone* with the name of anyone who is a felon.

Let us sketch how this might go. Election officials remove citizens who share the same name as anyone who is a felon from the voting rolls. Suppose that about 100,000 citizens have such a name, and we know independently that there are about 90,000 felons alive in the state. So, employing this option will exclude *some* citizens who are not, in fact, felons from voting, about 10,000 of them. These 10,000 citizens have the misfortune of sharing a name with a felon. But using this third option would yield results that more closely resemble the pre-disaster voting rolls than *either* of the first two blunter options would. This third option may seem to be better than nothing.

Even so, one might wonder whether it would be *unjust* to employ this third option. Although we may find a property (having the name of a felon) that *strongly correlates* with a property the possession of which justifies disenfranchisement (being a felon), we will have not found a property that *guarantees* the presence of a property, the possession of which justifies disenfranchisement. Disenfranchising citizens who share the name of a felon may thus be unjust to non-felons who happened to share the name of a felon. *They* would lose the right to vote, even though they should not.

These worries about justice are serious. I think it is pretty clear that it would be more unjust to employ this third option than to employ the second option above. That is, rather than denying the right to vote to all citizens, or to citizens who have the name of a felon, it is just to permit every citizen to vote, including those who have in fact committed a felony. Although (for the sake of argument) it *is* just to deprive convicted felons of the right to vote, it is not just to deprive those who have some property that is substantially but highly imperfectly correlated with being a felon of this right. And so I doubt that it is just to disenfranchise children on the mere grounds that there is a strong *chance* that they possess some property that would justify disenfranchisement.

5. Consider now A4, the argument for disenfranchising children on the grounds that it is just to prevent children from doing many other things that adults may do. We use a minimum age for many social purposes. You need to be at least a certain age in order to buy tobacco, buy alcohol, buy many prescription drugs, buy a gun, have a license to drive, have a license to fly a plane, be allowed to work a full-time job, enlist in the armed forces, consent to sexual activity, consent to medical treatment, make a legal contract, be required to attend school, be allowed to serve on a jury, and be criminally responsible for violating the law. If these preventions are just, why not disenfranchising the youth?

Minimum age restrictions, I think, *can* be justified in order to prevent a young person from significantly harming (1) herself or (2) others. And so the specific restrictions just mentioned can be justified on these grounds.

Voting, however, is different. As far as I know, no person has ever significantly harmed herself or anyone else by voting. The harmlessness of a child's voting stems largely from the fact that a person's voting very rarely alters the outcome of an election. Almost no political elections are decided by one person's vote.<sup>7</sup> A child is more likely to harm others or be harmed herself by riding her bicycle. We cannot justify denying a child the right to vote on the grounds that she is likely to harm herself or others by voting, for she is not likely to.

One might object that the harm stems not from a single child voting but from *children as a group* voting. If there were no voting age, then the outcomes of *many* elections would indeed be different than they would be with a voting age. And, arguably, most of *these* outcomes would be worse. So, although no particular child's vote by itself causes harm, collectively they do. And so, one might conclude, it is not unjust to deny children who are citizens the right to vote.

I have two responses to this objection, one empirical and one ethical. To be sure, we can *imagine* ways in which children might vote badly. But we can also imagine ways in which children might vote well: children have long-term interests that many voters, due to their advanced age, lack. Children thus might be especially keen to vote for policies that invest rather than consume, policies that protect the environment, policies that direct public funds to quality education, and policies whose values align with what they are taught in their classrooms and families rather than those that reflect the ethos of the workplace and the market. But this is all speculation; the point is we lack genuine evidence that children would vote badly and so should not disenfranchise children merely because we imagine they would vote badly. (Recent elections cast doubt on the thought that adults vote all that wisely.)

More importantly, there are devastating ethical problems with A4. The thought is that it is not unjust to deny children as a group the right to vote, because, were *they* to vote, the outcomes of elections would be worse. It is hard to find a cogent argument for this thought. Consider:

- (A4a) It is not unjust to deny the right to vote to citizens who fall into some group *G*, if doing so yields better electoral outcomes.

(A4b) Denying the right to vote to children would produce better electoral outcomes.

So, (A4c) It is not unjust to deny the right to vote to children.

The problem is that there are *many* groups in the electorate whose inclusion in the electorate makes the outcomes of elections worse. Note that white Americans and nonwhite Americans as groups have voted for different presidential candidates in every election since 1968, except for 1996.<sup>8</sup> No matter what your ideology, you should see that excluding *one* of these two groups of citizens from the electorate would have yielded (by your own lights) *many* better outcomes. Now, even though outcomes of elections would be better if white (or nonwhite) citizens were to lack the right to vote, it is unjust to deny white (or nonwhite) citizens the right to vote on *these* grounds. While one defense of democracy is that democracies tend to produce better governments than other forms of government, it is not just to exclude a group of citizens merely on the grounds that the voting pattern of this particular group of citizens harms others. (A4a) is false. And if (A4a) is false, the above argument is unsound. Moreover, it is difficult to see how to repair this argument. The voting age cannot be justified, then, on the grounds that children collectively would harm themselves or others by voting, which is how other age restrictions are justified.

6. Citizens should have the right to vote, unless there is a good reason to disenfranchise them. There may be good reasons to disenfranchise some citizens. But being of a particular age is not itself such a reason. And while age might be a good proxy for some such reasons, we should use proxies only with great caution. In particular, it is not just to use these proxies when doing so prevents many citizens who should have the right to vote from voting. To avoid this injustice, any minimum voting age would have to be *very* low. And the considerations that could justify *any* such minimum voting age would also justify some maximum voting age.

It is best, then, to get out of the business of denying any citizen the right to vote on account of age. Many very old citizens now do not bother to try to vote, and the same would likely be true of many very young citizens, even if they had the franchise. But any citizen who *does* show up at the polls attempting to vote should have the right to do so, or at least to try to do so, *even if* they are old, physically disabled, easily confused, do not speak English very well, cannot pass a literacy test—or, if they are young.

## NOTES

1. Others have argued that a parent should be able to have an extra vote for each child on the grounds that while children are entitled to be politically represented, the parent can exercise this vote as the child's representative. A parent would then have multiple votes. See Paul Demeny, "Pronatalist Policies in Low-Fertility Countries: Patterns, Performance and Prospects," *Population and Development*

*Review*, 12 (supplement) (1986): 335–358. There are many problems with this proposal, not the least of which (1) a child’s parents frequently disagree politically with each other, (2) many children have parents who lack citizenship or the right to vote, and (3) many children are orphans. There have been proposals to cope with some of these problems: allow the parent of the same gender as the child (fathers for boys, mothers for girls) exercise a proxy vote on the child’s behalf, letting each parent have half of the child’s vote, and others still. But besides adding an extra cumbersome element to the voting system, these proposals do not entirely eliminate the injustice I am arguing our current system embodies.

2. One could question this, I suppose. Do children ever successfully pressure their parents to vote differently, to vote, or to not vote?
3. In fact, it is not valid: it draws a conclusion about all children from premises concerning only children who have parents. A similar difference arises in my analogy, for not all women have husbands.
4. Andrew Rehfeld, “The Child as Democratic Citizen,” *The ANNALS of the American Academy of Political and Social Science* 633, no. 1 (2010): 141–166.
5. Intelligence is not the only trait that one might list here. One might instead list rationality, or being well informed, or having experiences of a certain sort. To make the presentation of certain structural features of all of these arguments clear and simple, I select *intelligence* as the trait in question, but what I say applies to other possibly more plausible traits.
6. I leave open what counts as “properly.” I do not mean “so as to vote for the objectively best candidate.” Obviously, children who vote *can* do that. Nothing easier.
7. In 2008, the election for the state representative of Alaska House District 7 was determined by one vote. In 2015, the election for the state representative of Mississippi Legislative District 79 was a tie. There are probably some other such examples, but *extremely few* are similarly consequential.
8. Bob Dole barely lost the white vote.