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*Do the old exploit the young?
Is enfranchising children a good idea?*

I. *Introduction*

DO THE OLD benefit more from the welfare state than the young? Have they even improved their material well-being at the expense of the younger population? A glance at some empirical results apparently confirms this opinion: in six out of fifteen traditional OECD countries for which comparable data are available, relative poverty (less than 50% of median adjusted disposable income) of the population below age 18 exceeds that of those above age 65 (Canada, Germany, Italy, the Netherlands, U.K. and USA). Moreover, in eleven out of these fifteen countries an opposite development in economic well-being occurred between the mid-1980s and mid-1990s: either there was a smaller increase in the poverty rates of the elderly than among minors (or a decline was larger for the first group), or poverty of children and adolescents rose while it fell for the elderly population. The countries where this divergent development took place are Austria, Canada, Denmark, Finland, France, Germany, Italy, the Netherlands, Norway, Sweden, and the U.K. (Förster and Pellizzari 2000: 99-100; see also Rainwater 1999).

The reasons for this situation and development are complex and also vary between them. Nevertheless, the question remains of what can be done to improve the lot of the young population, particularly in view of ongoing population aging which amounts to an increasing numerical

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strength of the elderly in politics. Throughout this article, Germany is used as an *example*. It is among those six countries with a relatively higher youth poverty rate and also one of the eleven countries where a divergent development in material well-being occurred. Additionally, compared with other Western welfare states, Germany will be exceptionally affected by the aging of the population and, hence, of the electorate, and possibly an increase in intergenerational inequities will be more pronounced in Germany than elsewhere. Therefore, I will present further information on the German situation in order to illustrate and highlight the general problem in question.

In 1998, 1.3 percent of the elderly in Germany received social assistance. 25 years earlier the rate was more than twice as high (2.8 percent), and one can assume that today fewer persons aged 65 years and older shy away from claiming this means-tested income support they are entitled to. Nevertheless, in order to minimize the non-take-up rate, the recent pension reform in Germany included the introduction of a basic security scheme, confined to disability and old-age pensioners. The benefits will still be income and asset tested and do not exceed the social assistance level, but the traditional stipulation of reverting to the income of one's children—generally considered to be a major deterrent for elderly people applying for social assistance—is virtually abolished.

While *old* poverty, the archetype being the elderly widow, formerly married to a blue-collar worker, has declined to almost negligible proportions, *new* poverty has increased in Germany since 1973. At the end of that year, 1.9 percent of the non-adult population (< 18 years) received social assistance. 25 years later, the figure has more than tripled. The recipient rate amounted to 6.8 percent (Hauser and Semrau 1990; BMAS 2001: 130, 134)—still disregarding a considerable non-take-up rate and the fact that many more experience one or more spells of poverty during childhood (1). Persistently high unemployment, together with a rising share of the long-term unemployed, not or no longer entitled to (higher) insurance benefits, is one reason; the increase in the number of par-

(1) If children are living in poverty *viz.* receiving social assistance, their parents regularly do so as well. It does not belittle *their* problems that most often accompany this situation to say that child poverty is particularly serious due to the specific needs of children and the long-term effects it may have, e.g. with regard to morbidity, malnutrition, self-esteem, success in school or occupational training and further manifestations of failed social-

ization. Obviously, these individual and social consequences of child poverty are becoming increasingly serious since skills and cognitive abilities determine life chance more than before (Esping-Andersen *et al.* 2001: Ch. 1). For further information on child/family poverty see Vlemminckx and Smeeding (eds) 2001; Bundesregierung 1998: 85-95; Klocke and Hurrelmann (eds) 2001.

ticularly vulnerable single-parent families is a further cause for higher child poverty rates. Additionally, due to non-indexation, cash benefits other than means-tested income support (like child allowance) declined in real value until recently, and family-related social services were not appropriately expanded so as to easily synchronize employment and parenthood, thus restricting the opportunities of low-income families and single parents to earn a (second) wage income.

In contrast, a long-term care insurance was introduced to Germany in 1994. It involved not only a refinancing of long-term care expenditure (a shift from general taxation toward social insurance contributions), but also an almost three-fold increase in public spending. As an intended result, this institutional innovation led to the number of persons receiving means-tested care benefits (*Hilfe zur Pflege*) being almost halved between 1995 and 1998 (BMAS 2001: 128), while the number of frail persons receiving public long-term care benefits tripled since its inception in 1995. The new program was of great concern to all people of about 45 years and older although the risk of becoming frail is a significant one only after 70 (but rises steeply thereafter; BMSFSJ 2001: 81-88). The elderly, of course, have the most immediate interest in long-term care benefits (2). Middle-aged people still of working age want to see their parents (and, after all, themselves) well provided with public pensions and protected against the high additional costs of professional long-term care because those social benefits relieve them from individually supporting the older generation. In particular, middle class families have an interest in protecting the younger generation's prospective inheritance if the frail parents do not have to spend their own assets or, at least, spend less than without the availability of social insurance benefits. It is noteworthy here that benefits solely or predominantly going to the elderly—public pensions, health and long-term care—are financed out of earmarked earnings-related contributions, while public benefits for families and children are overwhelmingly tax-financed and thus permanently in competition with other spending obligations or priorities at the federal, state and municipal level.

(2) During the debate on long-term care insurance, a spokesman of the labor wing of the Christian Democrats urged his party to make an immediate commitment so as not to lose voters aged 60 and above, the only group where the party maintained a 'structural majority' (see Götting and Hinrichs 1993: 66). The same type of argument was used by

Konrad Adenauer, the first Chancellor of the Federal Republic, in defense of the *substantially* expansive 1957 public pension reform he pushed: 'After all, we want to win elections' (cited in Schwarz 1981: 157). In fact, for the first and so far only time, the Christian Democrats gained an absolute majority of votes in the subsequent federal election.

The opposing trends of child and elderly poverty (3), rates now continuously declining with age, and the adjustment of welfare state benefits to socioeconomic change in case of the older generation but less so for the benefit of children and their parents reinforce Harold Wilensky's (1975: 26-27, 48) observation that the welfare state is an arrangement 'fundamentally focused on the aged' because they 'constitute a population in need and a political force for further social security development', being 'a minority of strategic importance in public spending' (4). A continued collectivization of support for the elderly (and a predominantly individual responsibility of parents for the maintenance of their children) was already expected 35 years ago by Gunnar Myrdal (1940: 199) for the very simple reason: 'The aged have votes; children and the unborn do not.' His wife, Alva Myrdal (1945: 344) later added: 'As the political power of old people also grows, however, the real danger may not be for them but for the children.'

The aging of the median voter, due to declining birth rates and increasing longevity, strengthens the bulwark against an improvement of children's welfare in a zero-sum game between the two age groups. Moreover, population aging might also imply increasing intergenerational inequities with regard to the ratio of taxes paid and benefits received, particularly in the case of pay-as-you-go financed old-age security (5). If the 'elderly dependency ratio' changes, so that succeeding generations (more precisely: age cohorts) will be continually smaller, then either the larger (older) generation will receive less pensions and other aged-biased benefits or the next, smaller generation will be asked to pay more taxes and/or contributions. Due to the changing relative strength within the electorate, the older generation will be increasingly better

(3) In the USA, a similar trend was impressively presented almost 20 years ago (Preston 1984). Preston's article was most influential in the emerging controversy on intergenerational equity. The divergent trends in the well-being of the elderly and of children, and the central role public spending played here were hardly denied. Rather, the debate centered around questions of whether the elderly gained at the expense of children and whether the development was an intentional one—due to seniors' voting power and strengthened political influence (Hecl 1988; Cook *et al.* 1994).

(4) Lynch's (2001) analysis of input measures (direct and tax expenditure) shows a clear, albeit varying age-orientation of social policies in OECD countries.

(5) The goal of intergenerational equity—a constant lifetime balance of fiscal burdens and benefits regardless of one's date of birth—is, however, difficult to conceptualize in a non-stationary world with economic growth rates, where succeeding (smaller) generations are, on average, still better off in absolute terms, as a result of investments in human and physical capital made by preceding generations. The problem of intergenerational (in-)equity is not limited to social security. Other issues are public debt or ecological damage where the currently young or yet unborn generations have to cope with the consequences of political decisions and non-decisions (in the case of environmental protection) in which they had not been involved.

equipped to ward off the first solution and impose the second (see e.g. Sinn and Uebelmesser 2001).

In the future, the single problems of increased child poverty and growing intergenerational inequities, both related to the fact that the elderly are becoming ever more able to effectively defend their vested interests, might possibly culminate into one, namely the larger question: whether or not increased numbers of children with deprived life chances right from the beginning, after becoming adults, willingly acquiesce in *and* are actually able to contribute to the well-being of increasingly childless elderly. Tensions, if they arise, could become fiercer the more a society is ethnically diverse, i.e. the ethnic group where child poverty is concentrated differs from the one entitled to the bulk of public benefits in old age (see e.g. Torres-Gil 1992).

As a consequentialist approach to reducing child poverty and to attaining more intergenerational equity, one can conceive of giving children a say in elections in order to make political parties in a representative democracy pay more attention to the interests of the younger generation than before, since ‘the *ultima ratio* of all modern party politics is the ballot paper’ (Weber 1958/1917: 250). Alternatively or additionally, enfranchising children may be required if a democratic deficit is identified. In Germany, such a deontological argument results from two, possibly inconsistent, articles in the Basic Law (*Grundgesetz*). Article 20, para. 2, stipulates: ‘All state authority is derived from the people. It shall be exercised by the people through elections and other votes... In Article 38, para. 2, however, the democratic right is restricted: ‘Any person who has attained the age of eighteen shall be entitled to vote...’ If it cannot be denied that children also belong to ‘the people’, tying the right to vote to the age of majority may be problematic. It would imply that a truly universal suffrage cannot be realised unless *all* minor children are enfranchised (Merk 1997: 262-268; Peschel-Gutzeit 1999; see section 4).

Most recently, corresponding proposals have been brought forward by Stein Ringen (1996; 1997: 3-7, 166-168) and Philippe van Parijs (1999). Ringen’s main concern is child poverty and the structurally disadvantaged position of children in politics. His solution to both problems is to remove the old-age bias from the electorate. Van Parijs’ demand is mainly motivated by population aging and the resulting threat of gerontocracy: the elderly’s political predominance will increasingly violate the norms of intergenerational justice. He calls his solution a ‘Rawls-Machiavelli program’—‘Rawls’ being the synonym for an explicit, ethically acceptable conception of social justice, while the

‘Machiavelli’ component refers to strategically designing political institutions so that they generate the ‘right’ collective outcome (van Parijs 1999: 299–301).

Both Ringen and van Parijs (as well as German scholars discussing this issue—see e.g. Grözinger 1993; Löw 1993; Peschel-Gutzeit 1999) also mention deontological arguments, but they do not clearly differentiate them from consequentialist-type arguments. The position developed in this paper is, first, that accomplishing the desired effects by an extended suffrage cannot be taken for granted. Second, regardless of whether counterproductive effects would possibly prevail or not, the litmus test for enfranchising children is whether it is defensible on principled, non-consequentialist grounds alone. Third, if the proposal fails the test, *future-regarding* politics has to be strengthened by the search for and application of other means.

I will proceed as follows. I will outline the concept of enfranchising children. In the subsequent two sections the pros and cons of this approach are discussed—first, from a consequentialist point of view: whether or not a productive contribution to both the goal of reduced child poverty and of intergenerational justice could be expected; second, the deontological arguments are evaluated. As the discussion in sections 3 and 4 will show, no very strong point can be made in favor of extending voting rights to children. Hence, in order to address the unsolved problems I outlined above, I will examine alternative solutions ‘below’ the level of constitutional change.

2. *Enfranchising children: the concept of parents’ proxy votes*

The history of suffrage is one of extension with (young) age as the only remaining criterion for exclusion. Literacy, land ownership, respectability, paying taxes (sometimes a special *poll tax*), or not being dependent on poor relief, diminished with requirements for the right to vote of adult *men*. The age at which they were first entrusted with the responsibility to politically decide, however, was considerably higher than it is today. Before 1918, in many countries the minimum voting age was 25 years. During political reordering in the wake of the end of World War I, most European states extended suffrage to women, and, after attaining universal and equal suffrage for all adults (including ethnic minorities or majorities, as in South Africa), the minimum age was gradually lowered, most often to 18 years (as in Germany in 1970). Today,

apart from alien residents, minors are the only group of citizens with limited political rights (6).

Hurrelmann (1997) argues that early adult activities have shifted forward to adolescence, making minor young people more individualized, responsible, competent and, in particular, critical of how democracy works, as well as making them discontent with the results of politics (see also Palentien 1997). In order to overcome mistrust, perceptions of powerlessness and political alienation among youth, Hurrelmann argues for a reduction of the minimum voting age to 14 years. He is confident that, at the same time, it would make political parties and policy-makers more responsive to young people's expectations and needs. While one may argue about the exact age at which juveniles have the faculty of judgement required to responsibly take part in elections, there is definitely a lower limit which still excludes those of younger age. Moreover, in a few states in Germany and Austria, the age limit for voting in municipal elections was reduced to 16 years—precisely enhance juveniles' interest in politics and to encourage their political participation, but not to increase their electoral weight. In Germany, so far the results have been somewhat disappointing: voter turnout of the newly entitled age group was substantially below that of the 18 to 24 years age group which generally shows the lowest overall voting rate.

Due to minor youths' lack of competence and interest in political affairs, lowering the minimum voting age considerably below the current threshold is not a promising strategy for strengthening children's and future-regarding interests in elections. Neither is the attempt at 'political senicide', i.e. the disfranchisement of the elderly after a certain age. It would be difficult to justify cutting off suffrage at the age of 70, or at any other age. Furthermore, it would be met by stiff resistance from those who would be immediately, or shortly, excluded.

At first sight, the prospects of succeeding in a further proposal for changing electoral rules seem equally dim. This concept has been regularly discussed since about the 1920s—particularly in France, where it was once almost adopted by the National Assembly (van Parijs 1999: 309-310, 325), and in Germany during the 1990s (see the numerous references in van Parijs 1999). It involves the extension of suffrage to *all* citizens. Children are given the right to vote from the day they are born. Since it is impossible or unreasonable for minor children to cast votes themselves the crux of the proposal is that parents *vicariously* exercise this right to vote on behalf of their minor children, as they do in so many

(6) Further details are not of interest here. Bartolino 2000; Marshall 1950: 19-21; Therborn 1977.

other matters, such as financial affairs or regarding education (7). Parents cast votes themselves and are granted proxy votes according to the number of minor children who are denied the right to *exercise* their genuine voting right until they reach majority. The concept ‘children’s voting right, vicariously exercised’ (or abbreviated: *ChiVi*—Grözinger 2001) is quite simple, and we need not elaborate on technical details here—e.g. whether mothers are given the proxy votes for daughters and, accordingly, fathers act for their sons, or whether it is always the mother who should be given the proxy votes since she is expected to be the more reliable guardian of children’s well-being (and therefore, in Scandinavia, Australia and the U.K., child allowance is regularly paid to her—Ringen 1997: 7); or how should proxy rights be assigned in the case of single or foster parents.

Advocates of an extension of children’s rights can be expected to be unenthusiastic about the concept of vicariously exercised voting rights. They look upon *ChiVi* as a family-centered, paternalistic strategy and prefer the perspective of children as independent subjects who should be vested with more genuine possibilities of autonomously participating in social and political affairs according to their largely underestimated competence and abilities to make rational decisions (Mortier 1998; Roche 1999; Bundesregierung 1998: 149-155, 172-175). For those reasons, a lowered minimum voting age is given priority. Implicitly responding to those reservations, Ringen (1997: 7) admits that *ChiVi* would not be an ideal realization of the principle ‘one person, one vote’ but a second best solution well justified because it is ‘better than an original situation that is already identified as unsatisfactory’. Indeed, granting parents proxy votes for children would alter the age-specific distribution of the electorate quite substantially. In 1996, only 27 percent of the German electorate actually raised minor children, whereas more than one in three persons entitled to vote were 55 years and older (36 percent). If minor children were added to parents, their share in the electorate would have risen to 41 percent while the share of elderly (≥ 55 years) would have shrunk to 29 percent (Engstler 1998: 24, 37, 50) (8). Thus, in a kind of ‘prospective evaluation’ I will now try to ascertain whether the

(7) It is important that a clear formal distinction be made between *children’s* voting rights (vicariously exercised) and a *parents’* vote which adds votes to their personal voting right according to the number of minor children. The latter is one variant of a *plural* vote system. Van Parijs (1999) apparently intermingles these different concepts.

(8) These data on the current age structure

of Germany’s population (and on its projected change—see below, *Table 1*) do not differentiate between German citizens, entitled to vote, and holders of foreign nationality. This inaccuracy would only be relevant if the age structure of the enfranchised citizens strongly deviates from that of the foreign residential population.

increased weight of parents among the electorate would produce the outcome hoped for by the proponents of the concept.

3. *Consequentialist arguments: preventing gerontocracy?*

Changing electoral laws according to the concept described above (or in any other way) has to be achieved according to the existing rules of the game. Claus Offe (1993: 20) points to a paradox here: if there is a majority in favor of children's voting rights then there is also a majority in favor of the aspired policy changes advantageous for children and for realizing notions of intergenerational justice. Hence, a change in electoral law is unnecessary. However, one can object that this majority will not always be attainable in the future, and changing voting rights may be considered as a preemptive strategy in view of ongoing shifts in the age structure of the electorate—representing a constitutional precommitment that protects against future electorates' preferences for *less* 'family-friendly' and 'future-regarding' policies (see also van Parijs 1999: 329-330) (9).

Declined fertility rates and increasing longevity will inevitably lead to a differently composed electorate with the 'median-age voter' becoming continuously older. The magnitude and the timing of demographic aging differ somewhat among the Western European and North American countries, but the trend is a general one. Thus, demographically induced challenges for certain policy domains have to be met within a framework of democratic politics which itself changes through population aging when the electoral power potential of the elderly increases. As contradictory as the reform proposals of supranational organizations, think tanks and others may be, they are usually accompanied by recommendations (see e.g. OECD 1996: 16-17, 24) that policy-makers should utilize the present 'window of opportunity' in order to vig-

(9) In the consequentialist perspective, changing electoral rules makes sense only if it makes a difference in the outcome of elections. If this could actually be expected, then the chances of having the concept realized are poor since those political parties which will *immediately* lose out (due to an image that is presently less appealing to the younger parts of the electorate) will show strong resistance against a rule change. Although the outcomes are hard

to assess in advance, since *ChiVi* would create a substantially altered context for all voters, survey results concerning the 1990 and 1998 federal election (Grözinger 1993, 2001) show that there would have been slight gains for the Social Democrats and the Greens. If enfranchising children had actually been an issue at that time, the Christian Democrats would not have embraced the concept for that reason alone.

ously put through irreversible reforms of public pension schemes and further programs aimed primarily at the aged before numerically more powerful elderly voters will block any attempts that imply an impairment of their vested rights. If those anticipatory changes do not occur, within a framework of competitive party politics, the short-term interests of the elderly with a shorter life span will have to be given undue priority as against children's and young families' long-term interests.

Demographic projections for Germany, where the aging process is particularly pronounced and occurs comparatively early, may serve as an example of a development that will affect the behavior of the political elites. *Table 1* shows that the share of those aged 65 and over in the electorate will increase from about 20 percent at present to more than one third over the next three decades. Compared with today's elderly, they will be better educated, healthier, and probably more experienced with democratic practices. If one lowers the borderline for belonging to the 'elderly' their projected electoral weight grows even more dramatically: in the early 2030s, those 55 and over will have gained the absolute majority. It is not completely unreasonable to take 55 as the cut-off age because, generally, approaching the mid fifties should be accompanied by a shift in perspective—from 'downward', directed at the succeeding generation (now grown up and economically independent), to 'upward', oriented at the older parents' needs *and* one's own interests in the future. That is, one's well-being during the (hopefully long) retirement phase to come, which enlarges the 'natural' coalition in favor of the elderly's interest (see also Preston 1984: 446) (10).

What do we know about the political behavior of the older part of the electorate? Can increased child poverty indeed be attributed to policy-makers' responsiveness to elderly voters? If yes, would their relative deprivation of voting power be a legitimate *and* effective remedy—also in order to strengthen future-regarding considerations for the sake of intergenerational equity? Again, with the help of some empirical data and further findings from the German context, I will try to tackle these three questions although the answers cannot be equally sufficient.

(10) Taking age 55 as a borderline is furthermore justified, since the average, factual retirement age in most Western countries is down to about 60 years. It enlarges the constituency of

those who are most interested in seeing no deterioration of pension schemes' generosity and entitlement criteria.

INTERGENERATION EQUITY

T A B L E I

*Adult population in Germany 1998-2050
(projections: intermediate variant)*

Year	Population 18 years and older	Thereof: 65 years and older in %	Thereof: 60 years and older in %	Thereof: 55 years and older in %
1998	66.2 m.	19.7	27.7	36.3
2010	67.6 m.	24.0	30.9	38.9
2020	66.4 m.	26.1	34.9	45.2
2030	63.5 m.	32.0	41.7	49.3
2040	59.9 m.	35.1	42.4	50.2
2050	55.3 m.	35.2	43.8	51.6

Source: own calculations based on data from the German Federal Statistical Office (results from the 9th coordinated projection of population development, 2000).

Citizens between 60 and 70 years of age show the highest voter turnout among all age groups, and their voting rate has remained most stable over the last two decades whereas it has declined particularly among the young age groups. Even at advanced age (70+), the voting rate is increasingly coming closer to the average rate. Thus, the *voters'* median age exceeds that of the enfranchised population, what gives the elderly votes a disproportionate weight. Moreover, the elderly vote more 'conservatively'; particularly women over 60 have exceptionally voted in favor of the Christian Democratic Party in all federal elections since 1953 (Falter and Gehring 1998; Kohli *et al.* 1997; for the USA see Posner 1995: 148-152). While difficult to disentangle from cohort and period effects, a certain life-cycle effect is undeniable and plausible, for it can be assumed that the taste for experiments and policy innovations decreases with age. It is, however, too simple to equate the preference for constancy (and the neglect of daring and reform) with increasing selfishness (11). In ancient Rome (*cf.* Cicero 1988: XIX) and other polities with traditional rule (Spencer 1965), *gerontocracy* was praised (and unconditional obedience was demanded of the young) due to the ex-

(11) Posner (1995: 288-97) is thus more sanguine about the growing power of the elderly because their conservatism contributes to political stability. Moreover, he sees no need to redress a political balance skewed against the interests of those who have the greatest life expectancy since—in his multiple-selves

perspective—the elderly vote for themselves and at the same time represent the 'future selves' of the now middle-aged voters who, again, act on behalf of the 'future selves' of those not yet entitled to vote. In this conception, a 'we-them' opposition is largely precluded (see also Posner 1995: 84-95).

perience and wisdom (and knowledge of sacred traditions) of the old men; since they no longer strive for a career and the maximization of personal benefits, they are immune to corruption and can thus be regarded as good trustees of the common weal.

Today, gerontocracy raises different connotations and expectations. However, empirical findings from the USA are mixed on whether age consistently structures the political preferences and behavior of senior citizens, whether they have become more selfish, or whether an inter-generational conflict is looming (12). Although an inclination for politically conservative positions can be identified, it is obvious that the elderly do not form a distinct, unified political force. Differences and inequalities *within all* age groups are more pronounced, and those intragenerationally diverse identities, like class, religion or ethnicity, which are organized and represented by political parties still prevail against age as a (new) cleavage. While 'age consciousness' is hardly a promising basis for political mobilization at present, policy-makers are regularly impressed by the sheer numbers of older voters and overestimate their homogeneity and bloc voting behavior (Kasschau 1978: 345, 376). Even in the USA where, in contrast to elderly politics in European countries, seniors' interest groups have achieved a high membership rate and visibility as well as efficacy in the political process, pre-existing voter alignments related to social cleavages and extending into retirement remained central determinants of senior people's electoral behavior (Binstock and Day 1996; Wilson 1993) (13).

Therefore, one cannot be certain to what extent political behavior of the elderly is motivated by pure short-term self-interests or is interspersed with future *viz.* other regarding thoughts. But, can parents of minor children be expected to only take into account their children's interests when voting or otherwise articulate themselves politically? Can they be trusted as faithful guardians of their children's future? It is quite conceivable that, according to their already developed political preferences, parents add one (or further) votes in favor of the party they choose for themselves. One could even assume that doing otherwise, i.e. splitting votes among different parties, would be an unlikely act of voluntarily increasing cognitive dissonance. From a consequentialist perspec-

(12) See e.g. Hecló 1988; Rhodebeck 1993; Cook and Barrett 1992; Rosenbaum and But-ton 1993; Day 1990; Bengtson and Harootyan (eds) 1994; Binstock and Day 1996.

(13) The 1994 election in the Netherlands may serve as a partly valid counter-example. During the campaign, Prime Minister Ruud Lubbers announced further sacrifices for

public pensioners to become effective over the next term. Two seniors' parties gained enough votes to enter seats in parliament and contributed to the terrible defeat of the prime minister's Christian Democratic party. In 1998, when no such 'threat' was present, these parties returned to insignificance.

tive, cumulating votes for the party the parent prefers anyway, is hardly a problem since, programmatically, all parties competing for votes would give family issues a higher profile due to the group's enlarged weight among the electorate. Moreover, the political parties could be confident that family income, family-related social services, public education etc. are issues which are indeed of comparatively great concern for parents' decisions at the ballot, and it may be that parents' immediate family income concerns prevail over long-term future interests. This potential loss in 'quality' of democratic representation was one reason that led Max Weber (1958/1917: 235) to firmly reject a family voting system since (at the time of his writing) those with the least 'telescopic faculty' had the most children (and the most urgent income needs) and would thus gain the largest political influence. If, however, parents' greater concern for bread-and-butter issues (as against future-oriented topics—Grözinger 2001) would be better met, *ChiVi* had, at least, improved the conditions under which children are raised. On the other hand, continuously low or declining child poverty rates in some OCDE countries (Förster and Pellizzari 2000; UNICEF 2000) demonstrate that those results do not depend upon a changed electoral law.

In order to further demonstrate the uncertainty of attaining the immediate and long-term goals by enfranchising children, I will bring forward two further strands of arguments. Both relate to fertility decline and attempts to shift the burden (1) within the generation of childbearing age, and (2) between the childless among the preceding generation and the one presently of childbearing age.

Behind van Parijs' (1999: 314-9) concern for giving families a just share lurks a pronatalist, population policy perspective: if one result of changed electoral rules will be more public funds spent on children at the expense of higher taxed childless people and/or reduced benefits for the elderly, it is expected that birth rates would pick up and, finally, result in a more balanced age structure of the population. Then, more intergenerational equity would come about in a quasi 'natural' way. In view of the complex reasons for declined fertility it is highly uncertain whether a government can 'buy' children in sufficient numbers by simply reducing the costs of raising children and/or minimizing the loss of current and future income when child-rearing does not imply a full or partial withdrawal from paid employment (14). It has been repeatedly

(14) Esping-Andersen (1999: 67-70, 119, 166-167 and *passim*) pursues a similar line of argument: societal aging (resulting from fertility decline) and concomitant welfare state

problems are largely self-inflicted due to insufficient support for families with small children, foremost, by not providing affordable child care.

ascertained that pronatalist policies are hardly effective with regard to their original aims, but regularly improve the well-being of families and thus reduce the risk of child poverty (e.g. Walker 1995; Heitlinger 1993; Kaufmann *et al.* 1992; Deutscher Bundestag 1998: 520-544). In order to merely *stop* a continuation of ever smaller subsequent birth cohorts, in most OECD countries, women presently in their childbearing age would have to increase fertility by about *one third*. This is rather unlikely to happen.

The second argument is more complicated. Research on actual informal, private exchange between generations in France (Attias-Donfut 1992, 2000) and Germany (Kohli 1999; BMFSFJ 2001: 221-230) has shown that these transactions occur to a surprisingly large degree. 'Downwards', from the oldest to the middle generation and to grandchildren, a flow of cash prevails. 'Upwards', i.e. in the opposite direction, services—care and other help in kind—predominate. Coresidence is not a necessary precondition for those transactions to come about. More often, the different generations maintain separate households within distances that do not prohibit such exchange relationships. Quite generous public pensions for the retired prevent a perforced coresidence with children, and instead facilitate a preferred (but more costly) 'intimacy at a distance' and thus relaxed family relationships. Finally, the public benefits enable the economically independent elderly to take part in those solidarity-based intergenerational exchanges and, very often, to leave behind a bequest (see also Künemund and Rein 1999).

Usually, economists' models of pay-as-you-go pension schemes are developed in an 'overlapping generations' framework. In fact, there has never been so much 'overlapping' of generations in history: on average, parents and children as well as grandparents and grandchildren live at the same time for ever more years. This development enhances mutual understanding and extended integration in those exchange relationships as described before (Lauterbach and Klein 1997), and, obviously, growing instability in family structure has not impaired long-term continuity in intergenerational ties. If one may expect an intergenerational conflict arising on the *macrosocial* level at all, it will definitely be muffled by solidaristic ties and exchanges on the *microsocial* level. The scenario of 'greedy elders' supporting confiscatory taxes and selfishly defending entrenched entitlements, thereby pushing their children and grandchildren to ruin, does not seem very likely and 'gerontophobia' is unjustified (Hinrichs 1993: 13-14). Rather, as most elderly are well integrated in family networks they are more likely to be sufficiently *other* and *future* regarding in their electoral choice. Moreover, their

heterogeneity, due to pre-existing inequalities, loyalties and identities, may preclude the emergence of a monolithic ‘aging vote’.

However, dismissing demands for a changed electoral law would be rash. The present situation of most elderly being firmly entrenched in private intergenerational exchange relationships and altruistically considering their descendants’ interests when voting is unlikely to be true thirty years from now when, according to today’s estimates, the birth cohort of 1965 will approach retirement age. About 30 percent of women in Germany belonging to this cohort and even more among the subsequent ones will *never* give birth to a child (the corresponding figure for women born between 1935 to 1940 was not higher than 8 percent—Dorbritz 2001; Deutscher Bundestag 1998: 59-61). Among the 1965 cohort, childlessness is most pronounced in larger cities and among women with a university degree, coming close to 40 percent. This means that about the same percentage of men will also be childless. Moreover, the *polarization* of the population (or families) into those or without children is further enhanced and the pro-child constituency weakened. Concerning public pension benefits and care-giving, the childless elderly rely on ‘other people’s children’, and being without descendants they do not have much reason to take a long-term (or dynastic) time perspective beyond the rest of *their* lives (‘in the *short run* they are all dead’).

What reactions would be provoked if children were enfranchised? As a ‘Machiavellian’ program, the concept is particularly directed against the group of childless elderly in order to prevent the feared dictatorship of the present over the future. It is also aimed at childless people of the same age as families with currently minor children because, on average, they are considerably better-off in economic terms (see e.g. Deutscher Bundestag 1998: 548-561; Engstler 1998: Ch. 5; Kortmann and Schatz 2000: 135-140): families with non-adult children have higher expenses, and a lower net income due to reduced labor supply. This comparatively unfavorable income situation carries over into retirement since less pension credits were earned and opportunities to build up further retirement wealth were limited. Here *intragenerational* equity would be at stake: extended horizontal *viz.* vertical redistribution towards (low-income) families with children. It would be easy to smell a rat, and those who had to reckon with redistribution at their expense or with retrenchments of accustomed benefit levels (in order to attain more *intergenerational* equity) can be expected to, first, fight against a change of electoral law and, if not successful, act selfishly against (reverse) exploitation by a changed majority and, hence, vote in a more unified

manner. They could do so with less bad conscience because they were completely relieved from the fictitious assumption that citizens benevolently consider the rights and needs of others not entitled or able to vote (Offe 1993: 21)—which is, by the way, an argument that was usually employed when in the past an extension of voting rights was at stake. Nevertheless, a decline in other and future regarding political behavior (or ‘ethical voting’) would become more likely due to (1) ongoing shifts in voter alignment and, additionally, (2) to corresponding ‘top-down’ strategies of political parties.

(1) Traditional social cleavages have diminished as firm bases of electoral choice. In contrast, ongoing individualization and more fluidity and diversity in central life spheres lead to a citizenry increasingly fragmented into a variety of distinct *issue* publics (Dalton 1996). Although voter volatility has already grown, short-term factors, such as candidate image and issue opinions, have not yet superseded stable group-based cleavages for voting choice. However, the more the party system changes in line with an eroded voting impact and party attachment of social structure, the greater the risk that changed electoral law would *backfire* if the concept of universal suffrage had been realized.

(2) That risk may be enhanced if, as a consequence of voter dealignment, ‘entrepreneurial’ political parties turn to certain *identities* of the electorate and invoke ascriptive criteria (such as age) since the ‘will of the people’ is nothing that is (fully) given but also an artefact emanating from questions and issues raised by political parties. No longer developing age-neutral, comprehensive conceptions of generational policy, but rather, addressing age-based target groups would exactly create those homogeneous segments within the electorate which, when adequately mobilized, are quite likely to show some bloc voting behavior. In that case, sheer numbers are relevant, and the elderly would be in an increasingly advantageous position (see *Table 1*). In sum, one cannot reliably expect that the aspired goals—reduced child poverty and more intergenerational equity—would actually materialize.

4. *Nonconsequentialist arguments: closing a democratic deficit?*

Van Parijs (1999: 331–332), quite aware of the unanticipated consequences of his ‘Rawls–Machiavelli program’ of social-justice-guided constitutional engineering, refers to an argument by Jon Elster, namely, that constitutional reform has to be justified on nonconsequentialist

grounds (15). *At best*, outcome-related justifications may be used as auxiliary or supplementary arguments in political discourse but cannot replace principled reasons in favor of or against a change in the rules of the political game. In the end, however, van Parijs dismisses this rigorous position. Starting from Elster's argument, the question to be answered in this section is whether a democratic deficit exists that has to be closed by a change of the electoral law.

According to Marshall's triad of citizenship rights that were generalized in roughly sequential order, minors enjoy full *civil* and *social* rights—however, regularly not as subjects, exercising these rights *themselves*, but rather enjoy them as favored *objects* when they are utilized via their parents, acting on the children's behalf. In contrast, children are largely excluded from *political* rights. Democratic participation and representation rights are either lacking or are confined to 'democratic training activities' (Offe 1993: 14) in special representative bodies, not vested with (significant) decision-making powers. It could be argued that, as long as citizens ('the people') are divided into those entitled to vote and others not yet having the right to vote, the elected representatives are first and foremost the representatives of the electorate and not of the people considered too young to vote. Since the time frame of these two generations differs, qua mandate of the voters, the long-term (future) interests of the non-voting generation are put last as against the short-term interests of the generation entitled to vote (Merk 1997: 269-273). After the latest substantial reform of the Basic Law in Germany in 1994, the structural discrimination of future interests is of particular significance. The newly added Article 20a demands: 'Mindful also of its responsibility toward future generations, the state shall protect the natural bases of life'... Undeniably, minor children are the *first* 'future generation', and when represented after pulling down the borderline between the two generations, the long-term, future interests can be taken care of more legitimately, as well as effectively, since the basis of representation is broadened.

A second argument in favor of enfranchising minors follows from the contradiction already mentioned in section 1: if all state authority in a democracy derives from 'the people' and children are (undoubtedly) people too, then an age threshold for becoming included in the *demos* contradicts the principle of equality. Although the German Basic Laws say nothing about 'age' when it stipulates (in Article 3, para. 3) that 'no

(15) See also Max Weber (1958/1917: 253) who, precisely on the issue in question, rejected any kind of 'juggling with the electoral law'

(*Wahlrechtsarithmetik*) according to criteria of who gains most.

person shall be favored or disfavored because of sex, parentage, race, language...’, one can conclude such a violation of the rule of equal treatment. Thus, not before the age barrier—which actually amounts to age discrimination—is removed can one speak of elections as being (truly) ‘general’ (or universal), as they *have* to be (Basic Law, Article 38, para. 1). In the same way as the civil and social rights of minor children are looked after by their parents according to their parental rights and duties (Basic Law, Article 6, para. 2; Civil Code, section 1626, para. 1), they would have to exercise the voting right.

Arguments against enfranchising children can be brought forward from two vantage points, one related to the principle of equality, the other to the act of voting itself. Starting with the latter, it makes a difference whether parents act for their children in the case of civil and social rights or vicariously exercising political rights: accepting an inheritance, signing a tax file, initiating proceedings against a third person for compensation, applying for social benefits, or deciding on educational matters—in all these and other cases the consequences are exclusively limited to the child. Casting the child’s vote, however, has effects on the public at large. It affects the child in the same way as other citizens (Pechstein 1996: 17-18). This counter-argument has a second aspect: voting, like marrying, adopting a child or making one’s will, is an expression of informed will that can only be performed *personally*. Thus, in order to preclude fraud, for good reason the right to vote is inalienable, cannot be relinquished, sold or otherwise interpersonally transferred. Vicariously exercising the child’s voting right at one’s own discretion is incompatible with this principle. It is fundamentally different from what is practised in Germany and elsewhere, namely, *assisting* a blind or otherwise handicapped person to proclaim her will in the polling booth. In contrast, children have no informed will that can be expected. This is certainly true for small children, but one might indeed question whether it is still appropriate to fix the voting age at 18 years.

The second argument on why there is no democratic deficit, but that, enfranchising children would actually violate democratic principles, also relates to equality before the law which is central for a modern, normative understanding of democracy. As such (and as said before), this proposition is not in conflict with the claim to treat children as citizens endowed with equal political rights—on the contrary, it universalizes an equal right. However, a genuine voting right for minor citizens, exercised by their parents, is equivalent to an increase of *their* genuine voting rights which, again, is tantamount to a plural voting system that was finally abolished in all modern democracies and would be reintroduced

on different criteria than were valid well into the 20th century in some countries. Against the plea for a—merely formal—*universal* voting right, Weber's (1958/1917: 254) (16) argument in favor of an *equal* voting right is superior: in contrast to any other aspect of social life with its various differentiations and inequalities, here the person as a citizen comes to fruition—the unity of the nation as against the cleavages of private life (17). A child-weighted voting scheme would provide *unequal* political influence according to one's contribution to the continued existence of a nation, and in a new variant violate the 'one man, one vote' principle.

Finally, politically dividing 'the people' into two generations by fixing a minimum voting age implies neither inter- nor intragenerational inequities as such. Everyone had/has to wait until turning 18 years and becoming entitled to vote. No cohort has been put at a disadvantage. Similarly, in a representative democracy everyone has to wait until the end of the parliamentary term, as a rule every four or five years, to cast their vote. Elections are not held at any time. Taken together, no strong and, what is most important, non-contradictory arguments can be brought forward to defend children's suffrage vicariously exercised by parents on non-consequentialist, normative grounds. However, this does not entail renouncing the possibilities of improving the capabilities of democracy, particularly with regard to an extension of the time horizon of political deliberations

5. *Power to the children:* *alternative approaches to protect children's interests*

Is the discussion of enfranchising children just a debate of '*literati*' not worth any intellectual effort, as argued by Max Weber (1958/1917: 235) with reference to the (anonymous) protagonists of the parents' vote concept? Yes and no! *Yes*, because the analysis in the two preceding sec-

(16) '...das gleiche Wahlrecht bedeutet zunächst schlechterdings nichts anderes als: daß an diesem Punkt des sozialen Lebens der einzelne einmal *nicht*, wie sonst überall, nach seiner Besonderung in beruflichen und familienhaften Stellungen und nach den Verschiedenheiten seiner materiellen oder sozialen Lage in Betracht kommt, sondern eben nur:

als Staatsbürger. Die Einheit des Staatsvolks an Stelle der Gespaltenheit der privaten Lebenssphären kommt darin zum Ausdruck'.

(17) Marshall (1950: 8-10) would have added that if these qualities of citizenship are observed, one can tolerate the inequalities of the social class system.

tions has shown that giving voting rights to minor children would neither be a promising solution to present and future problems as they were spelled out in section 1, nor be required to improve the quality of democratic representation. For these reasons it is possibly a Utopian solution that nowhere ranks high on the political agenda.

No, because doubts about the legitimacy of a minimum voting age that is fixed in the laws of all countries cannot be dismissed right away, and, indeed, those doubts are increasingly recognized: proposals for *ChiVi* are no longer disregarded. Rather, opponents employ an increasingly complex argumentation to defend the status quo than before (Hattenhauer 1997). Moreover, studying the undeniable problems of child poverty and aging-induced intergenerational inequities *and* what they have to do with the elderly's increasing voting power may provide hints for alternative means of tackling them. In the end, the search for appropriate solutions boils down to the question of how to strengthen future-regarding policies (against democracies' proclivity to shift the costs of political decisions onto the future). These policies will have to include effective remedies against child poverty because its consequences imply an under-utilization of society's future human capital and, hence, inhibit the opportunities to produce economic growth which, again, is an important precondition for softening intergenerational tensions at the macrosocial level as aging proceeds.

Offe (1993: 15-6) mentions several procedural precommitments to ensuring a due consideration of children's (and future generations') interests in all parliamentary decisions—all 'below' changing electoral law. Among them is the proposal of a children's *ombudsman*. In the wake of the United Nations' Convention on Children's Rights of 1989, such an institution has been created in several countries (in Germany: a virtually powerless children's commission of members of the *Bundestag*). The task of such *ombudsmen* is to protect children's rights as children, and possibly also strive for an extension of these rights, but they do not protect their rights and interests as future adult citizens (or 'future generations'). Thus one could envisage extending their competence so as to veto all legal decisions if they would *impair* the position of children and non-proximate generations. However, by definition, extended veto rights are unsuitable for positively shaping policies to the *benefit* of the young and yet unborn.

With regard to public debt, taxation and further elements of intergenerational redistribution, 'generational accounting' may be a tool that facilitates assessments of policy changes on generational equity (Auerbach *et al.* 1994). It provides a present-value estimate of the net

payments/receipts of taxes/benefits for a typical member of living birth cohorts and the future generation and aims at a long-term view of fiscal planning. Despite strong criticisms it could be an auxiliary (and yet to be refined) instrument for ascertaining whether a certain measure would enlarge the fiscal burden of the young and unborn and, if so, abstain from this policy change (one could possibly conceive of an equivalent instrument for evaluating the ecological consequences of public policy).

Another instrument is probably very specific to the German political context. Family policy efforts in Germany have increased over the last decade, in most instances to the benefit of children and parents alike. Whereas in almost all other sectors of the welfare state retrenchments of different magnitude have taken place, family-related transfers have expanded, but not checked or reversed the growth of child poverty. Autonomous initiatives by the former as well as the present government were one driving force. An *at least* equally influential promoter of family policy was the Federal Constitutional Court, which is possibly one of the most powerful among comparable courts around the world. Its judgments have driven governments' efforts particularly since the early 1990s and have effectively shaped this policy domain (Gerlach 2000). The latest decision, immediately affecting pay-as-you-go long-term care insurance only, may serve as an example (Bundesverfassungsgericht 2001): in continuance of its verdict of 1992, the Court ruled that children have to be regarded as 'contributions in kind' to this social insurance scheme, constitutive for its continued existence when they subsequently pay contributions to finance the care benefits received by the then old generation. Raising children thus creates positive externalities for both parents and childless people of the same age, but only the parents incur the costs of upbringing. As a consequence, the Constitutional Court *obliged* the legislator to consider parents' contribution to the demographic underpinning of the scheme on the revenue side until the end of 2004 at latest, namely, by somehow differentiating the contribution payments according to the number of children raised (introducing a 'contribution allowance' for the *employees'* share of payments would be one option). It is still an open question whether this verdict will also apply to the public pension scheme and even to statutory health insurance, where the elderly are the main and most costly consumers of services. If yes, its impact would be quite tremendous. Regardless of whether one agrees with the concrete solution the Constitutional Court prescribes, an institution that strengthens future-regarding policies and effectively demands more *sustainability* is of invaluable significance for tackling the problems I started with in section 1. However, most likely,

one has to search for further instruments that help to extend the time horizon of political deliberations beyond the electoral cycle.

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