

VOTING AGE REQUIREMENTS IN DEMOCRACIES:
AN ANALYSIS FROM A DAHLIAN PERSPECTIVE

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ABSTRACT

Although some theorists take age-based exclusion as an essential part of democracy, others try to justify it with reference to the differences between ‘children’ and ‘adults’. One of the most important theories among the latter group is Robert A. Dahl’s theory of inclusion.

This study aims to liberate the issue of voting age from the controversial terminology of human maturation by showing that democracy looks beyond the dichotomy of ‘childhood’ and ‘adulthood’ when it comes to the right to vote. For this purpose, this thesis offers a four-step test for enfranchisement that encompasses the justifications that have been utilized for excluding certain groups throughout history. Academic and parliamentary debates concerning age-based exclusion are no exception to the validity of this test. Exclusion of ‘children’ is justified via the same justifications.

The history of voting age reveals that when ‘children’ play an important role in political life, their inclusion becomes more probable. This observation demonstrates that democracy does not exclude certain individuals because they are ‘children’: it rather labels them as ‘children’ because they maintain to be politically passive. Democratic régimes consider political activism as a positive sign of moral autonomy, which is the main criterion of being included in demos according to Dahl. Turkey, on the other hand, differs from this democratic approach with its top-down focus on régime stability rather than the importance of representation and political awareness for democracy.

**DEMOKRASİLERDE OY VERME YAŞI KOŞULLARI:
DAHL'CI BİR PERSPEKTİFTEN ANALİZ**

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ÖZET

Bazı teorisyenler ve politikacılar yaşa dayalı dışlamayı demokrasinin temel bir parçası olarak kabul etseler de, diğerleri ‘çocuklar’ın demokrasideki yerini onlarla ‘yetişkinler’ arasında var olduğu kabul edilen farklardan yola çıkarak açıklamaya çalışmaktadır. İkinci grupta yer alan teorilerden en önemlilerinden biri Robert A. Dahl’ın demokrasi teorisidir.

Bu çalışma, oy hakkı meselesinde demokrasilerin ‘çocukluk’-‘yetişkinlik’ ikiliğinin ötesine baktığını göstererek, seçme yaşı konusunu insanın olgunlaşmasına gönderme yapan tartışmalı terminolojiden kurtarmayı amaçlamaktadır. Bu amaçla bu çalışmada, geçmişte çeşitli grupları seçmen kitlesiinden dışlamak için kullanılmış olan gereklilikleri sınıflandırmayı kolaylaştıran dört-aşamalı bir test önerilmektedir. Bu testin şartları, toplum üyeliği, çıkarların temsilinin gerekliliği, yetenek ve rejim istikrarından oluşmaktadır. Yaşa dayalı dışlamayı konu alan akademik ve politik tartışmalar, bu testin geçerliliği için bir istisna oluşturmamaktadır. Söz konusu tartışmalarda ‘çocuklar’ın dışlanması da bu dört temaya gönderme yapılarak ele alınmaktadır.

Seçme yaşıının tarihi göstermektedir ki, ‘çocuklar’ politik hayatı önemli bir rol oynadıklarında, seçmen kitlesi kabul edilebilmektedirler. Bu gözlem, demokrasinin belirli bireyleri ‘çocuk’ oldukları için dışlamadığını, aksine, bu kişiler siyasî olarak pasif kalmaya devam ettikleri için demokrasinin onları ‘çocuk’ olarak sınıflandırdığını göstermektedir. Demokratik rejimler siyasî aktivizmi, Dahl'a göre demos'ta yer almanın temel şartı olan ahlakî otonominin olumlu bir işaretti olarak değerlendirilmektedirler. Öte yandan Türkiye, temsilin ve siyasî farkındalığın demokrasi için öneminden ziyade rejimin istikrarını korumaya verdiği tepeden inme önemle, bu demokratik yaklaşımdan ayırmaktadır.

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CHAPTER 1

Introduction: “No Child’s Play”

Democratic institutions “incorporate and exclude” individuals: they define a limited set of agents who are “accepted as valid participants in … decision-making processes”¹. “Valid participants” of an electoral system constitute the electorate and the boundaries of the electorate are set via voting requirements. The most common, if not the only universal, one among the current voting requirements is voting age².

Voting age is as old as democracy. It was eighteen in Ancient Athens and above twenty for centuries until the twentieth century³. In the past, age-based exclusion has been regarded so natural that it has been utilized to support further exclusion. George H. Haynes, to support literacy tests, has written in 1898 that “‘participating in his government’ is *no child’s play*: it calls for a moderate degree of intelligence, with the power to learn at first”⁴. Today, many restrictions which had been considered parallel to voting age are abolished. However, voting age continues to exclude a large portion of society from the franchise.

¹ Guillermo O’Donnell, “Delegative Democracy” in *The Global Resurgence of Democracy*, eds. Larry Diamond and Marc F. Plattner (Baltimore: The Johns Hopkins University Press, 1996), 96.

² André Blais, Louis Massicotte and Antoine Yoshinaka, “Deciding who has the Right to Vote: a Comparative Analysis of Election Laws”, *Electoral Studies* 20 (2001), 43.

³ Mehmet Ö. Alkan, “Türkiye’de Seçim Sistemi Tercihinin Misyon Boyutu ve Demokratik Gelişime Etkileri: Siyaset Bilimi ve Siyaset Sosyolojisi Yaklaşımıyla”, *Anayasa Yargısı* 23 (2006), 135. C. B. Macpherson, *The Political Theory of Possessive Individualism, Hobbes to Locke*, (Oxford: Oxford University Press, 1989), 124; 130. Malcolm Crook, *Elections in the French Revolution: an Apprenticeship in Democracy, 1789-1799*, (Cambridge: Cambridge University Press, 1996), 11; 83; 103; 117.

⁴ George H. Haynes, “Educational Qualifications for the Suffrage in the United States”, *Political Science Quarterly* 13, no. 3 (September 1898), 512. Emphasis added.

Political science literature has a long history of interest in the question of voting age. Although it is impossible to find the first academic debate on the issue, it can be safely claimed that it is not later than 1975. In that year, Francis Schrag's article, "The Child's Status in the Democratic State", a critique of Carl Cohen's book, *Democracy*, was published in the *Political Theory* journal, together with Cohen's response⁵.

What has made Schrag to publish another article on the issue almost thirty years after the first one is that legal and academic proposals concerning the voting age are still being produced⁶. Since 1910s, it is hard to find any decade without voting age changes in several countries⁷. Any debate concerning the voting age forces the parties of the debate to reconsider what we expect from a voter, what the function of an electorate is, what makes democracy legitimate and, finally, why 'adults' should vote while 'children' should not. Some scholars consider the case of 'children' as an integral part of democracy to build the rest of the theory on while others try to answer the last question via describing the founding principles of democracy. One of the most important theories among the latter type is that offered by Robert A. Dahl in *Democracy and Its Critics* and more briefly in *On Democracy*.

Dahl justifies exclusion of 'children' from demos by arguing that democracy "can be justified only on the assumption that ordinary people are, in general, *qualified* to govern themselves"⁸. His 'categorical principle' states that all citizens have to be included in demos while 'contingent principle' limits this inclusion to those who have capacity for moral autonomy. The 'modified categorical principle' Dahl generates by combining these two leads him to expect democracy to exclude 'children'⁹.

There is a striking gap between Dahl's theoretical arguments and his practical conclusion that 'children' can be unquestionably excluded from demos. Like many other theorists who have attempted at analyzing the status of 'children' in democracy,

⁵ Francis Schrag, "The Child's Status in the Democratic State", *Political Theory* 3, no. 4 (November 1975), 441-457. Carl Cohen, "On the Child's Status in the Democratic State: A Response to Mr. Schrag", *Political Theory* 3, no. 4 (November 1975), 458-463.

⁶ Francis Schrag, "Children and Democracy: Theory and Policy", *Politics, Philosophy and Economics* 3, no. 3 (2004), 365-379.

⁷ Katz, *Democracy and Elections*, (New York: Oxford University Press, 1998), 218-229.

⁸ Robert A. Dahl, *Democracy and Its Critics*, (New Haven: Yale University Press, 1989), 79.

⁹ Ibid, 122-9.

Dahl does not have any objective data to prove children's inability to self-government. Above all he, like others, lacks an objective definition of 'childhood'. Even the possibility of such a definition is highly questionable.

Thus it is highly problematical to exclude an age group from demos merely on their being called "children" by others. The history of voting age reveals that as the relevant laws change, age groups once deemed 'children' gain the right to vote and come to be considered 'adults'. This alone shows that attempting to define democracy in relation to such contestable terms as 'adulthood' and 'childhood' weakens the conclusions to be made. If Dahl's conception of personal capacity for moral autonomy is to be utilized to justify age-based exclusion, the issue needs to be liberated from this controversial terminology.

To reach this end, this thesis offers a model which consists of four conditions for enfranchisement: community membership, need for representation of interests, competence, and régime stability. This thesis claims that a group is excluded from demos when the decision makers think that the members of the group cannot satisfy one or more conditions of this test. This has been the case for women and lower socio-economic groups in the past. Age-based exclusion is in consistency with this four-step test, too. Dahl's theory, while denying the validity of the second and fourth conditions of the test, excludes groups that do not satisfy the first and the third. The connection between his version of the test and his conclusion that 'children' can be excluded from demos is questioned in this thesis and it is shown that 'adult' is a term that notifies one's inclusion in demos rather than the reason to include that person. It is also shown that Western democracies act in accordance with Dahl's version of the test (with its theoretical claims rather than its conclusion on the status of 'children') while some other electoral régimes do not, as can be observed in the Turkish case.

CHAPTER 2

Justifications for Exclusion from Demos: the Four-Step Test

Voting requirements have emerged simultaneously with the Ancient Greek electorate after what Robert Dahl names the “first transformation”¹⁰. There appears no significant difference between the voting requirements in Attica and those in the European electoral systems of the Enlightenment Era despite the fact that the differences between ancient and modern democracies are often emphasized by political thinkers of various views¹¹. Naming the system ‘*demokratia*’ did not change the fact that in Ancient Athens “‘the many’ were in actual fact rather few while those who were excluded were ... rather many”¹²: the women, children, slaves, and outsiders could not vote in Ancient Greece¹³. The women, children, servants, beggars, the poor and the outsiders were excluded from the franchise in England traditionally¹⁴. Similar exclusions applied to the time of the American Declaration of Independence and Italian

¹⁰ Dahl, *Democracy and Its Critics*, 13-23.

¹¹ Sheldon S. Wolin, “Democracy: Electoral and Athenian”, *PS: Political Science and Politics* 26, no.3 (September 1993): 475-7. Alasdair MacIntyre, “Politics, Philosophy and the Common Good” in *The MacIntyre Reader*, ed. Kelvin Knight (Notre Dame: University of Notre Dame Press, 1998), 241. Charles Tilly, *Democracy*, (Cambridge: Cambridge University Press, 2007), 27.

¹² Dahl, *Democracy and Its Critics*, 318.

¹³ Simon Hornblower, “Creation and Development of Democratic Institutions in Ancient Greece” in *Democracy: The Unfinished Journey: 508 BC to AD 1993*, ed. John Dunn (New York: Oxford University Press, 1992), 12.

¹⁴ The Putney debates of 1648, where the voting requirements have been discussed in detail between Oliver Cromwell, the Levellers and other prominent figures of the time, provides us with an important example of their conception of the franchise. For an extract from the debates, see “Members of the New Model Army and Civilian Levellers. Extract from the Debates at the General Council of the Army, Putney. 29 October 1647” in *The English Levellers*, ed. Andrew Sharp, (Cambridge: Cambridge University Press, 1998), 102-30.

city-states¹⁵. The history of the electorate since the seventeenth century has been the stage for continuous expansion and equalization in terms of the right to vote¹⁶.

2.1. Servants and the Poor

Finding the appropriate criteria to distinguish between *citoyens actifs* and *citoyens passifs* was a controversial issue after the French Revolution¹⁷, during the Constitutional Convention of the newborn United States¹⁸ and even as early as the Putney Debates on 29 October 1647¹⁹. In the Putney Debates, the bottom line of the discussion on equality amongst men was including “those that have the meanest local interest – that man that has but forty shillings a year” for Ireton²⁰. Even Maximilian Petty, one of the defenders of the loosening of the voting restrictions, has made his conclusion by saying

¹⁵ Robert A. Dahl, *On Democracy*, (New Haven: Yale University Press, 2000), 63. Tilly, *Democracy*, 28.

¹⁶ Katz, *Democracy and Elections*, 236-7. For a figure of the expansion of British electorate from 1831 onwards, see Dahl, *On Democracy*, 24. For a similar figure for the United States, see Tilly, *Democracy*, 98.

¹⁷ Crook, *Elections in the French Revolution: an Apprenticeship in Democracy, 1789-1799*, 30-5. During the debates of the *Comité de Constitution* in the Revolutionary France, the terms *citoyens actifs* and *citoyens passifs* referred to those who had the right to vote and those who did not respectively.

¹⁸ Alexander Keyssar, *The Right to Vote: The Contested History of Democracy in the United States*, (New York: Basic Books, 2000), 20. Benjamin Franklin once wrote: “Today a man owns a jackass worth fifty dollars and he is entitled to vote; but before the next election the jackass dies ... and the man cannot vote. Now gentlemen, pray inform me, in whom is the right of suffrage? In the man or in the jackass?” (quoted in Keyssar, 3).

¹⁹ “Members of the New Model Army and Civilian Levellers. Extract from the Debates at the General Council of the Army, Putney. 29 October 1647”, 103-23.

²⁰ Ibid, 104.

“I conceive the reason why we would exclude apprentices, or servants, or those that take alms, is because they depend upon the will of other men and should be afraid to displease them. For servants and apprentices, they are included in their masters, and so for those that receive alms from door to door; but if there be any general way taken for those that are not so bound to the will of other men, it would be well.”²¹

The argument that the poor and the propertyless lack necessary autonomy was repeated while the property and taxpaying requirements were being discussed in the United States. Predecessors of the defenders of these fiscal requirements in the United States can be found in England: Sir William Blackstone’s justification for excluding “persons ‘in so mean a situation’ that they had ‘no will of their own’ was repeated endlessly during the revolutionary era”²².

Arguments for fiscal requirements do not show much difference between France and the United States in the eighteenth century. While the first constitution of the Revolutionary France was being formed, necessity for a taxpaying requirement was defended by French politicians because “the beggars” would not be “immune from corruption” and the requirement would attach “citizens to the state by means of the contribution which they make to society’s well-being”²³.

Another argument against abolishing the property requirements was that “in future times a great majority of the people” would not own “any sort of property” and enfranchising them would endanger the future of democracy because it would lead to a rule by “the landless proletariat of the future”²⁴. This argument, again, is a continuation of the almost unanimous concern in the Putney Debate for maintaining order via limiting the exercise of the “birthright” to those who have a “livelihood” and “permanent interest” in the kingdom²⁵.

²¹ Ibid, 130.

²² Keyssar, *The Right to Vote: The Contested History of Democracy in the United States*, 10.

²³ Crook, *Elections in the French Revolution: an Apprenticeship in Democracy, 1789-1799*, 32.

²⁴ Ibid, 12.

²⁵ “Members of the New Model Army and Civilian Levellers. Extract from the Debates at the General Council of the Army, Putney. 29 October 1647”, 108. For a detailed analysis of the Putney debate on the conditions of losing or maintaining the birthright,

Although they have caused many disagreements and were abolished by some states, property requirements existed until the middle of the nineteenth century in the United States while being gradually lowered²⁶. Taxpayer requirements were in practice until they were banned in 1964, the same year in which the Twenty-Fourth Amendment (which banned poll taxes) reached the “necessary number” of state ratifications²⁷. All economic requirements were abolished in France and the United Kingdom towards the end of the nineteenth century, although plural voting through “a business franchise and university representation was tolerated” in the latter until 1950²⁸.

Arguments for excluding the propertyless or the poor from the franchise emphasize two points: (a) if an individual is dependent on another, he loses his “birthright” to participate in the decision-making process since he will be under the influence of others, (b) an individual cannot be entitled to participate in the political decision-making of a society if he does not become a part of that society by contribution. The former presupposes that not owning a certain degree of property symbolizes one’s ability to express (or possibly even to have) his own views. The latter restricts the membership in the community further from living within it. In addition to these, policymakers have often tried to maintain stability of the régime via excluding the poor and the propertyless.

see Macpherson, *The Political Theory of Possessive Individualism, Hobbes to Locke*, 107-59.

²⁶ Keyssar, *The Right to Vote: The Contested History of Democracy in the United States*, 17-8; 51-3.

²⁷ Katz, *Democracy and Elections*, 228. John R. Vile, *Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues 1789-1995* (Santa Barbara: ABC-CLIO, Inc, 1996), 321.

²⁸ Katz, *Democracy and Elections*, 221. David Butler, “Electoral Reform”. *Parliamentary Affairs* 57, no. 4 (2004), 735; 738. Butler notes that the 1885 Amendment to the Representation of the People Act “provide[d] votes for all men” whereas Richard Katz gives the year of 1918 as the date when the economic criteria were abolished, in his *Democracy and Elections*, 228. The UK Electoral Commission’s 2003 report gives the same date (The Electoral Commission, *How Old is Old Enough? The Minimum Age of Voting and Candidacy in UK Elections*. (London: The Electoral Commission, July 2003), 12). This date coincides with what Samuel P. Huntington calls “the first wave of democratization” (1820s-1920s). See his “Democracy’s Third Wave” in *The Global Resurgence of Democracy*, eds. Larry Diamond and Marc F. Plattner (Baltimore: The Johns Hopkins University Press, 1996), 3.

2.2. Women's Suffrage

Arguments for women's suffrage appeared long before they were reflected in legislations. Condorcet is known to be a dedicated supporter of including women in the electorate in the eighteenth century while even Robespierre was limiting his attack on voting requirements to male suffrage²⁹. A few decades after John Stuart Mill has written *The Subjection of Women* and supported the women's then unsuccessful struggle for suffrage in England, two other countries (Australia and Finland) enfranchised women³⁰. Austria, Canada, Denmark, Netherlands and Norway followed these two countries in the first two decades of the twentieth century³¹. The United States prohibited exclusions based on gender with the Nineteenth Amendment in 1919³².

Although women constitute roughly the half of any country's population, they have had their right to vote "decades after men" except for some cases³³. Women's struggle for suffrage in the United States was nested with the anti-slavery movement for a very long time and suffragist women have witnessed the abolition of slavery³⁴. Angelina Grimké, an important figure of the anti-slavery movement has given a speech in 1848 to the Massachusetts legislative and said

²⁹ Crook, *Elections in the French Revolution: an Apprenticeship in Democracy, 1789-1799*, 35.

³⁰ Mary Lyndon Shanley, "The Subjection of Women" in *The Cambridge Companion to Mill*, ed. John Skorupski (Cambridge: Cambridge University Press, 1998), 396-422. Katz, *Democracy and Elections*, 218; 221.

³¹ Ibid, 218-29.

³² Vile, *Encyclopedia of Constitutional Amendments, Proposed Amendments, and Amending Issues 1789-1995*, 218.

³³ Tilly, *Democracy*, 64.

³⁴ Keyssar, *The Right to Vote: The Contested History of Democracy in the United States*, 182.

“because [slavery] is a political subject, it has often been said, that women had nothing to do with it. Are we aliens because we are women? Are we bereft of citizenship because we are mothers, wives and daughters of a mighty people? Have women *no* country –no interests staked in public weal –no liabilities in common peril –no partnership in a nation’s guilt and shame?”³⁵

This speech points to an important element of the arguments against women’s political rights: that politics do not concern women. Not only in the United States, but, for example, in Sweden, this view was dominant for some time³⁶. Women’s economic dependency on men made Blackstone’s argument valid for them too: they “could not be responsible political actors”. Moreover, since they were related to men one way or another, their interests could be “defended by the men in their families”³⁷. “In all species which form unions of any degree of permanence” the male defends the female and children, it could not be thought that women were oppressed because they could not vote³⁸.

Another argument against women’s enfranchisement was that since women could vote more easily in the towns, it would lead to an injustice between urban and rural areas and women’s suffrage would grant superiority to the former over the latter³⁹.

Suffragist women have emphasized that the right to vote was natural and “if the propertyless (who also had been viewed as dependent) could vote,” it made no sense to exclude women from the franchise on the basis that they were dependent or were not full members of American society⁴⁰. Since the right to vote was inherent in citizenship, suffragists pointed out the injustice in denying the right to vote to a large portion of

³⁵ Elizabeth Frost-Knappman & Kathryn Cullen-DuPont, *Women’s Suffrage in America*, (New York: Facts On File, 2005), 21.

³⁶ Stefan Olsson, “Children’s Suffrage: A Critique of the Importance of Voters’ Knowledge for the Well-Being of Democracy”, *The International Journal of Children’s Right* 16 (2008), 58.

³⁷ Keyssar, *The Right to Vote: The Contested History of Democracy in the United States*, 174.

³⁸ Ibid, 184.

³⁹ Ibid, 175.

⁴⁰ Ibid.

citizens. Susan B. Anthony has warned that rejecting the equation of citizenship to the right to vote would lead to the exclusion of “one and another class of citizens”⁴¹.

A federal judge, in response to women’s demand for the vote, claimed that the possible negative effects of recognizing women’s claim to the right to vote are “decisive that the right does not exist”⁴². Suffragists’ answer to this stance was promoting tax rebellions among women with property: in other words, increasing the negative effects of not recognizing these claims⁴³.

All these arguments against enfranchising women can be summarized in four points: political issues do not concern women’s interests; their interests can be represented by their husbands and fathers; their dependence on men shows that they cannot be responsible political actors; and their inclusion might create a negative effect on the electoral system.

2.3. Literacy Tests

John Stuart Mill, in his book *Considerations on Representative Government* (1861), states that the voter was to be required to be able to read, write and perform basic arithmetic. To be just, society had to guarantee that every person can afford “the means of attaining these elementary requirements”. Provided one has these means, he had no right to complain if he is excluded because he does not have these qualities. Moreover, if society provides every person with an education on “natural and political divisions of the earth” and the general and local history, these should be added to the elementary requirements mentioned above⁴⁴.

⁴¹ Ibid, 180.

⁴² Quoted in Ibid, 181.

⁴³ Ibid, 182.

⁴⁴ John Stuart Mill, *Considerations on Representative Government*, (London: The Electric Book, 2001), 164-6.

Exclusion of the illiterate from the electorate of the United States lasted until a century after Mill's book was published. The literacy tests were declared illegal by "the Voting Rights Act of 1965 and the 1970 Voting Rights Amendments"⁴⁵.

A typical scholarly defense for the literacy tests, "Educational Qualifications for the Suffrage in the United States" written by George H. Haynes, appeared on the September 1898 issue of the *Political Science Quarterly*. The article refers to a debate conducted in the Senate in 1897. After giving the history of the literacy tests in the United States up to 1898, Haynes states that "the issue between the advocate and the opponent of these educational qualifications ... touches the very nature of suffrage": do all citizens have the *natural* right to vote, or is it "the *legal* right of certain classes"⁴⁶?

Haynes claims that "even the rights to life, liberty and the pursuit of happiness" are limited for the sake of social life. A criminal's rights can be limited by society. Similarly, the citizens' right to vote has limitations "always of age, usually of sex, frequently of property". The fact that the voting requirements varied from state to state to a great extent in the United States then is utilized by Haynes as a proof of the rightfulness of questioning the right to suffrage in each polity's context. Although the community membership arguments for enfranchising the illiterate can also be used for women and eighteen year olds, women's and eighteen year olds' suffrage depends on the convictions of the 'political people' of the United States. As he states that participation is "no child's play: it calls for a moderate degree of intelligence, with the power to learn at first hand", he defines the qualities of a good citizen as "integrity, intelligence, independence of judgment, disinterestedness, a consciousness of the citizen's debt in the state". According to him, the literacy tests are based on the idea that "having merely filled out twenty-one years of existence" is not enough for the right to vote: a voter needs to be at a certain level morality and mental capacity. Thus, the literacy tests makes the suffrage "a thing of worth, ... a prize to be sought after"⁴⁷.

⁴⁵ Kay Schriner, Lisa A. Ochs and Todd G. Shields, "The Last Suffrage Movement: Voting Rights for Persons with Cognitive and Emotional Disabilities", *The Journal of Federalism* 27, no.3 (Summer 1997), 78. For a list of literacy and poll tax requirements in the United States in the year 1962, see "Question of Poll Taxes and Literacy Tests", *Congressional Digest* 41, no.5 (May 1962), 131-3.

⁴⁶ Haynes, "Educational Qualifications for the Suffrage in the United States", 509.

⁴⁷ *Ibid*, 509-13.

Mill's and Haynes' support for taking literacy and knowledge as a condition for having the right to vote reflects their claim that the individuals who are expected to influence the political decision-making process should prove their ability to learn and to possess "a moderate degree of intelligence". In their view, knowledge symbolizes an individual's capacity to understand the political situation and express his or her views in relevance.

2.4. The Four-Step Test for Enfranchisement

Justifications for excluding women and lower socio-economic groups from the electorate consist of various versions of four essential questions:

- i) Community Membership: Do political decisions influence the members of the group?
- ii) Representation of Interests: Do the group's interests deserve to be represented independently from those who are expected to represent them?
- iii) Competence: Are the members of the group capable of identifying the influence of political decision-making process on their lives and react to this influence?
- iv) Régime Stability: Is including the group in elections more advantageous than excluding them for the electoral régime?

The advocates of exclusion give a negative answer to one or more of these questions for a certain group. Women and servants have been conceived to be irrelevant to political life. They have been perceived to be already represented (by their husbands, fathers, employers and/or masters). Servants' dependence on their masters and poor individuals' inability to have a certain degree of property has been deemed a symbol for their failure to have an independent judgment on their interests. Finally their enfranchisement was not desired because of its possible negative effects on the electoral régime.

In other words, certain groups were deemed apolitical in the past because they could not pass this four-step test for enfranchisement. It is important to note the nature of this test here: answers are highly, if not completely, dependent on the answerer's

perception of the excluded group. Since the test does not include any objectively measurable questions, objective criteria (such as tax-paying, income, gender, literacy and knowledge) enable the decision makers to pretend that the answers are given objectively. As long as a group does not prove that it passes the four-step test, decision-makers are free to choose their criterion for measuring individuals' situation in terms of the test.

Group demand for being enfranchised signals that the members of the demanding group are not apolitical: they are concerned about the influence of political decisions on them; they are not satisfied with their supposed representatives; and they are capable of contemplating on the situation and of reacting to it. After these three steps are satisfied via group demand, decision-makers are left with the fourth question: would recognizing this demand destabilize the electoral régime?

Whether age-based exclusion fits into this picture is an important question if we are to understand its mechanics. An analysis of academic debates on voting age is necessary if the relationship between the four-step test and voting age is to be understood.

CHAPTER 3

Age-Based Exclusion: Justifications, Criticisms and Alternatives

The idea that children do not have a place within the democratic electorate is often considered a self-evident, unproblematic, unique exception”⁴⁸. Many theoretical approaches to democracy either take this exclusion as a rule in need for justification, or simply a condition to be taken for granted. Even when it is taken for granted, gradual maturation of human beings creates an inevitable need for further justifications to any proposed age limit⁴⁹. These justifications can rarely escape criticism, if they ever can.

3.1. Justifications for Age-Based Exclusion

Almost all adults are enfranchised in the most electoral systems of the world today. Exceptions are “numerically small groups like prison inmates, non-citizens and mentally deficient persons” and even these exceptions are not universal unlike the age restriction⁵⁰.

⁴⁸ Olsson, “Children’s Suffrage: A Critique of the Importance of Voters’ Knowledge for the Well-Being of Democracy”, 55. Dahl, *Democracy and Its Critics*, 123; 127.

⁴⁹ Schrag, “The Child’s Status in the Democratic State”, 443. Olsson, “Children’s Suffrage: A Critique of the Importance of Voters’ Knowledge for the Well-Being of Democracy”, 68.

⁵⁰ Blais et al., “Deciding who has the Right to Vote: a Comparative Analysis of Election Laws”, 42. Prison inmates can vote in Germany, Czech Republic, Denmark and many other countries. Citizenship requirement can be substituted with permanent residence in New Zealand and citizenship of another EU member state in Portugal. Mentally deficient individuals have the right to vote in Canada, Ireland, Italy and Sweden (*Ibid*, 42-9).

No justification is needed for any restrictions on the electorate once modern democratic régimes are conceived as variants of aristocracy⁵¹. If all political associations necessitate a class of the ruled, the case of children is hardly interesting. But modern democratic systems of rule are thought to diverge from their old and new counterparts by not regarding restrictions as natural⁵². They take the right to vote as “the mark of citizenship”⁵³. Without the right to vote, one “might be described as ‘socially dead’” in a democracy⁵⁴. Hence, depriving any individual of the right to participate in the political decision making process necessitates justifications.

As mentioned in the end of the previous chapter, restrictions on the right to vote have been justified in reference to a four-step test in the past: (a) community membership, (b) representation of interests, (c) competence, and (d) régime stability. This scheme can also be used to classify the justifications for age-based exclusion.

3.1.1. Community Membership and Representation of Interests

The case of children differs from that of transients and non-citizens in terms of children’s official ties to the polity since they “are already citizens”⁵⁵. However, it is often argued that children do not deserve the right to vote because they are not full members of society and they are not affected from the political decisions as much as adults are⁵⁶. One way of arguing this is to say that children should not have the right to influence economic policies because they do not earn their own income⁵⁷.

⁵¹ Robin George Collingwood. *The New Leviathan, or Man, Society, Civilization, and Barbarism*, (Oxford: Oxford University Press, 1999), 193.

⁵² Olsson, “Children’s Suffrage: A Critique of the Importance of Voters’ Knowledge for the Well-Being of Democracy”, 57. For the naturalness of the division between the ‘ruler’ and the ‘ruled’, see Aristotle, *The Politics*, (London: Penguin Books, revised edition, 1992), 67.

⁵³ Archard, *Children: Rights and Childhood*, 98.

⁵⁴ Charles Beitz, *Political Equality: An Essay in Democratic Theory*, (Princeton: Princeton University Press, 1989), 109.

⁵⁵ Olsson, “Children’s Suffrage: A Critique of the Importance of Voters’ Knowledge for the Well-Being of Democracy”, 60.

⁵⁶ Schrag, “The Child’s Status in the Democratic State”, 444.

⁵⁷ Philip Cowley & David Denver, “Votes at 16? The Case Against”, *Representation* 41, no. 1 (2004), 59. Schrag, “Children and Democracy: Theory and Policy”, 372.

It is also argued that children do not have their own interests within the community distinct from those of adults⁵⁸. This is an important claim because a demand for enfranchising children could be based on Dahl's argument for full inclusion of adults: that whenever a group of adults is excluded from the decision making process, the interests of its members "will be seriously injured by neglect or outright damage"⁵⁹. A Marxist way of approaching the problem supports the argument that children do not possess distinct interests since if the main characteristics of social classes are based on economic conditions children will hardly be an exception⁶⁰.

Another important part of the (full) community membership arguments include the balance of rights and responsibilities. Although it has been used for reducing the voting age in the past, this argument can also be utilized to keep it at a specific level. Both Robert Dahl⁶¹ and Richard Archard⁶² emphasize the importance of balancing the political rights with legal responsibilities: individuals must receive their right to vote when they are held legally responsible for their actions.

Moreover, it is pointed out that even sixteen and seventeen year old individuals are dependent financially. This also supports the view that children are not full members of society because even the VAT they pay because of the "sweets or CDs" they buy is not really paid by themselves⁶³. This necessitates the parents to act as the representatives of their children⁶⁴. Since many older citizens have their own children and grandchildren, it is unlikely for them to ignore the interests of children completely⁶⁵.

These views claim that children do not pass the first and/or second steps of the four-step test: they do not hold full community membership in a way that political decisions are relevant to them and even if they have distinct interests, these interests can be rightfully represented by adults.

⁵⁸ Ibid, 374-5.

⁵⁹ Dahl, *On Democracy*, 53.

⁶⁰ Schrag, "Children and Democracy: Theory and Policy", 374.

⁶¹ Dahl, *Democracy and Its Critics*, 127-9.

⁶² Archard, *Children: Rights and Childhood*, 100.

⁶³ Cowley and Denver, "Votes at 16? The Case Against", 59-60.

⁶⁴ Olsson, "Children's Suffrage: A Critique of the Importance of Voters' Knowledge for the Well-Being of Democracy", 70-2.

⁶⁵ Schrag, "The Child's Status in the Democratic State", 454.

3.1.2. Competence

Archard states that being affected by the laws is not enough for being entitled to vote while the electorate excludes many groups who have their interests affected by the political decisions: not only “temporarily resident foreigners, citizens of other states affected by the foreign policy of this government” but also “the unborn”. Moreover, granting to an individual the right to vote because she is affected by the decisions presupposes her “capacity to recognise” her interests and to vote accordingly. Hence, the principle of representation of interests does not eliminate but *necessitates* competence⁶⁶.

Voting age requirements are found useful because they “delay the full membership of those who, by nature,” cannot fulfill the task of voting⁶⁷. The required kind of competence is sometimes defined as “social awareness and responsibility”⁶⁸.

An individual’s interest in politics is taken to be an important criterion for being politically mature⁶⁹. Low turnout rates among the youth are often taken to be a sign of how “apathetic and civically unaware” they are⁷⁰. Knowledge of politics is utilized as an important indicator of political maturity⁷¹. Educating the youth on this issue is deemed a tool to encourage political participation⁷². Not only the ability to differentiate one party or candidate from another, but also identifying oneself with a political party is

⁶⁶ Archard, *Children: Rights and Childhood*, 100.

⁶⁷ Cohen, “On the Child’s Status in the Democratic State: A Response to Mr. Schrag”, 461-2.

⁶⁸ Tak Wing Chan & Matthew Clayton, “Should the Voting Age be Lowered to Sixteen? Normative and Empirical Considerations”. *Political Studies* 54 (2006), 538.

⁶⁹ Ibid, 542-4.

⁷⁰ Kathy Edwards, “From Deficit to Disenfranchisement: Reframing Youth Electoral Participation”, *Journal of Youth Studies* 10, no. 5 (November 2007), 539-43.

⁷¹ Chan & Clayton, “Should the Voting Age be Lowered to Sixteen?”, 547-9.

⁷² Edwards, “From Deficit to Disenfranchisement: Reframing Youth Electoral Participation”, 542-4. Edwards’ article challenges this view. For various experiments on educating the youth on politics and electoral process, see Andrew Ellis; Maria Gratschew; Jon H. Pammett; Erin Thiessen, *Engaging the Electorate: Initiatives to Promote Voter Turnout From Around the World*, (Stockholm: International IDEA, 2006), 22-3.

considered an important criterion⁷³. Studies have shown in the past that, at least in the early stages of their education, children do not recognize differences between political parties⁷⁴. Even though children can adopt a political stance even in the early stages of their lives⁷⁵, some theorists argue that this is not rooted in children's capability of contemplating on politics but in their desire to please their parents. Since their political stance is dependent on their parents, they cannot be expected to develop their own views on their interests⁷⁶.

Another line of logic comes from Cohen's distinction between *rational capacity* and *intellectual ability*. This distinction leads him to claim that children lack the right to vote not because they lack education or necessary knowledge, i.e. intellectual ability, but because they lack "certain fundamental kinds of thinking", i.e. rational capacity, and "they cannot operate [a democracy] at all"⁷⁷.

3.1.3. Régime Stability

In addition to those mentioned above, it is also assumed that it is unnecessary to change an already functioning arrangement⁷⁸. Although this argument does not find much scholarly support, it has often been used by parliamentarians in the past, as it can be seen in the coming chapters. Moreover, Dahl also mentions the importance of offering an acceptable inclusion and current setting appears to be acceptable for our

⁷³ Archard, *Children: Rights and Childhood*, 101. Chan & Clayton, "Should the Voting Age be Lowered to Sixteen?", 544-7.

⁷⁴ Schrag, "The Child's Status in the Democratic State", 450.

⁷⁵ Robert Coles, *The Political Life of Children*, (New York: Atlantic Monthly Press, 1986).

⁷⁶ Thomas Christiano, "Knowledge and Power in the Justification of Democracy". *Australasian Journal of Philosophy* 79, no. 2 (June 2001), 207.

⁷⁷ Cohen, "On the Child's Status in the Democratic State: A Response to Mr. Schrag", 460-1.

⁷⁸ Schrag, "The Child's Status in the Democratic State", 455.

time⁷⁹. The widespread consensus on eighteen as the voting age (and as the end of childhood, according to the UN Convention on the Rights of the Child) leads scholars and parliamentarians to be reluctant about changing the existing voting age regulations⁸⁰.

Another argument referring to the concerns about the stability of electoral régimes is that the low turnout rates among the youth threaten the future of democracy since “all democratic theories regard spontaneously high turnout as desirable”⁸¹.

3.1.4. Temporariness of Age-Based Exclusion

There is an exceptional justification for age-based exclusion which has no parallelism with any of those utilized for excluding certain groups in the past: that children will join the electorate when they are mature enough and thus that this is not a real exclusion. Since women were obviously excluded permanently and it has never been guaranteed that the propertyless will eventually gain some property, this justification maintains to be unique for children’s case⁸². However, it is obvious that children’s eventual enfranchisement does not justify their exclusion *per se*.

3.2. Criticisms for Justifications

Existence of any age restriction on the right to vote is criticized on the basis that democracy is based on the idea of equality among everybody⁸³. “And everybody means

⁷⁹ Dahl, *Democracy and Its Critics*, 99.

⁸⁰ Cowley & Denver, “Votes at 16? The Case Against”, 61.

⁸¹ Katz, *Democracy and Elections*, 243.

⁸² Cowley & Denver, “Votes at 16? The Case Against”, 61. Schrag, “The Child’s Status in the Democratic State”, 455.

⁸³ Ibid, 443.

*everybody*⁸⁴. The grounds of these criticisms can be analyzed in a more systematical manner by using the same framework as the previous section.

3.2.1. Community Membership and Representation of Interests

The importance of interests is emphasized in various articles of the UN Convention on the Rights of the Child. The first set of criticisms towards the exclusion of children is that their interests are in danger within current context. These criticisms can be divided into two different arguments: children's interests can individually differ from those of adults, and their group interests cannot be represented by adults.

If the right to vote is a tool for protecting a person's interests, exclusion of any child from the franchise might result in the policymakers' ignoring her interests. "To claim that politics does not involve children," states Olsson, "is to assume that children are a people of their own"⁸⁵.

Since children are excluded from franchise because of their being members of a definite group, most of the criticisms based on representation of interests are based on their differences from adults. Adequate education, as recognized in the Article 28 of the UN Convention, is an important part of the interests of children which differs from that of the adults⁸⁶. Consideration of possible conflicts between the interests of children and those of their parents and grandparents raises serious problems concerning the parents' ability to act as the representatives of their children. This problem arises when "welfare expenditures on the elderly and children" are compared, as done by Peterson: a comparison between the poverty among "the elderly and among the children [in the United States, reveals that it has] been changing at roughly the same rate but in opposite directions" between 1975 and 1990⁸⁷.

Another important difference between the young and the elderly concerns their living conditions and this difference leads to different interests. Adolescents and young

⁸⁴ Olsson, "Children's Suffrage: A Critique of the Importance of Voters' Knowledge for the Well-Being of Democracy", 57.

⁸⁵ Ibid, 58-9.

⁸⁶ Schrag, "Children and Democracy: Theory and Policy", 374.

⁸⁷ Ibid, 375.

adults are preoccupied with survival and building their future lives rather than having a stable life in a given electoral district for a long time and spending time for enrollment⁸⁸. Their high mobility (rooted in their need for moving often for the sake of education and employment) is considered a structural obstacle before their ability to enroll for vote even when they have the right to franchise⁸⁹. This might be an important factor that leads to lower enrollment and turnout rates among the youth in many countries including the United States, the United Kingdom and Australia, despite the fact that enrollment is compulsory in Australia and children go through a civics education in these countries⁹⁰. But there is no consensus on this view. For instance, Highton and Wolfinger (in their study of the American electorate) reach the conclusion that, although mobility is highly influential on voting, there appears no remarkable difference in terms of mobility between age groups. Low voter turnout cannot be solely based on the difference between life conditions of the young and their elders according to them. Their study reveals that voter turnout increases with age in the United States, regardless of the youth's preoccupation with education, employment, leaving parents, marriage, home ownership and mobility⁹¹. Two possible explanations for this can be accumulation of political experience and generational difference⁹².

The argument that the interests of children are not affected as much as those of adults are also criticized from another angle. Since their life expectancy is longer than that of adults and the elderly, decisions resulting in future debts and environmental

⁸⁸ Edwards, "Reframing Youth Electoral Participation: From Deficit to Disenfranchisement", 551-2. Benjamin Highton & Raymond E. Wolfinger, "The First Seven Years of the Political Life Cycle", *American Journal of Political Science* 45, no. 1 (January 2001), 203.

⁸⁹ Edwards, "Reframing Youth Electoral Participation: From Deficit to Disenfranchisement", 550. Highton & Wolfinger, "The First Seven Years of the Political Life Cycle", 203. Alex Folkes, "The Case for Votes at 16", *Representation* 41, no. 1 (2004), 54.

⁹⁰ Michael P. McDonald & Samuel L. Popkin, "The Myth of the Vanishing Voter", *American Political Science Review* 95, no. 4 (December 2001), 966. Highton & Wolfinger, "The First Seven Years of the Political Life Cycle", 202. Andrew Russell; Edward Fieldhouse; Kingsley Purdam; Virinder Kalra, *Research Report: Voter Engagement and Young People*, (London: The Electoral Commission, July 2002), 6. Edwards, "Reframing Youth Electoral Participation: From Deficit to Disenfranchisement", 540. Folkes, "The Case for Votes at 16", 52. Cowley & Denver, "Votes at 16? The Case Against", 60.

⁹¹ Highton & Wolfinger, "The First Seven Years of the Political Life Cycle", 207.

⁹² Ibid, 208.

problems affect children to a greater extent. This creates an *intergenerational injustice*, as Philippe van Parijs names it⁹³. Although it is obvious that the unborn cannot have the right to vote⁹⁴, the possibility that the elderly might use their electoral power to “benefit their unavoidably short-term self-interest” necessitates solutions to balance this power via giving more electoral power to the children⁹⁵.

Balance of rights and responsibilities is a central point for the justifications of the age-based exclusion. The facts that children do not earn their own income or they do not serve in the military are often utilized to show that children are not full members of the community. The former is criticized on the grounds that many elderly, despite their right to vote, neither contribute to the economy of the country nor earn income. The latter is thought to be in contradiction with the fact that women were enfranchised in the United States while they were not being drafted for the military service⁹⁶. This is indeed the current case for Turkey. Moreover, the argument of balance of rights and responsibilities can well be an important tool for demanding voting age reduction when certain rights are given at an age lower than the voting age. Sixteen years old age limit concerning the rights to “leave school, get married, join the armed forces” and the responsibility to pay tax can be taken as a sign of regarding those older than sixteen as adults⁹⁷. However, the idea of having age limits for all rights and responsibilities in unison is not always found convincing unless the equalized age limits refer to similar capabilities⁹⁸. Capabilities, of course, bring in the issue of competence.

3.2.2. Competence

⁹³ Philippe van Parijs, “The Disenfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice”, *Philosophy & Public Affairs* 27, no. 4 (October 1998), 295.

⁹⁴ Archard, *Children: Rights and Childhood*, 100.

⁹⁵ van Parijs, “The Disenfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice”, 293.

⁹⁶ Schrag, “Children and Democracy: Theory and Policy”, 373.

⁹⁷ Folkes, “The Case for Votes at 16”, 53. Although sixteen years old soldiers are not currently sent to the front line service, Folkes does not see any guarantees for “exceptional circumstances”, presumably he means an active war on the mainland Britain.

⁹⁸ Archard, *Children: Rights and Childhood*, 100. Cowley & Denver, “Votes at 16? The Case Against”, 60.

Justifications based on children's competence are under serious criticism in the literature from various angles. The first important set of criticisms arises from the vagueness of the concept of "competence" as well as of "childhood" and "adulthood". As mentioned above children are regarded incompetent to vote because of their lack of ability to have political reasoning. The criticisms towards this argument can be divided into two separate but complementary arguments: difficulty in limiting this inability to children, and implications of expecting too much competence from electorate.

When competence is not based on the capacity for autonomy (or "rational capacity" or "minimal competence" as it is called by Cohen and Christiano respectively), serious problems appear concerning the measurement of competence. It is reported that many children have political views earlier than they have the vote. The difference between the degrees of maturity individuals achieve arises from the gradual nature of human maturation⁹⁹. Political reasoning, which is different from rational capacity, develops very late in the course of a person's life, if it ever does. Thus the lack of political reasoning cannot constitute a basis for the exclusion of children¹⁰⁰.

If one insists on the validity of competence for the right to vote, critics emphasize the widespread incompetence amongst adult voters. Previous research shows a serious lack of knowledge on politics for adults¹⁰¹. As Larry Bartels puts it, "the political ignorance of the American voter is one of the best-documented features of contemporary democracy"¹⁰². This logically implies that if lack of competence is an obstacle on the right to vote *per se*, a serious part of the adult electorate should be disenfranchised via a test of competence or increasing the voting age. However, this is not necessary for several reasons and at least one of them seems valid for those who are even younger than eighteen: representative democracy transfers the concerns of competence from the domain of political rights to the electoral process and this creates "shortcuts to knowledge". A voter does not need to understand all the complexity of the

⁹⁹ Cohen, "On the Child's Status in the Democratic State: A Response to Mr. Schrag", 458.

¹⁰⁰ Schrag, "The Child's Status in the Democratic State", 443.

¹⁰¹ Olsson, "Children's Suffrage: A Critique of the Importance of Voters' Knowledge for the Well-Being of Democracy", 62-7.

¹⁰² Larry M. Bartels, "Uninformed Votes: Information Effects in Presidential Elections", *American Journal of Political Science* 40, no. 1 (February 1996), 194.

risks and decisions. All she needs to do is to delegate a representative for doing this for her¹⁰³.

3.2.3. Régime Stability

Low turnout rates among the youth are another proposed basis for the exclusion of children and young adolescents, at least of those below a certain age limit. Since the “degree of non-participation is becoming increasingly troubling”, there are concerns that the low turnout rates for the incoming cohort might influence the future of democracy¹⁰⁴. It is even proposed to introduce fines for the young voters who do not “show up at elections” or poll tax for the elderly¹⁰⁵.

Although many methods are being experimented for the sake of encouragement and education of the youth for political participation, turnout rate remains to be in a positive correlation with age when eighteen year old and slightly older voters are compared with their elders¹⁰⁶. The gap between politicians and young people is thought to be an important source for this problem. As Edwards shows, presidential campaigns in Australia, with their emphasis on family values and interest rates, do not appeal to the youth¹⁰⁷. Some politicians seem to consult with the youth but the democratic way to make politicians worry about a group’s interests is to give that group the right to vote

¹⁰³ Dahl, *Democracy and Its Critics*, 77. Schrag, “The Child’s Status in the Democratic State”, 447-9. Olsson, “Children’s Suffrage: A Critique of the Importance of Voters’ Knowledge for the Well-Being of Democracy”, 65; 71.

¹⁰⁴ Ellis et al., *Engaging the Electorate: Initiatives to Promote Voter Turnout From Around the World*, 15-6. Mark Franklin and Bernard Wessels conduct a quantitative study of six countries in their paper “Learning (Not) to Vote: the Generational Basis of Turnout Decline in Established Democracies” in terms of the effect of voting age changes on the turnout rates of the new voters. (Mark Franklin and Bernard Wessels, “Learning (Not) to Vote: The Generational Basis of Turnout Decline in Established Democracies”, paper presented at the 2002 Convention of the American Political Science Association, 4 October 2004 version).

¹⁰⁵ van Parijs, “Disenfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice”, 306.

¹⁰⁶ Ellis et al., *Engaging the Electorate: Initiatives to Promote Voter Turnout From Around the World*, 22-3.

¹⁰⁷ Edwards, “Reframing Youth Electoral Participation: From Deficit to Disenfranchisement”, 544-7.

which “threatens a politician’s job and livelihood”¹⁰⁸. Since the voters between eighteen and early twenties inevitably constitute a small minority when compared to the numerical superiority of the rest, emphasis on the concerns and interests of the adults appears to be a plausible way to attract more voters, especially in countries with older populations¹⁰⁹. A proposed solution to this problem is to have each age group elect its own representatives or to promote political parties which receive more votes from the youngest group of voters¹¹⁰.

Another possible source for the youth’s low participation is the structural (or institutional) and social obstacles¹¹¹. Although these cannot be fully explanatory, they beyond doubt play a role in the low turnout rates among the youth¹¹².

It is hard to measure the youth’s eagerness to participate in the elections solely via their current participation rate. Even if they do not vote when these problems are solved, the countries where voting is not compulsory might need to accept that “for one to talk meaningfully about the *right* to vote, one must also allow the right to refrain from voting”¹¹³.

3.3. Age Criterion

Provided the justifications for excluding children from the franchise are valid, the problem is how to measure whether a person is a ‘child’. Specifying the differences between children and adults (“the ‘boundary’ of childhood”¹¹⁴) is a controversial issue.

¹⁰⁸ Folkes, “The Case for Votes at 16”, 55.

¹⁰⁹ Mogens Jensen et al. “Expansion of Democracy by Lowering the Voting Age to 16”, Article 4.

¹¹⁰ van Parijs, “Disenfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice”, 307-8.

¹¹¹ Edwards, “Reframing Youth Electoral Participation: From Deficit to Disenfranchisement”, 547-52. Ellis et al., *Engaging the Electorate: Initiatives to Promote Voter Turnout From Around the World*, 15.

¹¹² For a detailed analysis, see Highton & Wolfinger, “The First Seven Years of the Political Life Cycle”.

¹¹³ Katz, *Democracy and Elections*, 244.

¹¹⁴ Ibid, 31.

Scholars do not even agree whether the category of ‘childhood’ is universal¹¹⁵. Not only adults’ view of children as a category, but also the adult’s view of his/her own childhood is being questioned¹¹⁶. Various scholars point out the increasing distance between the behaviors of the adults and children through history¹¹⁷. Others claim that this distance is diminishing in the contemporary society¹¹⁸. Some are so pessimistic on the adequacy of the sources that they think the history of childhood “cannot be studied”¹¹⁹.

Age restriction is based on the supposed political immaturity of a portion of the citizenry. Even many critics of the current age requirements point out that the youngest part of the population cannot be enfranchised¹²⁰. The main problem arises from the individual differences between persons’ degree of maturity and even some advocates of the current age restriction acknowledge that “determining a cut-off age for anything is an arbitrary decision rather than a moral question”¹²¹. There appears a question: can the possible injustices rooted in our method of measuring maturity collectively be lowered (if not avoided) by a test of competence?

¹¹⁵ Archard aims at avoiding this problem by differentiating between “concepts” and “conceptions” following John Rawls’ example. Archard, *Children: Rights and Childhood*, 19-50.

¹¹⁶ See Marianne Gullestad (Ed.), *Imagined Childhoods: Self and Society in Autobiographical Accounts*, (Oslo: Scandinavian University Press, 1996).

¹¹⁷ For two works claiming a parallelism between civilizing process and the distance between the behavior of adults and children see Philippe Ariés, *Centuries of Childhood: A Social History of Family Life*, translated by Robert Baldick, (New York: Vintage Books, 1962) and Norbert Elias, *The Civilizing Process*, translated by Edmund Jephcott, (Oxford: Blackwell, 1994). An analysis of this literature can be found in Chris Jenks, *Childhood*, (London: Routledge, 1996), 56-83. For another analysis, see Hugh Cunningham, *Children and Childhood in Western Society since 1500*, (London: Longman, 1998), 4-18.

¹¹⁸ Ibid, 163-85. Jenks, *Childhood*, 116-33. For a brief criticism of this view, see Harry Hendrick, *Children, Childhood and English Society, 1880-1990*, (Cambridge: Cambridge University Press, 1997), 96-7.

¹¹⁹ For the difficulties of studying the history of childhood, see Linda A. Pollock, *Forgotten Children: Parent-Child Relations from 1500 to 1900*, (Cambridge: Cambridge University Press, 1983), 65-7.

¹²⁰ Folkes, “The Case for Votes at 16”, 55. Schrag, “The Child’s Status in the Democratic State”, 444.

¹²¹ Cowley & Denver, “Votes at 16? The Case Against”, 61.

3.3.1. Test of Competence: an Alternative?

Replacing age requirement with a test of competence has various drawbacks among which discrimination cannot be counted since age restriction is already discriminatory¹²². Several of these drawbacks are avoidable while others are inherent in the method.

Difficulties arising from illiteracy, language difference and physical disadvantages can be solved by producing alternative versions of the test for these groups¹²³. However, the main disadvantage of utilizing a test of competence arises from the inability to come up with an objective set of questions. Any question “will presuppose a substantive conception of interests and morality” and both of these should be open to debate in a democratic system¹²⁴. If such a test is based on any world-view, it might prevent a part of the citizenry from having the right to vote for all their lives just because their point of view differs from the producers of the test¹²⁵. This limitation can be avoided by using competence tests for those under a certain age (this may be the current voting age)¹²⁶, but this does not solve the problem of excluding people based on their world-views. Moreover, it could not avoid the basic problem: why give the right to vote any person without testing her just because she is older than others? Most of the questions asked about the voting age (“how old is old enough?” as indicated in the title of the UK Electoral Commission’s 2003 report¹²⁷) would not be eliminated by setting a test of competence for those under a certain age limit.

3.4. Proposed Solutions to the Problems

¹²² Schrag, “The Child’s Status in the Democratic State”, 454.

¹²³ Ibid, 453.

¹²⁴ Christiano, “Knowledge and Power in the Justification of Democracy”, 209.

¹²⁵ Schrag, “The Child’s Status in the Democratic State”, 454.

¹²⁶ van Parijs, “Disenfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice”, 304 fn30.

¹²⁷ The Electoral Commission, *How Old is Old Enough? The Minimum Age of Voting and Candidacy in UK Elections*.

3.4.1. Lowering the Current Voting Age

Although scholarly debates generally end in a near consensus on the necessity for determining a voting age (except for proposals to abolish the age criterion altogether), discussion continues on the appropriate age limit. As can be seen in the previous sections of this chapter, many arguments supporting the age restriction are based on the incapacities of little children. This leads to many proposals to reduce the current voting age. David Archard, for example, acknowledges that “teenagers can be thought capable of voting” after explaining the reasons why little children should not have the vote¹²⁸. Francis Schrag, similarly, states that the main problem with children’s suffrage is that “below a certain age, they would not know what they were doing in the voting booth” while he does not want to propose an alternative to the current practice¹²⁹.

Moreover, enfranchising the age groups who are still living with their families is regarded as a way of balancing the 18-22 age group’s alienation from the electoral process by enfranchising them earlier¹³⁰. This claim is based on the high turnout rates of the 16-17 age group in German local elections. In the United Kingdom, civics education is completed when the student is sixteen years old. Giving these people the opportunity to use what they learn at school immediately might help reducing their alienation from the political system¹³¹. Moreover, some scholars claim that enfranchising people while they are still in high school might be a chance to turn students’ first election into a class project and political participation into a collective event¹³².

Whether local and general elections differ in their suitability for the young electorate is another point of controversy. Young people’s familiarity with the happenings of everyday life makes some Schrag to propose enfranchising younger age groups for local events such as “school board elections, school bond referenda, and similar matters which directly effect their lives”¹³³. This idea is supported by David

¹²⁸ Archard, *Children: Rights and Childhood*, 103.

¹²⁹ Schrag, “Children and Democracy: Theory and Policy”, 376.

¹³⁰ Folkes, “The Case for Votes at 16”, 54.

¹³¹ Ibid, 52-3.

¹³² Franklin & Wessels, “Learning (Not) to Vote: The Generational Basis of Turnout Decline in Established Democracies”, 5.

¹³³ Schrag, “The Child’s Status in the Democratic State”, 456.

Archard and the Commission on Local Government Electoral Arrangements in Wales¹³⁴. Others emphasize children's earlier interest in the national and international issues and "earlier recognition of national political figures"¹³⁵. Moreover, Austria's experience with the national enfranchisement of 16-17 age group following the local enfranchisement of them might be an important example of the inability to limit such reductions to the local level.

As mentioned above, Cowley and Denver state that "determining a cut-off age for anything is an arbitrary decision rather than a moral question"¹³⁶. Any reduction in the voting age might lead to new discussions based on more or less same assumptions. This is why Stefan Olsson finds the proposals to lower the voting age misguided. He offers two choices: if competence is not a basis for exclusion, voting age should be abolished and even infants should vote via their parents as their representatives. If competence is a basis for the suffrage, having the current voting age serves to this end and it makes no sense to lower it¹³⁷.

3.4.2. Abolishing the Voting Age (Parents' Vote)

There are exceptions to the mainstream approach to the disenfranchisement of little children and these exceptions, since they neither take it for granted nor attempt to justify it, offer to change the status-quo to a large extent¹³⁸. Provided one aims at eliminating all limitations on the right to vote, any proposal to abolish the voting age leads to the problem of little children. Since parents are already acting as the representatives of their children within Western legal systems, some scholars argue,

¹³⁴ Archard, *Children: Rights and Childhood*, 101. Folkes, "The Case for Votes at 16", 52.

¹³⁵ Cohen, "On the Child's Status in the Democratic State: A Response to Mr. Schrag", 462.

¹³⁶ Cowley & Denver, "Votes at 16? The Case Against", 61.

¹³⁷ Olsson, "Children's Suffrage: A Critique of the Importance of Voters' Knowledge for the Well-Being of Democracy", 69.

¹³⁸ Ibid. For more proposals, see van Parijs, "The Disenfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice", 292-333.

they can also be granted the right to vote in the name of their children¹³⁹. This method was proposed to the parliaments of some European countries several times from the end of the nineteenth century to recent years¹⁴⁰.

The main limitation to parents' vote arises from the possible conflicts between the interests of children and parents. It is true that parents act as the representatives of their children in many ways but in the political sphere there might be proposals that children will benefit from whereas the financial burden on the parents will be increased. However, if the older children have the right to vote on their own and the parents' vote is limited to the youngest children, the "conflicts of interest ... might loom less large". Moreover, there is a probability that this practice might encourage "poor, young, uneducated parents" to vote by giving them extra weight in the electoral process¹⁴¹.

3.4.3. A Guardian for the Interests of Children

Another proposal to avoid intergenerational injustice is to appoint a guardian whose sole aim is to protect the interests of children or even coming generations. This method is currently used in many European countries such as Ireland, Sweden, Finland, Poland and Iceland as well as the states of Washington and Michigan in the US.

Although appointing a representative for the collective interests of children seems to solve the problem of intergenerational injustice to some degree, it involves serious problems within democratic understanding. First of all, it should be questioned who appoints this representative. The answer to this question is that the representative will be appointed *by* adults, *from* a set of adults, *for* children. Hence, a guardian (or an ombudsman) for children still stands on the assumption that adults can represent the interests of children and any problem concerning the conflict of interest between these two groups makes this practice more questionable. Moreover, ombudsmanship takes children as a group with collective interests subject to objective assessment. This might

¹³⁹ Olsson, "Children's Suffrage: A Critique of the Importance of Voters' Knowledge for the Well-Being of Democracy", 70-2. van Parijs, "Disenfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice", 308-9.

¹⁴⁰ Ibid, 309-14. Van Parijs gives a detailed list of the proposals and important differences between them.

¹⁴¹ Schrag, "Children and Democracy: Theory and Policy", 377.

be true to some degree but it is equally logical to claim that the idea of having a single representative for the interests of all children, no matter how powerful she is, ignore the differences between the interests of individuals¹⁴².

3.5. Voting Age and the Four-Step Test for Enfranchisement

This chapter so far has analyzed the academic debates on the voting age issue in terms of justifications, criticisms, and proposed alternatives. It must be clear by now that age-based exclusion is no exception to the validity of the four-step test for enfranchisement. The case of children is taken into consideration by scholars in accordance with the four conditions of the test: community membership, representation of interests, competence and régime stability. Probably the only exception for this scheme is the temporariness of exclusion: in contrast with formerly excluded groups, children eventually join demos when they are mature enough. However, this is not a justification in itself. It needs to be supported by an argument that clarifies the difference in the political capabilities of children and adults. None of the arguments at hand can provide this clarification independently from the four-step test.

The four-step test, as explained in the previous chapter, fails to give objective criteria: it necessitates proxy measurements. Age turns out to be just another useful proxy for measuring the political capabilities of a supposedly apolitical group. It has to be admitted that age really is a useful criterion, especially for its objectivity: aging is controlled by nature rather than any social or political authority. However, the significance of age as a criterion for deciding whether a person should be entitled to vote is completely irrelevant to its objectivity. In the end, gender was another objective criterion, too. It is also irrelevant to its temporariness: if a person deserves to vote, his right to vote cannot be postponed for ten, eighteen or twenty years.

It is already shown that various scholars discuss the issue of voting age within the limited grounds of the four-step test. It is important to see whether this test maintains to be valid in accordance with Robert Dahl's much respected theory of democratic exclusion.

¹⁴² Ibid, 378.

3.6. Dahl's Theory of Democratic Exclusion

Robert A. Dahl's *Democracy and Its Critics* is written "to construct an argument that would draw on the widest possible body of democratic ideas and experiences" and its influence is reflected in many scholarly reviews and books¹⁴³. The attempt of this book must not be confused with, for instance, that of *Polyarchy: Participation of Opposition*, which focuses on democratic systems of our time (i.e. "polyarchies") and transitions towards such systems¹⁴⁴.

Dahl defines democracy as opposed to its two alternatives: "anarchy" and "guardianship". He states that "any further exploration of democratic idea" necessitates the objections arising from these two alternatives to be "satisfactorily met"¹⁴⁵.

"The vision of anarchism", according to Dahl, is "a society without a state"¹⁴⁶. This leaves all non-democratic forms of government under the title of guardianship. He virtually¹⁴⁷ handles the issue of guardianship in two chapters, in the first of which he

¹⁴³ Robert A. Dahl, "A Rejoinder", *The Journal of Politics* 53, no. 1 (February 1991), 226. For some reviews of the book, see G. Bingham Powell, Jr.'s review in *Political Science Quarterly* 105, no. 4 (Winter 1990-1991): 647-9; Allan R. MacLeod's review in *Canadian Journal of Political Science / Revue canadienne de science politique* 23, no. 2 (June 1990): 410-1. Moreover, *The Journal of Politics* 53, no. 1 (February 1991) includes a series of reviews on the book: Jean Bethke Elstain, "If Things Are, on the Whole, so Good, Whence the Widespread Perception of Decay and Decline?": 218-21. Joshua Cohen, "Institutional Argument... Is Diminished by the Limited Examination of the Issues of Principle": 221-5. Jack H. Nagel, "A Democrat First and Foremost, Rather than a Liberal in the Strict Sense": 215-8. Charles Tilly calls Dahl's theory as a "classic statement". See, Tilly, *Democracy*, 9-10. For a "patriotic" criticism of Dahl's theory of democracy, see Charles Blattberg, *From Pluralist to Patriotic Politics: Putting Practice First*, (New York: Oxford University Press, 2000).

¹⁴⁴ Robert A. Dahl, *Polyarchy: Participation and Opposition*, (New Haven: Yale University Press, 1971).

¹⁴⁵ Dahl, *Democracy and Its Critics*, 37.

¹⁴⁶ Ibid.

¹⁴⁷ Since all non-democratic systems of rule can be classified as guardianship, whole book plus Dahl's other works on democracy and its applications are related to guardianship indirectly.

narrates a dialogue between two fictional characters: Aristos and Demo¹⁴⁸. At the beginning of the dialogue, Aristos claims that democratic and non-democratic views are not wholly opposed to each other. On the contrary, they share three assumptions:

- a) Necessity for a state: This assumption is mainly a non-anarchist one. It gives the difference between anarchism and willingness to live within a political order¹⁴⁹.
- b) Ideal of giving equal consideration to the interests of all human beings: This assumption cannot be an umbrella assumption for both democratic and non-democratic systems since it is not even commonly accepted by non-democratic systems alone, as Aristos accepts¹⁵⁰. This ideal can even be utilized for rejecting a non-democratic system of rule, let alone justifying it¹⁵¹.
- c) Restriction of “the process of governing the state to those who are qualified”: Aside from references to the democracies of the past, Aristo’s most important proof for this assumption is that children “are still excluded from full citizenship”¹⁵². Women, the illiterate, the poor, and many others are not excluded from the franchise anymore¹⁵³. Exclusion of military servicemen is not currently a universal practice although it exists in many countries¹⁵⁴. This causes children to be the largest group without the right to vote universally in democratic régimes¹⁵⁵.

¹⁴⁸ Aristos symbolizes non-democratic arguments whereas Demo symbolizes the democratic approach. Dahl himself accepts Jack Nagel’s criticism that sometimes there is “difficulty knowing who speaks for Dahl” in this dialogue (quoted in Dahl, “A Rejoinder”, 226). I am therefore forced to refer to Aristos and Demo as if they are actual argumentators throughout the debate.

¹⁴⁹ Dahl, *Democracy and Its Critics*, 55.

¹⁵⁰ Ibid.

¹⁵¹ Christiano, “Knowledge and Power in the Justification of Democracy”, 203.

¹⁵² Dahl, *Democracy and Its Critics*, 56.

¹⁵³ Katz, *Democracy and Elections*, 218-29.

¹⁵⁴ Exclusion of military servicemen was abolished by Finland, France and Japan in the first half of the twentieth century. See Ibid, 218-29 for details.

¹⁵⁵ It is important to note here that “children” and “adults” are two complementary and mutually exclusive categories in Dahl’s theory. Once the former is excluded from “all”, the latter is all that is left. See, *Democracy and Its Critics*, 123: “[W]e permit the

Since the first assumption is necessary for any type of political order and the second cannot even be generalized for non-democratic systems of rule, third assumption appears to be the only universal parallelism between democratic and non-democratic systems within Dahl's theoretical framework.

3.6.1. Guardianship Arguments

Restricting the decision-making process to the qualified appears to be common for democratic and non-democratic systems of rule. However, Dahl first explains non-democratic arguments for guardianship and then refutes them¹⁵⁶. He then explains the arguments for democratic exclusion¹⁵⁷.

Aristos gives three qualities which will altogether turn an individual into an ideal guardian for a non-democratic state:

- a) Moral competence: Being educated for having an “adequate understanding of the proper ends, goals, and objectives that the government should strive to reach”¹⁵⁸. Dahl criticizes this criterion by questioning the existence of “objectively true moral judgments”. Moreover, he asks why these judgments cannot be taught to everybody provided that they exist¹⁵⁹. He also questions guardians’ superiority in knowing the common good¹⁶⁰. Another criticism is raised against this argument by Carl Cohen: such knowledge can be acquired only after one is able to participate in the decision making process¹⁶¹.
- b) Virtue: Willingness to realize these “proper ends” and being educated enough to possess this quality¹⁶². Dahl questions the guardians’ ability to be “virtuous” in this sense while they are not accountable to their people¹⁶³.

exclusion of children from the demos. ... Suppose, then, that the claim ... is revised to read: All *adults* subject to the laws of a state would be members of the demos.”

¹⁵⁶ Dahl, *Democracy and Its Critics*, 56-64; 65-79.

¹⁵⁷ Ibid, 122-31.

¹⁵⁸ Ibid, 57.

¹⁵⁹ Ibid, 66.

¹⁶⁰ Ibid, 70-4.

¹⁶¹ Carl Cohen, *Democracy*, (New York: Free Press, 1971), 260.

¹⁶² Dahl, *Democracy and Its Critics*, 57; 62.

c) Instrumental competence: Being educated enough to know the “best, most efficient, and most appropriate means to achieve” proper ends¹⁶⁴. Dahl’s criticism on this quality of the imagined guardians is that empirical instrumental knowledge is not enough to reach good decisions¹⁶⁵.

All these qualities add up to “political competence”¹⁶⁶. Non-democratic logic excludes (large) segments of population because these qualities are thought to apply to a minority and ordinary people need to be ruled by them¹⁶⁷.

Dahl does not deny the importance of political competence for membership in the decision-making process. He rather questions the link between these qualities and the proposed need for a limited unaccountable minority of guardians. Although Dahl (or Demo) does not disregard the importance of these three pillars of non-democratic systems of rule, he takes intrinsic equality of people as the basis of his democratic theory¹⁶⁸.

3.6.2. Age-Based Exclusion: a Presupposition or a Consequence?

Age-based exclusion is not an exception but a rule for some perceptions of democracy. Joseph Schumpeter regards the widespread acceptance for this exclusion as a basis for excluding certain groups of adults within democracy. Since “the rationale of” specifying an age limit for the franchise “also applies to an indefinite number of inhabitants above the age limit”, the problem is not whether the observers affirm these qualifications. Society’s judgment is the essence. He emphasizes the importance of individuals’ “intelligent use of the right to vote” and “one’s ability to support oneself” and how various societies can apply these criteria in different ways. A society cannot be called undemocratic because of the way it specifies certain qualifications for

¹⁶³ Ibid, 76.

¹⁶⁴ Ibid, 58; 62.

¹⁶⁵ Ibid, 67-70.

¹⁶⁶ Ibid, 61.

¹⁶⁷ Dahl, *On Democracy*, 69.

¹⁶⁸ Dahl, *Democracy and Its Critics*, 84-7.

membership in its demos as long as the demos holds the rule (*kratein*). It is important that his line of argument starts with the statement that exclusion of children is not questioned in the contemporary democracies¹⁶⁹. It is not a result of Schumpeter's justification, rather a presupposition for it.

R. G. Collingwood does not see any problem in excluding any group from the electorate since

“every democracy is in part an aristocracy and every aristocracy in part a democracy; that every body politic consists of two parts, a politically active or ruling class and a politically passive or ruled class, the first consisting essentially of persons who are mentally adult and so able to rule themselves and others, the second consisting essentially of persons who are not mentally adult and so have to be ruled by the rest; and that of these ‘positive’ and ‘negative’ classes members must always be passing from the second to the first. What is important is that the right ones should pass.”¹⁷⁰

Aristocracy and democracy are not opposite to each other in this approach. The only difference they have is that aristocracy is based on force while democracy is based on self-government¹⁷¹. Aristocracy restricts the ruling class by excluding every member of it who does not contribute to its strength while democracy enlarges its ruling class by recruiting every member of the ruled class as long as he or she “might constitute an addition to its strength”¹⁷². The passage between these two classes is controlled by the ruling class¹⁷³. Abolishing the restrictions on the electorate would mean abolishing the ruled class in democracy, which would mean the denial of the essence of politics given in *The New Leviathan*.

Carl Cohen makes a distinction between “rational capacity” and “intellectual ability”. Since they possess rational capacity, “the many, stupid, foolish citizens must have their right to vote protected”. Their intellectual ability is not an obstacle for this. Children, on the other hand, do not have the “rational capacity presupposed by

¹⁶⁹ Joseph A. Schumpeter, *Capitalism, Socialism and Democracy*, (London: Routledge, 5th ed., 1994), 244-5.

¹⁷⁰ Collingwood, *The New Leviathan, or Man, Society, Civilization, and Barbarism*, 193.

¹⁷¹ Ibid, 206.

¹⁷² Ibid, 192.

¹⁷³ Ibid, 196.

participation” in the early stages of their lives because “human maturation is slow”¹⁷⁴. Granting the right to vote to children merely because political decisions affect their lives¹⁷⁵ is “false” because they do not fulfill this presupposition¹⁷⁶. Excluding children from the electorate, in this perception, is a consequence of the theoretical basis of democracy.

Dahl denies Schumpeter’s above-mentioned relativity by distinguishing between two different criteria: (a) whether a system is “democratic in relation to its own demos”; (b) and “in relation to everyone subject to its rules”. A system that fulfills the first but fails to satisfy the second will be a democracy according to Schumpeter, while Dahl will classify it as a guardianship. Putting Schumpeter’s “nonsolution” aside, he offers a situation where one insists that the demos should consist of “every member of the association”. He calls this “the categorical principle”¹⁷⁷. Still, he regards the case of children as a unique exception¹⁷⁸ in a similar fashion with Katz¹⁷⁹ and Cohen. This exception introduces the contingent principle to democracy which contradicts with the categorical principle¹⁸⁰: some members of the association have to be excluded from the demos because they lack some qualities. Although human beings have the potential at birth, they develop the necessary qualities afterwards¹⁸¹. Once this is accepted as a fact, exclusion of children from the demos is a consequence of the necessity to base democracy on the presupposition that individuals are able to govern themselves¹⁸².

3.6.3. The Contingent Principle: Capacity for Autonomy

¹⁷⁴ Cohen, “On the Child’s Status in the Democratic State: A Response to Mr. Schrag”: 461

¹⁷⁵ Schrag, “The Child’s Status in the Democratic State”: 444-5.

¹⁷⁶ Cohen, “On the Child’s Status in the Democratic State: A Response to Mr. Schrag”: 462.

¹⁷⁷ Dahl, *Democracy and Its Critics*, 122.

¹⁷⁸ Ibid, 58.

¹⁷⁹ Katz, *Democracy and Elections*, 231.

¹⁸⁰ Ibid, 124-7.

¹⁸¹ Dahl, *On Democracy*, 56.

¹⁸² Dahl, *Democracy and Its Critics*, 97.

As can be observed in the analyses of Robert Dahl and Carl Cohen as well as many others, competence is a very complicated issue and the term is given various meanings. Schrag, for example, groups every personal qualification under the title of competence¹⁸³ while David Archard uses the term to define the minimal requirements for the right to vote¹⁸⁴. Dahl makes a distinction between *moral competence* (knowledge on the proper ends) and *instrumental competence* (possessing knowledge on the instruments to reach desired ends) both of which are different from *moral autonomy*¹⁸⁵. Cohen distinguishes between *rational capacity* (to conduct proper thinking, similar to Dahl's capacity for autonomy) and *intellectual ability* (to make wise decisions)¹⁸⁶.

Moral autonomy, according to Dahl, is what makes human beings "fully human". A morally autonomous person is someone who adopts whatever moral principles he wants and makes decisions according to these principles¹⁸⁷.

Within Dahl's theoretical framework, excluding groups from the demos because they lack moral autonomy at the moment would be a circular argument because individuals' capacity to become morally autonomous can be realized to different extents under different systems of rule. What makes democracy desirable is its ability to let the members of the demos to realize their capacity¹⁸⁸. The important issue here is one's *capacity* for autonomy, not her actual autonomy at any given moment. Thus, "the citizen body in a democratically governed state must include all persons subject to the laws of that state except transients and *persons proved to be incapable of caring for themselves*"¹⁸⁹.

The contingent principle, as presented by Dahl, is any restriction on the full membership in the demos based on competence or autonomy once it is accepted that all members of the community deserve a say in the policy-making because of their membership.

¹⁸³ Schrag, "The Child's Status in the Democratic State", 445.

¹⁸⁴ Archard, *Children: Rights and Childhood*, 101.

¹⁸⁵ Dahl, *Democracy and Its Critics*, 69; 91.

¹⁸⁶ Cohen, "On the Child's Status in the Democratic State: A Response to Mr. Schrag", 461.

¹⁸⁷ Dahl, *Democracy and Its Critics*, 91.

¹⁸⁸ Dahl, *On Democracy*, 56. Dahl, *Democracy and Its Critics*, 91.

¹⁸⁹ Dahl, *On Democracy*, 78. Emphasis added.

The contingent principle has a long history within democratic theory whereas the required qualities have been subject to dispute. Even John Stuart Mill, the author of *The Subjection of Women* and an important protagonist of the expansion of suffrage¹⁹⁰, was a supporter of the contingent principle rather than of the categorical one. He offers to restrict the electorate to those who are able to read, write and “perform the common operations of arithmetic” while he accepts the ideal of providing everybody with the means to achieve these qualities¹⁹¹. A similar principle can also be observed in David Hume’s writings. For example, one paragraph from his *Enquiry concerning the Principles of Morals* perfectly defines the case of children as well as other disadvantaged groups:

“Were there a species of creatures, intermingled with men, which though *rational*, were possessed of such *inferior strength, both of body and mind*, that they were *incapable of all resistance*, and could never, upon the highest provocation, make us feel the effects of their resentment; the necessary consequence, I think, is, that we should be bound, by the laws of humanity, to give gentle usage to these creatures, but should not, properly speaking, lie under any restraint of justice with regard to them, nor could they possess any right or property, exclusive of such arbitrary lords. Our intercourse with them could not be called society, which supposes a degree of equality.”¹⁹²

Locke, similarly, introduces children as an exception to his argument “that all men by nature are equal”. “*Children ... are not born in this full state of equality*, though they are born to it”. As a child matures, his subjection to his parents loosens and he becomes “a man at his own free disposal”. Not only children, but slaves are excluded from the “civil society” because they have “forfeited their lives, and with it their liberties”¹⁹³.

Dahl’s understanding of demos is more inclusive than many others, past and present. His emphasis on intrinsic equality leads demos to include every person who possesses the capacity to practice this equality. The desirability of the Idea of Intrinsic Equality is derived from human beings’ capacity for autonomy, i.e. their ability to

¹⁹⁰ “Participation should everywhere be as great as the general degree of improvement of the community will allow.” Quoted in Dahl, *On Democracy*, 95.

¹⁹¹ Mill, *Considerations on Representative Government*, 164.

¹⁹² David Hume, *An Enquiry Concerning the Principles of Morals*, (Oxford: Oxford University Press, 2004), 88. Emphasis added.

¹⁹³ John Locke, *Second Treatise of Government*, (Indianapolis: Hackett, 1980), 31; 45.

govern themselves¹⁹⁴. Democracy, in this sense, is an instrument for realizing this capacity¹⁹⁵.

If ordinary members of a political association are equal to each other intrinsically regardless of their literacy, education or other qualities as long as they are able to possess personal autonomy to “care for themselves” and practice their intrinsic equality, democracy cannot exclude them from its demos. The only reasonable exclusion within this framework is the exclusion of those, like children, who lack this capacity¹⁹⁶. This situation can be named *relative inferiority* as opposed to intrinsic equality. This inferiority comes from a person’s inability to decide about what he or she “wants the government to do”, rather than his or her servility, wage-earning or any other social or economic status¹⁹⁷. This appears to be different from excluding individuals because of their degree of education, gender, or socio-economic status. No *adults* are “so definitely better qualified than others to govern”¹⁹⁸. But children are taken to be unqualified to govern themselves in Dahl’s theory.

3.6.4. Dahl’s Theory and the Four-Step Test

On the surface, Robert Dahl’s theory appears to provide democracy with a justification for excluding children while including all mentally healthy adults. However, he does not give any reason for age-based exclusion that cannot be found in the four-step test which has been utilized to exclude adults in the past.

His categorical principle, with its emphasis on having one’s interests influenced by the decision-making process, uses the first of the four steps. The contingent principle, on the other hand, takes Dahl’s exclusion one step further. This principle is but another way of expressing the third of the four steps: it questions a group’s, i.e. children’s, competence to understand politics and react accordingly. Dahl’s basic theoretical argument is that demos ought to include all individuals who are qualified to

¹⁹⁴ Dahl, *On Democracy*, 66-8.

¹⁹⁵ Dahl, *Democracy and Its Critics*, 88-91.

¹⁹⁶ Dahl, *On Democracy*, 75-78.

¹⁹⁷ Dahl, *Democracy and Its Critics*, 95.

¹⁹⁸ Dahl, *On Democracy*, 75.

govern themselves. His practical conclusion is that ‘children’ are to be excluded from demos. The gap between the argument and the conclusion is filled by his contention that there is nothing problematical with the supposition that ‘children’ are not qualified to care for themselves. He makes it clear that he does not need any observation to prove this supposition beyond personal experience¹⁹⁹. Although he criticizes Joseph Schumpeter because he states that each demos has the right to draw its own boundaries, Dahl seems to be content to follow modern demos’ self-proclaimed boundaries on age dimension.

Highly contestable terminology of human maturation increases the vulnerability of Dahl’s interpretation of the four-step test. It is never clear what is meant by ‘children’ and ‘adults’. Should the terms are used with reference to one’s relative situation to the supposed age of political maturation; whole argument turns into a vicious circle: it would be then argued that being excluded from demos is what makes an individual a ‘child’. Exclusion would be expected to be the basis for itself.

If these terms are used in accordance with society’s point of view, this would be too indefinite a basis for an academic theory which excludes large portions of population from demos. If Dahl is referring to the legal definition of maturity, his generalizations on the characteristics of ‘children’ would lead one to rightfully question whether an individual starts to have the capacity for moral autonomy overnight when the age of maturity is lowered from twenty-one to eighteen via legislation.

Dahl’s theory gives the impression that ‘children’ and ‘adults’ are two well-defined groups and that the only question is the reason for the former’s exclusion. A look at the history of voting age might show whether this is the case in reality.

¹⁹⁹ Ibid.

Figure 1.1. Changes in the voting age in Europe in the first half of the twentieth century.

Country	→1899	1900s	1910s	1920s	1930s	1940s
Austria	24			20		21
Belgium	25				21	
Denmark	30		29		25	
Finland	24(towns)21(farmers)			24 for all		21
France			21			
Germany	24			20		21
Greece			21			
Iceland		25			21	
Ireland					21	
Italy (ex-servicem.)		21	21		No age restriction	
Italy (passing tests)					21	
Italy (others)			30			
Liechtenstein	24				21	
Luxembourg	25				21	
Netherlands			25			23
Norway	25				23	
Portugal (literate)		21				21
Portugal (illiterate)		25			20	
Spain		25			23	
Sweden	25		24		23	
Switzerland				20		21
Turkey		25		18		22
UK ((ex-)servicem.)	21				19	
UK (others)					21	21

Sources: For Turkey, Erol Tuncer, *Osmanlı'dan Günümüze Seçimler. 1877-1999*, (Ankara: TESAV Toplumsal Ekonomik Siyasal Araştırmalar Vakfı, 2002), 154. For other countries, Katz, *Democracy and Elections*, 218-29.

Figure 1.2. Changes in the voting age in Europe in the second half of the twentieth century. Scattered line indicates the year when the UN Convention on the Rights of the Child was adopted.

Country	→1949	1950s	1960s	1970s	1980s	1990-97
Austria	21	20		19		
Belgium		21				18
Denmark	25	23	21	20		18
Finland		21	20		18	
France		21			18	
Germany	21			18		
Greece	21			20		18
Iceland	21		20			18
Ireland	21			18		
Italy (ex-servicemen)		No age restriction			18	
Italy (others)	21				18	
Liechtenstein	21			20		
Luxembourg	21			18		
Netherlands	23	21		18		
Norway	21		20		18	
Portugal	20			18		
Spain		23		21		18
Sweden	21		19		18	
Switzerland			20			
Turkey	22		21		19	18
UK		21		18		

Sources: For Turkey, Tuncer, *Osmanlı'dan Günümüze Seçimler*, 154. For other countries, Katz, *Democracy and Elections*, 218-29.

CHAPTER 4

The History of Voting Age

While the franchise was limited on many dimensions under various régimes, the issue of age was less controversial. Other requirements such as literacy, property and taxpaying were already excluding children. Emphasis on ‘adulthood’ was merely one of many qualities an individual was expected to possess in order to have the privilege to vote.

The voting age of twenty-one, which can be found in the Leveller documents of 1640s, has survived for centuries in the United Kingdom until it was lowered to eighteen in 1969²⁰⁰. English colonies in America, Australia, India and South Africa all inherited this traditional age requirement as well as many other electoral practices²⁰¹. These former colonies (the United States, Canada, Australia, New Zealand, South Africa, Sri Lanka and India) lowered the voting age to eighteen in the twentieth century²⁰².

The age limit for both voting and being elected for the third estate was originally twenty-five in the French *ancien régime*²⁰³. There appeared a proposal after the Revolution to retain this age limit alongside with a citizenship education that would

²⁰⁰ Macpherson, *The Political Theory of Possessive Individualism, Hobbes to Locke*, 124; 130.

²⁰¹ Blais et al., “Deciding who has the Right to Vote: a Comparative Analysis of Election Laws”, 59.

²⁰² Katz, *Democracy and Elections*, 219-28. The Government of India, *The Manual of Election Law*, (New Delhi, 2004), Volume 1, 28.

²⁰³ Crook, *Elections in the French Revolution: an Apprenticeship in Democracy, 1789-1799*, 11.

start at the age of twenty-one²⁰⁴. However, “adult” Frenchmen (as long as they were in compliance with other criteria –if any) have gained the right to vote under various regulations concerning voting requirements²⁰⁵. Voting age remained at twenty-one in France until 1974. In that year, it was lowered to eighteen. The only exception for this has been a short period when voting age was twenty-five from 1870 to 1875²⁰⁶.

In 1848, “a German Union Bundestag adopted suffrage for independent adult males”. However, German states under the Union retained their right to define these two key terms, ‘independence’ and ‘adulthood’²⁰⁷.

In the Figure 2, the year-by-year average of voting age in the world shows an almost uninterrupted decrease since the second half of the nineteenth century. In the first half of that century, there were two groups of countries: in the first one voting age was twenty-one, in the other, it was twenty-five. Voting age was twenty-one in the United States²⁰⁸, Colombia (for unmarried citizens), and the United Kingdom. It was twenty-five in the second group (Belgium, Norway and Portugal). Brazilian and Chilean voters were divided between these two groups: voting age was twenty-one for the members of holy orders, the married and the commissioned officers in Brazil and married voters in Chile, while it was twenty-five for the rest of the Brazilian and Chilean voters. The only exception for this period is Uruguay, where the voting age was eighteen for the married and twenty for the unmarried. In Colombia, there was no age restriction for the married voters until 1843, the year when the right to vote of the unmarried voters was equalized to that of the married. The voting age limit for the married voters was abolished in 1853 and it stayed so until it has been re-established in 1886²⁰⁹.

²⁰⁴ Ibid, 34.

²⁰⁵ Ibid, 80; 83; 103; 117.

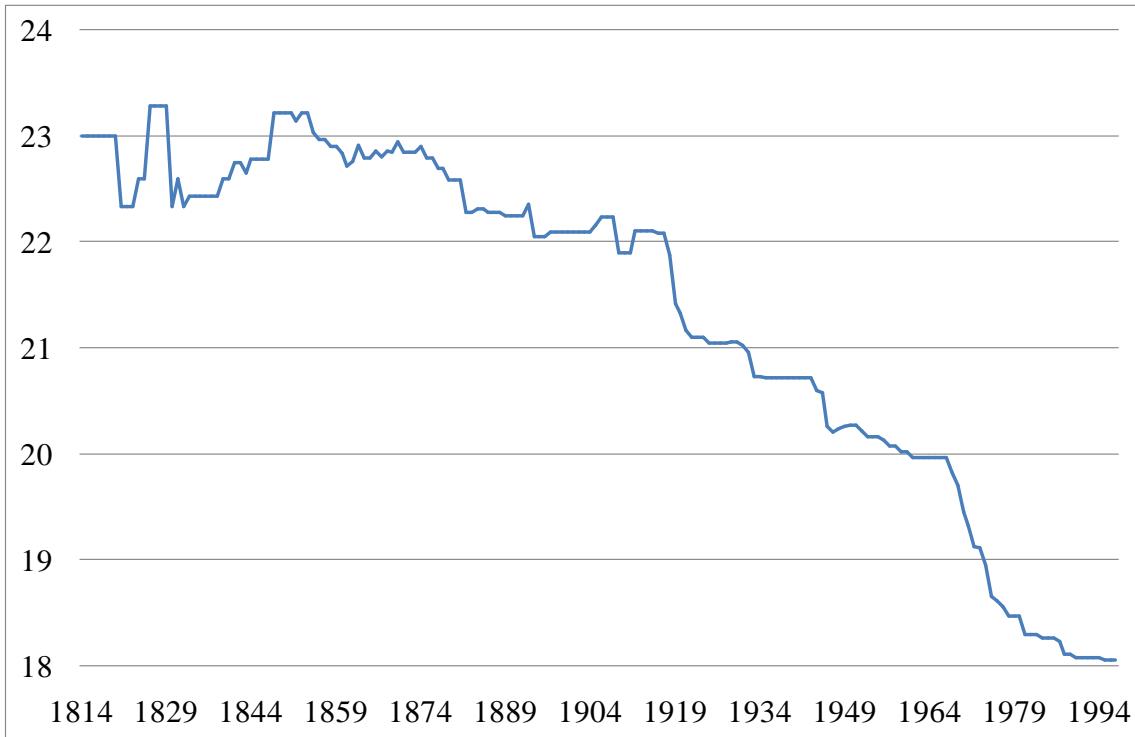
²⁰⁶ Katz, *Democracy and Elections*, 221.

²⁰⁷ Tilly, *Democracy*, 64. Katz gives twenty-four as the voting age in Germany for this period (*Democracy and Elections*, 221).

²⁰⁸ In the United States, there was no federal act setting the voting age up until the Twenty-Sixth Amendment of the 1970s but the states generally inherited the original voting settings of the colonial era in terms of voting age. (Keyssar, *The Right to Vote: The Contested History of Democracy in the United States*, 277).

²⁰⁹ Katz, *Democracy and Elections*, 218-29.

Figure 2. Changes in the voting age average worldwide (1814-1997).



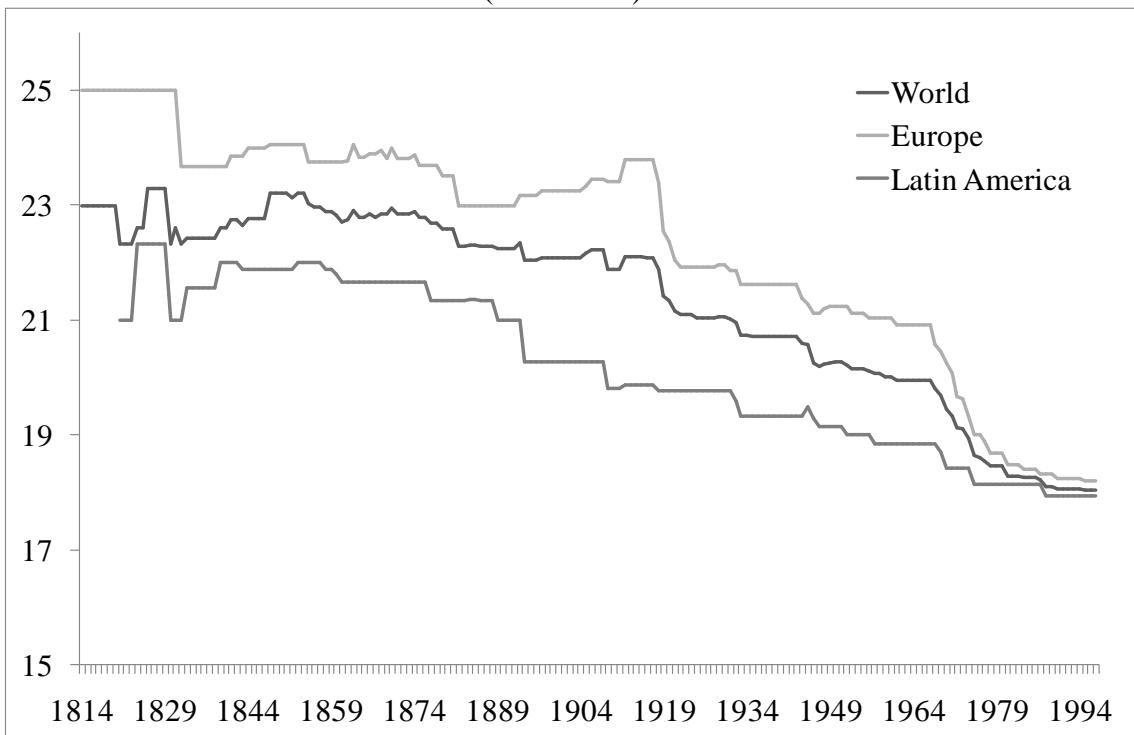
Source: Katz, *Democracy and Elections*, 219-228. When the electorate is divided into different groups with different voting ages, i.e. conditional groups, these groups are taken as different electorates.

4.1. Conditionality of Voting Age Requirements

Until 1960s, there appear two important differences between the voting age requirements in European and Latin American electoral systems: Latin American systems have always had a relatively lower average than their European counterparts (Figure 3) and the voting age requirements in Latin America have often been conditional, i.e. their electorates have been divided into groups with different voting age settings. Except for Argentina and Venezuela, all Latin American countries have set different voting age requirements for married and unmarried voters at some stage of their histories. In Bolivia, voting age has been eighteen for married voters and twenty-one for others since 1952. In Brazil, it had been twenty-one for the married and twenty-five for unmarried until 1889. Chile had had the same voting requirements as Brazil until 1877. In Colombia, being married had been a way of being independent of the voting age requirement of twenty-one years between the years 1821 and 1843, as well

as 1853 and 1886. Same had been the situation in Ecuador from 1884 to 1946. In Honduras, voting age had been eighteen for the married or the literate and twenty-one for others until 1957. Mexico had had the same voting age setting as Honduras from 1932 to 1969. In Peru the voting age was originally set at twenty-one for the unmarried while married people could vote regardless of their age until the year 1933. In Uruguay, voting age requirement for the unmarried have been equalized with that for the married in 1918. In addition to the conditionality of the voting age, it is also interesting to observe how important marital status had been in the past for the voting age in Latin American electoral systems²¹⁰.

Figure 3. A comparison between the voting age averages in Europe and Latin America (1814-1997).



Source: Katz, *Democracy and Elections*, 219-28. In conditional cases, conditional groups are taken as different electorates.

In Europe conditionality appears to be an exception rather than a pattern. Finland had had different voting age requirements for townsmen and farmers until 1906: the former was twenty-four while the latter was twenty-one. In 1906, it has been equalized at the level of twenty-four. In Italy voting age had been increased from twenty-one to

²¹⁰ Ibid, 218-29.

thirty between the years 1912 and 1919 for those who could not fulfill certain qualifications. Moreover, Italy had abolished a voting age requirement for ex-servicemen from 1919 to 1975 apart from the *de facto* age requirement of becoming an ex-serviceman. In 1975, the voting age for the others had been lowered from twenty-one to eighteen and ex-servicemen ceased to be an exceptional group. Similarly, the voting age was nineteen for servicemen and ex-servicemen in the United Kingdom from 1919 to 1948²¹¹. The voting age for British women was set with the Representation of the People Act of 1918 as thirty while it was twenty-one for men. This inequality has been eliminated in 1928²¹². In Portugal, from the year 1879 to 1933, literate voters and the heads of the household older than twenty-one could vote in while others had to wait until they are twenty-five²¹³.

Apart from the difference in the widespread application of the conditional voting ages for different groups, European and Latin American countries also differ to a great extent on the conditions. Marital status has almost always been the main criterion for different voting age settings in Latin America while European systems had been focusing on gender, literacy, dwelling and military service.

The role of the military service in voting age requirements is not limited to the different voting settings for civilians and (ex-) servicemen. Citizen army has been an important condition for popular rule since Antiquity²¹⁴. Granting the right to vote to a person who has fought for his country is often considered an issue of balance of rights and responsibilities²¹⁵. The history of the voting age implies a close parallelism between army conscription and the right to vote. Abolishment or lowering of the voting age requirement in accordance with military service, as mentioned above, is an obvious case. Another one is the long struggle for lowering the voting age from twenty-one to eighteen in the United States. Proposals have been appearing “before and after every major war, on the grounds that men who were old enough to fight for their country”

²¹¹ Ibid, 221-28.

²¹² Butler, “Electoral Reform”, 738.

²¹³ Katz, *Democracy and Elections*, 226.

²¹⁴ Dahl, *Democracy and Its Critics*, 245. Hornblower, “Creation and Development of Democratic Institutions in Ancient Greece”, 7-8.

²¹⁵ Chan & Clayton, “Should the Voting Age be Lowered to Sixteen? Normative and Empirical Considerations”, 541. Schrag, “The Child’s Status in the Democratic State”, 455.

deserved the right to vote²¹⁶. This struggle, triggered by the various wars, had served to the draft resistance movement during the Vietnam War and has achieved its aim in the beginning of 1970s, before the war ended²¹⁷. Wars play a very important role in voting age reductions. This role can also be observed in the timing of the first two of the three waves of voting age reduction.

4.2. Three Waves of Voting Age Reduction

The history of age restrictions on the right to vote reveals three waves of widespread reduction (Figures 4.1 and 4.2):

Between the years 1918 and 1923, eight countries (Austria, Belgium, Germany, Luxembourg, Turkey, Liechtenstein, Norway and Denmark) have lowered the voting age for the whole electorate²¹⁸. The first five of them had had an active role in the World War I. In addition to these, two other active parties of the war, Italy and the United Kingdom had made new arrangements concerning the military servicemen's right to vote. Italy abolished the education test as well as the age restriction for the ex-servicemen in 1919²¹⁹. The United Kingdom, on the other hand lowered the age restriction for servicemen and ex-servicemen to nineteen in 1918 while maintaining the traditional age limit for the rest of the electorate²²⁰. Turkey's reducing the voting age from twenty-five to eighteen at once is the most striking reduction in this wave.

²¹⁶ Keyssar, *The Right to Vote: The Contested History of Democracy in the United States*, 277.

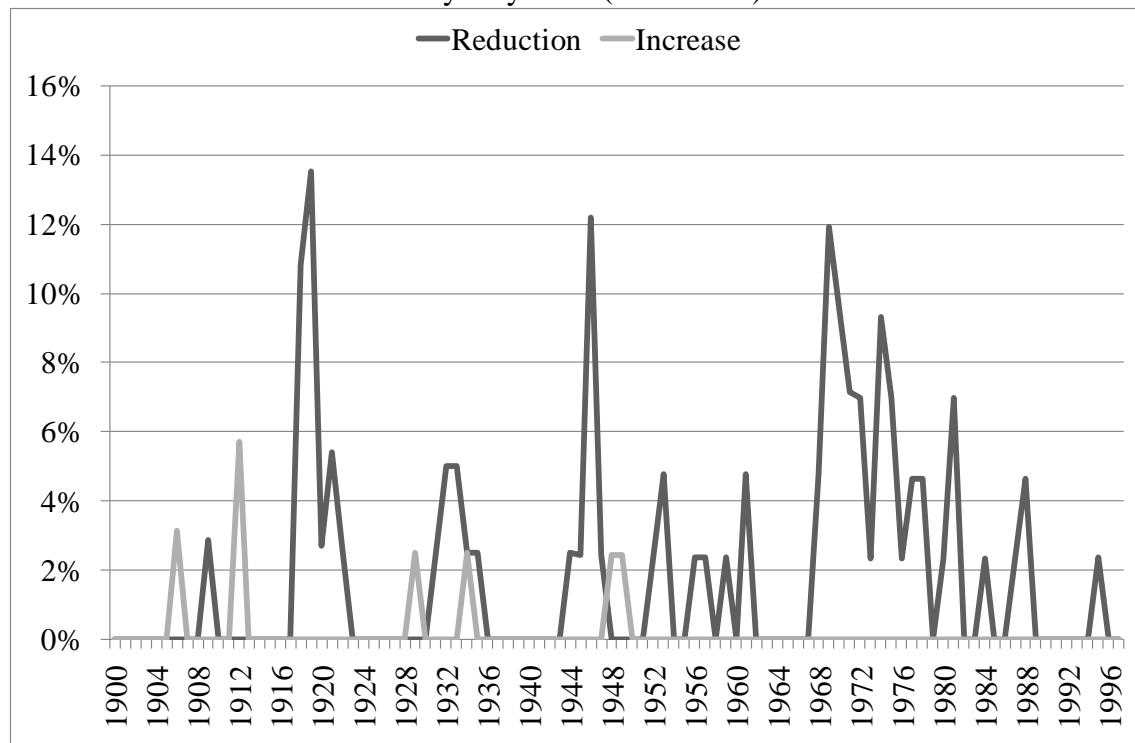
²¹⁷ Ibid, 279-81.

²¹⁸ Katz, *Democracy and Elections*, 218-25. TBMM Zabit Ceridesi, Volume 28, (Ankara: TBMM Matbaasi, 1961), 331.

²¹⁹ Katz, *Democracy and Elections*, 223.

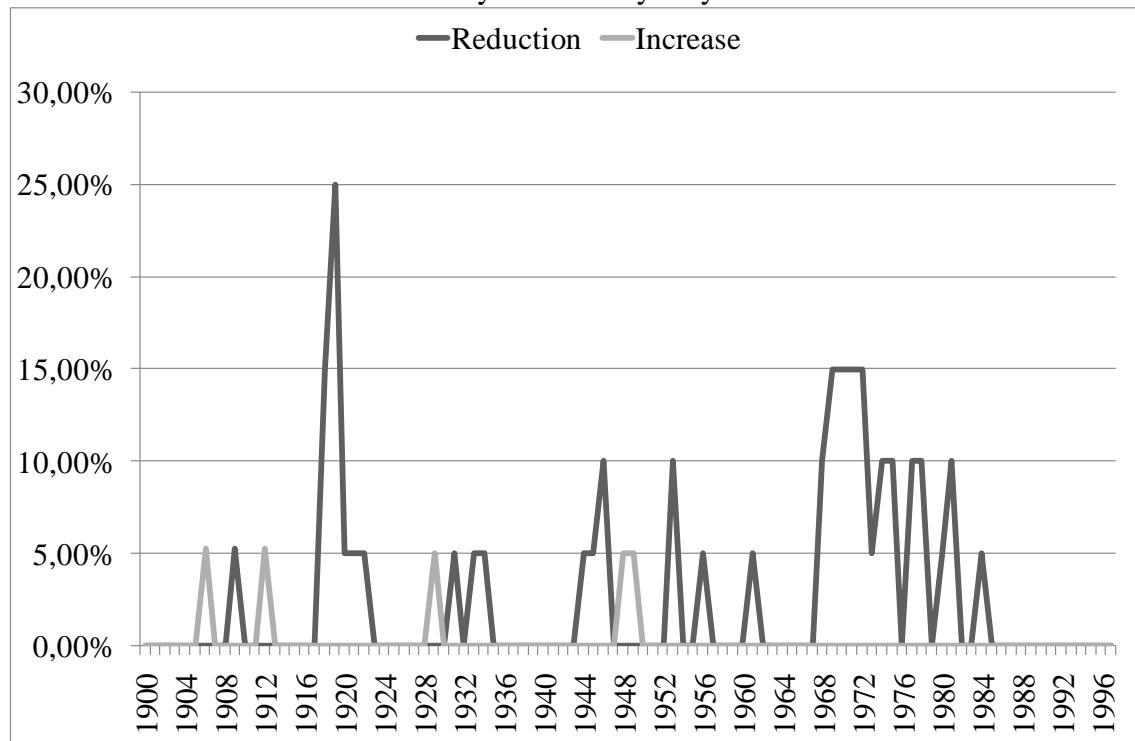
²²⁰ Ibid, 228.

Figure 4.1. Percentage of the number of changes in voting age in the electoral systems on a yearly basis (1900-1997)



Source: Katz, *Democracy and Elections*, 218-29.

Figure 4.2. Percentage of changes in voting age in European and North American electoral systems on a yearly basis.



Source: Katz, *Democracy and Elections*, 218-29.

The second wave has started in 1944. During the second wave, eight countries (Finland, Netherlands, Norway, Sweden, Japan and South Africa as well as Ecuador and Venezuela) have lowered the voting age. During the second wave, Germany increased the voting age from twenty to twenty-one and the United Kingdom abolished the (ex-) servicemen's right to vote early²²¹.

The first two waves reflect a close correlation between voting age reforms and global wars whereas the beginning and the spread of the third wave coincides with the student movements. Countries such as Austria, Germany, Belgium, which have never made any reduction in the voting age for decades, has lowered the voting age shortly after the war has ended. That is also the case for Japan in the second wave: the country has made the only voting age reduction in its history after the World War II. The United Kingdom has lowered it for military servicemen and ex-servicemen in 1918 and Italy has abolished the age restriction for ex-servicemen altogether in 1919. The relationship between the first wave and the World War I is also supported by the fact that this wave is almost completely limited to Europe where the war was generally being fought²²².

The relationship between the timing of the third wave and that of the worldwide student revolts is striking. From 1958 to 1967, only three countries have lowered voting age: Denmark and Turkey to twenty-one and Sri Lanka to eighteen. However, within the decade following the year 1968, almost all the European and North American countries, as well as Chile and Colombia, have lowered age limits (Table 1). In Mexico, where voting age was already eighteen for married voters, voting age for unmarried voters was equalized to that for the married.

²²¹ Ibid, 221-9. There is another (albeit geographically limited) wave between 1931 and 1933 (Figures 4.1 and 4.2) concerning Portugal, Spain, Brazil, Mexico and Peru. In 1934 and 1935, Iceland and Philippines lowered the voting age, too. The reasons to this wave and whether Iceland and Philippines can be attributed to this small wave deserves further attention in accordance with the relationship between Spanish, Portuguese and Latin American politics as well as the content of the proposals and parliamentary debates concerning the changes in Iceland and Philippines.

²²² Katz, *Democracy and Elections*, 218-29.

Table 1. First two decades of the third wave of voting age reduction.

Countries that have had set the voting age at eighteen years of age prior to 1968: Argentina, Bolivia (for married voters), Brazil, Ecuador, Honduras, Mexico (married), Peru, Uruguay, Venezuela, South Africa, Sri Lanka, the USSR.	
1968	Austria (19), Iceland (20)
1969	Finland (20), Norway (20), Mexico (18), New Zealand (20) , the UK (18)
1970	Germany (18), Sweden (19), Chile (18), Canada (18)
1971	Denmark (20), Ireland (18), the United States (18)
1972	Finland (18), Luxembourg (18), Netherlands (18)
1973	Liechtenstein (20)
1974	France (18), Portugal (18), New Zealand (18) , Australia (18)
1975	Italy (18), Sweden (18), Colombia (18)
1976	Nigeria (18)
1977	Greece (20), Spain (21)
1978	Norway (18), Spain (18)
1980	Denmark (18)
1981	Belgium (18), Greece (18), Philippines (15)
1984	Iceland (18)
1987	Turkey (19)
1988	Brazil (16), India (18)

Sources: For Turkey, Tuncer, *Osmanlı'dan Günümüze Seçimler*, 154. For India, *The Constitution (Sixty-first Amendment) Act*. For the rest, Katz, *Democracy and Elections*, 218-29.

It is interesting to observe that the voting age reduction in Greece has followed the delayed student activism, which has played an important role in bringing down the military régime:

“In the Western societies, the years 1967-1969 are often taken to be an important landmark in the history of student activism. In those same years Greece was under the iron grip of a military dictatorship (1967-1974) . . . Yet a few years later, in November 1973, a delayed reaction, as it were, struck with bloody vengeance at the regime of the colonels, causing a shake-up in its leadership.”²²³

In 1974, the dictatorship was overthrown with the university students’ active contribution. In 1977, voting age was lowered from twenty-one to twenty. Four years later, it was again lowered to eighteen²²⁴.

²²³ George Psacharopoulos & Andreas M. Kazamias, “Student Activism in Greece: A Historical and Empirical Analysis”, *Higher Education* 9, no. 2 (March 1980), 127-8.

²²⁴ Katz, *Democracy and Elections*, 221.

The degree of student violence in the United States, within which the slogan “no conscription without representation” had had an important place, has considerably decreased after the voting age reform of 1971. Student demonstrations, strikes and building takeovers of the 60s gave way to new political groups such as Public Interest Research Groups and student lobbies in the 70s²²⁵.

Before the third wave, no European country’s voting age was eighteen²²⁶. The third wave has completely transformed the scene. Article 1 of the United Nations Convention on the Rights of the Child has institutionalized the transformation by defining “child” as “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”. When the UN Convention was adopted in 1989, there was a “near consensus” about the voting age of eighteen. It was sixteen in Brazil since 1988, and fifteen in Philippines since 1981²²⁷. This consensus is also reflected in the first section of Article 1 of the European Convention on the Exercise of Children’s Rights (1996). “Recommendation 1315 on the minimum age of voting” of the Council of Europe Parliamentary Assembly which was adopted by the Assembly on 31 January 1997 “calls on the Committee of Ministers to recommend that member states … rapidly harmonise” the voting age at eighteen years “in all countries and for all elections”²²⁸. In 2001, there were eight out of 76 countries which had their voting age above eighteen (Table 2), half of which were rated ‘free’ by the Freedom House for the period (Table 3) and none of which were in Europe or North America.

²²⁵ Arthur Levine & Keith R. Wilson, “Student Activism in the 1970s: Transformation Not Decline”, *Higher Education* 8, no. 6 (November 1979) 627-40.

²²⁶ Katz, Democracy and Elections, 218-29.

²²⁷ Ibid.

²²⁸ Council of Europe, “Recommendation 1315 (1997) on the Minimum Age of Voting”.

Table 2. Voting age requirements for 76 countries in 2001.

Argentina ^a	18	Ecuador ^a	18	Malaysia ^a	21	Sao Tome ^a	18
Australia ^a	18	Estonia ^a	18	Maldives ^a	21	Singapore ^a	21
Austria ^b	18	Finland ^b	18	Mali ^a	18	Slovakia ^a	18
Bahamas ^a	18	France ^{ab}	18	Malta ^a	18	Slovenia ^a	18
Bangladesh ^a	18	Germany ^{ab}	18	Micronesia ^a	18	South Africa ^a	18
Barbados ^a	18	Greece ^b	18	Mongolia ^a	18	South Korea ^a	20
Belgium ^{ab}	18	Guyana ^a	18	Namibia ^a	18	Spain ^{ab}	18
Belize ^a	18	Hungary ^a	18	Netherlands ^{ab}	18	St. Lucia ^a	18
Benin ^a	18	India ^a	18	New Zealand ^a	18	St. Vincent ^a	18
Bolivia ^a	18	Ireland ^{ab}	18	Norway ^b	18	Sweden ^{ab}	18
Brazil ^a	16	Israel ^{ab}	18	Pakistan ^a	21	Switzerland ^b	18
Bulgaria ^{ab}	18	Italy ^{ab}	18	Panama ^a	18	Taiwan ^a	20
Canada ^a	18	Jamaica ^a	18	Papua New G. ^a	18	Turkey ^c	18
Cape Verde ^a	18	Japan ^{ab}	20	Philipinnes ^a	18	Trinidad & T. ^a	18
Chile ^a	18	Latvia ^a	18	Poland ^a	18	U. Kingdom ^{ab}	18
Costa Rica ^a	18	Lithuania ^a	18	Portugal ^{ab}	18	United States ^b	18
Cyprus ^a	18	Luxembourg ^a	18	Romania ^a	18	Uruguay ^a	18
Czech Republic ^a	18	Madagascar ^a	18	Russian Fed. ^b	18	Vanuatu ^a	18
Denmark ^{ab}	18	Malawi ^a	18	Samoa ^a	21	Venezuela ^a	18

Sources: ^aBlais et al., “Deciding who has the right to vote: a comparative analysis of election laws”, 44-51. ^bFeride Eroğlu, *Çeşitli Ülkelerde Milletvekili Seçme ve Seçilmeye İlişkin Düzenlemeler (Bilgi Notu)*, (Ankara: Türkiye Büyük Millet Meclisi Kütüphane ve Dokümantasyon Müdürlüğü Araştırma Servisi, Nisan 2001). ^c*Türkiye Cumhuriyeti Anayasası*, Article 67.

Table 3. Freedom ratings for 8 countries with voting ages above eighteen in 2001.

Country	Voting Age	Freedom Rating
Japan	20	1.5 (Free)
Malaysia	21	5.0 (Partly Free)
Maldives	21	5.5 (Not Free)
Pakistan	21	5.5 (Not Free)
Samoa	21	2.0 (Free)
Singapore	21	5.0 (Partly Free)
South Korea	20	2.0 (Free)
Taiwan	20	1.5 (Free)

Source: Freedom House, “Combined Average Ratings: Independent Countries 2001-2002”, <http://www.freedomhouse.org/template.cfm?page=220&year=2002>, retrieved May 18th, 2009.

4.3. Lowering the Voting Age to Sixteen: a New Wave?

The “near consensus” on the voting age of eighteen has begun changing recently despite the fact that above-mentioned conventions are still being utilized by scholars against the proposals to lower the voting age further from eighteen²²⁹. In 1994 Nelson Mandela has proposed to set the voting age at fourteen in South Africa, but the proposal has not become law²³⁰. Lower Saxony in Germany has lowered voting age in local elections to sixteen in 1995. Afterwards, other German *Länder* (Schleswig-Holstein and Saxony-Anhalt in 1997²³¹) as well as three Austrian *Länder* have followed Lower Saxony’s example²³². Following the reduction, some German *Länder* have had a higher turnout rate in the 16-17 age group than that of 18-35²³³. In 2006, British Crown Dependency Isle of Man has lowered the voting age to sixteen with the Article 4 of the Representation of the People (Amendment) Act²³⁴.

4.3.1. Austrian *Wahlrechtsreform*

In 2007, Austria has followed Isle of Man “with no objection” in the parliament and has become the first member of the European Union to lower the voting age to sixteen for national elections²³⁵. This has resulted in the enfranchisement of 184,000 Austrians²³⁶.

²²⁹ Cowley & Denver, “Votes at 16? The Case Against”, 59.

²³⁰ van Parijs, “The Disenfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice”, 302-3.

²³¹ Ibid.

²³² Rafael López Pintor, “Stages in the Electoral History of Western Europe”, in *Voter Turnout in Western Europe Since 1945: A Regional Report*, Rafael López Pintor & Maria Gratschew eds., (Stockholm: International IDEA, 2004), 15.

²³³ Cowley & Denver, “Votes at 16? The Case Against”, 58 fn2.

²³⁴ Treasury of the Isle of Man, “Representation of the People (Amendment) Act 2006”,

²³⁵ Republik Österreich Parlament, Parlamentkorrespondenz/04/21.06.2007/Nr. 510, “Wahlrechtsreform 2007 passiert den Bundesrat: Kein Einspruch gegen Wählen mit 16.”,

²³⁶ Wolfgang C. Müller, “The Snap Election in Austria, September 2008”, *Electoral Studies* (2009) DOI:10.1016/j.electstud.2009.03.003, 2.

In the Austrian *Bundesrat*'s discussion of the *Wahlrechtsreform* (Voting Right Reform) 2007, several themes concerning the right to vote are repeated by the members of the parliament. Since the parliament was positive about the proposed reduction in the voting age, the official summary of the debate does not refer to any counter-arguments²³⁷. However, it is important to notice what arguments are utilized by the parliamentarians to support the proposal.

The hallmark of the discussion is the idea that the 16-17 age group has proven its political ability in the *Länder* elections and they deserve to have a say on the federal decree. Various parliamentarians refer to the necessity to balance the electoral power of the elders via voting age reduction and to the youth's ability to have a critical approach to problems. They also mention the already existing rights and responsibilities of the sixteen year olds and provided that they are granted the right to vote, their right to abstain from using it.

The discussion of the *Wahlrechtsreform* is in complete harmony with the four-step test for enfranchisement. The *Bundesrat*, as a whole, accepts that the 16-17 age group is a part of Austrian society, that they have interests to be represented by themselves via elections, and that they are competent to consider these interests and vote accordingly. Moreover, Austrian parliamentarians are content that this will not harm the régime stability. On the contrary, they express their will to be the pioneers for Europe in reducing the voting age further from eighteen.

4.3.2. Three Bills in the United Kingdom

Although Robert Blackburn has seen “negligible prospect of such a change, and little chance either of a parliamentary debate on the issue” in 1993²³⁸, bills to lower the voting age to sixteen continue to being drafted since the end of 1990s in the United Kingdom. None of them has become law, but the proportion of ‘ayes’ to ‘noes’ shows a significant change through time (Figure 5). On 15 December 1999, 69th Amendment of the Representation of the People Bill to lower the voting age to sixteen has been put to

²³⁷ Republik Österreich Parlament, “Wahlrechtsreform 2007 passiert den Bundesrat: Kein Einspruch gegen Wählen mit 16”.

²³⁸ Robert Blackburn, “The Right to Vote” in *Rights of Citizenship*, ed. Robert Blackburn, (London: Mansell, 1993), 76-7.

the vote in the House of Commons and it received 36 ‘ayes’ and 434 ‘noes’²³⁹. Six years later, on 25 October 2005, while the Electoral Administration Bill, which includes many reforms concerning the British Electoral System, was being discussed, many members of the House have proposed voting age reduction²⁴⁰. A month after the Electoral Administration Bill’s defeat, the Representation of the People (Reducing the Voting Age) Bill, with the sole aim to lower the voting age, has achieved more success: 128 ‘ayes’ and 136 ‘noes’²⁴¹. Labour Party Member for North Cardiff, Julie Morgan have had her private member’s bill, Voting Age (Reduction) Bill, discussed in the House on 6 Junes 2008, but the bill could not be put to the vote because the permitted time was exceeded at its second reading²⁴².

Non-governmental organizations and political parties are cooperating under the ‘Votes at 16 Coalition’ in the United Kingdom. The coalition, led by the Electoral Reform Society, the British Youth Council, the Children’s Rights Alliance for England, the National Union of Students and the National Youth Agency, consists of more than 30 organizations including the Liberal Party, Liberal Democrats, Plaid Cymru and Scottish National Party²⁴³. The influence of this activism can be observed in the increasing support for the bills to lower the voting age to sixteen.

All three of the parliamentary debates from 1999 to 2008 refer to four central considerations:

- i) Whether 16-17 age group is a part of the British society²⁴⁴.

²³⁹ UK Parliament, *House of Commons Hansard Debate*, 15 December 1999, Column 336.

²⁴⁰ UK Parliament, *House of Commons Hansard Debate*, 25 October 2005, Column 193.

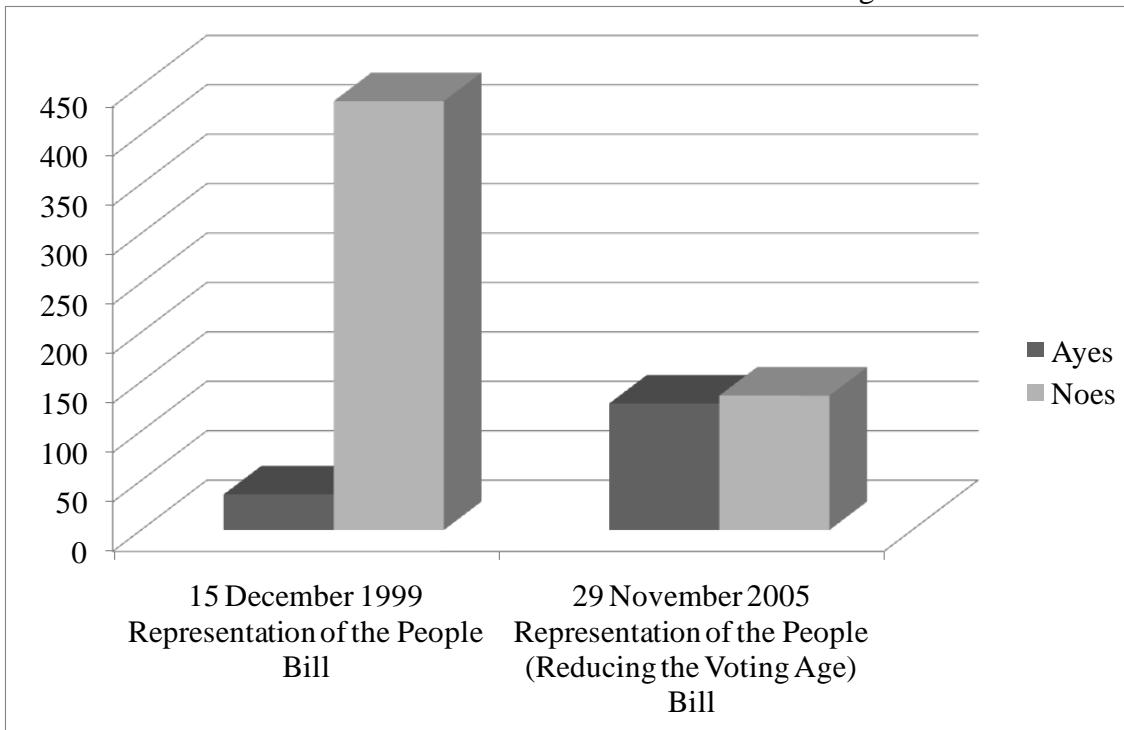
²⁴¹ UK Parliament, *House of Commons Hansard Debate*, 29 November 2005, Column 141.

²⁴² UK Parliament, House of Commons Hansard Debate, 6 June 2008, Column 1037. UK Parliament, Voting Age (Reduction) Bill 2007-08.

²⁴³ Votes at 16, “The Coalition”, <http://www.votesat16.org.uk/the-coalition.html>.

²⁴⁴ UK Parliament, *House of Commons Hansard Debate*, 15 Dec 1999, Column 306; 308-9; 319; 328; 330. UK Parliament, *House of Commons Hansard Debate*, 29 November 2005, Column 140-1. UK Parliament, *House of Commons Hansard Debate*, 6 June 2008, Column 1043; 1044; 1050; 1062; 1064; 1091; 1092; 1093; 1094; 1095; 1098; 1101; 1102-3.

Figure 5. A comparison between the votes on two bills to lower the voting age to sixteen at the House of Commons of the United Kingdom.



Sources: UK Parliament, *House of Commons Hansard Debate*, 15 December 1999, Column 336. UK Parliament, *House of Commons Hansard Debate*, 29 November 2005, Column 141.

- ii) Whether current system is able to represent the interests of the youth²⁴⁵.
- iii) Whether they are competent to participate in elections²⁴⁶.
- iv) What effects the voting age reduction would have on the electoral system²⁴⁷.

In addition to these points, which are obviously parallel to the four-step test for enfranchisement, the existence of a demand for such change is often questioned by

²⁴⁵ UK Parliament, *House of Commons Hansard Debate*, 15 Dec 1999, Column 311. UK Parliament, *House of Commons Hansard Debate*, 6 June 2008, Column 1039; 1045-6; 1049; 1065-6; 1086; 1094; 1097-8; 1100; 1105-6.

²⁴⁶ UK Parliament, *House of Commons Hansard Debate*, 15 Dec 1999, Column 328; 333. UK Parliament, *House of Commons Hansard Debate*, 29 November 2005, Column 138. UK Parliament, *House of Commons Hansard Debate*, 6 June 2008, Column 1040; 1056; 1084-5; 1087; 1099.

²⁴⁷ UK Parliament, *House of Commons Hansard Debate*, 15 Dec 1999, Column 311-7; 319. UK Parliament, *House of Commons Hansard Debate*, 29 November 2005, Column 139-40. UK Parliament, *House of Commons Hansard Debate*, 6 June 2008, Column 1038; 1046-7; 1048; 1052-3; 1056; 1061; 1062; 1065; 1068; 1087-8; 1093; 1095.

several MPs²⁴⁸. In her speech to explain her reasons for her private member's bill, Julie Morgan (Labour Party) refers to the 16-17 age group's organized demand for enfranchisement²⁴⁹.

As can be seen from the summary above, the parliamentary discussions conducted by the House of Commons in 1999, 2005 and 2008 comply with the four-step model for enfranchisement.

4.3.3. Bill C-261 in Canada

Attempts to lower the voting age further from eighteen are not limited to Europe. A private member's bill (C-261) to "amend the Canada Elections Act (voter and candidate age)" has been introduced to the Parliament of Canada by the Liberal MP Mark Holland on 4 November 2004. The bill has been discussed by the Parliament on 8 June 2005. Members of Bloc Québécois, New Democratic Party and Liberal Party have spoken in favor of the bill. However, it received cross-party refusal as well as cross-party support: all CPC members engaged in the parliamentary debate opposed the bill. Some members of the Liberal Party have joined them in their criticisms. The bill has been defeated on division²⁵⁰.

When the parliamentary debate on the Bill C-261 is analyzed, it can be seen that the statements of Canadian MPs comply with the themes of the four-step test: community membership (Bergeron, Desjelais, Poilievre and Bains), representation of interests (Bains, Bergeron and Holland), competence (Bains, Poilievre and St. Amand) and régime stability (Harrison, St. Amand, Holland, Bains, Poilievre and Desjelais).

²⁴⁸ UK Parliament, *House of Commons Hansard Debate*, 15 Dec 1999, Column 319; 320-1; 330. UK Parliament, *House of Commons Hansard Debate*, 29 November 2005, Column 140-1. UK Parliament, *House of Commons Hansard Debate*, 6 June 2008, Column 1041; 1062; 1069; 1092.

²⁴⁹ UK Parliament, *House of Commons Hansard Debate*, 6 June 2008, Column 1039.

²⁵⁰ The Parliament of Canada, *38th Parliament, 1st Session. Edited Hansard*, 8 June 2005, Number 111.

4.3.4. Other Recent Developments

A similar campaign to that of the Votes at 16 Coalition in the UK is led by the National Youth Rights Association in the United States. Although voting age reduction is not the sole aim of this latter organization, it supports legislators who “have promoted lowering the voting age in their jurisdictions”²⁵¹. Organized demand in the United States results in some local reforms. For instance, the voting age for local elections has been reduced to seventeen in Cambridge, Massachusetts a few years ago²⁵².

On 20 August 2004, Victorian Electoral Commission of the Australian State of Victoria prepared a report titled “Lowering the Voting Age” in favor of lowering the voting age from eighteen to seventeen and keeping seventeen year-olds out of compulsory enrollment²⁵³. JSCEM (Joint Standing Committee On Electoral Matters, which “reviews the ‘matters concerning’” the conduct of the elections after every federal election in Australia²⁵⁴) considered the issue both at its meeting on “civics and electoral education” in 2006²⁵⁵ and after the 2007 Federal Election²⁵⁶.

On 4 May 2009, a group of 15 parliamentarians in the Council of Europe (one of which was AKP member Lokman Ayva) has delivered a motion to the CE requesting for an “investigation on the advantages and drawbacks of ... lowering of the voting age to 16 in all member countries of the Council of Europe”. The text of the motion can be summarized in three points:

- a) The 16-17 age group has shown their *competence* in the countries where they were enfranchised in local or national elections.

²⁵¹ National Youth Rights Association, “Position Papers”, <http://www.youthrights.org/positionpapers.php>.

²⁵² Franklin & Wessels, “Learning (Not) to Vote: The Generational Basis of Turnout Decline in Established Democracies”, 5.

²⁵³ Christopher Gribbin, “Lowering the Voting Age: A Discussion of the Issues from the Victorian Electoral Commission’s Perspective”, (Victorian Electoral Commission, 20 August 2004).

²⁵⁴ Edwards, “From Deficit to Disenfranchisement: Reframing Youth Electoral Participation”, 543.

²⁵⁵ Joint Standing Committee on Electoral Matters, Official Committee Hansard, 21/08/2006. Civics and Electoral Education, 67-78.

²⁵⁶ Joint Standing Committee on Electoral Matters, Official Committee Hansard, 21/08/2008. Conduct of the 2007 Federal Election and Matters Related Thereto, 18-21.

- b) Statistics show that European population is getting older and this increases the risk of having the political agenda dominated by the *interests* of older people.
- c) Thus, enfranchising lower age groups might *improve European democracy* “in a time, when societies more than ever will need the commitment and work efforts of young people in order to keep economical growth, social security systems and social cohesion”²⁵⁷.

This motion, clearly, is completely built upon the themes of the four-step test for enfranchisement with its emphasis on competence, representation of interests and régime stability.

4.3.5. Some Remarks on the Possibility of a Fourth Wave

If all these happenings mark the coming (if not the beginning) of a new wave, several remarks deserve to be added here:

- 1) All of the above-mentioned three waves happened after a period of stability in the worldwide average of the voting ages. This is the case since 1980s (Figure 2).
- 2) All of the three previous waves have influenced many countries in a few years. Although some countries lowered the voting age to sixteen in the first decade of the twentieth century, the widespread impact, which was typical for the previous waves, has not happened yet.
- 3) However, this does not necessarily mean that a fourth wave is not coming. Recent reductions might indicate a fore-runner wave like the one happened before the third: Austria, Netherlands, Denmark, Sri Lanka and Turkey were the only five countries lowering the voting age in the whole *two decades* before the third wave has led to voting age reductions in more than ten countries from 1968 to 1970 (Table 1).
- 4) The slow appearance of the possible fourth wave can also be linked to two factors:

²⁵⁷ Mogens Jensen et al., “Expansion of Democracy by Lowering the Voting Age to 16”, Council of Europe Parliamentary Assembly, Doc. 11895.

- i. The definition of the ‘child’ has never been internationally institutionalized the way it has been via the Article 1 of the United Nations Convention on the Rights of the Child (1989) and the first section of the Article 1 of the European Convention on the Exercise of Children’s Rights (1996).
- ii. Previous waves have occurred either after global wars (first and second waves) or widespread student movements (third wave). The fourth wave, so far, has been led by the concern with the rightfulness of the current voting age settings. It can be claimed that each of the first three waves was marked with some kind of violence while the signs of the fourth wave so far happened in a peaceful environment of discussion and legislation.

4.4. Mechanics of Voting Age Reductions and the Four-Step Test

Scholarly analyses often give the impression that ‘children’ and ‘adults’ are two stable groups and the main question is whether the former has to be included in the electorate. Reality diverges from this impression to a large extent: the history of voting age is a history of change and this change almost always takes place in favor of lower age groups. This brings about a question: what makes reductions the dominant pattern of the history of voting age given the reluctance ‘adults’ have when it comes to granting the right to vote to ‘children’?

The history of voting age makes it clear that countries do not reduce the voting age randomly. Major waves of voting age reduction follow the youth’s active involvement in political life. In the first two waves, young people have proven their being a valuable part of society by taking responsibility and fighting for the future of their countries. In the third wave, university students have shown that they are political actors and that they are ready to come into action when it comes to their own interests.

Dahl’s formulation of demos (as the collectivity of individuals who are qualified to govern themselves) is a helpful explanation for the above-mentioned pattern of voting age reductions. However, the usefulness of this formulation goes beyond Dahl’s

conclusions. When an age-group's political activism proves its members' capacity for moral autonomy, the label of 'childhood' is put aside and that age-group is included in the electorate. The history of the voting age and the parliamentary debates on the possibility of lowering the voting age further from eighteen proves the validity of the four-step test. Those who have not passed the test (yet) continue to be deemed 'children' but the validity of the test proves that the door is never closed in a democratic régime.

However, all these conclusions are built upon the assumption that the 'adults' (or the policymakers among them) will consider the youth's political activism as a signal of their political awareness and competence. What happens if this is not the case? The Turkish case might give an answer to this question.

CHAPTER 5

The Turkish Case

The history of voting age in Turkey includes many anomalies:

- i) Turkey has been one of the first countries to reduce the voting age to eighteen in 1921²⁵⁸.
- ii) This reduction also constitutes the most abrupt reduction in the history of voting age²⁵⁹. It has changed the voting age from twenty-five to eighteen at once.
- iii) Turkey is one of the few countries with a voting age increase in history. It was increased from eighteen to twenty-two in 1934²⁶⁰.
- iv) It is one of the latest participants of the third wave. The voting age was lowered from twenty-one to nineteen in 1987. This turns out to be an even greater anomaly given the dimensions of the student demonstrations in Turkey.
- v) Turkey is one of the latest to lower the voting age to eighteen. It happened in 1995 –six years after the UN Convention on the Rights of the Child has set the age of adulthood at the age of eighteen. This means, according to the UN Convention, a portion of mentally healthy ‘adults’ have been excluded from Turkish electorate for six years.

²⁵⁸ Erol Tuncer, *Osmanlı'dan Günümüze Seçimler, 1877-1999*, (Ankara: TESAV Toplumsal Ekonomik Siyasal Araştırmalar Vakfı, 2002), 155. Alkan, “Türkiye’de Seçim Sistemi Tercihinin Misyon Boyutu ve Demokratik Gelişime Etkileri: Siyaset Bilimi ve Siyaset Sosyolojisi Yaklaşımıyla”, 143.

²⁵⁹ Katz, *Democracy and Elections*, 218-29. Katz’s book does not include this reduction. Voting age reform of 1921 in Turkey is more abrupt than any reduction mentioned in his book for 43 countries.

²⁶⁰ Tuncer, *Osmanlı'dan Günümüze Seçimler*, 155.

All these anomalies deserve an analysis in terms of Turkish politics and Turkish perception of the youth.

5.1. Educating the Youth

The first document to set the voting age in Turkey was the Temporary Law for Parliamentary Elections (*İntihab-ı Mebusan Kanun-ı Muvakkati*) of 1908. According to this law, the voting age was twenty-five both for primary and secondary voters²⁶¹. In 1921, during the Turkish War of Independence, it was lowered to eighteen by the Grand National Assembly. This reduction is in perfect compliance with the war-dominated characteristics of the first wave. However, the level of this reduction is beyond all the other participants of this wave. All of the European and North American countries have lowered the voting age to eighteen decades later (during the third wave, let alone the second).

Turkish youth has been perceived a very important part of the régime in the first decades following the formation of Turkish Republic. The young republic was still trying to cut “ties with the Ottoman past, the world of the elders”. Atatürk’s address to the youth symbolized the importance given to them and this importance is also verified by those who were young in those years. The central authority’s attempt to organize Turkish youth in accordance with the new régime has materialized in the formation of the *Millî Türk Talebe Birliği* (MTTB) in 1924²⁶².

However, the difference between the urban and rural youths was far from satisfactory for the régime. While the new republic was attempting at creating “a new type of person with a new mind-set”²⁶³, İsmet İnönü has stated that that generation had to “commit its whole life to” the task of creating “the organic nation we envision”²⁶⁴.

²⁶¹ Ibid.

²⁶² Leyla Neyzi, “Object or Subject? The Paradox of ‘Youth’ in Turkey”, *International Journal of Middle East Studies* 33, no. 3 (August 2001), 416-8.

²⁶³ Ibid, 416.

²⁶⁴ Ibid, 418.

1930s have been the period of turning the central élite's authority into an ideology²⁶⁵. This ideology had to be taught to the public and various institutions from *Türk Ocakları* to *Halk Evleri* have been utilized for this purpose²⁶⁶. In 1935, in the Fourth General Assembly of the Republican People's Party (CHP), six principles of Kemalism have been adopted and the party organization has been merged with state bureaucracy²⁶⁷. Increase in the voting age from eighteen to twenty-two (1934) falls into this period of single-party régime, ideological development and centralization.

5.2. A Moderate Reduction

As the developments were paving way for the 1960 military coup, university students were playing an active role against the Democratic Party (DP) government²⁶⁸. They were organizing “protest rallies, demonstrations, and walkouts”. Major university campuses in Istanbul and Ankara were in turmoil²⁶⁹. A month before the coup, Prime Minister Adnan Menderes has found himself surrounded by young protesters²⁷⁰.

After the military coup of 1960, the Committee of National Unity (CNU) has formed a Constituent Assembly in order to form a new constitution. The electoral commission of this Assembly has come up with a draft which was proposing to lower the voting age from twenty-two to back to eighteen. This proposal has been discussed in the Constituent Assembly to a large extent because the members of the Assembly could not agree on the issue. After the parliamentary debate, the CNU discussed the issue and decided that twenty-one is more preferable than eighteen because of the rural youth's

²⁶⁵ Hasan Bülent Kahraman, *Türk Siyasetinin Yapısal Analizi 1: Kavramlar, Kuramlar, Kurumlar*, (İstanbul: Agora Kitaplığı, 2008), 150.

²⁶⁶ Esat Öz, *Türkiye'de Tek-Parti Yönetimi ve Siyasal Katılım (1923-1945)*, (Ankara: Gündoğan Yayınları, 1992), 108-14.

²⁶⁷ Ibid, 118.

²⁶⁸ Neyzi, ““Object or Subject? The Paradox of ‘Youth’ in Turkey”, 418.

²⁶⁹ Ersin Kalaycıoğlu, *Turkish Dynamics: Bridge across Troubled Lands* (New York: Palgrave MacMillan, 2005), 83.

²⁷⁰ Sabri Sayarı, “Adnan Menderes” in *Türkiye'de Liderler ve Demokrasi*, Metin Heper and Sabri Sayarı eds., translated by Zuhal Bilgin, (İstanbul: Kitap Yayinevi, 2008), 95.

dependency on their parents and the necessity to keep politics out of schools²⁷¹. The changed version of the proposal has been adopted by the Constituent Assembly on 22 March 1961 despite some parliamentarians' objections²⁷².

The arguments utilized during all these discussions in favor of the reduction can be summarized as follows:

- 1) Democracy is based on inclusiveness and the right to vote cannot be limited arbitrarily²⁷³.
- 2) The youth has shown its political capacity in the past by voting between 1923 and 1934 or by participating in the 1960 'Revolution'²⁷⁴.
- 3) Eighteen year olds are already politically active and a higher voting age will not prevent this²⁷⁵.
- 4) Eighteen is already recognized as the age limit for various rights and responsibilities²⁷⁶.
- 5) Participating in the elections will contribute to their education²⁷⁷.

Counter-arguments can be summarized as follows:

- 1) The voting age of eighteen will politicize
 - a. schools²⁷⁸
 - b. military service²⁷⁹.
- 2) Those below twenty-two are not educated enough²⁸⁰.

²⁷¹ T.C. Millî Birlik Komitesi Genel Kurul Toplantısı Yetmiş Yedinci Birleşim, 2-4.

²⁷² *T.C. Temsilciler Meclisi Tutanak Dergisi*, Volume 4, 310.

²⁷³ *T.C. Temsilciler Meclisi Tutanak Dergisi*, Volume 1, 510; 591. Temsilciler Meclisi, "Seçimlerin Temel Hükümleri ve Seçmen Kütükleri Hakkında Kanun Tasarısına Dair Seçim Kanunu Komisyonu Raporu (5/6)", 6.

²⁷⁴ *T.C. Temsilciler Meclisi Tutanak Dergisi*, Volume 1, 510; 591; 595.

²⁷⁵ Ibid, 594.

²⁷⁶ Ibid, 511; 526; 591-2; 594; 596. "Seçimlerin Temel Hükümleri ve Seçmen Kütükleri Hakkında Kanun Tasarısına Dair Seçim Kanunu Komisyonu Raporu", 5-6.

²⁷⁷ *T.C. Temsilciler Meclisi Tutanak Dergisi*, Volume 1, 512.

²⁷⁸ Ibid, 517; 585

²⁷⁹ Temsilciler Meclisi, "Seçimlerin Temel Hükümleri ve Seçmen Kütükleri Hakkında Kanun Tasarısına Dair Seçim Kanunu Komisyonu Raporu (5/6)", 5. *T.C. Temsilciler Meclisi Tutanak Dergisi*, Volume 1, 585.

²⁸⁰ Ibid, 583.

- 3) The rural population needs to be socialized by military service before they have the vote²⁸¹.
- 4) It contradicts with the general practice in the world²⁸² (this argument met some objections based on the differences between Turkey and other countries²⁸³).
- 5) Eighteen year olds are not mature enough
 - a. psychologically²⁸⁴,
 - b. organically²⁸⁵,
 - c. socially²⁸⁶,
 - d. politically²⁸⁷.
- 6) They are still dependent on
 - a. their parents²⁸⁸,
 - b. education system²⁸⁹,
 - c. state²⁹⁰.
- 7) There is no reason to change the previous setting, which must have had reasonable grounds²⁹¹.

²⁸¹ Ibid, 517; 583-4. Temsilciler Meclisi, “Seçimlerin Temel Hükümleri ve Seçmen Kütükleri Hakkında Kanun Tasarısına Dair Seçim Kanunu Komisyonu Raporu (5/6)”, 5.

²⁸² T.C. Temsilciler Meclisi Tutanak Dergisi, Volume 1, 520; 583; 585; 590. Temsilciler Meclisi, “Seçimlerin Temel Hükümleri ve Seçmen Kütükleri Hakkında Kanun Tasarısına Dair Seçim Kanunu Komisyonu Raporu (5/6)”, 5.

²⁸³ T.C. Temsilciler Meclisi Tutanak Dergisi, Volume 1, 595.

²⁸⁴ Ibid, 520.

²⁸⁵ Ibid, 590.

²⁸⁶ Ibid, 590.

²⁸⁷ Temsilciler Meclisi, “Seçimlerin Temel Hükümleri ve Seçmen Kütükleri Hakkında Kanun Tasarısına Dair Seçim Kanunu Komisyonu Raporu (5/6)”, 5. T.C. Temsilciler Meclisi Tutanak Dergisi, Volume 1, 583.

²⁸⁸ Ibid, 520; 583-5. Temsilciler Meclisi, “Seçimlerin Temel Hükümleri ve Seçmen Kütükleri Hakkında Kanun Tasarısına Dair Seçim Kanunu Komisyonu Raporu (5/6)”, 5.

²⁸⁹ T.C. Temsilciler Meclisi Tutanak Dergisi, Volume 1, 520; 590.

²⁹⁰ Ibid, 590.

²⁹¹ Ibid, 584; 590.

In addition to these, Emin Soysal's emphasis on the undesirability of having illiterate voters is worth mentioning in terms of competence²⁹².

All these arguments are in compliance with the four-step test. Argument 4 for reduction and counter-argument 6 refer to community membership and representation of interests. Arguments 2 and 3, as well as counter-arguments 2, 3 and 5 question the competence of the age-group. Finally, argument 5 and counter-arguments 1, 4 and 7 reflect the emphasis on régime stability.

5.3. Politicized, Organized, Disenfranchised

The 1961 Constitution was “the most liberal democratic constitution of Turkey”²⁹³. It has provided the citizens with the rights of association and expression. University students, who were already politically active during the 1960 Coup, were surrounded with a highly political environment but they were deprived of the right to use the basic conventional way of political participation, i.e. the right to vote. Student protests in Turkey have begun before the worldwide wave of university demonstrations of 1968²⁹⁴. Students were highly alienated from the concept of “rule of the people”, i.e. *demokratia*, and they preferred “rule for the people” to it²⁹⁵. After all, they were not included in the *demos* of the existing *demokratia*. When the influence of the worldwide student revolts has been added to this equation the result was “increased violence, followed by brutal repression, subsequent to the military coup of 1971”²⁹⁶.

Student activists were now a threat for the régime. “The media referred to [them] as *eşkiya*, or bandits”²⁹⁷. İsmet İnönü, the leader of the CHP, referred to them as “hoodlums”²⁹⁸. In 1972, following the 1971 Coup, several student leaders were hanged

²⁹² Ibid, 548-9.

²⁹³ Kalaycıoğlu, Turkish Dynamics: Bridge across Troubled Lands, 88.

²⁹⁴ Ibid, 103.

²⁹⁵ İlter Turan, “Türkiye’de Siyasal Kültürü Oluşumu” in *Türk Siyasi Hayatının Gelişimi*, Ersin Kalaycıoğlu and Ali Yaşa Sarıbay eds., (İstanbul: Beta, 1986), 481.

²⁹⁶ Neyzi, “Object or Subject? The Paradox of ‘Youth’ in Turkey”, 419.

²⁹⁷ Ibid.

²⁹⁸ Kalaycıoğlu, Turkish Dynamics: Bridge across Troubled Lands, 103.

by the military tribunal²⁹⁹. While almost all of the European and American university youth were being welcomed to the electorate and revolts were being transformed into organized legal political activities, student demonstrations in Turkey were getting outside university campuses³⁰⁰. Kalaycıoğlu observes that

“[f]reedom of association and expression provided by the 1961 Constitution seemed to have paved the way for a downturn in conventional forms of political participation in Turkey. Instead of mainly strengthening the legal and conventional channels of political participation, the democratic regime had given way to the development of a highly fragmented, polarized, and volatile electorate.”³⁰¹

However, university students could not use the most “conventional channel of political participation” and their clear signal that they constitute an active part of the political society was being ignored by the decision-makers. The demand from below was being considered a lawless revolt. Politically aware university students could not reach the ballot.

There appears a remarkable difference between the Western democracies’ immediate reaction of enfranchising university students as early as the beginning of 1970s and Turkish example of leaving them disenfranchised. The reason for this difference can be found in Sayari’s observation on the difference between Western and Turkish politics:

²⁹⁹ Neyzi, “Object or Subject? The Paradox of ‘Youth’ in Turkey”, 419-20.

³⁰⁰ Kalaycıoğlu, *Turkish Dynamics: Bridge across Troubled Lands*, 104.

³⁰¹ Ibid, 121.

“Even a cursory review of the evolution of multiparty politics in Turkey shows that the efforts of the military and bureaucratic elites to shape the party system from above periodically ... have been singularly important in the evolution of the country’s party politics. [In Western Europe], societal forces from below rather than the actions of the state elites from above have been the principal agents of continuity and change in party politics.”³⁰²

This passage explains the difference between Western and Turkish reactions to student demonstrations to a large extent. During the third wave of voting age reductions, societal forces have led the Western policymakers to reduce the voting age in order to comply with a newly emerging political group. This resulted in the transformation of student activism. University students have shown via political activism that they pass the four-step test and this has resulted in their enfranchisement. In Dahl’s terms, democracy has once again managed to include those who are capable of ruling themselves. Turkish system, on the other hand, could not.

5.4. A Very Late Recognition

The military junta of 1980, which “set out ... to devise a new political regime for Turkey that would cure all the socioeconomic and political ills of the country”³⁰³ has left the voting age at twenty-one. It was obviously not deemed a way to “put an end to bloodshed, establish law and order” by the military régime³⁰⁴.

The constitutional reform package of 1987, which has been drafted by Turgut Özal and 199 other MPs, was proposing to reduce the voting age from twenty-one to nineteen³⁰⁵. Turkish Grand National Assembly discussed the voting age part of the

³⁰² Sabri Sayarı, “The Changing Party System” in *Politics, Parties and Elections in Turkey*, Sabri Sayarı and Yılmaz R. Esmer eds., (Boulder, CO: Lynne Rienner, 2002), 25.

³⁰³ Kalaycıoğlu, *Turkish Dynamics: Bridge across Troubled Lands*, 124.

³⁰⁴ Ibid, 122.

³⁰⁵ *T.B.M.M. Tutanak Dergisi*, Volume 40, 310. The text of the law grants the right to vote to “all Turkish citizens who has entered twenty years of age”. Since, in the legislations, *voting age* is taken to be the specified age to be finished when a person uses the right to vote, this legislation actually lowers the voting age to nineteen (*T.B.M.M. Tutanak Dergisi*, Volume 40, 319).

reform package on 13 May 1987 and adopted it on the same day. None of the MPs have made any statements against voting age reduction during the parliamentary debate. However, Social Democratic People's Party (SHP) and Democratic Left Party (DSP) have proposed to lower the voting age to eighteen rather than to nineteen. The arguments against this idea (expressed by Kamil Coşkunoğlu, Constitutional Commission Chair) can be summarized as follows:

- 1) Political maturity and civil maturity are separate issues and political maturity depends on local conditions concerning literacy and economy³⁰⁶.
- 2) Proposals to lower it further are actually rooted in some political parties' (obviously, center-left's) willingness to attract young people³⁰⁷.

The arguments for lowering the voting age further to eighteen were:

- 1) It implies trust in the public and the youth³⁰⁸.
- 2) It is compatible with human psychology³⁰⁹.
- 3) It is compatible with the criminal and fiscal responsibilities of the eighteen year olds³¹⁰, as well as with their status according to the civil law³¹¹.
- 4) It is in accordance with the democratic practice in other countries³¹².
- 5) The said age group has enough rate of
 - a. literacy³¹³,
 - b. knowledge³¹⁴.
- 6) It will improve young women's status³¹⁵.
- 7) Atatürk has also lowered the voting age to eighteen³¹⁶.

³⁰⁶ Ibid, 318-9.

³⁰⁷ Ibid, 319.

³⁰⁸ Ibid, 312; 316.

³⁰⁹ Ibid, 313.

³¹⁰ Ibid, 313; 314; 317.

³¹¹ Ibid, 314.

³¹² Ibid, 313; 316-8.

³¹³ Ibid, 313.

³¹⁴ Ibid, 316.

³¹⁵ Ibid, 314.

³¹⁶ Ibid, 317.

8) Student revolts in the world were avoided by lowering the voting age to eighteen³¹⁷.

The references to community membership, representation of interests, competence and régime stability can be observed in these arguments. However, there are two interesting justifications in this list: Coşkunoğlu's claim that the proposal to lower the voting age to eighteen reflects the center-left parties' attempts to attract young voters and Paşa Sarıoğlu's reference to Atatürk. Both of these arguments are based on the assumption that the decision to be made concerning the voting age can be based on the perceptions of the adult politicians rather than the demand from the below. Even when Sarıoğlu refers to the student revolts, it is not clear whether he considers these revolts a political demand: he explains that voting age reduction is a valid method to "solve the political depression which was a result of the youth movements"³¹⁸. This expression is more relevant to the issue of régime stability rather than the other three themes of the four-step test.

Two years after the TGNA lowered the voting age to nineteen, the UN Convention on the Rights of the Child defined 'child' as those below the age of eighteen. In 1995, another constitutional reform package has been appeared, which included a voting age reduction from nineteen to eighteen. This proposal was tabled by 301 MPs from the True Path Party (DYP), Motherland Party (ANAP) and Social Democratic People's Party (SHP)³¹⁹. The reduction was also supported by the Republican People's Party (CHP), Democratic Left Party (DSP) and Nationalist Action Party (MHP)³²⁰. Although the Welfare Party accepted the rightfulness of the voting age reduction, they did not support the proposal since they did not find the changes in the Constitution adequate³²¹. The reasons for voting age reduction regarded so obvious that neither MPs nor the text of the proposal gives any reason for it³²². The commission

³¹⁷ Ibid, 317-8.

³¹⁸ Ibid.

³¹⁹ T.B.M.M. Tutanak Dergisi, Volume 88, 364-5.

³²⁰ Ibid, 372; 386; 397.

³²¹ Ibid, 376-82.

³²² "7.11.1982 Tarihli ve 2709 Numaralı Türkiye Cumhuriyeti Anayasasının Başlangıç Metni ve Bazı Maddelerinin Değiştirilmesine Dair Kanun Teklifi ve Anayasa Komisyonu Raporu", 7-8.

report states that the proposal was adopted because “there is an insignificant difference between nineteen and eighteen”³²³.

5.5. Ignoring the Demand from Below

As Sayarı states, Turkish political scene is largely dominated by top-down decisions of military and bureaucratic élites. The issue of voting age is no exception to this observation. In 1934, the single party régime has disenfranchised a large age cohort (those between the ages of eighteen and twenty-two) at once. University students’ participation in the 1960 Coup was ignored even by the CNU: their willingness to overthrow the incumbent party was not considered a proof of their political competence. Student activists of 1960s and 1970s were suppressed by the 1971 and 1980 military interventions respectively.

While voting age reductions were finally being discussed in 1987 and 1995, there was almost no reference to the youth’s demand for political recognition (possibly except for the statements of Paşa Sarıoğlu). The common theme of both debates was the parliamentarians’ evaluations of the youth. The main consideration was whether it is right to *give* the right to vote to eighteen or nineteen year olds (as Edip Özgenç from the DSP puts it in 1987³²⁴). This is not surprising given Turkish political régime’s disregard for youth political activism.

The previous chapter has shown that Western democracies have reacted to youth political activism by lowering the voting age to eighteen. Such a reaction presupposes policymakers’ willingness to understand the importance of representation and political awareness for democracy and to include morally autonomous individuals in demos (in terms of Robert Dahl). In this case, demonstrations can result in the enfranchisement of new groups. However, when demands for recognition are considered a threat to régime stability, violent measures are taken. A ruling élite that focuses on the régime stability part of the equation and ignores the rest of the four-step test does not find it necessary to recognize any of the demands of an excluded group.

³²³ Ibid, 31.

³²⁴ T.B.M.M. Tutanak Dergisi, Volume 40, 314.

The Turkish case demonstrates that electoral régimes are not uniform in terms of their reactions to the demands of those who are deemed politically immature. Western democracies' compliance with Dahl's understanding of demos (except for his reference to such terms of 'childhood' and 'adulthood') should not lead one to claim that the demand from below can shape voting age regulations regardless of the political context. Clearly, it has not been the case for Turkey.

CHAPTER 5

Conclusion

Academic debates concerning the issue of voting age are often dominated by the terminology of human maturation. When the problem is handled via the limited reliability of the terms of ‘childhood’ and ‘adulthood’, analyses tend to focus on the supposed characteristics of ‘children’ and ‘adults’ as a consequence. These analyses lead the scholars to justify or criticize the age-based exclusion in terms of the political capacities of ‘children’.

However, history of voting age reveals that the main question is not whether it is desirable to enfranchise ‘children’ as a whole but whether a certain age group deserves to be included in demos. Major changes in voting age do not happen randomly. Whenever ‘children’ play an active role in politics via wars or student revolts, widespread waves of voting age reductions appear. Two world wars have resulted in the first and second waves of the voting age reductions. Worldwide student demonstrations of late 1960s and early 1970s have triggered the third wave of voting age reductions in many countries, especially in Europe and North America. Thus, there has to be a relationship between political activism and inclusion.

The four-step test for enfranchisement is a useful tool to understand this relationship. Justifications for excluding certain groups from demos refer to the questions of community membership, representation of interests, competence and régime stability. As long as a group maintains to be politically passive, decision makers find themselves free to utilize one or more parts of the four-step test to justify exclusion. They deem such individuals as quasi-members of society, already represented by other citizens or unable to understand and pursue their own interests. These policymakers might change their conception of an excluded group when the members of that group prove their political competence via activism. When an excluded group threatens the

status quo by becoming politically active and showing that they constitute an active part of the community with political awareness and capacity to pursue their own interests, Western democracies start to discuss political maturity of the members of that group. This discussion often results in the further expansion of the electorate. This has been the case for lower socio-economic groups, African Americans and women in the past. History of voting age is in consistency with this picture.

Thus, Dahl's analysis of democratic exclusion seems to be valid for electoral régimes (especially for Western democracies): those who are able to care for themselves are included in demos. However, his analysis is clouded with his focus on such terms as 'childhood' and 'adulthood'. It should be asked whether a person shows the signs of the capacity for moral autonomy rather than whether that person is an 'adult'. 'Childhood', after all, can be defined in thousands of ways and the more definitions there are, the less meaningless the criterion will be.

However, youth political activism does not always result in enfranchisement. Enfranchising a group because of its political activism requires a régime that is open to include those who prove their moral autonomy. The Turkish case shows that not all electoral régimes give the same value to youth political activism. When the political élite focuses on the régime stability part of the picture rather than the importance of representation and political awareness for democracy, harsh methods are utilized to suppress activists. Political system in Turkey differs from its Western counterparts with its relationship with societal changes from below: top-down decisions of military and bureaucratic élite can disregard the demands of certain groups for recognition. When it comes to the issue of voting age, it is university youth which is disregarded by the élite. Political awareness of the university students, who have played an active role in the military coup of 1960, was disregarded by the CNU. Third wave of voting age reductions has by-passed Turkey in 1960s and 70s while the governments and the military interregnum were trying to solve the problem of political fragmentation among university students. The issue of voting age has been discussed by civilian parliamentarians in 1987 and 1995 with almost no reference to the demands of the age group in question.

In sum, the issue of voting age goes beyond the supposed dichotomy between 'childhood' and 'adulthood'. The problem of the child's status in the democratic state cannot be solved in isolation from the general mechanics of democratic inclusion. The attempts to solve the problem with reference to the characteristics of 'children' and

‘adults’ do not reach a satisfactory conclusion since these terms do not refer to any well-defined groups with unquestionable traits. To understand how democracy comes to turn a part of ‘children’ into ‘adults’ by enfranchising them, the four-step test for enfranchisement appears as a useful tool: policymakers tend to lower the voting age when an age group proves its capacity to be politically active. Youth political activism contributes to the enlargement of the electorate when the decision makers recognize the importance of representation of interests and political awareness for democracy. However, when they focus on régime stability and disregard the necessity of including all morally autonomous individuals in demos, consequences might contribute to the emergence of conditions that will threaten the régime itself.

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