Lowering the voting age to 16: arguments for and against it

Arguments in favour of lowering the voting age

Lowering the voting age is consistent with the basic principles of democracy. According to the basic principles of democracy, as many citizens as possible must be eligible to vote and each restriction must be substantiated. Studies show that young persons aged 16 have enough cognitive capacity to be allowed to vote: according to the IEA International Civic and Citizenship Education Study (2009) conducted in Estonia by Professor Anu Toots from Tallinn University, even 14-year-old persons understand society.

The main objective of lowering the voting age is civic education: by taking part in elections, young persons gain valuable experience that shows why it is necessary to participate actively in decision-making. Danish scientist Mark Franklin has pointed out that active participation in elections is a matter of habit. If a person develops the habit of taking part in elections, he or she keeps on doing that. If the experience of participating in elections is formed in the 9th or 10th grade (i.e. when a person is 16 years old), young persons gain practical experience about affecting the future of their place of residence before they start an independent life. Young persons learn how to be socially aware citizens. When young persons are given the right to vote, they are also given a certain amount of responsibility to stand up for the development of their place of residence and an opportunity to express their opinions on important decisions made in local governments: schools, school lunch, public transport, the condition of streets, public space, cultural life and sports, investments.

Young persons aged 18–24 are generally at an unstable stage of life: they have just become independent and are searching for an outlet. Therefore, they attach importance to completely different matters and consider going voting irrelevant to their lives. Young persons aged 16–17, however, are still living with their parents, their lives are much more stable and it is possible to focus on different matters. As there is no public access to such statistics in Estonia, this situation is illustrated by an example from Norway: in 2011 in Norway, 20 local governments were chosen where 16-year-old persons were experimentally given the right to
vote in the elections held in the same year. The overall voter turnout was 63%. Among persons aged 16–17 the turnout was 58% and among persons aged 18–21 the turnout was only 46%.

**Lowering the voting age prevents the decrease of social interest in topics concerning the youth.** The population of Estonia is aging. According to the prognosis of Statistics Estonia, the indicator will increase more than 25% by the year 2025: the dependency ratio will be 31.8 elderly persons per 100 persons of working age. As life expectancy has increased, the average life expectancy has also increased: in 2000, the average life expectancy was 38.7 years, but in 2011, it was 40.8 years. In 2014, the share of persons in retirement age was 1% higher than the share of persons aged 16–28. By the year 2020 the share of persons in retirement age will be 7.7% higher than the share of persons aged 16–28. Even the current demographic situation shows that both the ratio of young persons to the electorate and the ratio of young persons to the population are out of proportion. According to the results of the 2011 Population and Housing Census (PHC 2011), there were 295,735 young persons in Estonia (incl. 25,392 young persons aged 16–17 who will have the right to vote when the voting age is lowered from 18 to 16). However, there were only 161,506 young persons of voting age (i.e. persons aged 18–26; if we would add the number of persons aged 16–17 to that, the number would be 186,898). According to the results of PHC 2011, there were 229,440 persons aged over 65 and all of them have the right to vote. Therefore, the ratio is 0.78 elderly persons per 1 young person and 1.42 elderly persons per 1 young person of voting age. When the voting age is lowered from 18 to 16, the ratio will be 1.22 elderly persons per 1 young person of voting age which will equalize the situation.

On the basis of Austria’s experience it can be concluded that when 16-year-old persons are given the right to vote, politicians consider the youth more and apply policies that are based on the youth's needs. Topics concerning youth policies will also get more media coverage during election campaigns and thus the general awareness about this issue will increase.

**16-year-old persons are mature enough to take decisions and assume responsibility for themselves and their choices.** Most of them have acquired compulsory basic education and many legal rights and obligations apply to them despite the fact that they are minors (in the Republic of Estonia the age of majority is 18 years). A citizen can be prosecuted for a misdemeanour or criminal offence when the person is at least 14 years of age. When a person is at least 15 years of age, the person has the right to get married provided that both parents give consent to the marriage. When a person is at least 7 years of age, the person has the right
to do light work in the field of culture, art, sports or advertising on the basis of an employment contract. When a person is at least 15 years of age or not subject to the obligation to attend school, the person has the right to work without being restricted by the aforementioned provision. When a person is at least 16 years of age, the person may apply for a limited right to drive vehicles in category B. The legal age of consent of a minor to engage in sexual activities is 14 years of age. A person becomes liable to national defence obligation (and also becomes a call-up selectee) when the person is 17 years of age. On 12 March 2014, the Riigikogu passed an amendment to the Response to the Memoranda and Requests for Explanations and Submission of Collective Addresses Act which was in force as from 2004. The amended act entered into force on 11 April 2014 and entitles 16-year-old persons to give a signature in support. In addition, a study on the Estonian youth's civic culture (Anu Toots, Tõnu Idnurm, Kersten Kattai, Anne Roos (2011). Noorte kodanikukultuur kümme aastat hiljem: Eesti tulemused IEA Rahvusvahelises kodanikuhariduse uueringus ICCS 2009. Tallinn: Tallinna Ülikooli Riigiteaduste Instituut) substantiated that the youth’s actual participation in voluntary activities and local civic society has increased. The youth understand what is good for their place of residence and are prepared to make political choices. The IEA International Civic and Citizenship Education Study (2009) also concluded that even 14-year-old Estonian persons understand society. The data published in the report on the Estonian Youth Work Strategy 2006–2013 (“Noorsootöö strateegia 2006–2013: Aruanne strateegia eesmärkide ja rakendusplaani täitmisest 2012. aastal”) also show the level of activity of the youth: in 2006 the rate of youth participation in youth associations was 4% and in 2012 the rate was 7%; in 2006 there were 14 participation councils in operation and in 2012 there were 85 participation councils in operation.

**Today, several foreign states have lowered the voting age and this has had positive impacts.** In Austria the voting age for all elections was lowered to 16 in 2007. Many European countries are engaged in lowering the voting age: as from 1995, the voting age has been lowered for local government elections in nine constituent states of Germany (Bremen, Hamburg, Brandenburg, Lower Saxony, Mecklenburg-Vorpommern, North Rhine-Westphalia, Saxony-Anhalt, Schleswig-Holstein, and Baden-Württemberg); as from 2013, the voting age has been lowered in Malta. In the canton of Glarus of Switzerland the voting age is 16 as from 2007. The voting age for the Scottish independence referendum held on 18 September 2014 was 16. In Hungary, the youth have the right to vote in elections at the age of 16 if they are married.
Austria’s experience shows that the youth’s interest in politics increased, their voting actions were not radically different from the average, and social interest in youth-related topics grew. In 2011, the Estonian Ministry of Justice conducted an analysis on lowering the voting age in foreign countries („Valimisea langetamine. Valitud välisriikide kogemus ja õiguslikud kaalutlused“) in which it was recognized that no negative impacts have been identified in Austria in relation to lowering the voting age.

The voting age has varied historically and there is no definite standard that must be followed. Even though the voting age is prescribed by law, it mostly reflects a social agreement that can change over time, depending on the social reality or values. There are no studies which would prove that the voting age can be linked to some kind of a universal development stage of a person. The history of Estonia and the world also show that the voting age is a social agreement. In the first (1920) and second (1933) Constitution of the Republic of Estonia, the voting age was 20. In the Constitution of 1938, the voting age was raised to 22. From 1940 to 1991, the Republic of Estonia was occupied by the totalitarian Soviet Union (the so-called Estonian SSR existed) and in the “elections” held by the occupying power, the voting age was 18. In the elections of the Congress of Estonia – the Estonians’ representative body – held in 1990 the voting age was 16. The Constitution of 1992 prescribed that the voting age is 18. Upon deciding on the age limits, the Constitutional Assembly who drafted the Constitution was guided by global norms and practices. The voting age has varied in the rest of the world, too, and there is a general trend towards lowering the voting age. Today, the common age limit in the world is 18, but some countries have already lowered the voting age to 16. On 28 May 2014, an international conference was held at Tallinn University where the initial results of Professor Anu Toots’ analysis on the impacts of lowering the voting age were presented. On the basis of the results, Professor Toots suggested that the voting age should be lowered to 16 only for local government elections.

On one occasion, 16-year-old persons have already participated in the elections of a national decision-making body: this happened in February 1990 in the elections of the Congress of Estonia. The Congress of Estonia was the Estonian citizens’ representative body elected by the Estonians on the citizens’ initiative. The elections took place from 24 February 1990 to 1 March 1990. More than 590 000 Estonian citizens and over 34 000 applicants for Estonian citizenship participated in the elections. Eve Pärnaste who was a member of the board of the Estonian Citizens’ General Committee that organised the elections has the following recollection of that time: as many young persons participated in the registration of
the citizens and the youth were very patriotic and active back then, the organisers of the elections did not want to deprive the 16-year-old activists from the joy of having participated in the elections of the Congress of Estonia as their first voting experience. This was a historic moment, because due to these elections Estonia is the first European territory where 16-year-old persons have had the opportunity to vote (at that time, Estonia could not be considered a state, because Estonia was under the occupation of the Soviet Union).

Arguments against lowering the voting age and ENL’s counterarguments to these statements

**16-year-old persons are not mature enough to participate in elections.** A high proportion of 16-year-old persons is still living with their parents and going to school. When they turn 18, it is much more probable that they have thought through their political opinions.

**ENL’s counterargument:** Based on the study completed in 2009 that treated the political maturity and relationships with political parties of young persons aged 14–15, Professor Anu Toots from Tallinn University stated that even 14-year-old persons have a general understanding of society. For the most part, studies show that by the age of 15–16 young persons have gained a sufficient level of cognitive competence to be allowed to vote. This is backed up with the overall picture: young persons have to exercise many rights and fulfil several obligations already before they attain the age of majority.

**Young persons have little interest in politics.** The Estonian Shadow Elections is a project where young persons aged 13–17 participate in simulated elections. 2599 young persons participated in the Shadow Elections held in October 2013. There are approximately 58 000 young persons aged 13–17 in Estonia.

**ENL’s counterargument:** The Shadow Elections point out a specifically youth-related problem in Estonian politics. If we go into the heart of the problem and add scientific data, low participation shows that political parties do not pay attention to young persons which is why young persons are not interested in political parties and their positions. In reality, approximately 10 000 young persons participated in the preliminary activities of the Shadow Elections: young persons do want to participate, but why (shadow) vote if the parties’ programmes do not include articles discussing the choices that are important for me? “Approximately 10 000 young persons” is calculated on the basis of the number of persons
participating in the events (the number of debates and young persons participating in the
debates; the number of simulations and persons participating in the simulations; the number of
discussion groups and young persons participating in the discussions; competition and the
number of young persons participating in it; the number of workshops at camps and persons
participating in them; the number of trainings and workshops and persons participating in
them; the nationwide flashmob and the number of persons participating in it). The situation in
Norway and Austria also shows that the level of young persons' interest in politics is not low:
in 2011 in Norway, the turnout of 16–17-year-old voters was 58% which is 5% lower than the
overall turnout (63%), and the Austrian youth’s interest in politics increased because of
lowering the voting age.

**Young persons have enough options to express their ideas through different participation opportunities.** In 2012, for example, 7% of young persons participated in youth associations and there were 85 participation councils operating in Estonia.

**ENL’s counterargument:** Currently, young persons in Estonia can participate and be involved through participation councils. However, the existence of participation councils alone is insufficient to ensure that the youth's voice is heard. First, one of the principles of the youth field is voluntariness which means that if young persons feel like it, they will establish a participation council for themselves. As from the beginning of June 2014, there are 69 youth councils and 15 county youth councils in Estonia. Secondly, a participation council does not automatically ensure that the voice of the youth will be taken into account. Pursuant to the Youth Work Act, a youth council is an advisory participation council consisting of young people which operates at rural municipality or city council. If a youth council is an organisation that advises a council, then a 16-year-old person who has the right to vote can decide by their vote which opinion expressed by a political force represented on the council they consider to be the best. To this day, such incidents occur where participation councils are not considered to be equal partners. For example on 15 May 2014, the representatives of Paide youth council were given the floor by the chairman of the council to express their opinion, but the council members forbade them from speaking up, and the youth read out their opinion behind the council’s door. Lowering the voting age to 16 assures that the voice of the youth will be taken into account in elections.

**Estonia cannot be compared to those European countries that have already lowered the voting age (for example Austria and Malta).** Estonia is a country where democracy is
young and democratic traditions have not yet taken root. In Austria and Malta democratic traditions have existed longer than in Estonia.

**ENL’s counterargument:** Freedom House is a universally recognised non-profit organisation located in the USA. The organisation annually assesses the state of democracy, political freedoms and human rights in the world. In 2010–2013, Freedom House gave Estonia, Austria and Malta a freedom rating of “1” both in terms of political freedoms and human rights which means the highest score and being designated as "free". In comparison with other countries that gained or restored their independence upon the dissolution of the Soviet Union in 1991, it becomes evident that Estonia is one of the most democratic countries among the countries that suffered the same fate. In 2013, Freedom House designated Estonia, Lithuania and Latvia (3 countries) as “free”, Georgia, Moldova, Ukraine, Kyrgyzstan and Armenia (5 countries) as “partly free”, and Azerbaijan, Kazakhstan, Russia, Tajikistan, Belarus, Turkmenistan and Uzbekistan (7 countries) as “not free”. Therefore, it can be said that democracy in Estonia is strong and comparable to democracy in Austria and Malta.

**The public opposes lowering the voting age.** According to the results of the Gallup poll conducted by the Estonian daily newspaper Postimees on 13 June 2010, 78.9% of 3900 respondents opposed lowering the voting age. According to the results of the Gallup poll conducted by the same newspaper on 1 March 2012, 92.1% of 4600 respondents opposed lowering the voting age. According to the results of the poll conducted on 25 April 2012 in the TV programme "Foorum" broadcast on Estonia’s public service TV channel ETV, 9% of 788 respondents were in favour of lowering the voting age and 91% of the respondents were against it. According to the results of the telephone poll conducted on 28 May 2014 in the TV programme “Foorum” broadcast on ETV, 25.8% of 504 callers were in favour of lowering the voting age and 74.2% of the callers were against it. According to the results of the Gallup poll conducted by Postimees on 3 June 2014, 82% of 5600 respondents opposed lowering the voting age.

**ENL’s counterargument:** During our seven years of work we have come to the conclusion that the arguments presented by those who are sceptical about lowering the voting age can be scientifically refuted and the risks pointed out by sceptics can be mitigated by implementing various solutions. ENL has also proposed a risk mitigation plan. Opposition mostly results from the lack of knowledge about phenomena that accompany lowering the voting age. For example in May 2014, Tallinn City Youth Council took the position of being in favour of lowering the voting age after having familiarised themselves with the idea of it.
The sole aim of lowering the voting age is to reduce the number and it is done in haste.

**ENL’s counterargument:** We have stated consistently that the aim of lowering the voting age cannot simply be changing the number provided in law, but we are dealing with a more extensive civic educational change in our society. Therefore, we also have an official plan covering the changes that must accompany lowering the voting age from 18 to 16 for local government elections. The plan describes specific actions and reforms necessary for the implementation of these actions: the youth’s readiness to vote and motivation must be increased through the public; political propaganda must not be spread in schools; greater emphasis must be placed on topics important for the youth; the proportion of civic education in schools must be increased; special attention must be paid to the Russian-speaking youth.

Local governments, the Riigikogu and the European Parliament frequently make decisions that affect the youth. Does this mean that for example 12-year-old persons, too, should be given the right to vote?

**ENL’s counterargument:** Professor Anu Toots from Tallinn University has stated that 15-year-old persons are actually more mature than most adults. Therefore, the voting age could be lowered to 15 and if the results of studies prove that the same goes for persons younger than 15, the voting age could be even lower. However, there are currently no known studies stating that for example 12-year-old or 13-year-old persons are as mature as adults. But why 16? Because such practice has formed over time. The first countries to lower the voting age to 16 were Nicaragua in 1984 and Brazil in 1988. The first European territory where 16-year-old persons had the right to vote was Estonia. This was in 1990 when the election of the Congress of Estonia was held. Austria lowered the voting age to 16 in 2007 and Malta in 2013.

Parents’ decision on who to vote for is based on what is best for their family and this indirectly represents the voice of the youth.

**ENL’s counterargument:** The so-called family voting means that parents have as many additional votes as many children ineligible to vote they have. Today there are no countries where such system would be in effect. Therefore, it cannot be said that in today’s Estonia parents can make decisions on behalf of their children. According to legal theory, the right to vote is a person’s fundamental right which cannot be transferred to another person (for example from a parent to a child). As we are voting by secret ballot, we can never be certain that the decision made by the parent is the same decision that their child would have made. Thus, the voting choice made by each person is their own personal decision.
School management boards and teachers will have the opportunity to influence their students politically.

**ENL’s counterargument:** ENL has an officially approved plan covering the changes that must accompany lowering the voting age from 18 to 16 for local government elections. The plan describes specific actions and reforms necessary for the implementation of these actions, incl. 11 steps to solve the above-mentioned problem. It is necessary to change the approach to teaching, increase the political awareness of school management boards, teachers and students, and balance the principal-driven management structure of schools. Already today it is possible to influence students politically: most students turn 18 in the 11th grade. In addition, relevant cases are known: for example the situation described in the article entitled “Koolidirektori kabinetis käis valimispropaganda” (Political propaganda made in the headmaster’s office) published on 30 October 2013 in Postimees after the 2013 local government elections. Lowering the voting age and the accompanying changes make such cases more noticeable, and ENL has proposed specific changes in order to avoid such situations.

**Young persons tend to support extreme opinions and extremist political parties.**

**ENL’s counterargument:** ENL has organised the Shadow Elections project in Estonia. This means that the youth aged 13–17 can vote, but their votes do not count as real votes. In 2011, 2733 young persons participated in the simulation. The Estonian Reform party (Reformierakond) obtained 33.8% of the vote in simulated elections (28.6% in real elections), the Pro Patria and Res Publica Union (IRL) obtained 24.6% of the vote (20.5%), the Social Democratic Party (SDE) obtained 22.4% of the vote (17.1%), the Estonian Green Party (Eestimaa Rohelised) obtained 8.5% of the vote (3.8%), and the Estonian Centre Party (Keskerakond) obtained 5.4% of the vote (23.3%). In 2013, 2599 young persons participated in simulated elections. The nation-wide simulation produced the following results: IRL obtained 23% of the vote in simulated elections (17% in real elections), the Estonian Reform Party obtained 22% of the vote (14%), SDE obtained 16% of the vote (13%), and the Estonian Centre Party obtained 10% of the vote (32%). If we compare the results of both real elections to the results of simulated elections, we can see that in both cases the results of real and simulated elections roughly coincide, except for the small number of young persons supporting the Estonian Centre Party. However, none of the extremist parties were successful in simulated elections. In addition to the parties elected to parliament, only the Estonian Green Party passed the 5% electoral threshold in simulated elections. Even in theory, the
victory of extremist forces solely by means of the youth's votes is difficult to achieve, because there is only up to 3% of young persons aged 16–17 in every local government in Estonia. There are approximately 25 000 young persons aged 16–17 in Estonia, but the electoral threshold of the 2011 Riigikogu elections was approximately 29 000 votes.

The existence of youth councils is not an argument that would back up lowering the voting age, because the standard of local youth councils is uneven and in several places youth councils have been formed only recently.

**ENL’s counterargument:** Yes, the standard of participation councils really is uneven. However, the Youth Field Development Plan for 2014–2020 considers participation councils as a traditional form of participation, although the first participation council in Estonia – Kuressaare Youth Council – was established 16 years ago in 1998. ENL is of the opinion that lowering the voting age would strengthen participation councils: in respect of lowering the voting age, more attention must be paid on participation councils; thus, young persons aged 13–15 can act as activists or watchers in participation councils and thereby become knowledgeable about the aims and activities of local governments.