

STATES OF JERSEY

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PUBLIC ELECTIONS: REDUCTION IN VOTING AGE TO 16

**Lodged au Greffe on 15th May 2007
by the Deputy of Grouville**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to agree that the age at which people become entitled to vote in public elections be reduced from 18 years of age to 16 years of age; and
- (b) to charge the Privileges and Procedures Committee to bring to the Assembly for approval the necessary amendments to the Public Elections (Jersey) Law 2002 to give effect to this proposal in time for the 2008 senatorial election.

DEPUTY OF GROUVILLE

REPORT

The purpose of this proposition is to ask the States of Jersey to accept the principle that the age at which people can vote in public elections be reduced from 18 years of age to 16 years of age.

The case for bringing younger people into the democratic process is overwhelmingly positive. Having considered the issue in detail, and having regard for the falling levels of participation in elections, the question is not ‘why should we make this change?’, rather it is, ‘why didn’t we bring younger people into the electoral process a long time ago?’

In February 2006, the Isle of Man legislature, the House of Keys, considered this same question. After an interesting debate, the amendment to bring the voting age down to 16 was carried overwhelmingly with 19 vote in favour and 4 against. Like Jersey, the Isle of Man is a small jurisdiction facing many of the same issues. I hope we too can recognise the vital importance of getting younger people involved in our democratic processes.

What is striking about this issue when considering it in depth, is just how weak and negative are the objections raised against giving the vote to 16 and 17 year olds, and how poor those objections seem when contrasted with the benefits. Those opposing the concept seem not to realise that most of their arguments for denying the vote to 16 and 17 year olds could apply equally to those over 18. There is also clearly a grave misconception that participative democracy is in rude health and working just fine as things are. Things are, clearly, not fine. The most cursory consideration of the workings of democracy, both here in Jersey and in the United Kingdom reveals a very worrying outlook. Plunging voter turn-outs, public disengagement from broad political debates with meaningful engagement only occurring on ‘single-issue’ campaigns, a political apparatus that has largely fallen into utter contempt in the eyes of many people and the commonly expressed feelings of irrelevance and powerlessness which alienate the public from the apparatus of democracy.

When one reflects on the centuries of struggle that have brought us to the freedoms we enjoy today, on the civil campaigns, the savage wars, the personal sacrifices and the countless deaths – is it not tragic that a liberty so hard-won – the right to decide who governs us – should be seen by so many people as both ineffectual and irrelevant?

We have a duty to do all we can to enhance and re-state the hard-won importance of participative democracy. Given this imperative, those who oppose the proposal would have to evince some profound reasons for *not* taking this step to bring more people at a younger age into the democratic process.

I do not claim that giving the vote to those aged 16 and above is some kind of panacea for the all stagnations that afflict democracy in the 21st century. What I do claim is that it is surely one of the most obvious and significant steps we could take to revitalise interest and participation in elections. Young people are the future – and they have the greatest stake in that future. None of the negative arguments commonly used against their involvement in my opinion, outweigh the positive benefits of giving younger people a real voice in society.

It has been said to me “why should we contemplate giving the vote to 16 year olds?” This is the wrong question. Upon consideration of the issues, the question instead becomes “why do we *deny* 16 and 17 year olds the right to vote?” The range and seriousness of responsibilities that can, and often do, fall upon the shoulders of 16 and 17 year olds is large. In countless ways the decisions of governments can have a very serious bearing on the lives and circumstances of the young. Why does society then deny them the right of democratic participation?

When considering the range of responsibilities and obligations that come into effect, and the life-changing decisions that can be lawfully made by a person at the age of 16, it is clear that the burden of proof in this debate must lay with those who would *prevent* younger people from voting. Consider these facts.

Age 16, people can lawfully engage in sexual intercourse, regardless of sexuality.

Age 16, people can get married.

Age 16, people can become parents.

Age 16, people have to pay tax, if eligible to do so.

Age 16, people have to pay Social Security contributions, if eligible to do so.

Age 16, people can join Her Majesty's armed forces.

These facts alone should be sufficient to demonstrate the legitimacy of 16 year olds being able to vote.

My fellow ESC Assistant Minister, Deputy Ben Fox and I have taken the opportunity to visit the Island's secondary schools we were invited to, to speak with young people in order to learn their opinions on the subject of voting age. We had many lively debates within year groups, usually concluding with a straw poll on the question of reducing voting age to 16. Here are the results of those votes:

School	For votes at 16	Against
Le Rocquier year 11	87%	13%
Haute Vallée year 11	75%	25%
JCG year 11	55%	45%
JCG year 8	63%	37%
Hautlieu year 12	96%	4%
Victoria College year 10	71%	29%

One can see from these figures that young people *are* interested in engaging with the electoral process when given encouragement and their views listened to. But there is no escaping the serious challenge we face. It is clear that the States has failed to reach out to young people. As a result, it appears that each generation has less and less knowledge of our particular system of government. Jersey has had an influx of a diverse and hard-working population in recent decades. Some parents have for their own reasons not learned how the political system works. There is a lack of knowledge in this area and therefore little of local politics is passed down from generation to generation. For example, at one school, 200 pupils were asked if they knew the name of their Constable, Deputies and Senators. Of the 200, 5 knew who their parish Constable was, 3 knew who their Deputy was, and one knew the names of some Senators. The only responsible reaction we can have to such findings is one of concern. If we want to encourage meaningful interest and involvement in civil society amongst future generations, then the onus is upon us. It is our responsibility to try and bridge the gap. We cannot continue to bemoan falling interest in elections whilst failing to enable participation. With these rights must come education and I am very happy to have been associated with ESC's recently launched Citizenship Programme. This will put learning about Jersey, our history, politics, economy, environment and systems on to the local curriculum. Giving young people the vote at 16 will also give greater purpose to some elements of these Citizenship lessons.

One hears much criticism of young people from different quarters. My experience is that the young people of Jersey are a great credit to themselves and our Island community. These are people who are enthusiastic, intelligent, interested and vibrant. We *need* these young people involved in our democracy if it is to remain healthy and credible. We should be asking and encouraging them to become involved because society needs them.

A strong argument for bringing this right to our 16 and 17 years olds when, the U.K. as yet, has not adopted such a benefit, is because approximately 45% of our students leave the Island at 18 to go on to Higher Education. 62% of these people return to the Island within 10 years, many of whom have never voted in the Island of their home. Many of whom never take up their right because they return still not engaged in the system and/or because they feel intimidated about going into a polling booth for the first time in their late twenties or early thirties.

To change the law to lower the voting age to 16 could, at this point in time, bring a further 2,000 people – give or take 200 – onto the electoral role.

Notwithstanding the great benefits to society of enfranchising younger people, there are a number of commonly used arguments against giving the vote to those aged 16 and 17. Whilst some of these may appear plausible when first considered, the weakness of such arguments is exposed by close analysis. The following paragraphs consider some of these arguments.

- “16 year olds are not knowledgeable or educated enough to be given the vote.”

If this argument carried any legitimacy – which it most certainly does not – it could hypothetically be used as an argument by a tyrannical government to prevent a substantial number of the *adult* population from voting. If questioned, what percentage of 30, 40 or 50 year olds would be able to display a detailed knowledge and understanding of economics, fiscal policy, foreign affairs, demographics, planning law or criminal justice policies?

If knowledge and experience were to be the qualifications for the right to vote, those who oppose enfranchising 16 year olds would, to be consistent, surely require every person to sit an examination before admitting them to the electoral role. Those who failed wouldn't be able to vote. This scenario is, of course, absurd.

And it is just as absurd an argument when used in an attempt to stop motivated and interested 16 and 17 year olds from voting.

In truth, the standard of education and academic qualification achieved by Jersey's young people is of an unprecedented high standard. Many 16 year olds could exhibit greater knowledge of certain subjects than members of this Assembly.

- “16 year olds could be subjected to pressure to vote in a particular way by parents.”

A very similar argument was used against giving women the vote. It was claimed they would be 'required' by their husbands to vote in a certain way. It was a weak argument then, as it is now. Of course it is possible for 'pressure' or outright coercion to be applied to any person – but this could theoretically happen quite regardless of age or gender. In mature democracies such practices are rare. And, of course, the privacy of the voting booth is a sanctuary in which one may make one's own confidential decision.

In any event, as anyone acquainted with the average teenager will know, the image of them obediently carrying out the commands of mum or dad is pretty implausible.

- “16 year olds aren't interested in voting.”

My personal research, and discussions with young people have shown this not to be the case.

It is argued that 16 and 17 year olds have little interest in politics and even if given the vote, would not exercise the right in great numbers. Even if this supposition were correct, in what way does the attitude of many older people differ? The abysmal turnout of voters in the U.K. is bad enough. Here in Jersey participation in elections is so low as to be near crisis point in many areas. The plain fact is vast numbers of adults choose not to vote. Whether people choose to exercise their right to vote is not dependant on age. As many 40 year olds, for example are 'not interested' in voting, we must conclude that any similar degree of apathy amongst the young cannot be a reason for preventing 16 year olds from voting. If it were, in all consistency, the state would adopt the same approach to older people.

When asking young people if they're interested in politics, many will say 'no' initially. It is certainly true that younger people share much of the alienation from the democratic process exhibited by older people. Indeed, it could be said that younger people feel even more irrelevant. It is, therefore, not uncommon for young people to dismiss engagement with democratic processes when first asked about their interest in politics. However, I have learnt from first-hand involvement that when you speak with young people, listen to their concerns, discuss the issues and explain how democracy can make their views relevant to those in power, they *do* become both

interested and willing to engage with the political process.

- “16 year olds aren’t mature enough.”

It is suggested by some that the age of 16 does not bring sufficient maturity or experience. Such an attitude is surely a subjective expression of prejudice that would not be tolerated elsewhere in society. Certainly, some 16 year old people will not have a great range of experiences. But this could be just as subjectively true of 25, 30 or 40 year olds. A thousand and one different factors contribute to a person’s knowledge gained in life. Why not say that only those who have experienced the effort needed to become ‘self-made’ financially should be allowed to vote? Perhaps only those who have suffered poverty? Or those who have had to pay tax for 10 years? Why not deny the right to vote to those who have been born into wealth? Could we not argue that they have insufficient ‘real world’ experience to cast a vote “wisely”? Clearly the argument has no legitimacy. People in all of their diversity of outlooks and experiences are able to vote and I would argue some 16 year olds have had to deal with and have had experienced many challenges by the age 16 and 17.

Having spoken with many young people in Island schools, I have been struck by the degree of knowledge and maturity displayed by many of them. Consider, for example, the maturity of those young people who participate in the Youth Assembly in this Chamber. Those who have listened to the Youth Assembly debates will know that many of these young people exhibit sufficient maturity to perform as well, if not better, than many of us.

- “16 and 17 year olds are deemed to need protecting from tobacco and alcohol.”

When researching this proposition, it was said to me that it was incompatible with the States of Jersey decision to raise the age at which tobacco products may be legally purchased from 16 to 18 years. On the one hand you don’t think 16 year olds should be able to buy cigarettes, but on the other hand you think it’s okay for them to vote.

To take this argument seriously, you would have to believe that entering a voting booth and writing an X on a piece of paper carried with it the same degree of hazard as engaging in an expensive, harmful and frequently terminal drug habit using a substance arguably more addictive than heroin.

In any event, the entire strand of argument which compares tobacco and alcohol consumption to voting is both diversionary and simply wrong. All tobacco consumption and all but moderate alcohol use is harmful. The ill-health effects of smoking can be devastating. Likewise, excessive alcohol consumption inflicts significant damage. The costs to society are tremendous, both in respect of law enforcement and human misery. Smoking and excessive alcohol consumption are harmful and negative activities. Voting, by way of contrast, is constructive and positive and not dangerous. Civic participation is beneficial to us all and we should be enabling the young to participate, not prohibiting them.

Summary

Participating in democracy is a good thing. It is positive, empowering, enabling and engaging; it is a communal right hard-won over many years. I’m sure we all care that democracy remains healthy. If we do, we must face the fact that already low levels of public interest in elections are falling yet and that this can only weaken the credibility and strength of our democratic culture. This being the case, the issue we face today is not *should* we give 16 year olds the right to vote; it is that *wemust* give 16 year olds the right to vote. What have we got to lose in asking young people to be more responsible and play an active part in the community in which they live?

Financial and manpower statement

Given the simplicity of amending the Public Elections (Jersey) Law 2002 to bring the age of entitlement to inclusion on the electoral register down from 18 to 16 years of age, there are no financial or manpower implications.