

Who Should Vote in America?

By Angela Valentin-Foucault

The New York Times featured a [story](#) on advocacy to lower the voting age to sixteen. Since we at 21CAR.org intend to comprehensively reform American democracy, this seems like a good opportunity to talk about the franchise. Who should have the right to vote, and who should not?



First, quick history. Expansion of the franchise seems inexorable: the withering of colonial-era religion-based restrictions, removal of property and tax requirements after the revolutionary war, white male suffrage consolidated in the Constitution, the post-Civil War fifteenth amendment promise of African-American voting rights, direct election of Senators and women's suffrage in the early twentieth century, outlawing the poll tax and extending the franchise to those eighteen and older fifty years later.

Except that's not the whole story. There were steps back as well, as states discriminated against vulnerable groups, at various times restricting (or even rescinding) the right to vote for black men, immigrants, women, ethnic minorities, "enemy aliens," and those convicted of a felony.



We now find ourselves in another heated debate over voting – restrictions, like Republican voter suppression efforts or the Supreme Court's decision to strike down the enforcement mechanisms in the Voting Rights Act, as well as possible expansions, like the bipartisan movement to repeal restrictions on convicted felons or lowering the voting age to sixteen.

Before I tell you what I think about lowering the voting age (no looking ahead), let's talk big picture.



If we were writing America's Constitution today, birthright/naturalization franchise would not be our only option. Perhaps, as in Robert Heinlein's [Starship Troopers](#), voting should be reserved for those who risk their lives in the military. Or in a broader version of earned-franchise, the right to vote would go to those who serve in the military or a national service program. We could institute a graduated-minimum age system for voting, parallel to the graduated-minimum age

system for federal candidates that already exists. Maybe we would exclude felons nationally, as some states do. Maybe we would institute a civics exam or a basic intelligence test.

Unlike some of my Rabble colleagues, I don't dismiss such ideas out of hand. The electorate has failed numerous times in vetting Presidential candidates, never more so than when a startling number of Americans thought a shambolic, orange-colored flim-flam artist would be a worthy successor to Washington, Lincoln, and the Roosevelts. Two and a half centuries after the birth of our Constitution, I think it appropriate to consider the merits of every possible voting reform.



But what is intriguing as a thought experiment is less palatable in the real world, where we know that some measures would be implemented in a discriminatory fashion. (See, for example, voter ID laws – warranted and appropriate in principle, but pursued most energetically by those whose chief interest is suppression of legitimate voters.)

A second example. Those convicted of murder, rape, violent hate crimes, public corruption or police brutality lose rights when they are incarcerated. I have no moral qualms if they also forfeit their right to vote. But someone incarcerated for a non-violent felony drug-use offense who is successfully rehabilitated? That's a harder case for me (even though my views on crime are, full disclosure, more draconian than the Rabble average).

The notion of a smarter electorate sounds nice, but a review of the racist implementation of "literacy tests" should give us pause. Limiting the franchise to veterans would likely change the mix of issues the federal government prioritizes and, since such a small proportion of Americans serve in the military or enroll in a national service program, it would be a stretch to claim it was still democratic.



Now for my personal views on voting by sixteen and seventeen-year-olds.

Since I don't hear much advocacy for voting by toddlers (and since we don't want our voting machines smeared with strained peas), I will start by presuming we all agree there should be some voting age minimum. A necessary consequence is that any age-limit will be arbitrary. There will be those too young who would otherwise be smart, careful, principled voters. And some eligible voters will be ignorant, hateful, or moronic. Sad, but inevitable in a representative democracy.

Second, we know a lot about how adolescents become happy and productive adults – biologically, sociologically, and pedagogically – and we know the process isn't substantially completed (if it ever is) until at least the mid-twenties. Eighteen is not the magic date on which maturity descends, but it does provide two more years for brains to develop, civic knowledge to be gained, and data for good decision-making acquired.

Third, because of the near-term certainty that sixteen and seventeen-year-old voters would skew Democratic, an effort to push such an amendment would be both doomed and unhelpfully divisive.

Finally, the age of eighteen is more important civically than either sixteen or twenty-one. Driving a car or drinking alcohol are not responsibilities of citizenship, as is being subject to selective service and the possibility of combat duty following military conscription. Military service members do deserve particular consideration in Constitutional arrangements, including the right to participate in the election of public officials who might send them to war.



Apologies, Gen Z. This might not be what some of you wanted to hear. Even if I am not persuaded by the arguments for a younger voting age, however, I strongly support your political activism.

America is in trouble. It needs you.

There are plenty of things you can do, as you approach voting age, to make America better. Learn all you can about American history – the bad (America’s “original sins,” unprincipled politicians, entrenched corruption) and the inspiring (heroism, sacrifice, social and political reform). Support reformers. Propose solutions. Subscribe to honest newspapers. Seek to persuade those who disagree with you. Protest in the street when that is useful. Believe that America’s best days are ahead, but understand that is not foreordained.

If you do those things, whether you decide to join 21CAR or not, you will be a Twenty-first Century American Revolutionary.

