



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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**SELECT COMMITTEE ON THE 2016 ACT ELECTION AND ELECTORAL ACT**

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**Submission 30**

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## **Inquiry into 2016 ACT Election and the Electoral Act**

### **Lowering the Voting Age**

I thank the Select Committee for the opportunity to comment on this issue. I wish to emphasise that this is a personal submission: the views in it do not necessarily represent the views of the Griffith Narrabundah Community Association, nor the Inner South Canberra Community Council, although I am connected to both organisations.

#### **Summary**

1. I am not aware of any widespread desire for a lowering of the voting age.
2. I recommend that the Government not proceed with any moves to lower the voting age
3. The Government should disregard attempt to change the franchise unless this is accompanied by a clear explanation of what is proposed, how it is to work, and how it will strengthen, not weaken, democracy in Australia

#### **Background**

Amongst the issues that the Select Committee has been charged to report on is the possibility that the voting age in the ACT might be lowered, presumably to 16 years of age. While one presumes that it is not proposed that children of the age of 10 or 12 be granted the vote, or whether such voting will be compulsory, voluntary, or only available to those that meet certain criteria is not specified. The Terms of Reference for the Inquiry do not go into any detail as to what might be proposed, beyond indicating the Committee is to make recommendations on, amongst other things, "lowering the voting age".

The Discussion Paper released by the Select Committee in April 2017 indicates that this matter is under consideration because the Legislative Assembly Standing Committee on Education, Training and Young People in 2007 considered the possibility of the establishment of a scheme which would allow extending the franchise to 16 and 17 year olds. The Committee recommended that the Government consider lowering the voting age before the end of 2010. The Government did not agree that the voting age should be changed, but agreed with the recommendation that the matter be looked at again at some future date.

Unfortunately the details of any such “scheme” remain unclear. Was the franchise to be extended to all youths in the ACT on their 16<sup>th</sup> birthday? Would eligible youth be compelled to enrol? Would enrolled youth be compelled to vote? Would 16 and 17 year olds be granted the other attributes and responsibilities of adulthood, or only the right to vote? Would this mean that two separate electoral rolls would have to be maintained for the ACT, one for Federal Elections, and one for Territory Elections? Who would pay for the establishment and maintenance of the separate Territory Roll, how much would this likely be, and from where should funding for this be diverted? The lack of detail suggests that the initial proposal had not been thoroughly thought through, and was more of the nature of an idle thought bubble.

### **Special Features of Australian Voting Arrangements**

Australian democracy appears at present to be travelling better than in some other countries, such as the USA, and the United Kingdom. One might reasonably ask why is this so? I believe that the answer lies with three features of the Australian voting system:

1. Universal Suffrage or Franchise;
2. Compulsory Voting; and
3. Preferential Voting

**Universal Adult Suffrage** means that once a person reaches adulthood they automatically obtain the right, and the responsibility, to vote. The sole relevant qualification is that one is an adult citizen, a full member of the community. The contrast in particular with the USA, where at least in some states in living memory significant barriers were put in place to prevent certain classes of citizens being able to vote, is quite sharp. Universal male suffrage was relatively rare when first adopted in the colonial period in Australia, with that other radical colonial invention, the “Australian” or Secret Ballot. Universal Adult Suffrage (including women) was introduced in Australia with Federation in 1901 and has now become widely accepted around the world as essential for true democracy. That said, a distressingly large effort is made in some countries to discourage or prohibit voting by certain sections of the community.

**Compulsory Voting** is a consequence of the belief that voting is not an optional activity, but a civic duty, like paying taxes, or serving when conscripted. This ensures that all voters take part in elections, and because of this, all parties have to aim their programs at the entire population, not just the dedicated few of party loyalists who, in the absence of compulsory voting, might bother to bestir themselves and go to the trouble of voting. This encourages parties to be always seeking to enlarge their potential support in the population at large, rather than just preaching to a hard core of rusted on supporters. Australia appears to be unique amongst the Anglophone countries in having compulsory voting.

**Preferential Voting** means that if no candidate gets a majority in an electorate, then voters get the chance to indicate a second choice. This leads to the (possibly strange) result that in many electorates, the successful candidate is not necessarily the one who gained the most first preference votes. In those electorates where there is a distribution of preferences (typically in about half of all electorates) the successful candidate will be the one that is least

disliked by the majority of voters. Again, this is a powerful (if not necessarily particularly obvious) incentive for candidates to avoid extremism and advocate policies likely to appeal to all voters, not only those they know will vote for them. Australia is alone amongst the Anglophone countries in using preferential voting, with most demonstrating a stubborn preference for first past the post, while New Zealand uses a strange mixed member proportional representation system.

These three features are all very important, if not essential, characteristics of the way Australian conduct their elections and significantly contribute to the effectiveness and stability of democracy here. Consequently any proposed change should be evaluated for its possible impact on any of these three.

### **Lowering the Voting Age**

Under our current voting arrangements, the Franchise (Right to Vote) comes with other attributes of adulthood on reaching the age of majority: – the right to sign contracts, be responsible for debts, choose sexual partners without restraint, pay taxes, purchase alcohol or cigarettes, serve on juries, be drafted. Any proposal to reduce the age of Suffrage below the current age of 18 must either propose to dissociate the right to vote from the other attributes of adulthood, or to reduce the age of majority below 18.

I am not aware of any widespread public demand to reduce the age of majority from where it is now. I am also not aware of much demand to lower the voting age while leaving the age of majority untouched. Of course, this could simply reflect the isolation of the mature aged. However, I confess that I find the idea of reducing the age of majority to 16, or 14, or 12 somewhat problematic. Part of the problem is that many arguments for lowering the age of majority (or just the age of suffrage) to 17 or 16 would also apply to lowering it to 14 and even 12. Surely not everyone at 12, or 14, or 16, wants to be, or has the capacity to be, a fully functional adult. How do we deal with this? Should the attributes of adulthood be imposed on all 16 year olds? Or only some 16 year olds, (and if so, how would decide which ones)? Or should we only impose the obligation to vote? Or should voting be an optional activity at this age?

In the discussion below, I will write about the proposal as if it had proposed that the voting age be lowered to 16. However, if you prefer, you can substitute 14, or some other, younger age.

As I understand it, the proposal to permit voting at 16 stems from the fact that many people become politically aware sometime during their later teenage years (part of the normal process of becoming adult) and a smaller proportion join a political party or pressure group. It is true that many of those that have been energised in this way take a greater interest in politics, and possibly know more about the mechanics of politics, than a proportion of adults.

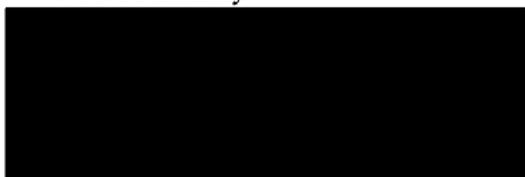
If voting at 16 optional, how will teenagers adjust to compulsory voting at age 18 when they reach their majority? Will this change to compulsory voting increase alienation from and confusions about politics? It would also raise the question that if optional voting is acceptable at some ages, why not at others? Would we be being inconsistent if we applied different rules to 16 and 17 year olds than other voters? It would seem that granting an optional vote to 16 year olds would dangerously undermine the justification for compulsory voting for those over 18. Would the alternative, compulsory voting for all 16 and 17 year olds, be acceptable? If a significant number of young people over 18 are alienated from politics, would imposing compulsory voting on a younger age group result in even greater alienation in the 16 and 17 year old group?

Does accepting the argument that the right to vote is somehow connected with interest in or knowledge of politics threaten a universal franchise? If 16 year olds get the vote because they are interested, should not 18 year olds and over lose the vote because they are not interested? If the franchise is based on knowledge about politics, who decides what knowledge is required, and whether a candidate's knowledge is adequate? Who are to be these guardians of the franchise, and how are they to be selected? And who would guard the guardians, and make sure they do not misuse their power? Any argument that make the right to vote dependent on some other property other than simply reaching the age of majority – interest in politics; knowledge, either general, or specifically of politics; experience of the world; education; income; assets – simply undermines universal suffrage.

It would consequently appear that any move to lower the voting age raises a large number of questions that would need to be answered before we could proceed. It may well act to weaken those specific and in two instances relatively rare features of the way voting is conducted in Australia, and which I at least believe has led to better government in Australia than at least some of the other Anglophone countries.

I would recommend that the Government not proceed with any moves to lower the voting age, or at least to wait until there is significant public pressure to extend the franchise, combined with a clear explanation of what is proposed, how it is to work, and how it will strengthen, not weaken, democracy in Australia.

Yours sincerely

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John Edquist

30 June 2017