

Summary: Arguments for Changing the Voting Age to 16 years

Voting age have been determined on the basis of the following factors:

1. The age of majority (age at which persons can make wills, marry without parental consent, enter into enforceable contracts, get a drivers licence, buy alcoholic drinks, age liable for military service).

16 year olds in South Africa may: possess a firearm, execute a will, marry without consent, get a drivers license; and 17 year old may in addition consent to medical surgery, sign up

for military conscription if you male and white, take out life insurance and apply for majority.

2. Ability to decide for themselves who should represent them. ignorance of the political system and ability to understand the significance of voting.

South African youth are known for their active participation in the struggle against apartheid from a very early age. By the ages of 15 and 16 most young people have acquired a view of the social and political world that is not much different from the perceptions and understanding of mature adults.

3. Physiological development of youth at that age: it is generally acceptable that maturity and development depends on a range of factors: levels of industrialisation, access

to education, family life, education, etc.

The concrete experience of South African youth must be the yard stick for their development and their ability to decide who best will improve this experience:

- between 3.5 and 5 million youth of schoolgoing age (7 - 16) are out of school
- every year close to 300 000 youth are added to the estimated 6 million non-literate
- only 20% of new job seekers find employment
- there are and have been 9 000 juveniles in prisons in 1992
- one out of every three pregnancies in SA is a teenage pregnancy (2-17 years)
- during the repressive 80's 40% (11 000) of all Emergency detainees were children, an estimated 318 were killed by the police during the same period.

4. Incorporating as many youth into the political processes. One reason for the lowering of the voting age to 18/21 in the West has been attempts to incorporate youth into the 'system' after the youth and student revolts of the 60s.

South African youth is a relatively politicized group and will seek other forms of expression if not incorporated into the mainstream. Also as a social group who has been most adversely affected by apartheid and whose future is not guaranteed even in a democracy, it is important that they are able to influence the policies of those in power, or

about to come in power to address their issues as a sector. Giving more of them the vote is one way of doing that. A ,\_ \_ -----

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The Voting age: debating the issues

IDraft for discussion1

The debate about changing the voting age has been introduced by the ANC Youth League, as an issue to be considered by the ANC and Other organisations, in particular the broader youth movement. This paper briefly seeks to outline the main motivations for and against lowering the voting age from 18 to 16 years.

1. Voting Age - background

1.1 Voting is restricted to 'adult persons', who are defined in most countries as persons of or over the age of 18 or 21 on the day of the election.

1.2 The voting rights in the 19 century were linked to property rights, the voting age was therefore link to the age of majority, the age at which people could make wills, enter into enforceable contracts and marry without parental consent. In the late Middle Ages in Europe, majority was fixed at 21. In England, for example, it had been 15, but was raised to 21 as the earliest age at which a man could wear a full set of armour and wield a sword. u)

1.3 In most countries the significance of majority has been steadily reduced as certain rights previously associated with it have been extended to minors (eg right to marriage without parental consent, enter into enforceable contracts, make a will etc).

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"e - 1.4 Besides majority, arguments on the voting age also rely on comparison with the various ages at which young people can be liable for military service, licensed to drive a car, free --

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to leave school, get married or buy alcoholic drinks.

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A strong justification for excluding the young from voting is lack of competence. It is argued, that though they are members of the community/citizens, they are not capable of deciding for themselves who should represent them and the form of government. This is because they have not developed sufficient rational ability and psychological maturity to plan their lives in advance and see the consequences of their decisions. They cannot judge where their interest lie and refer 3322:: Take a responsible of the various authorities 1.6 In addition to this general lack of responsibility, it is argued that the young also have a particular political incompetence, specifically relevant to the question of voting. They are ignorant of the political system and how it works, and are therefore unable to make an informed decision at an election, or even understand the significance of the act of I voting. a)

2. Role of youth in the political system

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2.1 Apart from the above reasons the voting age was lowered historically from 25 to 21/18 as a way of giving youth a 'stake in the system' following the youth and student revolts of the 60's. Extending formal political rights like the right to vote to an increasingly militant and anti-establishment younger generation, was seen as a way of channelling their K).

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i" 2.2 In South Africa, youth from a very early age have played a key role in the struggle against apartheid, and for the

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establishment of - a. non- racial, democratic order WL- To now - g\_\_n\_.2\_.deny\_ \_a section of the youth (16 and 17 year olds)" the right to participate in one of the most important events; the 1994 election to usher in the end of apartheid - is denying their : .2w-a.-n.contribution in making such an election possible in the first-i H

place.

2.3 South African youth is one of the sectors most affected by the legacy of apartheid, more so because they still have their entire lives ahead of them. Branded the so-called 'lost generation': unemployed, unskilled, little education, they have little hope for the future. That their needs will be catered for in a democratic South Africa, is not given a). If a larger segment of the youth have the right to vote, they can influence political parties to address their very specific needs, because they will be a bigger constituency to simply ignore. Extending the right to vote is a way of potentially increasing the power of a social sector who may be

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2.4 Lowering the voting age to give a larger segment of the youth a say, together with other steps such as 'the right to representation in the state and other structures' and an 'autonomous and representative structure of the youth' in our Youth Policy (n, will ensure that young people have a voice in the future of this country.

2.5 A popular argument against lowering the voting age to 16 is that this will be seen as political expediency on the part of the ANC, because it will too obviously increase its votes.

2.6 It is also said that persons of 16 years are too young to make informed political decisions, are open for manipulation and as examples once again are quoted the so-called 'lost generation' of the 80's who gave up school and made the country ungovernable, manipulated by politicians (m. Consideration should be given to whether persons of 16 are as open to undue influence as suggested. However, the interpretation of their participation in the 80's, depends on which side of the apartheid divide you stand and stood, and Mprogressive should not fall for such expedient arguments.

2.7 Another argument is right to stand for election forbid South Africa having a 16 year old as member of parliament, regional governor or even president! Apart from the fact that if the electorate consider a person suitable, they will vote or not vote for her/him of whatever age, there is not a lot of recent international examples of 18 year old presidents.

However, there are some from the Middle Ages: Joan van Arc was 17 when she took Orleans from the English, Ivan the Terrible was the same age when he commenced to make his name as the 'Terrible' and was crowned the czar of Russia, Edward the Black Prince was 16 when he triumphed at the Battle of Crécy.

2.8 Demographically South Africa has similar patterns as the rest of the Third World. A total of 18 million of South Africans are under the age of 19 (10). Youth and children therefore make up a large part of the population. This fact alone should necessitate a look at the issues of this section of the population, including their position as the future of the country.

3. The voting age and other rights

2.1 An important issue to consider is the extent to which the voting age is linked to maturity, the protection of children and

the protection of minors and the extension of rights.

2.2 The United Nations Juvenile Justice Principles, amongst others list the following as rights of juveniles: the right to legal protection, detention as a last resort, non-incarceration and the establishment of juvenile courts; the right to the welfare provided by the community/state.

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r otection against abuse and violence;  
8 protection in situations of war, and against  
military conscription before the age of 18,  
etc. (11)

2.3 However, the rights of juveniles/youth differs from  
country to country. For example, the age for marriage without  
consent from parents/guardians range from 12 to 21, in  
different countries, so does the age for majority, school  
leaving age where there is compulsory schooling, etc.

2.4 The age for rights and protection (majority) are  
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In South Africa there is a difference between voting age ( 8)  
and age of maturity (21), and no consistency with regards age  
and rights/protection.

2.5 To illustrate the point, a 16 year old in South Africa  
can have a licence to a firearm (a boy at 14), execute a will,  
get married without consent of the minister, and is criminally  
liable. If you are 17, you can sign up for military  
conscription (if you a boy and \_white), take out life  
insurance, consent to medical surgery and apply for majority  
if you are economically independent from your parents. an

2.6 And if your were a black 16 year old in the 1980's you  
were likely to be in detention without trial under the State  
of Emergency (an estimated 11 000 children or 40% of all  
detainees) or other 'unrest related' offenses (18 000 children  
were arrested and held awaiting trial in police cells), had  
your school occupied by soldiers, were subjected to torture,  
hshot at by soaiars ( at least 312 ochildren were killed by  
police in the 80's)\_or you were not\_staylhg at home\_and going

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to school because the security'forces were looking for yotho  
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a democratic dispensation should allow youth full protection and rights as human beings, and there should be no ambiguity about the purpose of their protection and the extent of their rights, as well as who decides about these rights.

### 3. Vbting age and Maturity

3.1 There are a number of theories about the psychological development and maturity of adolescents. What theorist agree upon, is that the psychological development of youth differ from society to society. because it dep

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factors such as - levels of industrialisation and urbanisation, access to education, family structures the traumas of war and violence, work, cultural attitudes, community life, demography of a country, etc, etc. (u)

3.2 There is a need to objectively look at how these factors manifest themselves in the South African context and the life experience of our youth. To mention but a few - in 1988 for drops out of school before completing standard 4 (13. In October this year it was reported Chi: there are close to 9 000 juvenile offenders in South African prisons (the Department of Prisons and Correctional Services disagreed with the figures, according to them there are only about 4 CCC juveniles in prisons!) H6L One out of every three pregnancies in South Africa is a teenage pregnancy uvu

3.3 Pronouncements about the need to protect the immature young against manipulation is good and well, but should take in consideration the very concrete life experience of this very 'immature' and young.

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3.4 Arguments of incompetence have obvious force when applied to infants and young children, who are still in the care of parents, teachers and other responsible and concerned adults, \_\_\_and-awho i'are largely unaware of MVgovernment and, its

significance. In the case of adolescents, the claims both of political incompetence and of general lack of responsibility are less compelling. By the age of 15 and 16 most young people mature adults.

#### 4. Conclusion

4.1 This paper argues for the voting age to be 16. This is an issue for debate in all sectors of the movement and in broader society. The ANC Youth League feel that it is an issue that should be most rigorously pursued by the youth of this country, who will be directly affected by whatever the outcome of the debate is.

#### Notes

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## Appendix A

Socio-Economic Situation of South African

Youth, some Statistics

October 1992

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1' 18 million South Africans are under 19 years (out of a total population of 35 million)

' 20% of the population are in the age group 16 - 24 years

2' 35% are in the age group 16 - 34 years

Economic

1' Per capita expenditure black and white child 1:4 (1989/1990)

3" Between 3.5 - 5 million children/youth of school age (7 - 16) are not in school (SAIRR research, July 1991)

' In 1990 the total number of school drop outs were estimated at 814 562 (10%) of the total of 7 298 107 pupils enrolled from Sub A to Std 10.

a' Every year, close to 300 000 youth are added to the conservative estimate

5 - 6 million non-white South Africans

Unemployment

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55% of the unemployed are under 29 years

:1 only 20% of new job seekers are able to find employment, the majority of whom are youth

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Prison

3'1 of the 96 540 persons in prisons daily, the majority are under 30

:1 there are an estimated 9 000 juveniles in prisons (1992)

Teenage pregnancy

1' one out of every three pregnancy in South Africa is a teenage pregnancy

(12 - 17 years)

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1' there are very little social services for black youth, who are also affected

by the general lack of services like hospitals, clinics, social workers, counselling

:ernccs unemployed benefit, etc

5 there is a general lack of sport and recreational facilities in most black townships and schools.

Sources

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