

# CHILDREN'S VOTING COLLOQUIUM

Testimony submitted to the Joint Committee on Election Laws  
In Support of [S.412](#) / [H.670](#) An Act enabling children's right to vote  
By Sonja Grover, Professor of Education, Lakehead University, Canada  
June 21, 2023

Chair Keenan, Chair Ryan, and members of the Joint Committee on Election Laws, I am Dr. Sonja Grover, Professor of Education at Lakehead University in Canada, and one of the Associate Editors of the *International Journal of Human Rights* I am pleased to offer testimony not as a representative of any organization but in my personal capacity. I offer this testimony **in support of S.412 / H.670 An Act enabling children's right to vote** and thank you for this opportunity .

I am author of the book published by Springer (2011) titled "*Young People's Human Rights and the Politics of Voting Age.*" I am co-author along with Robin Chen and Dr. John Wall of a paper that is forthcoming in the *International Journal of Children's Rights* titled "The Legal Case for Children's Right to Vote in the United States" and have published extensively on human rights issues in law and interdisciplinary human rights journals over the last twenty years.

I have also been discussing Under-18s' right to vote as part of the Children's Voting Colloquium since August 2020, when Robin invited me to join the listserv.

Respectfully, I would invite you to consider the following key but non-exhaustive relevant points in deliberating on **S.412 / H.670 An Act enabling children's right to vote**

1. Election laws in the United States (as in Canada) undemocratically apply a double standard when it comes to voting in regard to the issue of child enfranchisement, Adults are considered to have the right to vote as a matter of fundamental interest and basic human right grounded in constitutional and international human rights law. However, the voting rights matter as it concerns children is unjustifiably and without legal foundation viewed *in the first instance* as but a discretionary exclusively social policy issue. The problem is then not just how that social policy issue has consistently over the centuries been resolved in a manner adverse to the best interests of children but the very fact that it is *at the outset* framed as exclusively a social policy and not a human rights issue. See Grover, S (2011) *Young People's Human Rights and the Politics of Voting Age.*"

# CHILDREN'S VOTING COLLOQUIUM

2. As the vote is accessible to adults who are under guardianship in Massachusetts we can put the competency issue to one side as an improper alleged justification for denying minors the vote in the State of Massachusetts
3. Minors are, as with all other citizens, entitled to political and civil rights as a fundamental human right. In fact, freedom of expression through the vote is *not* constitutionally barred for minors in the US. Yet minors are stripped of yet another avenue for due process and equal treatment of and under the law. This through the denial of the vote via electoral law. Minors face significant barriers in advocating most powerfully and effectively for their own interests. This is the case as a consequence of (i) the denial of the vote to minors; (ii) their inability to bring a court challenge directly to court on public interest issues of deep concern and import for them as young people. (Instead, minors need someone accepted by the court as a proper litigation guardian in order to advocate for their interests through the courts) and (iii) the resistance of US courts to considering minors as a suspect (protected) class. The latter fact thus largely eliminates the legitimate human rights grounds for child court challenges to discriminatory practices such as the denial of the vote grounded on young age (see forthcoming in the *International Journal of Children's Rights* titled "The Legal Case for Children's Right to Vote in the United States")

Thus, children are disenfranchised through both the denial of the vote (via electoral law) but also via legal bars to easy access to the courts. In this way they are taught that they are in fact *not* considered fully part of the democracy and must, as in the decades past, depend on the charity of adults. That is; minors must depend on adults who too often are prepared to sacrifice the best interests of today's generation of children as well as future generations for short term political and economic gain. The end result of the denial of child suffrage is thus a further weakening of the children's joy of life, their resilience and hence of democracy itself.

I respectfully urge the Joint Committee on Election Laws to report **S.412 / H.670 An Act enabling children's right to vote** favorably and in a timely manner. Thank you for your consideration of my testimony .