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# Should Old Age Votes be Granted Less Weight?<sup>2</sup>

This paper explores two possible defences of age-adjusted voting weights in disfavour of older voters – or in favour of young ones. It first rejects two *prima facie* objections and then presents the idea of lifetime egalitarianism. It then presents and discusses two arguments: the “future residence” and the “differential lifetime” ones. It concludes that neither of them is conclusive.

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## Introduction

The vote is certainly a key element in a democracy. It raises a set of important issues such as defining who should be entitled to vote (Goodin, 2007; Arrhenius, 2018), deciding whether voting should be compulsory (Brennan & Hill, 2014), finding out whether and why it should be secret (Brennan & Pettit 1990; Gosseries & Parr, 2017), assessing whether we have good reasons to prohibit trade in voting rights (Freiman, 2014) or ascertaining whether it should be associated with expressing reasons (Van-damme, 2018). The question addressed in the present paper belongs to these voting-related issues. It has to do with the role (if any) that age should play in electoral systems. More specifically, it focuses on *old voters* – hence neither on *young* voters nor on *old representatives*. And it focuses on adjusting voting *weight*, which may differ from plain disenfranchisement.

There is a twofold motivation underlying this paper. On the one hand, concerns about the intergenerational legitimacy of electoral arrangements have been repeatedly expressed at the occasion of pension reform or Brexit, to take just two examples. In a world of overlapping generations, how should we handle policy decisions that will affect voters in the future over very different lapses of time? How much should our democratic rules adjust to the degree to which different generations endorse different views on such issues? And should it matter whether these differences (if any) can be analysed as involving age effects or cohort effects? To illustrate, if differential voting on Brexit resulted mainly from age effects, the now young may also have voted for Brexit when becoming older. Would that have changed our view about whether Brexit was decided in a democratically legitimate way or not? On the other hand, this paper also reflects a general effort at contributing to a general theory of the fair uses of age limits (if any), and of the normative specificity (if any) of the age criterion.

The paper is structured as follows. I first clear two possible objections that readers puzzled by the mere reading of the paper's title may have in mind (sect. 1). Readers familiar with these debates in political philosophy may skip this first section. Having shown that the two objections don't entail a negative answer to the title question from the outset, I present the idea of lifetime (or "entire life") egalitarianism (sect. 2). I do so because one of the purposes of this paper is to find out whether arguments for age-based voting weight differentiation necessarily rely on this lifetime egalitarian intuition. Sections 3 and 4 follow and are the heart of the paper. They explore two possible arguments for granting differential weight to the votes of elderly citizens. I show how the two arguments differ and explore each of them on their own merits. In section 5, I put the two arguments into perspective before concluding. Note that while aiming at rendering the paper relevant to the "boundary" and the "specialness of age" litera-

tures, I will also point here and there at links with disability issues, to contribute to our understanding of the age-disability link.

## 1. Disenfranchising the young and adjusted voting weights

A first possible reaction that this paper's title may arouse is "How could age-based differential treatment *ever* be justified?". This reaction might rest on the twofold assumption that any age-based differentiated practice involves *ageism* – whatever this means exactly –, and that ageism should be combatted in the same systematic way and for the same reasons as racism or sexism. Admittedly, one could reply that it remains an open question whether the best way of fighting racism involves going colour-blind, including rejecting any form of race-based affirmative action. For colour-based differential treatment could be justified in cases in which it promotes the interests of potential victims of racial discrimination. The same might hold for age.

Yet, I wish to approach the matter from a different angle. The fact that we are still relying extensively today on age categories may of course be read as a sign that we did not completely get rid of unreflective ageist mental and social structures inherited from the past. I suspect that there is some truth in this. However, we could alternatively and/or simultaneously read the widespread persistence of age criteria as a sign that there is something morally acceptable or even commendable in using age criteria in some cases. This paper follows such a line of investigation. It hypothesizes that the range of cases in which age criteria could be defensible is broader than for race and sex. The specifics of age may lead to normative implications that differ from those we should endorse for skin colour or sex – and their social relations "race" and "gender".

Among age specifics, we can stress that *our age constantly changes* across the course of our lives, in a manner that strongly differs from the way in which we may change e.g. our sex and/or gender. In addition, advancing in age implies the *passage of time*, which may in turn affect our abilities or worldviews through various processes that spread across time such as learning/unlearning or strengthening/weakening processes. Moreover, we can look into the extent to which age is a statistically more reliable *proxy variable* than e.g. skin colour or sex for predicting certain abilities. Whenever it is, we can evaluate whether such reliability results from *biological* and/or from *social* factors, and whether such factors have an impact on the moral acceptability of relying on age proxies (Gosseries, 2014). Finally, our current age tells us exactly *how many years we have had the chance to live* so far and may help us predict how many years we are still likely to live in the future. This matters e.g. if we care about fairness between long-lived and short-lived people.

These are a few ingredients of a possible general assessment of age criteria. The

idea is to bridge age-related *facts* with their possible *normative* implications. Whether age criteria are sometimes acceptable or desirable requires careful argument, with some degree of normative complexity. Yet, we can conclude at this stage that claiming that some age criteria may be acceptable or required is not self-evidently absurd. Of course, what I have said so far leaves things open as to whether we are talking about early, middle or advanced age, as to whether we are referring to favouring the old or the young, or as to which goods or services are being considered. For instance, some readers may be willing to use age for access to health care (Gosseries, 2020) while stressing that voting is special. Hence, they could object: “How could age-based differential weighting *in voting* ever be justified?”. This is the second initial objection that I wish to address here.

There are two ways of responding to this voting-focused objection, building on two observations. First, the disenfranchisement *of the young* is widely practised in democracies. This suggests that age could be relevant for voting. Second, *differential weighting in voting* on grounds *other than* age is also widely practised in democracies. This suggests that departures from a too simplistic interpretation of “one man, one vote” might make sense. Both practices suggest that there is potentially nothing extraordinary about the proposal under scrutiny, insofar as it involves age on the one hand and differential voting weights on the other. The widespread nature of disenfranchising children and teenagers and of relying on differential voting weights suggests that there might even be grounds supporting them. Let me briefly consider each of these two angles in turn.

On the disenfranchisement *of the young*, the assumption is usually that early in life, age correlates well with the lack of some key competences deemed necessary to understand the political environment in which one is supposed to cast a vote. In that sense, disenfranchising the young can be seen as an incomplete and approximative substitute to a literacy test, concerned with ensuring that political rights be exercised in a meaningful way. We could of course revisit this “age-political competence” link empirically (e.g. van Deth et al., 2011), ask whether it involves some degree of self-fulfilling prophecy – i.e. disenfranchisement being one of the *sources* of political incompetence –, consider whether it might be wise to render the age-based legal presumption of political incompetence rebuttable, discuss whether we should lower the minimum voting age (e.g. Chan & Clayton, 2008; Nelkin, 2020), argue on whether we should leave it untouched while granting extra rights to vote to their parents (Bennett, 2000) or explore whether we should limit compulsory voting to specific age groups (Van Parijs, 1998: 306).<sup>3</sup>

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<sup>3</sup> See e.g. art. 9, 1904 Election Act, Swiss Canton of Schaffhausen - Compulsory voting till the age of 65. Retrieved on March 4, 2021: <https://www.lexfind.ch/tolv/191521/de>

While non-competence-based arguments are possible (Angell, 2020: 130-131), the assumption of an “age-political competence” link plays a key role in justifying the disenfranchisement of the young. Moreover, a context in which mentally impaired citizens have (regained) the right to vote in certain jurisdictions (Beckman, 2007), renders the question of whether we should lower or even drop the lower voting age limit especially meaningful. However, a key point deserves emphasis here: *none* of the two justifications for granting a lesser voting weight *to the elderly* that I will be discussing below rest on the assumption of *declining cognitive abilities* at an advanced age. And yet, while not focusing on the (dis)ability aspect, this paper *is* relevant for disability studies in several ways. Let me mention two at this stage. First, it shows that reasons for disenfranchising the young that tend to be competence-related and reasons for granting less voting weight to the old may significantly differ in nature. Second, and more importantly, it stresses that one could defend age-adjusted voting weights “for” the old without endorsing the view that age significantly correlates with the ability to vote, at least insofar as cognitive competence is concerned.

Let me now move to the second way of responding to the objection to differential weight in voting. It points at the fact that non-age-based differential effective voting weights are widespread in electoral systems, and at the fact that such practices may be justified. Actually, understanding this second aspect is even more illuminating for the present paper than looking at the specifics of age-based disenfranchisement of the young. This is so because it reveals some reasons for differential voting weight that are not ability-based in the strict sense, which is key since our arguments below will *not* rest on the “age-political ability” nexus. Now, by way of illustration, in the 2019 European elections, while each Maltese MEP represented around 80.000 inhabitants, each German MEP represented more than 850.000 inhabitants. This roughly means that the effective voting power of each Maltese voter was more than 10 times larger than the one of a German voter.<sup>4</sup> This example leads to three questions.

First, is this a *widespread* phenomenon? The answer is “yes”. It has been traditionally salient in senatorial elections in bi-cameral systems and it still obtains in most electoral systems. Second, is this an *unavoidable* phenomenon? The demands of a strict “one man, one vote” are violated whenever we find ourselves in multiple-districts elections in which the territorially defined districts have different population sizes and in which they select a discrete number of representatives that have equal voting rights in parliament. In theory, we could engage in fine-grained re-districting with the goal of ending up with electoral constituencies of roughly equal population size. However, in real elections in which electoral districts often match historical territories and in which electoral populations fluctuate, this is hard to achieve. We could also

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<sup>4</sup> Apportionment in the European Union, Wikipedia.

adjust the voting weight of representatives themselves, to match the size of their electorate.

Hence, while it is certainly *possible* in theory to design electoral systems that reduce the effective voting weight differential, it is challenging to achieve it in practice. This leads to our third question: is it actually *desirable* to aim at cancelling out effective voting weight differentials? For while the idea of “one man, one vote” might be one attempt at encapsulating an important ideal of political equality, one may also consider other interpretations of the demands of political equality as well as other competing goals that a democracy may pursue. One may claim that democracy requires that we give extra weight to some votes *as a matter of political equality*. And one might alternatively claim that democracy requires that we give extra weight to some votes for the sake of ensuring the proper representation of the *diversity of interests or viewpoints*. These are two different intuitions.

The *first* intuition can reflect for instance the view that the best interpretation of the “one man one vote” philosophy is that one should have a voting right *proportional* to the degree to which one is potentially affected by decisions of the body we elect (Brighouse & Fleurbaey, 2010; Angell & Huseby, 2020). For instance, in several electoral systems, the electoral weight of non-resident citizens is typically lower than the electoral weight of resident citizens. One of the possible justifications is that they are less affected by the decisions back home (Lopez-Guerra, 2014: chap. 4). The *second* intuition reflects the idea that democracies are not only about aggregating votes, but also about deliberating on reasons offered by the different viewpoints of the electorate, through representatives. While ensuring gender parity among representatives can be read through the latter prism, the extra-weight of voters from smaller districts might actually be interpreted through both prisms (“equality as proportionality” and “diversity”). I am not claiming here that these matters are settled. I am simply saying that departures from “one person, one vote” are commonplace in our legal systems and that they are supported by *prima facie* plausible justifications.

To sum up, one should keep in mind three ideas. First, there are many contexts outside voting in which age criteria are used, some of which are often seen as *prima facie* acceptable or even desirable, especially when used at the disadvantage of the elderly in scarcity or zero-sum game contexts. Second, we do adjust voting weights to age in a radical way in most democratic countries, through reducing to zero the voting weight of those below a minimum age – typically 18. Third, the “one person, one vote” rule of thumb should be understood with care. There are various ways of interpreting its underlying logic, and there are various other goals that a democracy may pursue as well. In practice, there are different ways in which our electoral systems adjust voting weight to features other than age that depart from the “one person, one vote” slogan. This is relevant to the matter at hand.

## 2. Lifetime equality

As I said, resistance to adjusting voting weights on grounds of age may potentially come from a concern for political equality encapsulated in the “one person, one vote” slogan. Before proceeding with the vote-centred arguments, one more building block is needed, i.e. an understanding of the idea of *lifetime equality* (McKerlie, 2012). The latter implies that whether the demands of equality are met should not (merely) be assessed at a single point in time, in isolation from what happens at other points in time. Lifetime egalitarians claim that we should be concerned with equality over people’s entire lifetimes. We may want to give this concern a significant weight (moderate version), sometimes to the point that it may actually prevail over reducing period-specific inequalities (strong version). And we may even in the most radical version consider that spot inequalities don’t matter at all unless they lead to lifetime inequalities (Bou-Habib, 2011). Hereinafter, I will rely on the moderate version. The core intuition is that in assessing whether inequalities between two persons meet the demands of justice, we should ideally compare their entire lifetime opportunities, even if their lives are partly asynchronous. If done with a policy objective, such a comparison cannot simply be done retrospectively. Finding out whether generations are unequally treated will involve looking at their opportunities so far, as well as forecasting their respective futures. Note the difficulty of the exercise at hand: we need to compare two groups, one with a lot of its life behind and the other with a lot ahead. Hence, we are being asked to find out about inequalities between them, in a context in which we have a lot of (retrospective) information about one, and far less about the other. This is analogous to a situation in which we would be asked to assess inequalities between Hispanic Americans and African Americans in a world in which we would have a lot of information about the former group and very little about the latter.

There are three further important dimensions to keep in mind here. First, we have seen that the lifetime egalitarian intuition can come in various forms, ranging from the moderate to the radical one. Hence, there is no need to assume here that lifetime equality is the *only* dimension of equality that matters to egalitarians. We can perfectly hold the view that some concern for period-specific inequalities be reflected in the vote weighting we have in mind, or in any other policy under consideration. And I submit that the most defensible view on age will tend to be a dualist one, involving a lifetime intuition at its core together with other intuitions that go beyond the lifetime concern.

Second, it is key not to confuse the lifetime intuition with the *accomplished life* intuition (Wagland, 2012). The latter defends a specific way of connecting the lifetime

egalitarian intuition with age-based policy. It considers that, from a certain age onwards, we should assume that a person has had sufficient opportunities to accomplish the main things that a human life is meant to achieve. It may lead to the policy implication that beyond such an age threshold, the entitlement of elderly people – e.g. to access to health care – will be significantly lower than the one of people who haven't reached this age threshold yet. Yet, one may endorse the lifetime intuition without endorsing the accomplished life one and the discontinuity it involves.

Third, we should not reduce the lifetimetist intuition to a *longevitarian* one. The latter claims that longevity is one of the most precious goods and that what lifetime egalitarians should aim at is to equalize longevities in priority. While longevity is likely to matter for most lifetime egalitarians, we should not assume that going lifetimetist settles the matter as to whether equalizing longevities should be the central or even exclusive concern of lifetime egalitarians. How much longevity matters compared to other goods that render our lives valuable is a matter that is not automatically settled by the mere fact of endorsing lifetimetism. If we accept intensity-longevity (quality-quantity) trade-offs, we accept to exchange some longevity losses for gains in the quality of people's lives at specific moments in time. Longevitarianism is a claim that bears on how to handle such trade-offs.

Now, having specified some of lifetimetism's features, two further steps should still be completed. One needs a sense of how lifetimetism translates into age-differentiated policies. One also needs to say something on lifetimetism's potential implications for political rights (as opposed to e.g. health or labour rights).

Consider first the link between the lifetimetist intuition and age-based policy. We already pointed at two possible connections. An "accomplished life" understanding of lifetimetism may aim at setting an upper age threshold beyond which entitlements would more abruptly decline. A longevitarian understanding of lifetimetism may design age-based rights in order not to disadvantage those with a shorter life, typically through granting preferential rights to younger people. These two examples illustrate the following point: in addition to justifying forms of age-based differential treatment, lifetimetism will tend to privilege those that are *to the advantage of the young* – hence to the disadvantage of the elderly.

Another angle through which the connection between lifetimetism and age-based policy can be understood rests on a distinction between two lifetimetist defences of age-based policies: the neutralist and the affirmative one (Gosseries, 2014). According to the *neutralist* strategy, age-based measures are permissible as long as they *do not increase* unfairness – typically inequality – over lifetimes. For example, excluding young citizens from the right to vote or the right to work (through prohibiting child labour) will not be unfair if it does not lead to inequalities across generations over their lifetime. Note that the neutralist requirement is more often violated than we think. For



instance, differential longevity is such that age-based policy that disadvantages the young will also disadvantage the short-lived over their lifetime. Also, the fact that policies are not constant or that their effects are not constant through time either is such that age-based policies will more often than not violate the neutrality over entire lives requirement.

Be that as it may, the neutralist strategy differs from the *affirmative* strategy. The latter is not defensively claiming that age-based measures are permissible if they do not lead to unfairness over lifetime. Instead, it claims that some age-based measures are desirable or even required because of their ability to *reduce* inequalities over people's entire lives. Hence the claim of an affirmative lifetime egalitarian is not that such age-based measures are *not anisogenic* – i.e. they don't worsen inequalities. It is rather that these measures are actually *isogenic* – i.e. that they reduce inequalities. The challenge then consists in identifying which specific age-based measures tend to reduce lifetime inequalities. Measures that *increase* the rights of the young may do so. But we may not exclude the possibility that paternalistic impositions on the young such as prohibiting child labour and imposing early compulsory education might also reduce inequalities over lifetimes

As we said, one aspect to keep an eye on is whether the lifetime intuition plays a role in each of the *pro tanto* defences of lower weight for the elderly that will be discussed below. Whenever it does, the key question will be whether what we just discussed is as relevant for voting rights as it may be for e.g. education, labour, health care, insurance, housing or mobility policies. This is a complex question that depends on the very features of voting rights as a good and on the interaction between voting rights and other rights. Consider for instance freedom of expression. We could of course decide to reduce the freedom of expression of the elderly. And we could show that this may lead to equalizing the effective freedom of expression between short-lived and long-lived persons. However, we may nevertheless refuse to do so e.g. because of the priority of liberties over the equalization goal. At this stage, we cannot exclude that the same would hold for voting rights.

### 3. Age and future residence time

There is a variety of conceivable arguments to adjust the voting weight of the elderly downward – or the one of the young upward. The idea is not new and defences have been discussed in the literature (Van Parijs, 1998). Here, I want to contribute to this debate by focusing on *two* arguments for age-adjusted voting weights that I consider to have the strong *prima facie* plausibility, by examining them as *pro tanto* claims, and by bridging them with lifetimism. Let me present and assess each of them in turn, the second one being discussed in the next section.

Age can be related with residence in a place. Looking at how electoral systems tend to handle residence is therefore potentially relevant. On closer inspection, it turns out that there are *retrospective* and *prospective* ways in which we tend to render voting rights sensitive to residence, both being relevant to age. One of them adjusts the right to vote to *past residence* and the other to *future residence*. They are best illustrated by considering respectively the voting rights of *newly arrived residents* and those of *non-resident citizens*.

In the case of *newly arrived residents*, electoral systems typically impose a minimum residence time *before* individuals are entitled to vote, often independently from delays required to acquire citizenship. In such cases, I will assume that the measure does not primarily aim at predicting whether newly arrived residents are likely to stay in the future. Rather, I will assume that the measure rather reflects a concern for acquiring sufficient experience of the local life.

In contrast, in the case of *non-resident citizens*, granting them lesser voting rights has probably more to do with the idea that they are unlikely to be affected by future decisions than about the fact that they would not have been residents in the past. Of course, if we lowered voting weights progressively from the moment citizens left the country, we could be tracking both the degree to which they have lost contact with their country of origin and the probability that they may return in the near future, assuming here that the longer you have left the country, the less likely you are to return – admittedly a problematic assumption for emigrants that plan to return when they retire.

Hence, electoral systems adjust voting weights to past and future residence. While the former may to some extent be used to predict the latter, we can bracket their interconnection to focus on a normative issue: *should past residence matter more than future residence?* In other words, should a citizen who is about to move out on the day after election day have more voting weight than a person who just arrived on the day before election day? Answering this normative question requires a closer look at why residence matters. We could say that past residence tracks the extent to which one has been affected by state policies so far and that future residence tells us about the degree to which one is likely to be affected by the result of an election in the future. We can then ask in turn why “being affected” matters.

Consider three possible rationales for adjusting voting weights. First, if I am not affected by a policy, I lack the informal, *experiential knowledge* of what it entails concretely (*epistemic rationale*). Second, if I am not affected by a policy, I am less likely to *care* about this policy and to ensure that it is right (*motivational rationale*). Third, in the spirit of “no taxation without representation” and of Macpherson (1977)’s notion of “protective democracy”, if I am not affected by a policy, there is no need for society to shield me from it through granting me a say about it (*shielding rationale*).

One can then look at how these rationales interact with one another. There is a link between the epistemic and the shielding rationale. The former may stress the need to be properly informed in order to be able to adequately protect oneself. And yet, the epistemic rationale for adjusted weights does not need to be reduced to serving the shielding rationale.<sup>5</sup> If voting is not merely about protecting oneself against others but also about being given a chance to express one's view about the common good, being knowledgeable enhances our ability to formulate sound policy proposals adjusted to a plausible view of the common good. Moreover, there is a link between the motivational and the shielding rationales. If I am likely to suffer the adverse effects of a decision, I may care about it both for my own sake *and* for the sake of others, as in the case of an airplane pilot who is also a passenger on the plane. Hence, the motivational rationale is concerned about me not being too harsh on others while the shielding rationale is concerned about others not being too harsh on me. Finally, there is a link between the epistemic and the motivational rationale. If I care more, I may try harder to gain knowledge, and if I know more, I may also become more careful.

Hence, it is important not only to distinguish the retrospective view from the prospective view on residence, but also to remain aware of the complexity of our three interrelated rationales. And yet, separating out several rationales neither tells us which one should dominate, nor which one connects best with past or future residence. On the latter issue, here are a few conjectures. First, an epistemic rationale putting a stress on experiential knowledge would probably insist more on past residence than on future one. However, it could still give some importance to future residence to the degree to which caring will entail the willingness to gain non-experiential knowledge about the possible impact of policies. Second, if residence is primarily meant to track the motivational dimension, then future residence will matter more than past one, leaving aside the predictive value of past residence for future residence and the fact that past residence may generate attachment to a country. Similarly, the need to shield oneself from State policies is probably best tracked by future residence than by past residence.<sup>6</sup>

As a result, unless we give priority to experience and first-hand knowledge over knowledge acquired from others, over carefulness about the future and over the need to be shielded against future power, we can conclude that *future residence matters more than past residence*. This is a core claim of this section and one that could admittedly

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<sup>5</sup> Thanks to L. Beckman for pressing me on this.

<sup>6</sup> Some cases might be harder to interpret in this respect. For instance, citizens forced into economic or political *exile* by absurd labour policies, by restrictions of basic freedoms or by rule of law violations may *know a lot* and *care a great deal* about their home country and may definitely *need to be shielded*. But this case is less relevant to the comparison with age because there is no equivalent to the possibility of coming back home later on. See Lopez-Guerra (2014: 102-105). An additional complication is that non-resident citizens may also have an extra voting right in the country in which they reside.

be further explored and challenged. As a result, we could conclude that it is worse to delay the enfranchisement of newly arrived residents than to be quick at disenfranchising non-resident citizens. This probably also entails that *differences* in future residence time matter, even if it is unclear at this stage *how much* they should matter.

Now, what do these “residence-focused” considerations entail for age-differentiated voting weights? While age connects with residence time in both the prospective and the retrospective way, it does so in an inverse manner. Contrary to what often happens with actual residence, the stylized fact for age is that *the longer one has been present in the past, the shorter one is likely to remain present in the future*. We don’t live in a world in which we would typically *gain* additional life expectancy as we age - except perhaps for the very early stages of life that are less directly relevant for us here. Hence, in our world, if the purpose is to assign differential *voting* weights to different age groups, we need to *choose* between emphasizing past or future residence time. I defended the view that future residence time matters more for voting weights. As a result, younger voters should be given extra voting weight, which can be achieved through lessening the voting weight of the elderly.

This is what the logic underlying residence-sensitive voting weights may suggest for age-sensitive voting weights. From a dis/inability perspective, two points are worth stressing. First, the “future residence” (or “remaining residence”) argument for lesser weight to elderly voters *does not* rest on any assumption about their lesser *cognitive ability to vote while alive*. Hence, it does not involve dementia- or Alzheimer-related types of concerns. Admittedly, the motivational rationale may suggest the possibility of a lesser willingness to inform oneself about the future as one gets older. But willingness and ability can be separated from one another to some extent. Second, the argument still rests on another assumption that can be phrased in “ability” terms, namely one about a differential *ability to remain alive* between young and old voters. In a sense, we are talking about a *physical* disability impacting on people’s right to vote here, which is surprising. We could claim that while youth disenfranchisement is generally grounded on a lack of (non-physical) political competence, the current argument, insofar as it builds on a concern for future “residence”, builds on a lesser physical ability to remain alive of elderly voters.

In addition, while the analogy with residence-sensitive voting rights provides useful insights on possible justifications for age-adjusted voting weights, neither does it tell us about the argument’s robustness against objections, nor does it give us a sense of the relative weight of the argument compared to other considerations. Let me signal two concerns in this respect.

A first concern is that future residence in a country and additional life expectancy may differ in their voluntariness. We may assume that mobility *roughly* tends to be

more *chosen* than longevity. This may partly explain why future-residence-based differential voting weights might look *less controversial* than additional-life-expectancy-based ones. This adds to the fact that giving no weight to non-residents would probably compare better with giving no voting weight to *dead* citizens rather than to old citizens who are still residing with us – with the caveat that the dead are unlikely to return as living voters at a later stage, contrary to some non-resident citizens.

The second concern is that there are other visible traits than age that strongly correlate with additional life expectancy. We know that women or members of socially advantaged “racial” groups tend to live longer lives (Van Parijs, 1998: 305). Following the residence-sensitive logic would entail granting differential voting weights at a given age on grounds of sex or skin colour. In fact, additional concerns - to which I return in section 5 - will clash with this residence-based argument.

## 4. The long-lived and the short-lived

Let me now move to another possible argument in support of a lesser weight for elderly votes. The “future residence” argument considered differences in remaining life expectancy at different ages. It did not need to assume any differences in life expectancy *at birth*. The present argument adds this dimension of differential longevity. The “differential longevity” story then works as follows. There are short-lived and long-lived people in society. While all old voters are long lived, some young voters will turn out to be short lived, without us being able to tell whom *ex ante*. Let me bracket the additional fact that longevity tends to correlate with wealth – poorer people are more often short-lived. Let me also leave aside the possibility of flexible voting, such as votes storable during one’s lifetime (Casella, 2011) or beyond (Mulgan, 2003), or the idea of a lifetime voting budget that would be less sensitive to differential longevity. Here, I assume instead that our right to vote is uniformly spread across elections and that the total amount of voting rights automatically adjusts to the length of our lives. Hence, the cumulated lifetime power of long-lived people is stronger than the one of short-lived people. Old voters, since they are long-lived, have cumulated more potential political influence than those who will never reach their age. Is it unjust? Does it justify adjusting voting weights?

Let me address the first question first. Is it potentially unjust that long-lived voters will have accumulated more voting power by the end of their life? Consider two possible comparisons: pension schemes and food aid programs. In a pension scheme, the younger you die, the smaller the cumulated amount of pension benefits you will get. If pension benefits were manna from heaven, this would *not* add further bad luck to the fact that someone died earlier. However, pension benefits are the fruit of contributory efforts, rather than the result of manna from heaven. And in this respect, even

if they are part of an insurance scheme, the fact of short-lived persons ending up with a less favourable ratio of benefits over contributions *adds* further bad luck to their shorter life.

Contrast this with food aid programs. Imagine two individuals both in need of food aid from age 50 onwards, one dying at the age of 60 and the other dying at the age of 70. The latter will end up having received more food than the former. Is this *adding* further bad luck to their longevity differential? I would say “no” in this case. Assuming here that food is only needed when I am alive, not getting food beyond my death does not make me worse off. Similarly, if we stress the shielding function of the right to vote, it is reasonable to assume that we only need the right to vote while alive (see however Mulgan, 2003). The contributory dimension does not seem to play the same role in food aid as it does in pension benefits, and voting rights are more like food aid in this respect.

As a result, if we agree that the lesser amount of cumulated voting power enjoyed by the short-lived matches their lesser need for voting power, the fact that voting power adjusts to longevity *does not worsen* the situation of the short lived, in comparison to the one of the long lived. It does not add insult to injury. Yet, this does not mean that granting extra voting weight to the short-lived while alive *could not improve* their situation. The issue of course is then whether it is defensible to compensate the short-lived for their bad luck, for instance through granting them extra voting power - rather than through granting them an extra amount of other goods or services such as cash or access to health care.

I stressed in our discussion on non-resident citizens that we frequently adjust voting power with the aim of ensuring sufficient presence of perspectives from all electoral districts or with the purpose of adjusting people’s voting weight to the degree to which they are likely to be affected by collective decisions. Here, we move one step further to something like “redistributive voting weights”. The idea is to use the vote as a commodity to compensate for disadvantage in another domain – here longevity. A related strategy could consist in slightly adjusting the number of representatives of a district to the average income of its constituents, the poorer the electorate, the more electorally powerful it would be. Hence, granting extra voting power to the short-lived through weakening the voting weight of the elderly would be an instance of a general strategy granting more voting weight to the least advantaged.

The idea of adjusting political rights to wealth in a redistributive manner is far from absurd. This is so if we consider the degree to which wealth acts as a source of political influence, and the fact that alternatives to redistributive voting weights, such as reducing wealth inequalities through taxation or preventing wealth inequalities from translating to unequal political influence (e.g. through regulating campaign finance) face significant feasibility constraints (Machin, 2013). However, it is less clear

in the case of long-lived vs. short-lived people whether a voter's longevity (as opposed to his wealth) is itself a *distinct* source of extra influence – even if we also know that seniority in political office may, if we keep in mind that longevity allows for the accumulation of wealth over time, and if we remember that initially wealthier people tend to be more long-lived.

I lack room here for a full argument that would account for what renders the right to vote special and whether extra votes could not be used to compensate for a shorter life. In a nutshell, I would conclude here with two ideas. First, the fact that cumulated voting power adjusts to longevity *does not add* further disadvantage to the bad luck of being short lived. Second, if alternative strategies are available to compensate the short-lived, and if being short-lived is not a significant and distinct source of lesser political influence, I would resist pursuing the aim of compensating the short-lived through adjusting voting weights to their advantage, rather than through other means. Hence, I would endorse a presumption against a redistributive “differential longevity” case for age-adjusted voting weights.

## 5. Self-respect, the lifetime view and age differences in voting

Let me now put the two arguments into perspective. I will first point at a tension between them. I will then look into the connections among voting, self-respect and the lifetime view. Finally, I will discuss the evidence-sensitivity of the “future residence” argument.

I first want to stress a tension between the “future residence” and the “differential longevity” arguments for age-adjusted voting weights. The former claims that the elderly should have less voting weight *because of* their lesser *future* exposure to political decisions. In contrast, the latter claims that the young (among which the short-lived are overrepresented) should have more voting weight *despite* the lesser *future* exposure of short-lived people to political decisions. While both arguments converge on the same policy, their underlying rationales clash. One cannot simultaneously claim that *greater* future exposure requires extra power today (“future residence” argument) and that *lesser* future exposure should not prevent extra power today (“differential longevity” argument). Hence, a defender of lesser voting weight for the elderly will at best have to choose between the two logics.

This tension between the “future residence” and the “differential longevity” arguments also translates into the way in which these two arguments connect with the issue of disability. As I said, none of the arguments discussed here are premised on connecting age with any *cognitive* inability. The “future-residence” argument anchors lesser voting weight in the *lesser ability to remain alive of the elderly*. In contrast, the

“differential longevity” argument grounds greater weight to the young in the fact that short-lived people are more represented among them than among the old. This means that the lower voting weight of the elderly is premised this time on a *lesser ability to remain alive of some of the young*. Hence, both arguments care about inequalities in ability to stay. And yet, in one case, the disability is associated with older voters while in the other case it is attached to some of the younger voters.

My second point is about people’s sense of exclusion and self-respect (see e.g. Eyal, 2005). The reason why we should be especially careful about adjusting voting weights is the sense of lesser worth that they may convey. Admittedly, we are not advocating plain disenfranchisement here. Yet, in our societies, elderly citizens already experience a sense of exclusion in respects other than voting, e.g. through having to end their life in care homes in a significant amount of cases. We need to ensure that the electoral system does not worsen that.

Admittedly, the idea of respect and self-respect may interact with the lifetime intuition. Lifetimists might object to a rejection of differential voting weights: not taking the lifetime dimension into consideration could lead to disrespect too. This can in turn affect the way in which people could build their self-respect as well as the relationships they have with one another. Hence, self-respect does not necessarily need to be interpreted from an instantaneous perspective. This means that if an argument for granting lower voting weight to the vote of the elderly were premised on a lifetimetist assumption, it could provide one reason to consider it compatible with – or even required by – the idea of self-respect (see as well Beitz, 1989: 94). The differential-longevity argument for lowering the elderly’s voting weight is necessarily premised on a lifetimetist intuition. Non-lifetimetist views seem unable to capture a concern for the short-lived. Yet, the differential longevity argument also happens to be the weakest of our two arguments above. What this means is that the compatibility with self-respect of the future residence argument cannot be grounded on a lifetimetist interpretation of respect and self-respect. I won’t dig deeper here. I would simply submit however that for the purposes of an all-things considered argument on age-adjusted voting weights, this dimension of self-respect is key and would constitute a core objection to such age-adjusted weights “against” the elderly (see as well Queralt & Gonzalez-Ricoy, 2020).

Let me then move to my last – and related – point. One would need to discuss whether people’s sense of self-respect should be taken as given or whether we should only consider reasonable grounds for lack of self-respect. Let us assume here though that the elderly’s sense of self-respect would be potentially under threat if we were to lower the weight of their vote. We may of course ask whether this concern for self-respect should not also have implications for the disenfranchisement of the young. In other words, if self-respect were to provide us with a sufficient reason for sticking to



a full voting weight for the elderly, we should explore what it entails for the issue of disenfranchising the young too. But what I would like to stress even further here is the following idea.

As there is a significant risk for self-respect, this risk should only be taken if we have reasons to believe that the differential in political views and behaviour between young and old *is significant* and *results from the right drivers*. Remember the point above about the incompatibility of the logics of the “future residence” and “differential longevity” arguments. Now, differences in political views and behaviours may result from a series of determinants that may include “generational” ones. And these can consist in period, age or cohort effects. Imagine that we find ourselves in a case in which age effects tend to dominate such differences. Imagine that when they will get older, the young will *change* preferences and may share the preferences of today’s old. For instance, consider a world in which the young tend to prefer a “defined contribution” (DC) pension schemes while the elderly consider “defined benefits” (DB) pension schemes more appropriate.

In such a case, we would face the following dilemma. On the one hand, if differences in views/behaviours were driven by age effects, it would be compatible with defending the “differential longevity” argument, since short-lived people will not live in the future by definition. Yet, this is the weakest of the two arguments. On the other hand, if differences are driven by age effects, it would be a problem for those defending the “future residence” argument. For if we want to track the long-term views of the young and if they happen to be driven by age effects, these views are likely to be closer in the future to those of the currently old. Hence, in such a setting, it is *reinforcing* rather than weakening the voting weight of the old that is likely to best track the future preferences of those who are currently young. The problem with age effects – contrary to cohort effects – is that they lead to preferences that are not necessarily consistent across time for a given individual. And that the currently old would in that case best track the future views of the young. Now, I am not saying that differences between the young and the old never involve period or cohort effects. I just want to stress how much the plausibility of our two arguments depends on empirical assumptions, not only about the magnitude of voting behaviour differences, but also about the causes of such differences. Sometimes, if we want to know what the young will want for their future, we should ask the currently old rather than the currently young.

## 6. Conclusion

This paper aimed at exploring whether there is a robust case for a downward adjustment of the voting weight of elderly citizens. I first rejected two preliminary objections. One stresses the problematic nature of any adjustment of our right to vote to the

age dimension. I challenged it through pointing at youth disenfranchisement. The other objection claims that any voting weight adjustment, be it based on age or on other grounds, is problematic. I indicated that voting weight adjustment is common practice in democracies and that there is a potentially strong case for it in some cases. In section 2, I provided the readers with basic tools to grasp the nature of the lifetime egalitarian intuition.

I then explored two arguments for age-adjusted voting weight. One connects age with future residence time and the other connects age with being short-lived or long-lived. While neither argument relies on any connection between age and cognitive disability, both connect age with the ability to remain alive. Also, while both arguments advocate a reduction in the voting weight of the elderly, they rely on logics that are mutually incompatible. In addition, while the differential longevity argument relies on a lifetimetist intuition, the future-residence one doesn't. Hence, the future-residence argument illustrates the possibility of an age-based measure that neither associates advanced age with cognitive disability, nor relies on the lifetimetist intuition.

I showed that the differential longevity argument faces a significant challenge. It could only work if redistribution between short-lived and long-lived people were best achieved through reallocating voting rights rather than other resources. In contrast, the future-residence-based argument seems more robust. And yet, in the end, it faces the objection from self-respect. I suggested that we should require that differential weights be implemented only if we have serious reasons to think that a significant differential in electoral behaviour across the ages obtains and if, in addition, such differences cannot be characterized as an age effect. Hence, the examination of these two *prima facie* arguments, which I consider among those potentially most able to justify lower weights for elder votes, indicates that we are far from a conclusive case to support such adjusted weights.

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