Ethics, Politics & Society
A Journal in Moral and Political Philosophy

POLITICAL INCLUSION AS A MEANS OF GENERATING JUSTICE FOR CHILDREN

A INCLUSÃO POLÍTICA COMO MEIO DE GERAR JUSTIÇA PARA AS CRIANÇAS

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Abstract. *In this article it is argued that the position of children can be improved by ensuring them political representation, through inclusion in democratic processes. Embedding children as equal participants in democratic processes is likely to diminish the structural disadvantages to which they are currently subjected within modern democracies. Political and social institutions will have greater incentives to act proactively to support children, and children will have the same ability as other citizens to express their approval or disapproval of public actions undertaken on their behalf. In a global environment still characterised primarily by independent nation states, democracies provide the most fertile ground for the generation of just institutions. Those institutions work best, for the most active participants in the democracy. Children are, in all states, expressly excluded from active political participation, and as such their voices, desires, needs and rights are marginalised. Political inclusion for children is a first step to address this marginalisation.*

Keywords: *enfranchisement; voting; democracy; justice; children.*

Sumário. *Neste artigo argumenta-se que a posição das crianças pode ser melhorada se lhes for concedida representação política, mediante a sua inclusão nos processos democráticos. A inclusão das crianças como participantes iguais nos processos democráticos provavelmente atenuará as desvantagens estruturais a que estão sujeitas nas democracias contemporâneas. As instituições políticas e sociais terão maiores incentivos para agir de forma proactiva no sentido de apoiar as crianças, e as crianças terão a mesma capacidade dos demais cidadãos para exprimirem a sua aprovação ou rejeição em relação às ações públicas realizadas em seu nome. Num ambiente global ainda caracterizado principalmente por estados-nação independentes, as democracias oferecem o solo mais fértil para a criação de instituições justas. Essas instituições funcionam primacialmente para os que mais participam na democracia. As crianças estão, em todos os estados, expressamente excluídas da participação política ativa, e, nessa medida, as suas*

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vozes, desejos, necessidades e direitos são marginalizados. A inclusão política das crianças é um primeiro passo para solucionar esta marginalização.

Palavras-chave: *emancipação; votação; democracia; justiça; crianças.*

0. Introduction

Each state within the global community is free to develop its own approach to the treatment of children. While members of the international community learn from each other regarding advancements in justice for children, the pace of improvement in the position of children has been slow. By comparison to the progress made in securing justice for women, persons with disabilities, or members of the LGBTQI+ community, the global position of children has remained stagnant. One partial explanation for the pace of change for children, is that the advocates for global justice for children are not children themselves. Unlike advocacy for global justice for the other groups mentioned above, advocacy for children is primarily enacted on behalf of children by others. This happens because children are, in all states, expressly excluded from active political participation (the primary expression of which is voting), and as such their voices, desires, needs and rights are marginalised. They cannot demand that governments heed their voices. An important feature of global advocacy for other groups is that evidence of the ability of the disadvantaged group is available. Women in Saudi Arabia can point to the successes of women elsewhere in articulating the flaws in the current Saudi Arabian regime. LGBTQI+ advocates in those states that discriminate against them, can make their case with reference to the situation in less discriminatory nations. Yet for children, regardless of the state, there remains widespread discrimination.

In this article, I first outline the present disadvantages children as a group face, and claim that in order to overcome these disadvantages, children need to be included in the political structures of societies. This must, given the current global structure, be done on a state by state basis. Those states which are early adopters of inclusive policies regarding political participation for young people will provide exemplars for others, gradually making the continued denial of rights to these children less and less tenable. By inclusion of children I mean, in this article, political representation, through inclusion in formal democratic

processes. In most states, the primary expression of this is voting. Allowing much younger children to vote will help lay the groundwork for the just treatment of children not only in the political domain, but also in the areas of social and civil rights. I then analyse the position of children with regard to both their democratic status and their degree of inclusion in modern societies. I present the case for the benefits arising from political inclusion, and I examine the comparisons between children and other disadvantaged groups. As Lecce claimed, "children's political disenfranchisement raises serious questions of justice that must be addressed rather than ignored" (Lecce, 2009, p. 133). Once children are embedded as equal participants in democratic processes, the structural disadvantages they are currently subject to within modern democracies will diminish. Political and social institutions will have greater incentives to act proactively to support children, and children will have the same ability as other citizens to express their approval or disapproval of public actions undertaken on their behalf.

I have elsewhere made the case that the exclusion of children from the franchise is unjustified, but in those articles, I have not been concerned with developing a positive account of the benefits to democracy and to children, that could be gained from their political inclusion. Rather, I had focused solely on the injustice of their exclusion (Munn, 2012a, 2012b, 2014). Here, while the injustice of the exclusion of children from the franchise remains important, I also explore the benefits of inclusion, as a means of further strengthening the case.

1. The Relative Position of Children

It is clear that children suffer more than the average citizen from a range of injustices. For example, if we consider poverty statistics, whether globally or within states, children are more likely to be impoverished than the average citizen is, and with that poverty comes a range of disadvantages in health and educational outcomes, as well as a diminution of future prospects. UNICEF (UNICEF, 2017) found that 19.5% of the world's children live in extreme poverty, compared to 9.2% of adults. Once we look at poverty more generally, UNICEF note that "[c]hildren represent half of the poor yet are just one third of the underlying population" (UNICEF, 2017) These global findings are reflected in

comparative poverty rates in most countries, with the OECD noting that '[r]elative poverty rates for children are higher than poverty rates for the total population in 28 of the 36 OECD member countries' (OECD, 2018). Similar data is available for other considerations. For example, public spending disproportionately goes to the elderly over the young, and in states such as the USA, the amount spent on young people is declining, with the 2018 Kids Share report noting that in the next ten years, "every major category of spending on children (health, education, income security, and so on) is projected to decline relative to GDP)" (Isaacs et al., 2018). This data provides evidence of direct injustices accruing to children while they are children. Children as a group are, then, particularly disadvantaged. Not only do they suffer from higher rates of poverty than the population as a whole, but poverty is linked to a range of other negative outcomes across the life (Chaudry & Wimer, 2016). There is now, as Schweiger notes, "overwhelming evidence that different forms of harm and hardship during childhood have long-lasting and severe consequences" (Schweiger, 2015, p. 88) which means that the hardships faced as a child undermine the wellbeing of the adult in the future. This ought to provide a strong incentive for society to reduce these hardships, but it has not yet come to pass. In short, injustice in childhood can prevent justice in adulthood. Schweiger claims, and is supported by the evidence of Chaudry and Wimer, that "childhood is a particular phase of development that has significant influence on the whole life course" (Schweiger, 2015, p. 87). Similarly, Bojer notes that "[c]hildren are not a separate group, but in a phase of life through which every single human being has to pass. Justice to children is therefore not justice to a particular, distinct portion of humanity, but justice to all" (Bojer, 2000, p. 26) If these claims are correct, then one obvious reason to take injustice for children seriously, is that it influences the likelihood of the adults they will become, leading good lives. So, in addition to the direct injustices described above, we have evidence of indirect injustices, accruing to children who suffer childhood disadvantage, once they become adults. I take it that both these types of injustice are concerning, and to be addressed.

So, we are in a situation where children, as a group, are disadvantaged by comparison to the general population. This is not, of course, a novel observation, but it illustrates a gap between rhetoric and action, one which our current

treatment of children only exacerbates. Nicola Ansell has claimed that "[i]f the lives of children and youth are to improve, political change is needed. Yet the widespread rhetorical support for children's issues rests on them being considered apolitical" (Ansell, 2004, p. 246). This recognises that, in most democracies, children are seen as a group to be dictated to, rather than consulted with, regarding what is best for them. If children are recognised as being political agents, it becomes much harder to justify the status quo in which we systematically exclude them from political participation.

2. Democracy, Inclusion and Children

It seems clear that our democratic institutions, as currently constituted, do not suffice to improve the lot of children. Children remain too likely to be living in poverty, and to suffer from a range of other disadvantages, both during childhood, and consequently through the remainder of their lives. This likelihood has not significantly changed, even while other identifiably disadvantaged groups have successfully argued for, and achieved, improvements in their wellbeing. I claim that meaningful political inclusion is an important tool for changing the position of groups in society for the better. While political inclusion does not in itself guarantee that one's situation will improve, the absence of political inclusion significantly undermines the motivation for government to assist the excluded group. It is easy to see how this undermining occurs. As Lansdown observed, "[m]uch of government policy impacts directly or indirectly on young people's lives, yet it is developed and delivered largely in ignorance of how it will affect the day-to-day lives of young people, their present and future well-being" (Lansdown, 2001, p. 6). When children are not politically included, and when consultation with them proceeds without an acknowledgement that the children being consulted in fact have the relevant knowledge that those consulting them lack, it ought not to surprise us that the outcomes of government policy are not ideal.

Democratic states provide the most fertile ground for the generation of just institutions, as, for all its failings, democracy serves to make the status of citizens a desideratum for the government of the state. However, the distribution of the

benefits of democratic institutions is unequal. These institutions work best, for those who are the most active participants in the democracy, and to be an active participant means, in the majority of cases, to be a voter. This is simply because extant democracies remain primarily aggregative. It is only through voting, whether in elections or referenda, that the will of the people directly controls the composition of the government, and it is through voting that voters may demonstrate their (dis)pleasure at the policies any particular government enacts. Deliberation is seldom (if ever) mandated in practice, and while there is important work being done on the potential advantages of deliberative systems of democracy, none of these systems are likely to be implemented soon. As such my assumption is that if the inclusion I am proposing occurs, it will do so within a broadly aggregative system, and as such, inclusion in the structures of voting is the most important consideration for the position of children.

The identifiable groups who vote in large numbers are more important targets for policy-makers and party strategists, than are those who seldom vote. Justice in political participation is improved by reducing inequalities in participation rates between groups within a state. Doing so provides governments with incentives to value the opinions, beliefs, goals and desires of members of these groups more equally. This description of justice through political equality does not, however, provide any succour for children. This is because children are, in all states, expressly excluded from formal political participation, and as such their voices, desires, needs and rights are marginalised. While children are usually entitled to participate in informal political engagements, such as the expression of political beliefs and preferences, in contexts such as schools, they are excluded from the methods which, quite literally, count. I will argue that political inclusion for children is a first step to address this marginalisation.

In this discussion I will assume that, in the states I am considering, there is for the other citizens a generally high level of justice available to them. That is, I am interested in, firstly, how children in developed democratic states can pursue justice, and secondly, in how the example of a just approach to children and childhood, embarked upon by these states, could serve as an example to other states which helps to guide their transition towards justness. By children in this context, I mean the group covered by the United Nations Convention on the

Rights of the Child, that is, all those under the age of eighteen (except where the age of majority is set lower than eighteen) (United Nations, 1989). Before continuing, I will examine both how to cash out the idea of inclusion for children, and the kinds of democratic state in which such inclusion should operate.

2.1. Inclusion

What does it mean to be politically included? In a deliberative democracy, being equitably part of the deliberative process which leads to political decisions would suffice. However, extant democracies are not deliberative, and so merely having a voice in public discussions and deliberations is insufficient to establish political inclusion. While there is a sense in which the presence of an NGO advocating for children's rights provides some formal representation of children's issues into the political domain, that NGO cannot vote in elections, and so under an aggregative system, no functional inclusion of children can arise in this manner. For better or worse, the democracies we currently have are aggregative, with the means of aggregation varying somewhat between systems. As such, meaningful political inclusion in these democracies is inextricably connected to voting rights.

Of course, such connection does not mean that the only way to include children is via giving them full voting rights. One could argue for proportional voting rights, such that the vote of a young child is worth some fraction of a full adult vote, and the fraction increases each cycle until it reaches a full vote at a time corresponding to the current age of majority (Rehfeld, 2011). Another option would be to grant proxy votes to parents or caregivers until such time as children reach the age of majority, thereby enabling their interests to be taken into consideration without burdening the child with the responsibility of voting (Wolf, Goldschmidt, & Petersen, 2015; Wall, 2014). I take it, however, that it is both simpler and more defensible to let children vote once they can competently do so (Munn, 2012b). Further, I believe that many very young children can do so, which means that the group excluded after accounting for capacity for political participation is relatively small (Munn, 2018). For those children in this remaining group, I believe that proxy votes are a better way to enable political inclusion than fractional votes, and that either would be superior to the status quo. This raises the issue, of why we ought not to resolve the inclusion of children

simply by granting all of them votes by proxy. Proxy voting would give political power to children, while not requiring states to engage in the determination of voting competence. However, such a resolution would not be defensible, as we already know that many children are capable of voting competently, so only allowing them to vote by proxy still entails an unjust treatment of them, by comparison to other citizens (Munn, 2018, p. 611). Inclusion is a means of satisfying particular rights (to political participation). It is also a formal recognition of certain capacities (again, the capacity for political participation). I am not arguing, here, for inclusion as a voter, irrespective of the capability to vote. But I am arguing that those without the capacity should nevertheless be recognized via proxy votes, as there is value to be gained via these children having a voice, even if they cannot exercise it themselves.

The preceding discussion makes it clear that my position re the inclusion of children is reliant on their capability for political engagement. Justice requires that a capable child be allowed to exercise that capacity, and exercising the capacity can only occur through formal inclusion as a voter. This aligns my approach with, amongst others, Dixon & Nussbaum, who claimed that "those interested in theorizing the entitlements of children should prefer the CA [to theories of the social contract]" (Dixon & Nussbaum, 2012, p. 553). Similarly, Schweiger and Graf (2016), and Graf, Schweiger, and Cabezas (2016), have developed capability-based accounts of justice for children. While my approach is similar to these, none of them argue for the inclusion of children in the manner I do. I will be utilising these accounts to ground both my claims that children suffer injustice, and that political inclusion provides a pathway to overcoming said injustice.

2.2. The Position of Children

Schweiger & Graf's account begins with a recognition that children are both vulnerable and dependent on others for their wellbeing and well-becoming (Schweiger & Graf, 2016, p. 103). It is through childhood that people develop the ability to be a well-rounded adult. They claim that a capability/functioning based approach to justice for children is appropriate, because focusing on capabilities and functionings enables us to monitor what children "are actually able to do and be" (Schweiger & Graf, 2016, p. 104). Such an approach is superior to a resource

based account, because resources are merely means to the end (well-being & well-becoming), and do not of themselves guarantee that children with them in fact have the capability to live well. Having set up the general account of capabilities/functionings, Schweiger & Graf argue that four such capabilities are particularly relevant to social justice for children, namely health, education, self-respect and inclusion. These four capabilities, they note, are commonly held by capability theorists to be intrinsically valuable elements of a good human life (Nussbaum, 2000; Sen, 1999; Alkire, 2002), and they all have instrumental value, in that access to health, education, self-respect and inclusion in childhood, and continued access to these things throughout one's life, helps the individual to achieve a range of other goods (Schweiger & Graf, 2016, p. 106). It should be noted that I, like Schweiger & Graf, take both capabilities and functionings to be relevant to children, and as such, I disagree with Anderson, who claims that "the relevant standard of justice [with respect to children] is in terms of functionings, not capabilities" (Anderson, 2010, p. 84). In this context, 'functionings' are the states of human beings and the things that those human beings do, while 'capabilities' are the (real) freedoms or opportunities to achieve functionings (Robeyns, 2016). Anderson takes functionings but not capabilities to be relevant to children as, on her account, "[c]hildren lack the autonomy to choose for themselves. Bare opportunities are of no value to children unless adults in their lives place them in those opportunities" (Anderson, 2010, p. 84). However, this is true, at best, for a small subset of children, and for particular capacities. As we are utilising the United Nations definition of a child, which covers all those aged under eighteen, it is clear that such a rejection is not tenable for everyone under consideration. Sixteen and seventeen year olds are widely held to be capable of autonomous choice. But the capacity for autonomous choice in many domains extends much further into childhood than has commonly been recognised. For example, many children, from ages as young as ten (or even lower, in certain circumstances) demonstrably have the autonomy to choose for themselves in making decisions regarding their own health, and this autonomy is recognised in law in those states which allow children to make decisions regarding medical treatment (Gillick v West Norfolk AHA, 1985). The *Gillick* standard specifically rejects the idea that a fixed age can be used as the sole determinant of competence in these cases. In such a case, justice for children consists in their capabilities

being recognised, and their being allowed to choose their own path to well-being. We can contrast this with the political case (paralleling, in this instance, the fourth central capability, inclusion). There are many children who have the ability and desire to make political decisions, and thereby to be politically included in the structure and governance of their state. However, none of these children are allowed to do so. The proposal is that those children with the functional ability to make political decisions, who are denied the capability to do so by (unjust) laws regarding the age of political majority, ought not to be so denied. I do not claim that lowering the voting age is sufficient to resolve the injustice, but as long as voting retains its centrality in political processes, lowering the voting age will significantly improve the lot of children.

Children are currently subject to a range of structural disadvantages, regardless of which state they live in. No country recognises the political capacity of all children (and most do not recognise any children as having the political capacity required to vote, while a small number of democracies allow older children, 16 & 17 years old, to do so). A similar (but less widespread) logic rejects the autonomy of children in medical decision-making, thereby subordinating their beliefs, desires and goals to those of their parents, or even completely rejecting the goals of the child. Simultaneously with this refusal to acknowledge the agency of the child in political and medical matters, most of these same countries ascribe criminal agency to children, making them eligible for criminal punishment for illegal behaviour while denying them access to civil, social and political goods (Melchiorre, 2004; UNICEF, 1998). This inconsistency in the attribution of agency generates a core injustice in society's treatment of children. For the moment, I am focused on the question of political participation, and the attribution of formal rights of political participation via voting in elections. I will assume that electoral inclusion is distinct from electoral compulsion, that is, that the voting system into which I argue we should incorporate children, is voluntary, and will not compel them to participate.

Schweiger and Graf focus on the functionings of health, education, self-respect and inclusion when discussing justice for children. They choose these capabilities/functionings as they are of "particular relevance to social justice for children" (Schweiger & Graf, 2016, p. 106). The failure of all democratic states to

enfranchise children clearly undermines both the self-respect and the inclusion of children, and it seems reasonable to believe that the exclusion of children from the franchise undermines their ability to argue for better health and education outcomes for themselves, and thereby puts the capabilities of children in both these respects at a disadvantage, comparative to the population as a whole. As Maura Priest argued, in making a more general point about disenfranchisement, "[e]xclusion from democratic decisions disrespects the judgment and worth of the excluded party" (Priest, 2016, p. 22). As it is for people in general, so it is for children. Children have no choice but to live within the state they reside in, and they are refused access to the primary means of influencing government – voting. Yet despite this, they are, as I noted earlier, compelled to follow the laws of the state. As Priest notes, "[i]t is hard to think of a more straightforward example of a democratic injustice" (Priest, 2016, p. 22).

So, children in states that we otherwise think of as exemplars of good governance are in a position of political impotence. They cannot directly participate in democratic processes. Those who can in theory advocate for their interests (parents, for example) are at best partially driven by the interests of the child, and must balance this against their own interests. This makes children functionally subjects rather than citizens. They are disenfranchised, and the political disenfranchisement of children is coupled with a rejection of the value of children's opinions, goals, and desires. I argue that one important vector through which to improve the global position of children is by ensuring them political representation, through inclusion in democratic processes from a young age. Once children are embedded as equal participants in democratic processes, we can hope to see the structural disadvantages they are currently subject to within modern democracies diminish. Political and social institutions will have greater incentives to act proactively to support children, and children will over time come to have the same ability as other citizens to express their approval or disapproval of public actions undertaken on their behalf.

3. The Benefits of Political Inclusion

The claim that individuals and groups benefit from political inclusion is not particularly controversial. While some have recently argued that democracy is not as beneficial as it has been thought to be (Brennan, 2016; Caplan, 2011; Guerrero, 2014), the dominant position within political theory remains pro-democracy. The benefits of democracy are seen in terms of justice: a more democratic society is, other things being equal, less prone to injustice, and more capable of correcting for injustices than a less democratic society. However, these benefits accrue unevenly to citizens within a democracy. The degree to which members of identifiable groups within society benefit from the institutions of that society is linked to their propensity to vote. So for example, we see a common pattern in advanced democratic states, in which spending on the elderly (the group most likely to vote) is higher than spending for other groups, and is much higher than the spending on children. In the EU, for example, the ratio of social spending on the elderly to social spending on the young remained at roughly three from 1990 until 2003 (Börsch-Supan, 2007). More recent data from the US and UK shows the issue remains. (Isaacs, 2009; Kelly, Lee, Sibieta, & Waters, 2018)

An interest in justice is therefore enhanced by having as inclusive a democracy as possible. As Iris Marion Young argues, "[n]ot only does the explicit inclusion of different groups in democratic discussion and decision-making increase the likelihood of promoting justice because the interests of all are taken into account. It also increases that likelihood by increasing the store of social knowledge available to participants" (Young, 2002, p. 83). While Young does not explicitly argue for the inclusion of children on grounds of justice, it is easy to extrapolate such a position from this claim. Children are not currently included in democratic decision-making, as they cannot vote (and inclusion without voting does not carry the same power as voting does). As children are not included, their interests are not (sufficiently) accounted for. This diminishes the likelihood that democratic decisions made by the state will promote justice for children. The argument runs similarly for the second advantage Young notes arising from broader inclusion: while children are excluded, the social knowledge of childhood that is considered is only the remembered knowledge of adults; the things they think they wanted (or should have wanted), when they were children. When

children are included, then the things children actually want, must be taken more seriously by the state.

This expansion of Young's position links Young's arguments to those considered by Dixon & Nussbaum, who in considering the political inclusion of children noted that "[a]nother potential reason for children to be granted the right to vote, for example, is that it may help overcome a systematic failure by democratic policy makers, in a particular national context, to pay attention to the needs and interests of children" (Dixon & Nussbaum, 2012, fn.565). Currently, all democratic contexts have this problematic feature, because no democratic context is one in which children have equal rights to political participation. As such, there is potential for the improvement of global justice for children through the institution in any particular context of equal political participation for children – the state which did this would be an exemplar, whether of the risks or the benefits of inclusion. For reasons I have discussed elsewhere, at length, I am convinced that the result of such a move towards the inclusion of the young would be beneficial, not just for the children who are enfranchised, but for the democracy which enfranchises them, and for the other citizens within that democracy (Munn, 2012a, 2012b, 2014, 2018). This is because democratic participation is a means to a range of positive ends, or, as Lansdown puts it, "democratic participation is not just an end in itself. It is also a **procedural** right through which to realize other rights, achieve justice, influence outcomes and expose abuses of power" (Lansdown, 2004, p. 5).

I have so far considered the benefits of political inclusion generally. Now, I return to the four capabilities put forward by Schweiger & Graf as fundamentally important to justice for children: health, education, self-respect and inclusion (Schweiger & Graf, 2016). Political inclusion of children recognises their capacity as citizens, and grants them a status equivalent to other citizens within the state. While no children are currently included in such a manner, many children ought to be. The requirements for demonstrated capacity amongst adult citizens are minimal, so it should not be controversial that many currently excluded children in fact have the capability to act as electors. For younger children, who may not yet have the capability, the promise of political inclusion once they have demonstrated capability links back to the role of education. By this I mean just

that if we take education of young children seriously, we can hasten their development into active citizens, who we are required to include in political decision-making. It also seems clear that the role of the state in supporting children's self-respect is enhanced by granting them political inclusion, as doing so entails a recognition on the part of the state of the child as a citizen proper, not merely a subject or citizen-in-waiting. Children's health and education are not as directly tied to their political inclusion, but the path from inclusion to better health and educational outcomes is straightforward. Other things being equal, outcomes improve as more is spent in these areas (particularly when the base levels of spending are comparatively low). Currently, spending on things which directly benefit health and educational outcomes for children is lower than spending in other areas, and it does not seem too cynical to attribute some part of the justification for this to children's current lack of democratic power. As such, the cost to governments of lowering expenditures in these areas is minor, compared to the cost of, for example, lowering spending on health outcomes for the elderly. Similarly, the benefit to governments is comparatively low, as their actions cannot be rewarded with votes. Including children in the political system makes improving these outcomes more politically salient for states.

I have to this point focused on the position of children within states, and the states I have considered have been well-functioning democracies, wherein comparatively high levels of social justice already obtain. There remains the question of how I expect the transition from justice within these states to global justice, to occur. Unfortunately, I expect it to occur slowly and incrementally, and these expectations are generated by the same considerations which make me think that children can learn from women, ethnic minorities, and the LGBTQI+ community. Many children already have the capacity for political agency, and many who do not currently have that capacity will attain it years before they are, under the status quo, politically included. That is, it takes a long time for historical injustice to be overcome. The effects of historical injustice are still felt by members of the aforementioned groups, and will be felt for some time to come. But democratic states, when they include members of these groups, provide an example to other states of the good that comes from reducing injustice. As more states enfranchised women, and as the position of women within states that had enfranchised them improved, it became harder for recalcitrant states to continue

their unjust discrimination against women. The last holdouts, such as Saudi Arabia, have finally begun gradually dismantling the barriers to the political, social and civil inclusion of women. Children face a very different position, in that the first hesitant steps towards inclusion have been taken comparatively recently, by states such as Austria, which lowered the voting age to 16 in 2007 (Wagner, Johann, & Kritzinger, 2012). This is a much more incremental change than was the enfranchisement of women, as it only extends political inclusion to a small group of children, and Austria's move has not yet been followed by many other democracies. However, if the pattern for children follows the pattern for other groups, we should see children become better off in states which include them, and the social, civil and political injustices children currently face will slowly diminish as they are recognised and treated as full participants in their societies.

4. Comparing Children with Other Groups

Political rights contribute to the development of just societies. Children are, as detailed above, an example of a group that is, globally, particularly disadvantaged. As Nicola Ansell notes, "[y]oung people have thus far been given little opportunity to participate in areas that really make a difference" (Ansell, 2004, p. 245). There are injustices shared by all members of the group 'children', globally, which are not shared by all members of other globally distributed groups. For example, while some states restrict political participation for those with cognitive disabilities, *all* states do so for children. While some states impose legal inequalities on women or members of the LGBTQI+ community, *all* states do so for children. Considerations like this led Bojer to claim that "[c]hildren may well be considered the weakest group in society, the group most unconditionally dependent on the goodwill of others. The group "children" is therefore a strong candidate for the position of the least advantaged…" (Bojer, 2000, p. 35). In attempting to redress this imbalance, it is useful to look at what comparisons can be drawn between children and these other identifiable groups, both to learn what works in the argument for inclusion, and to learn what to avoid. After all, as Reynolds points out, "[w]omen, LGBT people, young people, and the disabled share political interests within their respective "groups," but they are fragmented geographically, ethnically, and often ideologically" (Reynolds, 2013, p. 271). This

suggests that children share similarities with and can learn from the experiences of these other groups.

A starting point for the examination of the benefits arising from political inclusion is to examine other groups who have gained political inclusion, whether as members of the voting public (the first step) or via representation in parliament. If there are identifiable benefits accruing to these other groups, and those benefits are appropriately linked with political inclusion, the existence of these benefits provides evidence that inclusion works to generate justice. Examples of such groups are not difficult to find. We have evidence from the inclusion of a range of other marginalised groups in society that the fact of political inclusion is important in the improvement of the social status of the group. As Reynolds notes, the literature on the benefits accruing to women and ethnic minorities from political inclusion (both as electors and as elected representatives) is well established, and the same patterns appear to be present more recently for the LGBTQI+ community, for whom increased representation is linked to the adoption of policies beneficial to members of the LGBTQI+ community (Reynolds, 2013, p. 264).

One might object that there is an important difference between the current global position of children, and that of the other groups just mentioned. That is, that for women, ethnic minorities and the LGBTQI+ community, the battle to be allowed to participate as an elector has been won for many years, and the current battleground is for appropriate levels of representation among the elected officials of governments. By contrast, children have not yet achieved the right to act as electors, let alone to stand for election. However, I do not believe this difference to be material to the matter at hand. Women, ethnic minorities, and the LGBTQI+ community all had to gain the right to act as electors before it was possible for them to be elected (although, for LGBTQI+ people, the relevant consideration was often whether they were able to live as they wished openly or legally). Political inclusion via enfranchisement is a first step towards a society in which political representation is possible, and it is justice-enhancing insofar as it improves the lot of those enfranchised.

A second style of objection relies on the claim that there is some fundamental difference between children and the other groups I have been

discussing, such that we have reason to suspect that the positive examples of these other groups will not translate into similar outcomes for the young. This claim is that the position of children cannot reasonably be compared with the position of other groups subject to injustice. Dixon & Nussbaum object in this manner; they reject the comparison between children and women, claiming that the position of children is "utterly different from that of adult women", in that adult women suffer from an "artificially created infantilization" whereas children are in fact immature (Dixon & Nussbaum, 2012, p. 577). So, regarding political inclusion, women are politically mature but were treated as immature by the law when it excluded them from the franchise. By contrast, children, are and are treated as politically immature. However, this differentiation between the position of women and that of children only works if children are in fact politically immature. Not all of them are. So, in both cases, there is a wrong inflicted, of not having interests taken into account, and another wrong, present for many children, of being excluded from decision-making despite having the relevant competence for political agency. While this latter claim remains controversial, it has been widely defended in recent years (Munn, 2012a, 2012b, 2014; Umbers, 2018; Lau, 2012). A renewed defence here is beyond the scope of the present article. What matters is the capacity to engage in particular actions, and wrongness comes in not allowing people to do things they are capable of. Many children are being wronged just as women were (and in some instances, still are). Further, if we focus on justice rather than rights, and it is the case that the lack of rights (such as the right to political participation) undermines access to justice, then we have an independent reason to try to secure rights for the young, one in which the attribution of rights to the young has instrumental value in pursuit of justice. This alternative approach is present in Roche, who draws parallels between the inclusion of women and that of children, claiming that "just as women have altered understandings of citizenship and belonging, a politics inclusive of children will produce a further shift in understanding" (Roche, 1999, p. 482). While it might be objected, at this point, that children lack participatory capacity, such a claim is true for at best some young children, with many (teenagers, say) being clearly capable. Perhaps more importantly, it is not clear that the exclusion of children on the grounds of incapacity is defensible (Munn, 2018). However, this argument is more pertinent in the comparison between children and those

with intellectual disabilities, so I will discuss it below. Instead of focusing on the individuals being included, Roche's point is that the structure of our systems changes when different perspectives are included, especially when the experience of the new inclusions is different from that of the prior group. It is in this sense that I believe the comparison between women and children is relevant. How politics was conducted changed, once women were included. In its most obvious form, this came about because policies which privileged men over women suddenly appealed to a much smaller percentage of the voting public. As these policies became less successful, they were gradually replaced by policies which had wider appeal. The ability to be an active political participant made it easier for women to argue for and eventually to achieve a broad range of civil goals (Walby, 1992, pp. 90–91). The same could be true, perhaps not for very young children, but for many of them. Consider the force of the youth-led protests against climate change, the organisation and enactment of which clearly demonstrated the autonomous capacity of those involved. The ability to vote for these young people would I take it clearly have caused the protests to be more influential on political policy, as children who were entitled to vote could directly punish parties and candidates who opposed them.

Achieving political citizenship became one step women took towards full social and civil inclusion. As Roche notes, women had to gain political citizenship "before they could more substantially advance their social and civil citizenship claims" (Roche, 1999, p. 482). In the context of justice for children, the contexts in which injustice is most felt are social and civil, and it seems plausible that their path to justice could parallel that of women – first, to gain a political voice, and then, to use that voice to draw attention to, and eventually to reduce (and hopefully, eventually, to eliminate) the present injustices. Williams said that "if women enter environments where men have only been talking to men, the conversation is bound to change. If blacks enter spaces where whites have only been talking to other whites, the conversation is bound to grow somewhat more encompassing" (Williams, 1995, p. 93). To this, Roche adds that "the inclusion of children in such spaces and conversations would also change things" (Roche, 1999, p. 488). As I discussed earlier, things need changing. Children are disadvantaged compared to the population as a whole, even within otherwise relatively just states.

While Dixon & Nussbaum reject the comparison between children and women, they do point out that there are important similarities between the protection of children's rights and the protection of the rights of persons with intellectual disabilities. I would argue that these similarities extend beyond a focus on rights, to those duties of justice which we have towards children, and those with intellectual disabilities. An important and shared aspect of injustice, as faced by those with cognitive disabilities and by children, is that "they are also largely overlooked by theories of justice in the social contract tradition" (Dixon & Nussbaum, 2012, p. 562). Because neither the cognitively disabled nor the young fit the model commonly used in such a tradition, it is easy for their needs to go unconsidered. As such, a capabilities approach is valuable in the search for justice for children, just as it was for those with cognitive disabilities. Those children who in fact lack the capability for political participation ought to be assisted in having their needs and desires catered for in the same way as those with intellectual disabilities who lack the capability for political participation. But in neither case ought we to rush to the claim that these people cannot participate. We should do our utmost to offer them the chance to, and only when our efforts to include them fail ought we to seek other means.

5. Conclusion

Children, globally, are subject to significant political, social and civil injustice. In no democracy are children entitled to fully participate in political processes. Unless and until this situation is remedied, all children in democratic societies are denied access to an effective means of improving their social status. As I have argued, political inclusion provides a pathway towards civil and social inclusion, and children have an opportunity to follow the example of others who have gained political, social and civil recognition through arguing for political rights, and using those political rights to demand more equitable inclusion in civil society.

Any regime is just, only insofar as those subjected to it have an equal say in the decisions made by it. For all children, everywhere in the world, this ability to have an influence over their state is non-existent. So, for children, more so than

for any other identifiable group in society, there is no safe haven; no place wherein they can currently find justice. All states decide for them, and prevent them from exercising their rights as articulated in the United Nations Convention on the Rights of the Child. The continued political exclusion of children undermines the very possibility of achieving global justice for them, by preventing children from having due weight given to their views.[1]

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[1] The author would like to thank the editors and reviewers for helpful comments and criticism in the process of acceptance and publication, and for the translation of the abstract into Portuguese.

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