

The Minimum Legal Drinking Age Should Not Be Lowered

Teens at Risk, 2013

"Alcohol should be forbidden to 18- to 20-year-olds precisely because they have a propensity to binge drink whether the stuff is illegal or not."

In the following viewpoint, Carla T. Main assesses the arguments for and against lowering the legal [drinking](#) age from the current age of twenty-one. Main contends that the arguments in favor of a lower drinking age—especially the argument that binge drinking would diminish—are simply wrong. She argues that the solution to the problem of underage drinking is to better enforce the laws that are currently in place. Main, who produced this policy study for the Hoover Institute of Stanford University, is the author of *Bulldozed* (2007), and she writes frequently about issues of law and society.

As you read, consider the following questions:

1. Why, according to the author, did many states lower the [drinking age](#) to eighteen in the early 1970s?
2. What grassroots organization played a big role in getting the drinking age moved back up to twenty-one?
3. In the viewpoint, one expert on college drinking believes that what percent of students have "deeply engrained drinking habits" by the time they arrive at college?

The problem of underage drinking on college campuses has been brewing for many years, to the continued vexation of higher education administrators. In 2008, John McCardell, president emeritus of Middlebury College, began to circulate for signature a public statement among colleagues titled "The Amethyst Initiative," which calls for elected officials to reexamine underage drinking laws. The project grew out of outreach efforts of a nonprofit organization he founded in 2007 called Choose Responsibility. The nonprofit advocates lowering the drinking age to 18 and licensing alcohol use for young people in much the same manner as driving—following coursework and an exam. Choose Responsibility also favors the repeal of the laws that set 21 as the mandatory minimum age for drinking (known as the "21 laws") and encourages states at the least to adopt exceptions to the 21 laws that would allow minors to drink at home and in private clubs. It also favors social changes that shift the focus on alcohol use among [youth](#) to the home, family, and individual.

The Amethyst Initiative's statement has been signed by 135 college presidents and chancellors at schools from Duke to Bennington. The majority is private; most are in the Northeast. The statement takes no formal position, unlike Choose Responsibility. It does, however, drop heavy hints as to where the debate ought to come out. The statement says "21 is not working" and asks "How many times must we relearn the lessons of [Prohibition](#)?" It draws comparisons to other age-of-majority rights conferred on 18-year-olds, such as voting and serving in the military, and calls upon elected officials to consider "whether current public policies are in line with current realities."...

Removing the Allure of Drinking

The primary argument made in the Initiative's statement in favor of repealing the 21 laws is that the 21 laws make alcohol taboo, thus driving underage drinking underground and causing more binge drinking to take place than otherwise would, due to the allure of forbidden fruit and the need for secrecy. Hence, by lowering the drinking age, youth consumption would come out in the open and binge drinking would be largely reduced or even eliminated. The second salutary effect of lowering the drinking age, the Initiative argues, would be educational: Colleges would be allowed to have open, frank discussions about responsible drinking. In other words, institutions of higher education could teach young people how to drink responsibly. The Initiative makes vague references to the "unintended consequences" of 21 "posing increasing risks to young people," and says that the original impetus for the 21 laws—reduction of highway fatalities by young drivers—has outlived its usefulness....

The Initiative is a welcome development insofar as it challenges us to examine whether 21 "is working." The answer: It is not, as currently enforced. So should 21 be scrapped or salvaged? First, a look at how we got here, and why the 21 laws are broken....

Raising the Minimum Drinking Age to Twenty-One

During the 19th century, cultural and [social norms](#) prevented young people from drinking. The expense and limited availability of liquor also helped keep it out of youthful hands. After Prohibition, it was left up to the states to regulate alcohol, and most states made the legal drinking age 21, the same as the age for voting and other adult rights. The issue remained largely untouched until the late 1960s when protests over the Vietnam War raised the question of the national voting age. For the first time, the question of the draft age and the voting age were linked in the popular imagination, at least among the left. "If a boy is old enough to fight and the for his country, why isn't he old enough to vote?" was the popular refrain.

The legal drinking age got swept up in the political upheaval of the era, as states generally reexamined their age-of-majority laws. Between 1970 and 1976, 29 states lowered their age for drinking alcohol. The results were catastrophic. Highway deaths among teenagers and [young adults](#) skyrocketed. Almost immediately, states began raising the minimum drinking age again—years before Congress in 1982 and 1984 dangled the carrot of federal highway monies as an incentive. Between 1976 and 1984, 24 of the 29 states raised the age back up again. By 1984, only three states allowed 18-year-olds to drink. Five states and the District of Columbia regulated various degrees of alcohol consumption among those 18 and over. The remaining states had a patchwork of minimum ages ranging from 19 to 21.

The Link Between the Drinking Age and Drunk Driving

While states experimented with age-of-majority laws, a cultural shift was taking place in how society

regarded drunk driving. In 1980, a 13-year-old California girl named Cari Lightner was walking to a carnival when she was struck by a hit-and-run drunk driver and killed instantly. Her mother became enraged when she learned that drunk driving was not treated seriously in the American judicial system. What followed was one of the great stories of American grassroots activism. Together with a friend, Candace Lightner founded [Mothers Against Drunk Driving](#) (MADD), which quickly garnered local and later national support in a campaign that focused on putting a human face on the damage done by drunk drivers. By 1982, with MADD 100-chapters strong, President [Ronald] Reagan created a presidential commission to study drunk driving and Congress authorized highway funds to states that passed stiffer drunk driving laws. In 1984, Congress passed the Uniform Drinking Age Act, which required states to have a minimum drinking age of 21 for all types of alcohol consumption if they wanted to receive federal highway monies. The legal drinking age has stayed at 21 since then.

In most of the television debates about the Amethyst Initiative, the success or failure of 21 has been primarily linked to the issue of highway deaths, with the debaters arguing fatality statistics to prove whether the 21 laws should be shelved because of the advent of safer cars. But that suggests, wrongly, that the debate largely begins and ends with the question of teenage bodies splattered across the interstates. While drunk driving among underage drinkers remains a problem, unfortunately it is only one of several ways that underage drinking threatens young people. Time has not stood still since 1984. American campuses and drinking patterns have changed, and not for the better.

The Law Does Not Lead to Binge Drinking

The logic of the Initiative is that if we take away the allure of illegality, American youth will stop bingeing. That conclusion is wrong. Alcohol should be forbidden to 18- to 20-year-olds precisely because they have a propensity to binge drink whether the stuff is illegal or not—especially males.

Henry Wechsler and Toben F. Nelson, in the landmark Harvard School of [Public Health](#) College Alcohol Study, or CAS, which tracked college student drinking patterns from 1992 to 2001, explained that binge drinking is five or more drinks on one occasion. Binge drinking brings the [blood alcohol](#) concentration to 0.08 gram percent or above (typically five drinks for a man or four for a woman within two hours). To understand just how drunk that makes a person, consider that it violates criminal laws to drive with a blood alcohol level of 0.08 gram percent or above.

To call alcohol taboo implies that drinking is done in secret and rarely. Yet college drinking is so common as to have lost all tinge of intrigue. Drinking greases the social wheels, and college life for many is saturated with popular drinking games that no doubt seem brilliant to the late-adolescent: Beerchesi, Beergammon, BeerSoftball, coin games like Psycho, Quarters, and BeerBattleship, and card and dice games linked to beer.

When undergraduates binge drink, they get into trouble—a lot of it. They endanger and sometimes kill their fellow students by setting fires. They sexually assault their female companions (approximately 100,000 incidents annually). They get into fights with other young undergrads (some 700,000 assaults annually). On average 1,100 a year die from alcohol-related traffic crashes and another 300 die in non-traffic alcohol-related deaths. According to the CAS, among the 8 million

[college students](#) in the [United States](#) surveyed in one study year, more than 2 million drove under the influence of alcohol and more than 3 million rode in cars with drivers who had been drinking. Eight percent of students—474,000—have unprotected consensual sex each year because they have been drinking. In short, college students do stupid, illegal, dangerous, and sometimes deadly things when they drink.

Students Bring Drinking Habits to College

Moreover, the drinking doesn't begin in college. More kids drink alcohol than smoke pot, which is the most commonly used illicit drug. A third of our youth taste their first drink before the age of 13 and have drinking patterns as early as 8th to 10th grade. In a pattern that continues in college, boys fall into binge drinking patterns in greater numbers than girls by 12th grade. The Pacific Institute for Research and Evaluation has estimated the social cost of underage drinking (for all youth) at some \$53 billion. That includes only highway deaths and injuries and does not factor in brain damage associated with early adolescent drinking, or the array of other injuries and social problems such as opportunity costs that crop up when children drink.

The majority of those who binge drink in college started down that road long before they matriculated—they simply continue their drinking habits once they arrive on campus. Brett Sokolow, president of the consulting firm National Center for Higher Education Risk Management, which counsels colleges on reducing "risk" through educational programs and institutional policies, said in an interview that based on his anecdotal experience, 60 to 70 percent of the students attending his on-campus alcohol seminars have had drinking experiences prior to attending college and about 40 percent have "deeply engrained drinking habits" by the time they get to college....

Enforcing the Law

The Amethyst Initiative says, in essence, that the phenomenon of underage drinking is a tidal wave that society cannot stop. Our only hope is to ride the wave along with our children, give them an oar, and hope they don't drown. That relies on the very big—and untested—assumption that their young minds have the capacity to listen when it comes to alcohol, no matter how badly they want to party, hook up, fit in.

Given the stakes, America should not throw in the towel on the 21 laws until we have actually enforced them as they were meant to be enforced though it will require a clear dedication of political will. It can be done; a similar revolution occurred during the 1980s with respect to driving under the influence laws. Disparities in enforcement do not mean that the laws are impossible to enforce. It signals that we have not gotten serious as a nation about using the laws we have—and improving them where needed.

Further Readings

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