

1 Resolved,
2 The following is a NYRA position paper under Section 17 of
3 the NYRA bylaws:

4 5 **NYRA POSITION PAPER: THE DRINKING AGE** 6

7 The National Youth Rights Association believes **American youth alcohol policy**
8 **should recognize the inevitability of alcohol consumption among youth and seek to**
9 **reduce the harm of that alcohol use**, rather than unrealistically try to keep young people
10 from drinking at all. Congress and state legislatures could enact any of many different
11 policies, some already in effect in other countries, to promote safer consumption. The
12 country should not dogmatically attach itself to any one policy or set of policies to the
13 extent that it refuses to consider alternatives that might save lives.

14 The United States has the highest and most rigorously enforced drinking age in the
15 world. Communities nationwide have spent millions of dollars on police patrols,
16 sophisticated driver's licenses and propaganda campaigns to prevent people under 21 from
17 drinking alcoholic beverages. Yet 51 percent of high school seniors and 26 percent of
18 eighth-graders admitted drinking within the past 30 days in a 1996 government survey.¹
19 Drinking rates among youth have remained remarkably consistent over the past 40 years.²
20 In a country where most of the population can legally buy alcohol, where alcohol
21 advertising is ubiquitous and where drinking is considered an important part of everything
22 from New Year's Eve to summer baseball, this is hardly surprising. As a group of
23 Washington State University researchers put it, "In such an environment, any effort to
24 teach youngsters abstinence from such substances is like trying to promote chastity in a
25 brothel!"³

26 At the very least, American youth alcohol policy is ineffective. More disturbing,
27 the drinking age may be counterproductive. It is applied so rigidly in most of the country
28 that it precludes any attempt to teach young people how to handle alcohol responsibly. In
29 some jurisdictions, adults who supervise a party with alcohol to prevent drunk driving can
30 be charged for allowing other people's children to drink in their homes; young people who
31 try to serve as designated drivers can be charged merely for being at a party where alcohol
32 is served; and taxi services that give free rides to prevent drunk driving during the holidays
33 ban young people from using their services. "In short, drinking age laws discourage rather
34 than encourage a transition period between youthful abstinence and adult use of alcoholic
35 beverages," writes journalist and sociologist Mike A. Males.⁴

36 Under such laws, many young people learn drinking in unsafe environments, like
37 basement keg parties. They use alcohol with the intention of getting drunk rather than as
38 an accompaniment to food. Researchers say American young people engage in dangerous
39 "binge drinking" far too often and far more often than some of their European
40 counterparts, who learn to drink in the open. The United States should take lessons from
41 cultures like those of Jews, Italians and Greeks, who traditionally focus on misuse of
42 alcohol, rather than simple use of alcohol, as the source of problems. "Educational efforts
43 should encourage moderate use of alcohol among those who choose to drink," explains
44 sociologist David J Hanson.⁵

45 Unfortunately, the federal government maintains a "no-use" dogma in its alcohol
46 education efforts. Agencies tell educators to reject any responsible-use message aimed at

47 young people.⁶ As a result, schools often offer "abstinence-only" alcohol curriculums that
48 are far less effective in preventing alcohol abuse than programs that encourage
49 responsibility.⁷

50 Much of the debate about the drinking age has centered around the success or
51 failure of the National Minimum Drinking Age Act of 1984, which forced states to raise
52 their drinking age to 21. Government agencies and anti-youth organizations claim that law
53 has saved thousands of lives, a "fact" usually repeated without question in the media. But
54 independent researchers have regularly challenged that assertion. "Minimum legal drinking
55 age is not a significant – or even a perceptible – factor in the fatality experience of all
56 drivers or of young drivers," wrote Rutgers University economists Peter Asch and David
57 T. Levy after rigorously examining traffic fatality statistics.⁸

58 One thing not in dispute is the segregatory effect of the drinking age,
59 encouraging entertainment establishments to shut out people under 21. It limits where and
60 with whom young people can spend their free time. Like other age restrictions, the
61 drinking age makes clear that no matter how hard you work, no matter how successful
62 you are, you are still a second-class citizen unfit for association with adults until you reach
63 an arbitrary age. As Males says, "Alcohol policy in the United States is the classic example
64 of the genesis, entrenchment, and perpetuation of modern anti-youth doctrine. It is the
65 model of modern scapegoating of youth."⁹

¹ United States, National Institutes of Health, National Institute on Drug Abuse, "Monitoring the Future Study, 1975 - 1996," 24 Oct. 1997, <http://165.112.78.61/NIDACapsules/NCMTFuture1.html> (25 Apr. 1998).

² Mike A. Males, The Scapegoat Generation (Monroe, Maine: Common Courage Press, 1996) 204.

³ Armand L. Mauss, et al., "The Problematic Prospects for Prevention in the Classroom: Should Alcohol Education Programs be Expected to Reduce Drinking by Youth?" Journal of Studies on Alcohol 49.1 (1987) 59.

⁴ Males, "The Minimum Purchase Age for Alcohol and Young-Driver Fatal Crashes: A Long-Term View," The Journal of Legal Studies 15 (January 1987) 207.

⁵ David J. Hanson, Alcohol Education: What We Must Do (Westport, Connecticut: Prager, 1996) 45.

⁶ Hanson 106-7.

⁷ Hanson 90.

⁸ Peter Asch and David T. Levy, "Does the Minimum Drinking Age Affect Traffic Fatalities?" Journal of Policy Analysis and Management 6.2 (1987): 189.

⁹ Males, The Scapegoat Generation 186.

This resolution was approved by the NYRA board of directors.