

Briefing Points: The Drinking Age Debate

21 Saves Lives on the Highway

The “science” is not entirely clear on this point. A peer-reviewed study notes that, of the 102 analyses of the effectiveness of Legal Age 21, 52, or about half, show a positive relationship between the law and alcohol-related traffic fatalities.¹ About a third find no relationship.

Assertions that Legal Age 21 has saved more lives than unrelated, external safety factors are simply untrue. *Research suggests that Legal Age 21 was only one of many factors contributing to the decline in alcohol-related traffic fatalities.* According to NHTSA estimates, safety belts and airbags have combined to save 206,287 lives between 1975 and 2004. By comparison, NHTSA estimates the 21 MLDA saved 23,733 lives in the same period.² No known study has been undertaken to study the effects of the “designated driver” and of increased public awareness of the dangers of drunken driving—both factors that have, without question, contributed to the decline in alcohol-related traffic fatalities. Furthermore, alcohol-related traffic fatalities reached a 10 year high in 2006.

In addition, between 1982 and 1992, in spite of raising the drinking age to 21, the US experienced a lower rate of decline in alcohol-related traffic fatalities than in any other country where such data were reported (including Germany, Australia, England, The Netherlands, and Canada).³ In fact, Canada, which experienced a 28% rate of decline in traffic fatalities between 1982 and 1992 and maintained a drinking age of 18 or 19, experienced a similar decline to in youth drinking and driving rates. “Canadian reductions in youth drinking and driving, followed virtually the same pattern as in the United States. But the Canadian reduction was not due to laws directed at youth: the drinking age did not change during this time, and zero tolerance laws were implemented after the reduction had occurred. This means that the changes must have resulted from some combination of the difficult-to-assess educational and motivational programs and from other factors outside of traffic safety. This conclusion suggests that a substantial portion of the reduction in the United States also resulted from these same causes.”⁴

This downward trend in drunken driving across the industrialized world suggests that something other than a change in the drinking age was at work. Thanks to successful public education efforts, attitudes toward drinking and driving changed over time. The “designated driver,” a term unknown in 1984, indicates such an attitudinal shift.

The teen brain is not fully developed. Consuming alcohol before age 21 causes irreparable damage to the teen brain

The brain continues to develop into a person’s mid-20s, and, for most, is complete by age 25.⁵ Research on the effects of alcohol use on the adolescent brain have shown that the adolescent brain and adult brain experience very different effects of alcohol use. The adolescent brain

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shows increased sensitivity to alcohol, especially in terms of learning and imprinting new memories, but decreased sensitivity to the sedative effects of alcohol.⁶

Alcohol's negative effects on the adolescent brain are most pronounced at higher doses, and most of the research on this subject is conducted at intoxication-level doses. There is clear evidence, both from studies performed on humans and studies performed on animal populations, that consuming large quantities of alcohol has pronounced negative effects on the adolescent brain, specifically in reducing the size of the hippocampus (area of the brain responsible to processing new memories).⁷

The current state of this very qualified research—most of which is performed on rats—indicates most clearly that excessive alcohol use poses the greatest threat to the developing brain. If public policy were to be based solely on the findings of recent adolescent brain research, then we should consider raising the drinking age to 25. This research provides little evidence in support of Legal Age 21. Accordingly, we need to establish public policies that discourage excessive alcohol use, which is the pattern we know is most dangerous to developing brains. *Over the last 25 years, we have seen an increase in the amounts consumed per occasion by under 21 year-olds and a movement away from moderate consumption. That pattern poses a far greater danger to the developing brain, and a far greater threat to public health.*

History speaks for itself—we tried lowering the drinking age in the 1980s and failed

Choose Responsibility supports more than simply pressing the “Easy Button” and lowering the drinking age to 18. Instead, we believe that young adults should be permitted to purchase, possess, and consume alcohol, but not unconditionally. Specifically, we propose that, upon turning 18, a young adult should be permitted to consume alcohol in the presence of a parent in the privacy of the home; that all young people should be required to take a comprehensive alcohol education course prior to turning 18; and that, once they have completed high school, completed the alcohol education course, and not violated the alcohol laws of the issuing state, young adults should receive a permit, or license, allowing them to purchase, possess, and consume alcohol like the adults the law says, in all other respects, they are. Finally, the first violation of the alcohol laws of the issuing state should result in immediate revocation of the license.

History can't speak for itself on this point, because such a system of education and licensing has never been tried.

Alcohol education doesn't work.

Research has shown that while abstinence-based education programs like DARE alone have little to no effect on preventing use or abuse of alcohol among underage drinkers, harm reduction strategies that address the complex psychological expectancies that lead to excessive drinking amongst young people are effective in reducing rates and incidence of alcohol abuse.⁸ Environmental strategies such as alcohol advertising bans, keg registration, responsible server training, social norms marketing and community interventions are viable options for managing high risk drinking, especially on college campuses.⁹

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Approaches that seek rather to prepare young adults to make responsible decisions about alcohol and reduce the likelihood of harm to themselves or others offer promise. For example, Outside the Classroom produced AlcoholEDU, an interactive online program currently used by over 500 colleges and universities. This program increases practical knowledge, motivates students to examine their behavior, and decreases students' risk of negative personal and academic consequences as a result of alcohol use. In 2004, students who completed AlcoholEDU were 20% less likely to be heavy episodic drinkers and 30% less likely to be problematic drinkers.¹⁰ These findings provide evidence that "an interactive educational program can substantially reduce the negative consequences of high-risk drinking."¹¹

All we need to do to eliminate underage drinking is increase enforcement.

It seems like a simple answer: "all we need to do to keep kids from drinking is enforce Legal Age 21." But, if it were the possible, we would have brought an end to underage drinking long ago. *Legal Age 21 has been in place for over 20 years across the nation and there remains a complete lack of consistency in how it is carried out and enforced. One study predicts that only two out of every 1,000 cases of underage drinking results in citation or arrest.*¹² Such low rates of enforcement present inadequate deterrence to young people under 21 who choose to drink. If the 21 year-old drinking age were enforceable, it is unbelievable that we would have the problem of reckless and irresponsible drinking by young people that we have in America today. Instead of directing more resources towards enforcement (consider that doubling expenditures would merely raise this rate to four arrests out of 1,000), we need to use proven harm reduction and other educational strategies to reduce excessive alcohol use and its harmful consequences.

The European Myth—European teens drink more than their American peers

Any generalizations of the behavior of "European" youth should be scrutinized. The drinking cultures of northern and southern European countries vary markedly; history and an extensive body of cross cultural research would suggest that cultural attitudes towards alcohol use play a far more influential role than minimum age legislation. Recent research published by the World Health Organization found that while 15 and 16 year-old teens in many European states, where the drinking age is 18 or younger (and often unenforced), have more drinking occasions per month, they have fewer dangerous intoxication occasions than their American counterparts.¹³ For example, in southern European countries ratios of all drinking occasions to intoxication occasions were quite low—roughly one in ten—while in the United States, almost half of all drinking occasions involving 15 and 16 year-olds resulted in intoxication.¹⁴

Though its legal drinking age is highest among all the countries surveyed, the United States has a higher rate of dangerous intoxications per drinking occasions than many countries that not only have drinking ages that are lower or nonexistent, but also have much higher per capita consumption levels.

Legal Age 21 keeps people under 21 from actually consuming alcohol

Many young people under the age of 21 consume alcohol, and continue to do so despite nearly 25 years worth of prohibition of that behavior. In fact, research shows that consuming alcohol



before the age of 21 is actually a normative behavior. *Ninety-five percent of those who will be alcohol consumers in their lifetime take their first drink before age 21.* Though today fewer 12-20 year-olds are drinking, those who choose to drink are drinking more. Between 1993 and 2001, the rate of 12-20 year olds who reported consuming alcohol in the past 30 days decreased from 33.4% to 29.3%, while rates of binge drinking increased among that age group over those same years, from 15.2% to 18.9%.¹⁵ During that same time period, 18-20 year-olds showed the largest increase in binge drinking episodes.¹⁶ Among college students, a decade's worth of research in the College Alcohol Study found both the proportion of students abstaining and the proportion of students engaging in frequent binge drinking had increased. Furthermore, as compared to 1993, more 18-24 year old students who chose to drink in 2001 were drinking excessively—defined by frequency of drinking occasions, frequency of drunkenness, and drinking to get drunk.¹⁷

This trend should serve as a call to action for parents, educators, and lawmakers, for while moderate consumption represents little harm to young people and may even be psychologically beneficial, excessive and abusive consumption—binge drinking—spells disastrous consequences for our nation's youth.

If you lower the age, drinking will just be pushed to younger age groups

After 24 years of Legal Age 21, 41 percent of eighth graders, 62 percent of tenth graders, and 73 percent of high school seniors are consuming alcohol.¹⁸ The age of onset of alcohol use has actually decreased since the mid 1980s—under Legal Age 21.¹⁹ We believe that we can do better, and that these alarming rates are a call for more, and better alcohol education. A system of alcohol education and provisional licensing for 18-20 year-olds who are no longer enrolled in high school is a specific and tailored policy proposal that has the potential to engender the cultural change needed to address the issue of binge and underage drinking.

There's no proof that Legal Age 21 has led to an increase in binge drinking

Legal Age 21 has pushed alcohol consumption out of safe, public spaces and into dorm rooms, off-campus houses, and underground locales. It has led to an environment of excess consumption and goal-oriented drinking. While fewer individuals aged 18-20 are drinking, those who choose to drink are doing so at dangerous and alarming rates. The consequences of these behaviors are staggering—well over 1,000 18-24 year-olds die each year of alcohol-related causes other than traffic accidents.²⁰ Among full-time college students, 690,000 are involved in assaults, 97,000 are involved in rapes, and 599,000 are injured as a result of alcohol.²¹ All this is taking place under a law that prohibits alcohol use by 18-20 year-old adults. We need to look at these trends in excessive alcohol use, and in its harmful and life threatening consequences, and determine if we are satisfied with the status quo.

There's no need to debate this issue—the drinking age is a settled question

There is support for lowering the drinking age, though polling data suggests this remains a minority view. Since the Supreme Court decision in *South Dakota vs. Dole* in 1987, however

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(South Dakota, joined by the states of Colorado, Hawaii, Kansas, Louisiana, Montana, New Mexico, Ohio, South Carolina, Tennessee, Vermont, and Wyoming had challenged the constitutionality of the 1984 National Minimum Drinking Age Act),²² there has been virtually no public discussion or debate over the 21 year-old drinking age.

Twenty years have passed, during which time data have been gathered and the practical effects of the law have been experienced. National media interest in the issue, perhaps or perhaps not reflecting a change in public opinion, has surfaced repeatedly during the past two years. Recently, 134 college and university presidents and chancellors signed a statement calling for debate of Legal Age 21 and a consideration of new policies. *A new national poll suggests that even among those who do not support lowering the drinking age, 81% of Americans favor initiating a national discussion regarding alcohol and what can be done to motivate more responsible consumption.* Together, these developments suggest a desire to reopen debate, and provide indication that the drinking age is no longer a settled question.

Just because 18-20 year olds can fight for their country, doesn't mean that they have the maturity to consume alcohol.

For better or worse, *American society has determined that upon turning 18 teenagers become adults. This means they can enlist, serve, fight and potentially die for their country. And while the "fight for your country" argument is a powerful one, it only begins to capture the essence of adulthood. Most importantly, at age 18 you become legally responsible for your actions.* You can buy and smoke cigarettes even though you know that, in time, they will probably give you lung cancer. You may even purchase property, strike binding legal contracts, take out a loan, vote, hold office, serve on a jury, or adopt a child. But strangely at 18 you cannot buy a beer. In most other countries, the age of majority coincides with the legal drinking or purchasing age.²³

Critics are quick to point out that 18 is not an age of majority, but one step amongst many that together mark the gradual path to adulthood. This argument notes that young adults cannot drink until 21, rent cars until 25, run for the U.S. Senate until they are 30, and run for President until 35. This is, the critics suggest, evidence of a graduated legal adulthood. But this argument falls flat. First, rental car companies are not legally prevented from renting cars to those under 25; this is a decision made by insurance companies. In fact, some rental companies do rent to those under 25, and the associated higher rates compensate for that potential liability. Second, age requirements for these high public offices are more appropriately seen as exceptions to full adulthood, rather than benchmarks of adulthood. Finally, and most importantly, the Constitution speaks to the legal age of majority only once and that is in the 26th Amendment to the Constitution where, "The right of citizens of the US, who are 18 years of age or older, to vote shall not be denied or abridged...on account of age."

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