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A History of Alcohol Consumption Laws

The United States of America is a country born out of a dream of individual freedom. However, when it comes to certain vices, it sometimes becomes necessary to introduce regulations in order to protect people. For over one hundred years, alcohol consumption by Americans has been regulated by the federal government. There have been a variety of laws enacted, with various reasons as to why to why they came into being. Furthermore, each of these drinking laws had varying degrees of effectiveness. If we follow the history of drinking age laws, we see that it begins with the enactment of the prohibition of alcohol in 1919, which was later repealed only fourteen years later. This was followed by the lowering of state drinking ages to 18 years old in many states during the 1970s, and later the national drinking age being raised to 21 years old. All legislation relating to drinking was enacted in order to combat a problem. Currently, there is another alcohol related problem facing America. In the past few decades there has been an apparent increase in binge drinking among America’s youth, which has many parents and lawmakers concerned. In fact, many college presidents have argued that lowering the drinking age to 18 would reduce binge drinking. On the other hand, some of those in the health industry have claimed that a drinking age of 25 years old would be better related to brain development. However, I argue that changing the drinking age is not the correct action to take. In this paper I will use the history of drinking legislation in America and a reexamination of the effects of current drinking age laws to show that the drinking age is in fact most effective at 21 years old.

In the late nineteenth century, many private citizens began to feel concerned about drinking habits of many in the population. At this time, sale of alcohol in saloons was rapidly increasing and the number of saloons in the country exploded (Kerr, 1985). In order to increase their profits, saloon owners often introduced other vices such as gambling and prostitution into their facilities. The frequency of people visiting saloons and the subsequent abuse of these vices alarmed many community members who saw these as immoral activities. This led to the formation of the Anti-Saloon League and Women’s Christian Temperance Union. These organizations believed that by prohibiting the sale of alcohol they could eventually eliminate the consumption of alcohol from American culture, which would increase the morality of the country as a whole. Starting with locally driven prohibition laws, they eventually created a nation-wide prohibition movement. Then, in 1919 they succeeded in the creation of the 18th Amendment to the U.S. Constitution which prohibited the manufacture and sale of alcohol. As we will later discuss, the 18th Amendment was later repealed; however, we must still look to see whether the legislation was effective at all. Examination of amount of alcohol consumed per capita of the drinking age population shows that alcohol consumption decreased by over half in the years just after the enactment of prohibition (Kerr, 1985). It began to increase in the last years of prohibition and has continued to increase since. However, it took nearly thirty years for consumption to reach pre-prohibition levels. In this sense, the enactment of prohibition was effective in reducing alcohol consumption by Americans. However, as we will see next there were many unforeseen problems created by the 18th Amendment.

Many American leaders believer that prohibition would be the solution to many social problems facing the country at the time. However, less than five years after the enactment of the 18th Amendment, it became apparent that prohibition was doing more harm than good. While moderate drinking decreased, there was a sharp increase in binge drinking in the country. In addition, since law enforcement was now more concerned with controlling the sale of alcohol, there was an increase in alcohol consumption by minors. One of the biggest problems that resulted from prohibition was an increase in organized crime surrounding alcohol use. Although saloons became outlawed, the demand for such facilities remained high (Kyvig, 1979). This led to the establishment of illegal speakeasies which promoted the underground sale and consumption of alcohol. Organized criminals found that there was a great deal of money to be made in facilitating the trade of alcohol. As illegal alcohol use became more acceptable, citizens began to exhibit a general disrespect for the law. As these social problems began to grow, many of the leaders who initially supported prohibition began to change their opinions. Women’s groups such as the Women’s Organization for National Prohibition Reform believed that prohibition would eliminate family abuse issues that resulted from alcohol consumption. However, they instead saw an increase in immoral behaviors and as a result they began to argue that prohibition be repealed (Kyvig, 1979). The repeal of prohibition also saw support from powerful business leaders such as John Rockefeller, Jr. who recognized all of these social problems caused by prohibition (Kyvig, 1979). As a result, Congress approved the 21st Amendment to the U.S. Constitution in 1933, which effectively repealed prohibition and most states set the minimum legal drinking age to 21. With the manufacture and sale of alcohol now legalized, the government was able to regulate its production and better protect the welfare of the general public. In this sense, softening the regulation of alcohol proved to be more beneficial to the country’s welfare.

After prohibition was repealed, individual states were free to set their drinking laws, and most states set their minimum legal drinking age to 21 years old. During this time, there was very little concern in regards to the drinking habits of Americans. When the national voting age was reduced to 18 in 1971, most states responded by also lowering their minimum drinking age to 18. Unfortunately, in the late 1970s and early 1980s many people began noticing some very disturbing statistics regarding traffic accidents in the United States. There had been a steady increase in the number of drunken driving accidents in the United States. These accidents were most common among young adults aged 18-20. Studies done during the 1970s had shown that states that a lower minimum legal drinking age reported significantly more drunk driving accidents compared with those states with a higher drinking age (Cucchiaro, 1974). This caused massive concern, especially among parents, and led to the formation of the group Mothers Against Drunk Driving (MADD) who specifically sought to lower the incidence of drunk driving among the nation’s youth. Using the data collected from states with legal drinking ages of 21 years old, MADD and other groups lobbied congress to introduce legislation that would create a national minimum drinking age of at least 21 years old. This quickly led to the creation of the National Minimum Drinking Age Act of 1984. Under this new law, all states were required to pass laws increasing the minimum age to purchase alcohol to at least 21 years old or risk losing 10% of their federal highway funding. It was their hope that by increasing the minimum drinking age, less of those individuals who were at high risk of drunk driving accidents would participate in alcohol related activities, which would therefore reduce the total number of deaths from drunk driving accidents. Studies have shown that from 1982 to 1998, the total number of crashes caused by drunk driving has decreased by 59% (Cucchiaro, 1974). In all, it is estimated that more than 20,000 lives have been saved so far as a result of raising the minimum drinking age to 21 years old (DiClemente, Ralph J. et al., 2001). These statistics suggest that the National Minimum Drinking Age Act was effective in meeting its goal, which was reducing the number of dunk diving accidents, especially in those ages 18-20 years old. It is possible that the reduced number of alcohol related deaths could be attributed to laws requiring the use of seatbelts in cars; however, it remains likely that raising the drinking age was the major factor in these changes. Unfortunately, there is now evidence that this country is being faced with yet another alcohol related problem: binge drinking.

As a whole, the National Minimum Drinking Age Act appears to have done an exceptional job at reducing the number of alcohol related crashes. In addition, increasing the drinking age has been linked to a lower frequency of binge drinking among the general public. However, there is one significant group of people for whom the higher drinking age appears to have had the opposite effect. Whether you look at drugs, sex, or alcohol, college has always been a time and place where young people explore their own moral boundaries. College binge drinking has even been portrayed in popular culture in movies such as 1978’s Animal House. However, there has recently been evidence that binge drinking among college students has been significantly increasing since the 1980s. A recent article in the Journal of the American Academy of Child and Adolescent Psychiatry reported that while binge drinking has seen a decrease in young people overall, it still remains a significant problem among college students (Grucza, R.A., Norbert, K.E., and Bierut, L.J., 2009). One of the most surprising findings of the study was the difference that sex played in relation to binge drinking. Among males, binge drinking has decreased by roughly 25% in young males aged 18-23 years old who were not attending college but stayed the same for men in the same age range who were enrolled in college (Grucza, R.A., Norbert, K.E., and Bierut, L.J., 2009). However, the results look much different when looking at female binge drinking. The study showed that in women age 20-23 who were not attending college binge drinking actually increased by around 20% and increased by over 40% in those in the same age range who were attending college (Grucza, R.A., Norbert, K.E., and Bierut, L.J., 2009). These results show that while raising the drinking age has been effective in curbing binge drinking as a whole, it has actually had the opposite effect on those individuals attending college. Some have even argued that by lowering the drinking age to 18 years old, we could reduce these negative statistics. The alarming nature of these results suggests that some action should be taken. The only question is what kind of action would reduce the prevalence of college binge drinking without changing the current positive effects.

Many agree that something must be done to reduce the amount of binge drinking on college campuses and protect the health and welfare of our young people. However, history has given us plenty of evidence to show that the legal drinking age is in fact most effective at 21 years old. We can consider raising the drinking age a way of tightening regulations, in the same way that completely restricting alcohol consumption during prohibition tightened regulations. On the other end of the argument, lowering the drinking age could be considered a form of easing regulations, just as they were eased when the drinking age was lowered in 1971. When regulations were tightened in the 1920s, we saw that people would continue to drink even it was illegal to do so. In addition, this increases the desire to engage in this illegal activity in risky environments. While raising the drinking age to 25 would be unlikely to produce such extreme results, it is still reasonable to assume that it would negatively affect the drinking habits of Americans. However, we have seen that lowering the drinking age to 18 years old can also cause problems. When most states lowered their drinking ages from 21 years old to 18 years old we saw increased alcohol abuse leading to drunk driving accidents. It is very likely that lowering the drinking age to 18 once again would produce similar patterns of irresponsible behavior. It would appear that the drinking age that has led to the least amount of irresponsible drinking has been 21 years old. With that in mind, it would be inconceivable to try to change the drinking age to anything other than 21 years of age.

This increase in binge drinking among college students has prompted many to question whether the drinking age should be changed. Some people argue that raising the drinking age has increased the frequency, but the current data only suggests that this may be true among those living on college campuses. However, this has not stopped the presidents of over 150 college campuses from calling for the drinking age to be lowered to 18 years old (Thomas, 2008). They argue that by lowering the drinking age and promoting increased education about the risks of alcohol abuse, officials can decrease the amount of binge drinking in America’s youth. However, there has been almost no progress in this discussion because they have faced stiff opposition from groups such as MADD who cite the dramatic decrease in drunk driving accidents since the drinking age was raise in 1984 (Thomas, 2008). On the other hand, history has shown us that there are times when reexamining the current law can help ensure that the welfare of all citizens is protected as efficiently as possible. This has especially been the case with alcohol consumption, which has seen three major law changes in the past one hundred years. By making alcohol illegal, prohibition was actually effective at reducing the amount of alcohol consumed by Americans. However, the unforeseen negative social effects, including increased organized crime and disregard for the law, made it necessary for legislators to reexamine the law and eventually repeal prohibition. In much the same way, activists in the 1980s recognized a drunk driving problem and forced the reexamination of the law allowing those 18 years old or older to drink. Once again, this reexamination led to legislation which effectively reduced the number of drunk driving accidents. Now our country faces this new challenge of how to combat binge drinking, especially on college campuses. Many will argue passionately that the drinking age either should or should not be reduced back to 18 years old. However, history has shown us that the drinking age has been most effective when it has been set at 21 years old. Rather than changing the drinking age, the solution should be to work to educate the public, especially our young people, on how to consume alcohol responsibly. Only then can this country begin to see a pattern of responsible drinking.

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