
Youth Truth



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History of the National Minimum Drinking Age Act

Alex Koroknay-Palicz

The National Minimum Drinking Age Act is perhaps the law that has the most impact on the day-to-day lives of America's youth since it was signed into law on July 17, 1984. While the 21-year-old drinking age seems imbedded in American society, it is only a recent innovation. Most people do not know that the drinking age was only made a national law in 1984, and only after a determined battle by special interest groups.

The history of the National Minimum Drinking Age Act truly started back before Prohibition. The temperance movement used selective prohibition (drinking ages) as a stepping-stone approach to their goal of out-lawing all alcohol. Finally they did achieve the goal of total prohibition of alcohol, when in 1919 the 18th Amendment to the Constitution was ratified. Due to the obvious ineffectiveness of Prohibition and the change in public opinion, the 18th Amendment was repealed in 1933 by the 21st Amendment. What followed was a compromise with the lingering temperance movement and the modern drinking age was established. "The political failure of general Prohibition meant that American adults would increasingly focus justifications for alcohol policy less on the perils of drunkenness and more on the tenuous concept that adults can drink properly but youths cannot or should not" (Males, 190).

From the end of Prohibition until 1984, drinking ages were determined by the states—many of them had the age at 21 while several lowered the age to 18 for

the purchase of beer. This was changed by the activism of the "Baby Boom" generation during the Vietnam War. "From 1970 through 1975 nearly all states lowered their legal ages of adulthood, thirty including their legal drinking ages, usually from 21 to 18" (Males, 194). It was argued that if people were required to fight and die in a foreign war then they should be allowed the privilege of drinking alcohol. This generation exercised previously unheard-of clout and political muscle, and through years of protest and many valid arguments this generation of youth gained back some lost liberty. After this period, however, public sentiment changed. The baby boomers were aging and the freedoms they fought to secure for themselves no longer seemed important when they involved someone else.

This loss of a powerful ally allowed the modern prohibitionist movement led by Candy Lightner, the president and founder of Mothers Against Drunk Driving (MADD), to gain strength in this country again. The late seventies and eighties were marked with an excess of highly publicized studies that claimed teenage alcohol use was out of control and turning into a devastating problem of epidemic proportions. This and the national mood produced an environment primed for the anti-alcohol, anti-youth legislation that became the National Minimum Drinking Age Act of 1984.

The actual bill required "all States to raise their minimum drinking age to 21 within 2 years or lose a portion of their Federal-aid highway funds; and encourage States,

through incentive grants programs, to pass mandatory sentencing laws to combat drunk driving" (*Thomas Senate Record Vote Analysis*). The portion of the Federal-aid highway funds that would be lost if a state didn't comply amounted to 5 percent in the third year and 10 percent in the fourth year.

This bill was created and acted upon by many dynamic people. Certainly the person who had the most impact upon this legislation was Candy Lightner, who founded the organization MADD after a drunk driver killed her daughter in 1980. After that traumatic event Lightner turned her grief into revenge and founded the powerful lobbying organization that claimed a membership of three-hundred thousand in 44 states by 1984. Another highly visible character in the story was the President of the United States, Ronald Reagan. Reagan had initially threatened to veto the bill, citing the provisions to punish states for non-compliance as an infringement upon states' rights. Reagan later changed from opposition to support, formally announcing this on June 13, 1984.

Many congressmen were involved in the long process that created this piece of legislation. Frank R. Lautenberg (D-N.J.) was the senator who proposed the senate amendment to house bill H.R. 4616. This amendment was the "first piece of legislation he has successfully sponsored since his election in 1982" (Gettinger, 1984).

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Letters

Opinions expressed may not reflect the views of ASFAR.

Advanced Placement Class

I sit in a small desk in a class with five other students hurriedly jotting down notes as fast as I can. My wrist is long past the aching and burning feeling that swam up and down my arm. All this is okay, though, because we are discussing internal/external political efficacy and how it deals with trust and apathy toward government. It doesn't matter that I have just turned fifteen while all the other people in my class are eighteen; it doesn't matter that this is an AP course that I shouldn't be taking for another three years. What does matter is that I am able to keep up with them well enough to maintain an A average for the course. What does matter is that I receive a 5 out of 5 on the AP exam at the end of the year. What does matter is that after this course I will know as much or more about politics than most college students and definitely more about it than the average citizen in our so-called great country.

To me, however, what matters most is that I will not be able to vote for three more years. I will not be able to legally drink for six more years. I will not be able to possess a full driver's license for two more years. I don't know if this makes sense to any of you but it certainly doesn't make sense to me. Why am I not allowed the same great right that every adult citizen of the United States enjoys? Why am I not allowed suffrage?

Some adults might argue that we are not educated enough and are not responsible enough to carry out this great task. Other adults might say that our votes will be easy to sway by gimmicks, or that our parents will use our vote as an extra one for them. I have an answer to both of these objections, my friends. My answer is that schools could make every high school freshman take a mandatory course called civics or government. Students that pass this course will then be capable of registering to vote. At the end of the course students will take a statewide test in order to be eligible to vote.

This answers the first objection easily by supplying kids with enough information to decide on issues, to decide what candidates to support, and general information on our government and political system. Such a course would probably put the political knowledge of the students who take it to levels that surpass the average grown adult. It answers the second objection because by educating these children they will, like I said before, have enough knowledge to make their own decisions. The more knowledge one has, the more one tends to be independent and think for oneself. Parents, no matter what, will influence their children's votes, because the number one determination of a person's political party is what party their parents belonged to. If parents pressure their children to vote one way or another

the child will still have a secret ballot; parents will never be able to see which candidates their child actually voted for.

There are a few possible legal issues surrounding my idea. These changes must be instituted on a state by state basis. It would probably be deemed unconstitutional if my idea was passed as a national law since states control schools and their curriculum and the voting age of people residing in their states. To get around that a constitutional amendment would have to be passed, but that would be nearly impossible the way things are right now.

Another possible issue is that having any kind of voting test could be determined unconstitutional by the courts even though the tests are being administered to those under the age of eighteen. That is just a possibility however. The average adult in this country has very little knowledge of politics yet they are still allowed to vote. The average adult in this country is easily swayed by the appearances of politicians and their flashy commercials. Yet these ignorant adults are allowed to vote while many educated and bright teens may not.

Not only did my wrist ache in that class that I took but my heart did too. It still aches today and it will ache until I and my fellow minors are allowed the greatest right in America, the right to vote.

Robby Braun

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Letters

Buzz

Hi there. I just ran across your group, and I think your idea is right on. I would like to tell you about another one with a very similar purpose, called GenerationNet.org. We use the Internet to give young people a voice in shaping the laws that affect our lives.

More info on us is below. I hope you'll check us out at <<http://www.generationnet.org>>, sign up as a member, and spread the word.

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If you could change any US law or policy, what would it be?

Together we can change anything we choose. GenerationNet (<http://www.GenerationNet.org>) is a unique new nonprofit using the Internet to give young people a voice in shaping the laws that affect our lives.

Young people from around the country are coming together, signing up as members—this is critical—under the site's "Join" link, and democratically choosing their top priority national issues. A financial contribution for membership is optional.

This fall, Generation Net will coordinate a nonpartisan grassroots advocacy campaign injecting our members' top issues into Congressional races around the country and challenging politicians to make a serious commitment to our issues, playing candidates off one another and working with the news media to generate accountability.

Generation Net's issue survey is unlike any other: if your top issues aren't on the list, you can add them, and every visitor after you can choose among yours along with the others. This way everyone's ideas have a chance to attract substantial support, without having to be approved in a back room somewhere.

Spread the word! The results we can achieve depend on people joining as members. This is our chance to make a difference together. Please join us today at <<http://www.GenerationNet.org>>.

ASFAR President Gives Interviews

On July 21, ASFAR President Eric Anderson was interviewed about the voting age by a national correspondent with Newhouse News Service, which writes news stories for more than 20 newspapers across the country. On July 26, Eric was interviewed regarding the drinking age by a reporter from the Harvard paper, which is circulated to over 100 colleges across the country, with a readership of around 250,000. Both interviews were conducted by telephone.

ASFAR VP in TV Appearance

On August 14 ASFAR's Vice-President, Justin Mallone, appeared on Studio Y!, a teen-oriented show on the MSG Metro Channel, available to those who have cable in the New York City metropolitan area. The hour-long program, which airs at 5 pm., focuses on young people called "think-tankers" who discuss issues of the day and review magazines and websites. Justin was interviewed and asked questions about ASFAR and what it stands for, including questions on the drinking age, the age of consent, curfews, movie ratings, and trying youth as adults in criminal courts.

Wisconsin Members Battling Curfew

ASFAR members in the area of Racine, Wisconsin have been actively involved in fighting the city's curfew. ASFAR board member Aaron Biterman was featured on a Wisconsin Public Radio program on Wednesday, August 23; members from the area and visiting Utah member Daniel McGuire attended a committee meeting on August 28. On September 5, a rally was held in front of Racine's city hall. The effort has been the subject of quite a few local newspaper stories, and ASFAR's membership in Wisconsin has surged as a result of the publicity.

Lowering Voting Age in Cambridge, Massachusetts

We've received a report that a November 16 hearing has been scheduled in Cambridge, Massachusetts to lower the voting age in that city's elections to 16. Once we get confirmation, we will offer our assistance in that effort. We'll keep you posted!

News Links

ACLU Challenges Strip Search

A lawsuit has been filed by the ACLU on behalf of about 25 Whitmore Lake, Michigan students subjected to a locker room strip search by teachers. The school's principal ordered the search to locate some money that had been reported stolen; the money was not found. See the story at <<http://www.aclumich.org/briefs/WhitmoreLakecomplaint.htm>>.

Video Game Industry Fights City Hall

A city ordinance passed July 10 to restrict the access of Indianapolis minors to video games which depict violence was challenged by a lawsuit filed August 21. More details are found at <http://dailynews.yahoo.com/h/ct/20000822/cr/video_game_industry_files_suit_to_stop_indianapolis_ordinance_1.html>.

Court Tells Parents to Drug Child

A New York Family Court judge, while stopping short of issuing an official court order, has warned the parents of a seven-year-old boy that failing to make him take Ritalin may put them at risk of losing him to Child Protective Services. For more details see <<http://add.about.com/health/add/library/weekly/aa081700a.htm?iam=mt&terms=%2Bgulag+%2Bschools>>

Parental Notification Law Overturned

On August 15, the Supreme Court of New Jersey struck down a law requiring parents of any minor female seeking an abortion to be notified, although parental consent was not required. The story appears at <<http://www.cnn.com/2000/LAW/08/15/abortionruling.newjer.ap/index.html>>.

President's Pen

Eric Anderson

President, ASFAR

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It is horrifying to imagine that some people openly advocate the imprisonment of young people, both without any sort of due process or guilt for a crime. However, the horrifying is reality when it comes to gulag schools. Some people would like to sugar-coat gulag schools by saying that while they may be harsh, it is a necessary approach to turn around the lives of youth. I say that this is hogwash. Many young people are sent to these schools without any sort of evidence of psychological problems, other than that they disagree with their parents about something, which is a normal fact of life, and hardly unusual.

These gulag schools are almost like cults, drawing parents in with their promise of an easy solution, in which the parents do not have to deal with the problem, and for many thousands of dollars can have the problem magically fixed by a little so-called “tough love”. Some people would like to call these places “behavior modification schools”. I believe that this is equivalent to referring to Nazi concentration camps as “internment camps”. We should call them as they are—gulag schools. Stalin sent political dissidents and anyone else who angered him to the gulags, which were forced labor

camps. Many were never heard from again. In the same way, young people are kidnapped by people they have never even seen, often from their own bedrooms, and taken to these aptly named gulag schools. Many of these schools are either outside of the United States in order to avoid legal trouble or are in very remote areas. Victims of these gulag schools are often denied any kind of contact with the outside world, including communication with their parents, and are emotionally tortured to comply with an overly strict and authoritarian regime which makes a military school look like a Sunday picnic.

Gulag schools are yet another symptom of parental laziness. Parents need to realize that it is perfectly normal and natural that they are going to have conflicts with their children, especially in the teenage years. Just because this happens does not mean their lives are going to turn out poorly. Parents are being seduced by the promise of an easy solution which means less work for them, just as they have been seduced by curfews, so-called “voluntary” ratings systems on computer games, and many other kinds of external intervention.

Gulag Schools

The ends do not justify the means. Many victims of gulag schools are psychologically scarred for life, and they are the lucky ones. Recently, one young person committed suicide <<http://www.denver-rmn.com/news/0702core5.shtml>> after his mother threatened to send him back to a gulag school, all because she did not want to resolve conflicts with her son, who wasn't even in serious trouble.

It is time for this to stop. The government must step in and protect the civil rights of young people. The parents who send their children to gulag schools, as well as the schools themselves, are treating young people as property to be brain-washed and controlled, rather than as human beings. It is time for the government to stop the immoral imprisonment of young people in gulag schools.

H. L. Mencken once said that “For every complex problem, there is an answer that is clear, simple, and wrong.” Gulag schools are perfectly described by his words.

— PARENTS ARE
BEING SEDUCED BY THE
PROMISE OF AN EASY SOLUTION —

News Links

First Charge of Violation of COPPA

On July 21, the Federal Trade Commission announced it would file a complaint with the U.S. District Court in Massachusetts alleging that Toysmart collected personal information from children in violation of the Children's Online Privacy Protection Act of 1998 (COPPA). This is the first complaint the Commission has filed alleging a violation of COPPA since the regulations took effect on April 20, 2000. The story appears at <<http://www.ftc.gov/opa/2000/07/toysmart2.htm>>.

Excessive Discipline May Be Harmful

A study of parents and aggression finds that screaming and threatening by parents may endanger children's mental health. See the story at <[http://onhealth.com/ch1/MT.asp?t=ch1/briefs/item\\$97631.asp&s=1](http://onhealth.com/ch1/MT.asp?t=ch1/briefs/item$97631.asp&s=1)>.

Parents to Lose Homes If Kids Drink

On August 21, Albuquerque, New Mexico councilors gave the city the authority to seize homes if the owners fail to keep their kids from hosting beer parties. The story appears at <<http://www.abqjournal.com/news/105254news08-22-00.htm>>.

Alabama Students Refuse to Say Pledge

Two students filed suit against Alabama's Parrish High School after being made to choose between detention and corporal punishment for their refusal to recite the Pledge of Allegiance. More details are found at <<http://www.freedomforum.org/news/2000/07/2000-07-21-05.htm>>.

Perspective

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Hypocrisy and Democracy

The elections are coming up, and that means it's time to look at where the major (and significant minor) parties stand on youth rights issues. Before I begin, let me note that the comments regarding the political parties contained in this piece are directed solely at the "establishment" of these parties, and at the hypocrisy and anti-youth rights positions of those who write these platforms and set the policies within these parties. I know full well that there are individuals either in or sympathetic to the parties cited that support youth rights. Unfortunately, they tend to be the exceptions.

My critique is limited to the youth rights stances of these parties; I will leave it to the readers to make their own judgments on the other various economic, social, foreign, and domestic policies these parties support.

Final note: in case there is any question, and in the interest of full disclosure: I am partial to the Libertarian Party.

Let's get started:

Democratic Party

<<http://www.democrats.org/hq/resources/platform/platform.html>>

"In the years to come, we must celebrate our diversity and focus on strengthening the common values and beliefs that make us one America—one nation, under God, with liberty and justice for *all*."

Democratic Party Platform

Sounds promising enough, but apparently "all" doesn't include young people. President Clinton has supported curfews, V-chips, school uniforms, and stricter enforcement of the age-based movie ratings system. And the Democratic party has enshrined this anti-youth bias in its platform, proving that this anti-youth agenda isn't limited to Clinton:

"Responsible Entertainment. Parents are struggling to pass on the right values in a culture that sometimes seems to practically scream that chaos and cruelty are cool.

Democrats have worked to give parents the tools to have more control over the images their children are exposed to. Parents and the entertainment industry must accept more responsibility. Many parents are not aware of the resources available to them, such as the V-chip technology in television sets and Internet filtering devices, that can help them shield children from violent entertainment. The entertainment industry must accept more responsibility and exercise more self-restraint, by strictly enforcing movie ratings, by taking a close look at violence in its own advertising, and by determining whether the ratings systems are allowing too many children to be exposed to too much violence and cruelty."

Note the undifferentiated, wholesale condemnation of portrayed "violence", with no reference to the context in which the fictional violence occurs. Are we talking about mindless nihilistic violence, or people defending themselves, their liberties, their families, or their country with physical force? By decrying the demon of "violence", such crucial distinctions are ignored.

The Democrats continue their anti-youth tirade with an elaboration on their ideas for big-government programs addressing that most dangerous scourge, that most evil act, that most pressing of issues vital to the survival of the Republic: Teen smoking!

"Fighting Teen Smoking. Al Gore is committed to dramatically reducing teen smoking in America. It is time we treated underage tobacco use like the health crisis it is. That's why we need to give the FDA full authority to keep cigarettes away from children. We must match the power of big tobacco's advertising dollars with a counter-campaign that tells kids the truth about the dangers of smoking and the risks of cancer to themselves and to others through second-hand smoke. And we should double our investment in efforts to prevent teen smoking and break the deadly grip of nicotine addiction."

So now young people are not only mindless peons imitating what they see on television, but they are also at the mercy of Big Tobacco's ads.

Almost enough to make you want to vote Republican, eh? Unfortunately, that would be an equally bad idea for the youth rights supporter, as we see next.

Republican Party

<<http://www.rnc.org/2000/2000platform4>>

"Equality of individuals before the law has always been a cornerstone of our party. We therefore oppose discrimination based on sex, race, age, religion, creed, disability, or national origin and will vigorously enforce anti-discrimination statutes."

Republican Party Platform

Words are good, but not when they're not backed up by actions, and especially not when they contradict words within the same document. The Republican Party has long made an issue of demonizing "underage" drinking. The National Minimum Drinking Age Act of 1984 (which blackmailed states into raising their drinking ages to 21) was passed by a Democratic Congress, but signed into law by a Republican President (Ronald Reagan). Many Republicans are also on record as being opposed to relaxing parental notification requirements regarding certain medical procedures for young people. And the Republican party refuses to let Democrats monopolize the pro-censorship position, advocating in their platform the installation of horribly ineffective, politically biased, unconstitutional filtering software in public libraries:

"When the FBI reports that porn sites are the most frequently accessed on the Internet, it's time for parents at home—and

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Democracy

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communities through their public institutions—to take action. We endorse Republican legislation pending in the Congress to require schools and libraries to secure their computers against on-line porn and predators if they accept federal subsidies to connect to the Internet. This is not a question of free speech. Kids in a public library should not be victims of filth, and porn addicts should not use library facilities for their addiction. Therefore, public libraries and schools should secure their computers against on-line pornography.”

Hiding under the cloak of “stopping pornography”, the Republicans advocate stifling free speech with massively biased and unreliable censorship software, paving the way for the trashing of the first amendment, all in the name of the “children”.

Libertarian Party

<http://www.lp.org/issues/platform/>

“As Libertarians, we seek a world of liberty; a world in which all individuals are sovereign over their own lives, and no one is forced to sacrifice his or her values for the benefit of others.”

Libertarian Party Platform

The only party with a decent defense of youth rights in their plank, the Libertarian Party upholds the rights of children to a much greater degree than the other parties we’ve discussed. From their Individual Rights and Civil Order plank, Families and Children section:

“However, children always have the right to establish their maturity by assuming administration and protection of their own rights, ending dependency upon their parents or other guardians, and assuming all responsibilities of adulthood A child is a human being and, as such, deserves to be treated justly. We oppose laws infringing on children’s rights to work or learn, such as child labor laws and compulsory education laws. We also oppose the use of curfews based on age.”

The major problem here is that the plank does not go far enough. But considering the current political climate towards youth rights, it’s still pretty damn good!

Green Party

<http://www.gp.org/platform/gpp2000.html>

“As the new century dawns, we look back with somber reflection at how we have been as a people and a nation. Realizing our actions will be judged by future generations, we ask how, with foresight and wisdom, we can renew the best of our past, calling forth a spirit of change and participation that speaks for a free and democratic society.”

Green Party Platform

The Green Party doesn’t have much in the way of statements on youth rights; however, the Education section of their platform is notable for its support of homeschooling and other educational alternatives.

Reform Party

<http://www.reformparty.org/principles/platform1997/constitutional-principles.html>

“We, the members of the Reform Party, celebrate our heritage of individual liberty, recognizing that one of our greatest strengths is our diversity; and we will foster tolerance of the customs, beliefs, and private actions of all persons which do not infringe upon the rights of others.”

Reform Party Platform

Unfortunately, not much is known about the youth rights positions of this party or its candidates (Patrick Buchanan or John Hagelin).

What needs to be done

In closing, I found my survey of the parties (with one exception) to be rather dismal with regard to their positions on youth rights. It’s like they don’t even care.

Why is this, though? Why do the major parties take these anti-youth positions, and why do most of the minor parties seem to not even care? Why?

Because they CAN.

Because up until this point, young people have not MADE an issue out of their rights. And so we have gotten curfews and Gulag Schools and higher drinking ages and countless other violations of the concept of judging people as individuals, not birthdates.

But change is in the wind! ASFAR’s membership is soaring, chapters are forming, protests are being organized, and young people are finally coming together to challenge those who would violate their rights for political convenience.

Regardless of your own political leanings, you can participate. Besides starting/joining an ASFAR chapter and participating directly through protests and petition drives and those sorts of activities, you can also work within your party (assuming you have one) to get them to recognize the importance of defending the rights of the young.

If you’re a Democrat, call them to task on their supposed defense of the First Amendment, which apparently vanishes whenever the specter of young people watching programming “too old” for them is raised.

If you’re a Republican, call them to task on their supposed support of states’ rights, which apparently dissolves when it comes to putting an end to the Federal black-mail of the states through the National Minimum Drinking Age Act.

If you’re a Libertarian, push for the adoption of as strongly-worded a youth rights plank as possible, totally consistent with that party’s beliefs of non-initiation of force and individual liberty.

Whatever other party you might be in, or even if you’re independent politically, there is something you can do to advance the cause of youth rights. So get to it!

If not you, who?

If not now, when?

Hyman, Irwin A. and Snook, Pamela A. *Dangerous schools : what we can do about the physical and emotional abuse of our children*. San Francisco : Jossey-Bass, 1999.

Susan Wisnietzky
Secretary, ASFAR

Here in Chicago several thousand students missed their first week of school. Many of their parents reportedly approved of this truancy, citing the lack of air-conditioning in their children's school buildings, or their belief that August 22 is just too early for school to begin! For most parents, these considerations are not high on their list of reasons to worry about sending their children to school; there's the fear of declines in the quality of education, the "dumbed-down" curricula, deteriorating school buildings, and the all-too-frequently mentioned "ram-pages" of violent students.

While authors Hyman and Snook don't address most of these concerns (only briefly touching on, and largely dismissing, the problem of student-on-student violence), in *Dangerous Schools* they provide a whole new set of worries for parents: the effect of what they call "toxic schools" on their children's physical and psychological well-being.

Dangerous Schools systematically addresses the various behaviors by teachers and administrators that can make a school "toxic" to students: corporal punishment (in the 23 states that permit it) and other physical abuse, verbal abuse, strip searches and other police tactics which are carried out without due process, and suppression of students' freedom of expression. They rail at the inconsistency of schools that teach civics in totalitarian classrooms, punish children for legal prescription or over-the-counter drugs while pressuring parents to put their kids on Ritalin, and use violence to enforce their "zero tolerance" of violence. The book cites some statistics, but mainly advances its arguments through the stories and case histories of students who were harmed by the adults who ran their schools. Readers will recognize some of the stories from recent news headlines.

The authors make some excellent points and provide many good arguments for

greater respect, democracy and tolerance in schools. Irwin A. Hyman, a professor of school psychology, and Pamela A. Snook, a registered nurse, maintain that children suffer the same degree of trauma from maltreatment as adults do, and often experience symptoms of post-traumatic stress disorder. They admit that not all children may necessarily be harmed by the same treatment, but maintain that the mere fact that *some* children seem to adapt to and recover from a hostile environment or experience does not justify allowing it to exist. Besides, they suggest, the effects of such negative experiences in schools may show up in other ways, noting that people raised in states with the greatest acceptance and reported practice of school corporal punishment tend as adults to "become some of the meanest, furthest out-of-control cops, judges, and politicians in the world"!

For its intended audience—concerned parents of school-aged children—*Dangerous Schools* does provide helpful information on documenting abuses, communicating with teachers and school administrators, and obtaining legal assistance. And the book might be persuasive to a sympathetic audience. But it falls short of my expectations for several reasons.

First, there are *no* citations. There's a list of references at the end of the book, but no specific sources are given for any of the facts and statistics. This is a devastating omission which calls into question all of the information given in the book. Unless readers are given the means to check out the sources of facts cited, how can they be certain that the "facts" were not misrepresented, taken out of context, or entirely made up? This failing disqualifies the book from being considered a "scholarly" work.

Second, the bias in *Dangerous Schools* is glaringly obvious. Hyman and Snook make virtually no attempt to disguise their outrage with even a pretense of objectivity. One can easily imagine that Mr. Hyman's

own frequent testimony in court cases would likely be discounted as that of a perennial "expert witness", who can be counted upon to find symptoms of post-traumatic stress in any student brought to his attention—I certainly wouldn't trust his judgment in a court case. And any reader who actually still believes that we need to get even tougher on youth would at once dismiss this book as the work of bleeding-heart liberals.

Finally, the authors are inconsistent in their arguments. In previous issues of *Youth Truth* we have criticized the tendency of courts and others to label young people "children" when they wish to deny them legal rights, but to label them "adults" when they wish to administer harsher punishments. This book uses a similar technique, in reverse. It maintains that treatment we consider inhumane for adults is just as damaging to children, and that children should have the same protections against such treatment as adults. But when the authors discuss how we *should* deal with children who assault, bully, tease, harass, or humiliate their classmates—the same kinds of behaviors they decry when school officials are the perpetrators—they are willing to make allowances, turning to the arguments that "children and youth are different from adults", "thirteen to fifteen-year-olds are in the throes of hormonal and psychological turmoil", and "children and adolescents have not yet developed their sense of self". These sweeping generalizations are just as offensive when they are used to protect youth as when they are used against youth, and they do not square with the authors' insistence on students receiving equal protection under the law.

While I enjoyed reading *Dangerous Schools*, and can recommend it for its often well-reasoned arguments, I don't think its publication will have much affect on America's schools. It's an important topic which needed to be addressed, but it could have been done much better.

Editorial

Joshua Freeman

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The last time that I went to an airport, which was in Newark, New Jersey, I rode a Continental airlines aeroplane. When my cousin, who was driving me to the airport, stopped his car next to a baggage-checking station, we were told that, as I was not fifteen years old or older, we would have to go inside to check my baggage. After parking the car and walking awhile to get into the airport, I laid my ticket on the counter of the baggage claim station. Before anything was done about the ticket, the counter-attendant inquired about my age. When she learned it, she asked if I would be “flying alone”. When I answered in the affirmative, I was informed that a thirty-dollar fee would have to be paid, for an “escort service”.

I had heard about such a law before, and inquired as to where the escorting would take place. The attendant declined to answer, and my cousin and I stood by the counter for thirty minutes while she tapped things into a computer. Then, my cousin had to fill something out, and I was given various paraphernalia which would “signify that I was an unaccompanied minor traveling on an aeroplane”. I was informed that I would not be permitted to leave the security desk until someone fetched me, and filled out some forms. I wondered what would have happened if I was to walk home from the airport to which I was to travel. I suppose that I would have been detained over the night.

After waiting for at least another half an hour at the ticket gate to the waiting lobby for the flight that I was to take, I saw a ticket agent finally arrive. I was informed that I would be escorted onto the plane for “pre-flight” instruction, and that I would not be allowed off until I was escorted by someone. It was “suggested” that my cousin “remain in the airport until the plane took off”.

At each step, the accompanying rules were new to us. If my cousin had had an appointment to keep, I would have been unable to take the flight. There was no warning that we would be asked to follow any rules or regulations because I was someone within a certain range of ages when “flying alone”.

As the plane landed, I was forced to wait until everyone but the “unaccompanied minors” on that flight exited the craft. Then, after waiting for a few more minutes, we were marched down to a gate, behind which people could “sign for our release”. That sort of circumstance can be especially humiliating – being herded by a flight attendant so that someone can sign for one’s release.

Along each step of this trial, I was told that the regulations were “for my safety”. I wonder how much money all of those millions of payments for “escorting service” siphoned through the hands of some bureaucrats at the Federal Aviation Agency. One can be certain that there were increases in salary, jobs, and power resultant from that regulation.

I had never before heard of that regulation. No one with me had heard of it. Sadly, that’s really not surprising; most of the modern encroachments on liberty are somewhat minor, and not revealed until someone is arrested for violating a law. There is no way that any human could absorb all of the laws for the city, county, state, and country in which he lives; the rate at which they are produced is too high. All through the process of the boarding of, duration of, and disembarking from the flight, my questions were met with mumbling ambiguity. Even the airline attendant who escorted me did not know whether those regulations were law.

In this century, politicians have always used their control over the press, the broadcast media, and compulsory “education” to convince the American populace that the current scapegoat – industrialists, alcohol, narcotics, “political” radicals, guns, or whatever – were responsible for all of the problems of that nation. They always proposed a solution, creating more power for themselves, destroying freedom, and bloating the governments of the world.

Curiously, few of the public have recognised that a politician will not generally try to solve a problem that his agency is intended to solve, and will attempt to exacerbate it. If it were solved, he would lose his power. But if the problem is aggravated, it is easier to convince most of the public that he needs more power and resources to combat it. Excellent evidence

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Your Papers, Punk.

for this fact can be found in the propinquity of the dates between the ending of alcohol prohibition – due to public pressure that a government smaller than today’s could not fully stem – and the beginning of the prohibition of narcotics.

Of late, the new scapegoat has been “youth”. In America, until around the middle of the eighteenth century, people made their way in the world by doing, not by waiting for an age restriction to end. Even when there were rigid social classes, moving within one’s own class was more relevant to ability than age.

In 1850, Massachusetts instituted the first laws mandating compulsory “education”. By the early part of the twentieth century, compulsory “education” was demanded across the United States. Other than restrictions on voting age and time at which one could hold public office, there were no age-based restrictions prior to the introduction of compulsory “education”.

Eventually, the government’s licensing of the airwaves and control over compulsory “education” enabled it to convince most Americans that age-based laws were necessary “to protect the children”. Those laws helped to segregate society, cutting off children from people older than them. As most people grew more age-conscious than they had used to be, it became possible to focus blame on a single group, and the emerging one was chosen.

Now, as John Taylor Gatto says so eloquently, communities have no past, and no future. The youth of society are sent off to school, to generalize, shape into an easier-to-mold form, and program, so that they will not be a threat to the status quo. The oldest in society who are unable to support themselves are sent to communities separate from everyone else.

The trend of complacency can be reversed. There is time to remove the yoke of oppression from youth. If people accept generalizations about groups of people, the gates are open for racial hatred and gender-oriented subjugation. Undeserved blame must be removed from the youngest of Americans, before the day comes when all of America’s youth believe all that is said about them.

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Sen. Gordon Humphrey (R-N.H.) proposed an opposing amendment to Lautenberg's, one that offered benefits to states that complied rather than penalties to those that didn't. Opposition was further led by Sen. Steven D. Symms (R-Idaho). Rep. James J. Howard (D-N.J.), Chairman of the Public Works and Transportation Committee, got the Senate amendment onto the House calendar before the upcoming recess. Rep. Howard was also the person who had "offered the legislation that set a nationwide speed limit of 55 m.p.h." (Perlez 1984). Rep. Glenn M. Anderson (D-Calif.) proposed H.R. 4616 that later became the vehicle for the drinking age amendment. Sen. Lowell P. Weicker Jr. (R-Conn.) held up Senate action because he felt that raising the drinking age wasn't doing enough for the problem of drunk driving as a whole.

The drinking age legislation can be primarily attributed to the efforts of Candy Lightner and the MADD organization. After its founding, MADD set out on a massive campaign to raise the drinking age on a state-by-state basis, and then finally on a national level. Lightner's national campaign started when she "buttonholed congressmen while representatives of MADD chapters flooded their offices with letters and telegrams" (Gettinger, 1984). She gained the support of New Jersey Rep. Howard, who proposed an amendment to the transportation bill, H.R. 5504. H.R. 5504 involved the allocation for funds for highway and road projects around the country. There was much controversy surrounding this bill due to the multitude of pet projects that were added on. A total of \$575 million extra was added onto H.R. 5504, but was eventually cut back to \$106 million. On June 7, 1984 the House voted 297-73 in favor of the amended highway bill. The Senate drafted a similar bill (S 2527), which became "mired in a controversy of its own and has not come to the floor" (Gettinger, 1984). Sen. Lautenberg,

who proposed the drinking age provision, chose then to add it to H.R. 4616 instead of H.R. 5504.

However, Lautenberg was blocked from bringing his amendment to the floor by Sen. Weicker, who had "held up Senate action because he wanted a broader approach than the focus on the minimum drinking age" (Gettinger, 1984). A compromise was reached and other provisions regarding adult drunk driving were added to the amendment.

The most passionate and heated discussion over the drinking age amendment occurred here on the Senate floor. Several conservatives fought Lautenberg's attempt to blackmail the states into following the national government. Led by Sen. Humphrey and Sen. Symms, the opposition proposed an amendment to counter Lautenberg's amendment. Humphrey's amendment offered positive incentives to states that complied rather than threatening them with penalties such as loss of significant funding. Lautenberg's opponents considered his amendment to be an infringement on state's rights; their arguments, made on June 26, taken from *Thomas' Senate Vote Analysis*, are as follows:

The pending Lautenberg amendment, however, which would coerce States into establishing a 21-year-old drinking age, should be rejected because it would result in Federal encroachment into areas that have been reserved to the States under the Constitution. It is clear that all powers not specifically delegated to the Federal Government by the Constitution are reserved to the States and to the people. Nowhere in the Constitution has the power to regulate the sale and consumption of alcoholic beverages been delegated to the Federal Government. Those who want to expand the power of the Federal Government beyond that granted to it by the Constitution have found various mechanisms for achieving their objective. Almost every Federal tax dollar returned to the States has strings attached; the Lautenberg amendment would tighten the knot. This practice, as embodied by this amendment, is nothing

short of blackmail by the Federal Government. It is inconsistent with the Constitution, contrary to sound principles of federalism, and not in the best interest of our country. Therefore, the Lautenberg amendment should be rejected.

In addition to the states' rights arguments, opponents to the legislation maintained that any attempt to deny someone the right to drink alcohol was age discrimination. "Why the magic age of 21?" asked Sen. Patrick J. Leahy (D-Vt.). "Why not 25? How about 30, 35, 40?" (Gettinger, 1984).

In the end, however these arguments fell on deaf ears. Supporters of the Lautenberg amendment accused the Humphrey amendment of taking "half measures". The Humphrey amendment lost by a margin of 35-62, and the Lautenberg amendment passed by a margin of 81-16. The votes were largely non-partisan, although there was more Republican support for the Humphrey amendment. The breakdowns, taken from Republican Policy Committee's *Senate Record Vote Analysis*, are as follows:

on the Lautenberg amendment:

	YEA	NAY
Republicans	(45 or 82%)	(10 or 18%)
Democrats	(36 or 86%)	(6 or 14%)

on the Humphrey amendment:

	YEA	NAY
Republicans	(25 or 45%)	(30 or 55%)
Democrats	(10 or 24%)	(32 or 76%)

The non-partisan approval of this legislation can be most accurately described by this knowledgeable Senate source, "The 21-year-old minimum drinking age is now seen as good public policy, one you can't lose on, and this is an election year" (*Washington Post*). The mass hysteria over this issue so enveloped the congress and the country that even the President, who had previously condemned this

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amendment for being an infringement on states' rights, reversed his stance and on June 13 formally endorsed raising the drinking age. After Senate approval of Lautenberg's amendment it was sent back to the House where it silently passed through with no objections to the Senate version of the bill. This action made the drinking age public law on June 28, 1984. It seems that most of the leaders of the drinking age idea were from New Jersey, from Lautenberg in the Senate to Howard in the House. Not long before this issue was introduced in Washington, New Jersey had just raised their drinking age to 21, so the idea may have been very politically popular in the state of its originators.

The media played an important role in this too, much overhyping the statistics and studies, which inflamed public opinion on the issue and no doubt affected the votes of more than a few congressmen. The statistics used in this public relations battle had several problems as well. For example, one set of statistics that was used in the debate on the Senate floor in favor of the Lautenberg amendment was as follows:

Young drivers are involved in one of every five fatal auto accidents. Almost 60 percent of fatally injured teenagers were found to have alcohol in their blood; 43 percent of those were legally intoxicated. Five thousand of those killed on our highways each year are teenagers—a fifth of all auto fatalities—although teenagers account for only 10 percent of all drivers and travel only 9 percent of all miles driven.

These statistics, taken from *Thomas' Senate Vote Analysis*, said that 5000 killed on our highways are teenagers, one fifth of the total fatalities, which would mean the total is 25,000. It says that 43 percent of those 5000 teenagers, or 2150, were legally intoxicated ($5000 \times .43 = 2150$). So 2150 drunk teens out of 25,000 total accidents—that is 8 percent, not 20 percent as they imply. It is unknown how many were actually driving. Some of those 2150 could have been sitting in the back seat while their parents were driving. Drinking age proponents such as MADD used statistics like these to obscure the truth in order to win their goal of further depriving youth of their liberty.

Personally I agree with what the Humphrey supporters had to say—that the minimum drinking age is discriminatory based on age, and that it goes against the constitution by forcing the states to comply with the federal government. This legislation was disastrous for the concept of federalism, because it was one of the first steps that allowed the federal government to “black-mail” the states in this way. After the precedent was set by the National Minimum Drinking Age Act, coercive deals like this became common legislation on the hill.

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Information on the House side of the story is difficult to find. It seems that the House amendments were not voted on individually, as were the Senate amendments. The sources that I found were very unclear about the process of moving the drinking age amendment from H.R. 5504 to H.R. 4616. Reporting of committee testimony seemed to favor the amendment as well. Every source mentioned MADD, but only one seems to have mentioned that student groups and restaurant owners came to testify against the bill. The opposing side of the issue was nearly non-existent in the newspapers. Only *CQ Weekly* mentioned the arguments for the anti-drinking age side in any detail.

Conclusions about the legislative process are not cheery ones. It seems to me that politicians are too eager to jump on bandwagons that promise good publicity and easy votes. It also seems to me that special interest groups such as MADD can exert tremendous influence upon legislation and the public mood on an issue. It was interesting that such a fiery debate raged in the Senate, but when it went back to the House it was passed through with less than a murmur. President Reagan also had an interesting role. His declarations of support and opposition helped shape public opinion and helped motivate congressmen in his party.

The National Minimum Drinking Age was a key defeat, both for states' rights and for youth rights. A massive public relations battle was fought by MADD and opponents had no time to prepare before this battle was won. This legislation affects millions of people every day, as it has since it was passed in 1984.

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