



1983

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Recommended Citation

Hedin, Thomas R. (1983) "Alcohol - An American Ethic," *North Dakota Law Review*. Vol. 59 : No. 3 , Article 2.

Available at: <https://commons.und.edu/ndlr/vol59/iss3/2>

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INTRODUCTION

ALCOHOL—AN AMERICAN ETHIC

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Alcohol may be the most perplexing and paradoxical issue in the American culture. If laws are viewed as statements of societal values, one can quickly determine the clear values of personal freedom, the democratic process, and individual rights in the statutes of the United States. If one judges societal values by the number of laws pertaining to a topic, then alcohol would probably be the nation's greatest concern. Alcohol is the topic of two amendments to the United States Constitution. A review of nearly any agenda of recent legislative sessions in North Dakota would reveal that as a topic for legislation, alcohol consistently commands more attention than any other single topic. North Dakota taxes alcohol, controls it in various ways, taxes it again, and enjoys the benefits of its taxation, while generally ignoring the social and health problems that it exacerbates or creates.

The strength of the United States is often attributed to the blending of cultural and ethnic heritages around the common ideal of democratic freedom. "Social pluralism" is the conceptual term that describes the blending and coexistence of cultural standards in

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the United States. The concept implies respect for cultural traditions and religious or national backgrounds. Embodied in this concept is the ancestral heritage present in celebrations, such as weddings and similar social functions. As a child, I attended both Sytendemai celebrations and Svenskarnasdag celebrations. On some occasions I also ventured to celebrations with my German friends and on rare occasions to other events with my Black and Jewish friends. These groups honored different customs, spoke differently, sang and danced differently, and of course, drank differently. The pluralism of American culture is perhaps most clearly centered on the drinking customs of America's various ethnic groups.

Each national or ethnic group fostered its drinking customs as an assertion of its heritage. Thus, Jews drank wine, as did the Italians; the French drank lighter wine, but with greater variety; Germans drank beer; Greeks drank Ouzo; Irish drank whiskey; the Scotch drank the obvious; and so on. Consumption patterns varied widely, allowing or even promoting drunkenness in some groups and sharply prohibiting drunkenness, in other groups. Each group produced its own drinking ethic, which, over a period of generations, may now be far removed from its original state or country of origin. Italy is known to have a culinary ethic for the use of beverage alcohol, Germany a social ethic, and Ireland a recreational ethic. As American society developed, Americans were left with no single ethic regarding ethyl alcohol and with multiple ethics in various portions of the population.

In colonial times, America was noted for the extremely heavy alcohol consumption of its citizens. Westward expansion across the Appalachians produced the need for farmers to distill grain products to whiskey for ease of transport. Spirits were respected as the common currency of the day. The government soon began taxing this currency, an action that precipitated the famed Whiskey Rebellion of 1794. The European ocean traffic to the colonies produced the profitable slavery triangle: slaves from Africa to the West Indies; molasses from the West Indies to New England; and rum made from molasses to Europe. Without the rum traffic, the slave traffic would not have been profitable.

In the early nineteenth century, alcohol abuse in the nation reached intolerable proportions. Religious and social groups advocated temperance. The Anti-Saloon League and similar social groups eventually changed the policy of "temperance" to "ab-

stinence.” By the late 1800s the “wet vs. dry” issue was well established. That flame was fanned by evangelistic church men and social reformers for nearly one hundred years. Constitutional prohibition was advocated as early as 1856, and the eventual outcome was the Volstead Act of 1919, which became the eighteenth amendment to the United States Constitution. The amendment prohibited beverage alcohol in any form.

Actually, Americans voted dry, but drank wet. The illicit traffic in beverage alcohol was enormous, and most estimates indicate that during prohibition drinking Americans did not suffer shortages. Organized crime flourished as did consumption. Beverage alcohol again became the focus of a constitutional amendment, and in 1933 the twenty-first amendment repealed prohibition. Americans had made their first cultural or national statement — this is a drinking nation.

The wet-dry controversy still exists within many churches and community groups, and it continues to pervade the laws of individual states. Thus, a nineteen-year-old can purchase alcoholic beverages in New York, but not in North Dakota. An eighteen-year-old can legally drink beer in South Dakota, but not wine or spirits. In some states an adult can purchase alcohol on any day of the week, while in others he can not purchase alcohol on Sundays. Grocery stores may sell beer in Minnesota, but other states limit sales to licensed liquor stores or state operated liquor stores.

An estimated seven out of ten adult Americans drink, and about nine out of ten American teenagers drink. Americans have established social standards by providing for laws prohibiting nonadult persons from drinking alcohol. Yet, there is no national consensus on the age that signifies adulthood. Some states declare a person to be an adult at twenty-one, others at eighteen, and some states indicate that a nineteen-year-old can drink beer in any amount but not wine or spirits. The law, however, seems of little importance because ninety percent of high school seniors drink.

Society also sends confusing messages through its commercial advertisements. On television a former all-pro linebacker describes the smoothness of a pilsner beer, an unattractive aging Italian tells men how to collect young women with a wine with a French sounding name, and the luxurious blonde billboard lady entices viewers to “feel the velvet.” As an audience, we easily become oblivious to the ten million or more persons in our society who are addicted to the drug ethyl alcohol.

The nation’s social ethic on beverage alcohol is composed of

conflicting elements: it contains an assertion of protected personal choice; some strict, but often disregarded laws regarding sale and distribution; the value of abstinence based on some church teachings; the guilt produced by the failure to observe those teachings; and the most obvious, but generally unrecognized, social statement that Americans like to drink. Americans abhor the notion that illicit drugs are sold, but they typically refuse to view alcohol as a sedating drug. In spite of the advertising image of drinking for taste or smoothness, the largest selling alcoholic beverage is vodka. Thus, another component of the social ethic is the element of denial, a conscious and unconscious denial that alcohol is the drug used by millions of Americans.

Alcohol may be defined both as the safest drug in human history and the most dangerous. It is the safest because millions, perhaps billions, of people use the drug periodically without hazard. It is the most dangerous because millions are addicted to the drug and their addiction contributes to social ills such as crime, assault, abuse, and traffic fatalities. Americans are beginning to express themselves on this issue through laws and, more subtly, by social customs. In the last decade, society has made formal statements through its laws. Included in those formal statements are the following generalizations:

1. Society must protect nonadults from the direct effects of alcohol, and it has generally agreed that adulthood for this purpose occurs at age twenty-one.
2. Inebriation, by itself, is not a crime. Habitual abuse of alcohol is a form of illness, defined as alcoholism. Alcoholism itself is not a crime, but a treatable disease.
3. Criminal behavior committed while under the effects of alcohol is not excusable by law or social standards.
4. Driving while under the effects of alcohol is wrong and, at its current level, poses a threat to the drinking driver and to the public.
5. Alcohol is a luxury item and is therefore subject to federal and state taxation in multiple forms. Many states directly tax alcohol to gain revenues that help fund treatment or prevention programs.
6. Alcohol contributes to social problems, and it offends a healthy society. Therefore, its sale, distribution, and consumption patterns may be limited by law to specific days, hours, and physical settings. These patterns

vary widely across and within states.

Although this list is not comprehensive, it nonetheless illustrates some of the social statements embodied in the law.

We often naively perceive European nations as maintaining a *laissez faire* attitude toward alcohol use, yet recent concern in those nations is producing similar legal efforts. Alcohol problems exist everywhere. The United States may be the most alcoholic nation in modern history. Yet, society frequently denies its alcohol problems. The denial is similar to the phenomenon of "psychic numbing" described by the survivors of a nuclear holocaust. The scope of these problems is extensive, personally threatening, and somehow offensive to the nation's dignity.

Of the estimated seventy percent of Americans who drink, one out of ten will suffer the disease alcoholism. Studies suggest that every person is a candidate for the disease alcoholism. Even if an individual is not an alcoholic, he certainly will feel the effects of the disease in someone else.

The focus of this symposium is not specifically on the disease alcoholism, and one cannot properly assume that all alcohol problems are due to alcoholism. Still, it should be recognized as the major illness of our time and as the greatest single cause of loss of life to North Dakotans. Alcoholism is representative of the generally unrecognized scope of problems caused by the interaction of human beings and the drug ethyl alcohol.

As previously stated, alcohol may be the most confusing aspect of the American culture: it is safe, yet dangerous; restricted, yet available everywhere; dignified, yet degrading, distant, and personally threatening. It is a problem that engendered the authors in this symposium to address the numerous issues arising from the complex relationship of alcohol and the law.

