

# The Generation Gap Under The Law

People Mature Earlier Today

But Our Static Old Laws Won't

Let Them Vote, Work Or Be Responsible

What is a "minor"? A minor is a person who has not reached the legal age of an adult... — Lawyer's definition

Grandmother to high school coed: "We didn't have teen-agers when I was your age." — New Yorker cartoon

By TIM RICHARD

Yes, there is a "generation gap," but it's more severe than simply a lack of understanding between age groups.

Yes, times are changing, but the change is going deeper than mere social standards.

Human beings have changed, especially in the 12-21 age range. No longer can you validly compare the 18-year-old of today with the 18-year-old of a half-century ago. Television and liberal professors have something to do with it, but their role has been exaggerated.

Human beings have changed physically. This has contributed to social and mental changes. The age of "maturity" has changed—although no one has calculated precisely how.

Laws have remained static, however. In 11th century Britain, a male was deemed to have reached the age of majority when he was 21, being then considered of age to bear armor. Thus, in the space of 800 years, we are governed by a law that is not only 900 years old but, worse, a physical concept that hasn't seriously been re-examined in all that time.

IT IS THE ARGUMENT of this paper that:

• The meaning of maturity and the age of majority should be identified more precisely. The job should be undertaken by a panel appointed by Gov. Milliken consisting of behavioral scientists — anthropologists, psychologists, sociologists.

• The legal questions involving maturity should be identified by another panel — lawyers and judges. Among the questions: At what age should one vote? At what age? Serve on a jury? Be tried for crimes? An adult? Be allowed to marry? Be entitled to his parent's support? Be able to make sexual decisions? Use firearms.

• The knowledge of maturity should then be applied to the law. What will be the result? A good guess is that the legal age of everything may well be lowered.

Not only legal ages could be affected by a more precise knowledge of maturity, but our entire educational system, too. A newsmagazine suggests, in discussing campus revolts, that freshmen enter college about two years earlier, on the average.

So far, the legal discussion has revolved around only one issue — the 18-year-old vote. Voting is a right, and politically the older folks will never allow the extension of that right to young people, who also assume additional responsibility. That's the oldest rule of politics: To get something, you must give something; compromise.

There is hope. Gov. Milliken and several leaders of both parties have expressed an interest in the total revision of laws relating to maturity. They, along with members of the

Legislature, are receiving copies of this proposal.

OUR SOCIETY has built up, mainly in the last 50 years, a new class of people for which it hasn't even found a name. Fools — including members of an area board of education — refer to them as "children." Some say "teen-agers." Some, "young adults," which is a contradiction of terms. Others, "adolescents," which is clinical.

People mature earlier, but they join the economic, political and social mainstream later.

A century ago, a lad reached puberty at 14 to 15, but at that time, he had finished eighth grade; if he went that far, and with no child labor laws, he was soon self-supporting.

Today he reaches physical maturity two or more years earlier. He is put under tremendous pressure to finish high school. If he is academically strong, he is under pressure to attend college and go on to graduate school; if not, the community college opens its doors to him. After all this he gets some additional seasoning in the Peace Corps or the military.

It isn't until eight or 10 years after he has

## AN OBSERVER WHITE PAPER

reached the age of reproduction that he reaches the age of full economic production in a career.

A scholar coined the term "social dynamite" in writing about jobless young Negroes in the cities. The term can actually cover nearly all people in the 12-21 age group.

THERE IS AN APPALLING shortage of precise information on what maturity is.

"Over the last 100 years," says Free Press Writer Boyce Rensberger, "the average age of first menstruation in girls has dropped from 14 to 12. Most likely a similar change in sexual development has taken place in males, but because there's no comparable dramatic event to signal biological sexual maturity, it is not easily measured."

Says Dr. Leroy Augenstein, Michigan State University biophysicist and member of the State Board of Education: "This (earlier maturity) is probably not more than a year or so, and I don't think that is significant. The thing that I think is significant is the growth of mental maturity. I would define it as the ability to recognize that everything isn't black or white. There are shades of grey..."

Physical and mental maturity are two different things, granted. But they are related. The brain's nerves of a chimpanzee reach full development around the time of puberty, but a human's brain nerves do not develop fully until some years after puberty.

If brain development is related to the rest of the body's development, it follows that mental development — hence mental maturity — is also related to physical development.

YET THERE MAY EVEN be different degrees of mental maturity.

## FOOLS CALL THEM 'CHILDREN'



When the U.S. Senate last year debated lowering the voting age to 18, the usual bloody shirt argument — "If they're old enough to die for their country, they're old enough to vote" — was raised. A thoughtful reply came from Sen. Speiser (D-Mass.):

"Mr. Chairman . . . I do subscribe to that theory, for the draft age and the voting age are as different as night and day. For soldiers are called upon to be obedient to command and to follow the strictures of military rules and orders. They are not in a position to determine matters of policy for them-selves . . .

"The voter must have the ability to separate promise from performance and to evaluate the candidate on the basis of fact which is a prerequisite to good voting. Furthermore, citizens of the female sex are not subject to be drafted to fight but do have a right to vote, just as citizens of the male sex do."

Holland then went on to argue that the voting age shouldn't be lowered because so many other legal ages — drinking, marrying without parental consent and making contracts — are set at 21.

As Sen. Holland's remarks are, they still carry weight in law.

First, while the abilities to fight and the ability to vote are different, it doesn't follow that both abilities come at markedly different ages. Maybe the abilities to fight a war and to vote both develop at 18 — who has researched it?

Second, Holland's reasoning is circular: He argues that one law shouldn't be changed because of the provisions in other laws. This paper argues that probably everything will have to be revised — probably downward.

Leroy Augenstein thinks there should be a single age of maturity: A person would gain the right to vote and drink and make contracts — along with the duties of supporting himself and having contracts enforced against him — all at once.

Mental maturity occurs at different ages for different people. Everyone knows mature persons of 17 and punks of 3. That is why it will take some population data to make decisions about when enough persons of any age are sufficiently mature to allow everyone that age to vote.

Thus, if men of science determine that (say) 75 per cent of all persons have the mental capability to vote "intelligently," hold their liquor and make contracts at age 18, then that should be the age.

DR. E. KEMAL GOKNAR, formerly head of the young adult unit at Northville State Hospital, likes the idea of giving people more rights and responsibilities at an earlier age, but he added a new twist — an intermediate legal age between childhood and adulthood.

The young adult unit at NSH serves persons in the 17-21 age range, and Goknar says they have special problems and needs. On the one hand, they are too old to be treated as children. On the other hand, they are not yet economically independent; they haven't started their own families, and they are still uncertain about their vocation.

Goknar proposed an intermediate age range at which a person could assume some, but not all, of the rights and responsibilities of an adult. A physician and not a lawyer, he was unable to say how to apply this theory in the writing of a law. But the two-part state commission of behavioral scientists and lawyers could possibly work out an answer. Who has researched it?

Goknar's analysis is strengthened by the Louis Harris Survey of voting behavior. Advocates of the 18-year-old-vote argue that young people lost interest in politics between their high school civics classes and the time they reach 21; better citizen participation could be achieved by lowering the voting age, the advocates say.

Harris, however, found just the opposite to be true. "Studies in those states where the voting age has been lowered below 21 reveal a smaller proportionate turnout among the under-21 age group than any other," Harris wrote on June 27.

Harris didn't give the reasons, but they are obvious. It takes more than a civics course to stimulate and inform the young politically. A young person's place of residence hasn't been stabilized yet; he may know about Nixon and Kennedy, but he doesn't know much yet about the local congressman, the state legislators, the town ship trustees and the school board members. Time — not

civics courses — must fill in those important details.

ADULT BODIES, probably adult minds, children's rights and duties — that is a fair summary of what our economy and legal system have created for the under-21 age group.

Roy Sorenson, addressing the Joint Conference on Children and Youth in Washington in 1962, said:

"A major stress for youth stems from their lack of place or role in our society. They are too young to marry, too young to be excluded from employment, they do not participate in elections; there is presently no effective way for them to take part in the political, commercial, financial or cultural aspects of the community."

And Franklin Patterson of Tufts University put it this way:

"Youth are passive students, consumers, dependents and bored observers of the adult rat race. We have placed youth in a social vacuum with nothing to measure themselves against except standardized academic scores and poor standards that are evoked by advertising, consumer persuasion and the disc jockey."

People in the behavioral sciences are talking about maturity, a little. People responsible for campaigning for and passing laws are talking about maturity, mostly.

They should be talking to each other and drafting laws based on 20th century knowledge, not 11th century conditions. This paper proposes that Michigan lead the nation by defining maturity, learning when it occurs and applying that knowledge to all the laws.



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