

make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

3-Prior to *Craig v. Boren*, the legal system formally described the review of sex-based classification as “**rational basis**”, however in practice, the Court applied a standard that was more strict than ordinary rational basis in such cases like **Reed v. Reed**.²

-Can be interpreted like a gap between theory and judicial practice-

Arguments & Reasoning

When this case is evaluated through the case precedents under the doctrine of ‘**stare decisis**’ from historical background, the first case that is required to mention is “**Reed v. Reed**”: according to the case cited, if a law automatically grants benefit for a gender without a rational basis, it violates the “**Equal Protection Clause**”. Since the Oklahoma State law establishes different minimum drinking ages for men and women (gender-based discrimination), and the “**ratio legis**” of the Oklahoma State law is unknown while it is enacted in 1890, it is a point that gives justification to the petitioner side according to the precedent of “**Reed v. Reed**”.

² 404 US 171, 1971