

In addition, under the precedents of “**Barrows v. Jackson**<sup>12</sup>” and “**Sullivan v. Little Hunting Park**<sup>13</sup>”, third-party standing is allowed when the plaintiff suffers a direct injury, has a close relationship with the rights-holder, and the rights-holder faces genuine obstacles (hindrance in *Singleton v. Wulff*) to vindicating their rights themselves, such that denying standing would effectively insulate the underlying rights violation from judicial review.

### Counter-Reasoning

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The first countering is the case of Precedent of “California v. LaRue”, which solves the intersection between the 1st and 21st amendment. According to that precedent, 21st Amendment strengthened state power; 1st amendment analysis have been softened. So, the margin of appreciation for the state under the 21st Amendment was expanded over alcohol-related activities and First Amendment scrutiny is applied with greater deference.

So, when an analogy between the precedent of “California v. LaRue” and “Craig v. Boren” was driven, the respondent side’s ( Boren-Behalf of the Oklahoma State ) discretion was wide, within its regulatory authority (*intra legem*, in a theoretical sense) through alcohol-related activities as the State of Oklahoma.

However that discretion must be proportional, predictable and legitimate.

<sup>12</sup> 346 US 249, 1953

<sup>13</sup> 396 US 229, 1969