

On the other hand the precedent of “**State Board of Equalization v. Young’s Market Co.**”¹⁴ held that the Twenty-First Amendment gave states broad authority to regulate alcohol, even when such regulation would otherwise conflict with constitutional provisions — a position later narrowed by the Court. According to that precedent, structural federalism provisions (commercial clause etc.) by the states can sometimes yield to the 21st Amendment. However; individual right guarantees cannot be displaced by it, and since the “Equal protection clause” was an individual right guarantee, it is untenable to invoke this¹⁵ precedent to legitimize the violation of the “Equal protection clause” in “Craig v. Boren”.

The counter-substantial assessment

The precedent of “**Bassett v. Bassett**”¹⁶ invalidated Oklahoma’s old sex-based minority distinction under Equal Protection but did not itself universally set 18 as the legal age for all purposes. However within the procedural process, while it is a state intermediate appellate court decision, this precedent is not a binding precedent on the U.S. Supreme Court.

¹⁴ 229 US 59, 1936

¹⁵ State Board of Equalization v. Young’s Market Co.

¹⁶ Bassett v. Bassett, 1974, Case Number: 46368