

Prohibition 1920–1933

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March 14, 2007

Nowadays, historians almost universally consider national prohibition a failure, for it did not prove to be a cure-all, but they usually ignore its positive results. Prohibition was unique, since it allowed to simulate a social experiment on an enormous scale, and its result still holds true for many applications to the concrete situations such as the effort for drug legalization, or general issues, such as state regulation versus personal freedom. In the early 20th century people favored national prohibition because it guaranteed abolition of the saloon, which some saw as evil in their religious belief, but which was completely legal. It seemed as if the state were officially supporting organized exploitation of the people. The hope that alcohol prohibition would alleviate social issues such as wasting money and spousal abuse did, however, not prove correct, since prohibition reduced the alcohol consumption only to about a half. The lack of enforcement and the schism between federal government and the states caused the prohibition's failure. The 18th Amendment was repealed because gangsters used illegal alcohol as a source of profit, people flouted the law, and officials supposed to exact the law became corrupt. Although the goal of prohibition was indeed noble, and certain form of prohibition must always be in effect, this attempt demonstrated that a change of so deep-rooted social traditions must be gradual.

General prohibition was a natural consequence of the war prohibition, which was justified by the cause of mobilization. Supporters of prohibition argued that brewers wasted supplies necessary for war, and questioned the loyalty of the brewers, who were predominantly of German descent.¹ In order to disprove the counterargument that prohibition would damage American industry, the proponents tried to elevate public opinion by instances, in which distilleries transformed into food concerns. In this view, prohibition turned the evil to good; one should mark the connection to the war slogan "Food will win the war," and the predictions of anti-prohibitionists were hereby disproved.² The employers supported prohibition, for they hoped it would decrease the absenteeism and increase work productivity, so the only potent opponents were found in the alcoholic industry.

In the teens, a paradigm of male drunkard arose, who identified his political rights with

the rite of drinking, which spread the habit of drinking among young men, and signaled imminent danger for society.³ Prohibition should have expunged “the habitual drinker who fell down on the job..., who filled the...jails, who caused family untold misery, and who made up at least 10 percent of those entering our mental hospitals.”⁴ Alcohol was the ultimate enemy, and prohibition was the only cure. The Puritans especially saw the alcohol addiction as threatening the common family values defined by Protestantism and Calvinism.⁵ On the contrary, almost everybody held that alcohol could be used as cure for any disease, and to refuse such powerful drink meant to degrade oneself socially. Notably, in religions such as Christianity alcohol in the form of wine plays spiritual role, and its abuse for everyday drinking disconcerted the pastors.⁶

Some opponents of drinking saw the saloons as “Devil’s headquarters on Earth,”⁷ and attributed the drunkenness to immigrants, thus giving way to their resentment to a different ethnic group.⁸ Saloons were places where workers went to spend their wages on alcohol and subsequently played card games. Many Americans, however, held that drinking did not belong to the fundamental “Rights of Man,”⁹ and prohibition was thus not only possible but necessary for the preservation of society. The proponents of prohibition often used uncompromising rhetoric, calling alcohol “evil,” and the fight for prohibition a “war.”¹⁰ Majority of states had already enacted dry laws before the ratification of the 18th Amendment.¹¹

The statistics for the years 1917–1919 demonstrate that the most important condition of prohibition was false: the poor people consumed on average four times less alcohol than the rich ones, they similarly spent less than a half on tobacco, which illustrates the importance of alcohol and tobacco as socially determining factors; the more one drank, the higher he was in the social hierarchy.¹² The same statistics prove that the alcohol consumption dropped only slightly before the inception of prohibition, and only few people switched to tobacco instead, and the drug consumption changed only marginally.¹³ Furthermore, Warburton claimed that the consumption of spirits increased (high alcohol content; easy to conceal and transport), the consumption of wine also increased (substitute for beer simple to produce at

home), and the consumption of beer significantly dropped.¹⁴ The cleaning spirits sales even display decrease in consumption between 1920–1931, and the hypothesis of misuse of such spirits must therefore be denied.¹⁵ The misuse did not happen on the level of individual or family; it was organized in larger groups.

Eventually in 1919, the states ratified the 18th Amendment to the Constitution, which forbade the manufacture, sale, and transportation of alcohol. After a while it was clear that the main goal had been achieved: The saloon was successfully eliminated. Since many people retained their desire for alcohol, new secret enterprises called *speakeasies* came up. Because drinking was illegal, women started visiting *speakeasies* to find something exciting. What would in the past seem unthinkable for a woman that was no prostitute became quite common. There was consequently less distinction between women and men, and women started adopting other habits of men.¹⁶ Obviously, the women-voting amendment came in the same time, and had the same impact as drinking, which only accentuated the link between voting (social position) and alcohol. Drinking thus served to hurl down the men’s social dominance over women. Women also took part in both organizations upholding prohibition and demanding its repeal.¹⁷

Respect for the law or social pressure rarely discouraged people from drinking.¹⁸ Volstead Act suggests that the environment of drinking permits was substantially unjust, allowing drinking for “religious” purposes, manufacturing alcohol at home for personal use, and using alcohol in physicians’ prescriptions. These exceptions allowed for thriving corruption and subsequently less respect for law. People inferred that the prohibition was not the only bad law, but rather belonged to a larger group of unjustified laws. The difference between the Amendment’s “intoxicating liquors” and the Volstead Act’s ban on any mild beverages such as beer was flagrant. Moreover, during the ratification process of the Amendment, several states passed incorrect wording where “intoxicating liquors” were replaced with “alcohol,” and some saw the Amendment as invalid.

Finally, by explicitly considering alcohol abuse as an important issue, prohibition made

the minds of people focus on alcohol and aroused curiosity to try something illicit. Many of those who might not even thought about alcohol were lured to speakeasies to socialize and consequently experienced those problems which prohibition was expected to prevent. Furthermore, illegal alcohol was known to be quite harmless in comparison to cocaine or heroin, but its quality was often so low that it still could be extremely dangerous.

Wickersham claimed that as a result of prohibition, people had worked more efficiently and with less accidents,¹⁹ but others strongly oppose that the improvement was due to prohibition.²⁰ With the Amendment in force, the consumption of alcohol decreased sharply to 30 percent of the original value and then gradually increased to 60 percent, harking back to the original value in the decade after the repeal²¹ (other sources list even in the 1970s²²). Many studies testify that prohibition had little effect on the healthiness of the population; one can adduce Landis and Cushman, who concluded that “prohibition did not affect the rate at which patients enter mental hospitals.”²³ All statistical evidence, however, ignores the influence of the two World Wars and the Great Depression. Further evidence showed that drinking levels evolved independently on laws, only with respect to time in periodical waves, which could be considered as a strong argument against any effort to restrict alcohol sale.²⁴ The situation in prisons resulted into the same failure: Although to consider the influence of prohibition sole is naive, the number of prisoners in federal prisons increased, as well as the expenditures on prisons.²⁵

Alcohol during prohibition was of low quality, often hazardous to health of the consumer. General Andrews testified that “the sources of illicit liquor. . . were smuggling, the diversion of medicinal spirits, the diversion of industrial alcohol, and the. . . moonshine liquor.”²⁶ Because of the process of diversion of alcohol, many substances supposed to prevent its abuse hurt the people who tried to drink such alcohol. The ban on information about alcohol manufacture methods created various myths, including the information that if you took methanol and you strain it through a loaf of bread it would change it to ethanol.²⁷

Although efficient enforcement methods were already proposed in 1920s by Frankfurter,

the distinction between state and federal role in regulation was vague, and each of them left it to the other, in order not to have to spend money on it.²⁸ The power vacuum was instantly filled with organized crime. Prohibition constituted mutually fighting gangs, whose methods made it possible to bootleg efficiently and resist the weak federal forces. Most famous fights took place in Chicago where Al Capone lived. Prohibition thus, paradoxically, created a new, completely different culture. The opinion of the movies shifted from the initial approval of prohibition towards openly depicting the gangsters or the corrupt officials.²⁹

Many people ignored the Volstead Act completely, since there was little enforcement.³⁰ The wealthy in particular thought that prohibition did not apply to them, for they could decide for themselves, and so they abandoned their addiction only scarcely. Even though state engagement was vital for the success of prohibition, in certain areas people flouted the prohibition. Irish, German, and other immigrants in whose culture drinking played an important role maintained that they did not flee prosecution just to encounter it again in the United States. Thus states with many immigrants such as New York displayed little effort to tackle drunkenness, even threatening to nullify the Amendment.³¹ Authors like Thornton suggested that some men drank “defiantly, with a sense of high purpose,” but I strongly doubt such cause and assume that such excuse worked similarly to the respect-of-law reason not to drink.³²

People were disappointed with prohibition because their expectations were exaggerated. People became disenchanted when they saw that the government could not enforce prohibition, and when it created new crime and corrupted the federal machinery.³³ In the 1920s around five percent of prohibition agents were annually sacked for corruption, not to mention that many were never discovered.³⁴ The yearly appropriations for enforcement ranged \$2–40 million,³⁵ which could hardly be compared to the funds available to organized crime although the increase in expenditures is rapid. Considering that the national budget was \$4 billion, the investment in prohibition was negligible.³⁶ The tax revenue from alcohol used to bring annually around \$450 million to the state budget before prohibition.³⁷ Admittedly,

national prohibition proved to be a demanding project and millions were spent on the Coast Guard and the several prohibition agencies. Thus instead of saving money, prohibition actually drained the federal budget, and organized groups started demanding a repeal, which proved to be much easier than some had expected, considering that such act would have been identified with admitting a mistake in the Constitution.

The repeal resulted directly from the Great Depression, since people thought that prohibition had brought no prosperity. The increased efficiency promised by prohibition could hardly be noticed, and naturally when the crisis of the Great Depression came, workers blamed prohibition for it. Strangely, the gangsters did not protest anyhow against the repeal; gangsters are very versatile in changing their production, as long as it responds to demands on the black market. Since alcohol production was associated with taxes, the government supported the repeal in order to get the tax revenue. If the main goal of prohibition—to eliminate alcohol—had not been achieved, and the government wanted to use money from alcohol taxes to tackle the issues prohibition was unable to solve.

The few federal prohibition agents in service lacked proper training, got low wages, and poorly cooperated with the bodies that were intended to help them (states, churches, . . .).³⁸ The low wages could not make up for the temptation of giving in to high bribes. Moreover, prohibition was widely criticized even by the government commissions, which on the other hand did not disagree with the concept, but disagreed with what was really going on in the United States. Since all important laws, in particular those concerning matters of the Constitution, are codified into the U.S. Code, it came only too late when National Prohibition Act achieved this status. The indefiniteness admitted the possibility of change, as opposed to the hard-to-repeal Constitutional Amendment.³⁹

Some historians claim that the whole undertaking was so grandiose that no other effort for the change of human nature in his history can match it, and it was therefore doomed to fail from the beginning.⁴⁰ This ad hoc argument can hardly serve as an explanation, since when they ratified the Amendment, they did not think viable prohibition was impossible to

achieve. The supporters of prohibition (many of which later became its opponents) were not willing to sacrifice the necessary funds.

The Volstead Act set the value of intoxication to 0.5 percent, which is ridiculously low and cannot intoxicate anybody.⁴¹ The Act had to be passed over Wilson's veto, who supported prohibition but did not want to abolish traditional drinks with low alcohol content such as beer. Similarly, many people felt that the government followed the 18th Amendment too strictly, and they argued that they did not know what it meant when they were supporting the Amendment in the first place.

Finally, the opponents of prohibition were afraid that children would imitate their parents in their indolent attitude to law, so questioning the prestige of the people of the United States as law-abiding citizens. Since children could see law breaking everywhere, home including, they would lose respect for the other laws too, and the situation at large would worsen by prohibition.

All these reasons led in the end to the 21st Amendment, which repealed prohibition. It follows that the main reason for the failure was the deceit to which people submitted themselves: They tried to allocate all the guilt of society's issues to alcohol, instead of trying to solve the real causes of their problems. Furthermore, they based their policy on too idealistic theory, and did not choose the most efficient way to decrease alcohol consumption. The war regulation of alcohol that preceded prohibition illustrates that high taxes and alcohol sale licenses decrease alcohol consumption more successfully than prohibition.⁴²

End notes

¹Steve Freund, "Prohibition," Elisabeth Faue, ed., *Encyclopedia of American History*, Vol. 7 (New York: Facts on File, 2003): 240. For the evidence of German origins consider companies such as Anheuser-Busch.

²"Prohibition Boosts Peoria," *New York Times*, 17 January 1920, 3.

³Freund, *Prohibition*, 239.

⁴Carney Landis, and Jane Cushman, "The Relation of National Prohibition to Mental Disease," *The Scientific Monthly* 61 (December 1945): 469.

⁵Norman H. Clark, *Deliver Us from Evil: An Interpretation of American Prohibition* (New York: W. W. Norton & Company, 1976), 71.

⁶*Ibid.*, 16.

⁷Freund, *Prohibition*, 239.

⁸For an instance of such reluctance see "Drys Call New York Center of Sedition," *Los Angeles Times*, 17 January 1920, 11.

⁹Felix Frankfurter, "A National Policy for Enforcement of Prohibition," *Annals of the American Academy of Political and Social Science* 109 (September 1923): 193.

¹⁰Clarence True Wilson, "License and Liquor or Law and Loyalty?" *Annals of the American Academy of Political and Social Science* 163 (September 1932): 163.

¹¹Jeffrey A. Miron, and Jeffrey Zwiebel, "Alcohol Consumption During Prohibition," *The American Economic Review* 81 (May 1991): 242.

¹²Susan B. Carter, et al., *Historical Statistics of the U.S.*, Vol. 3 (London: Cambridge University Press, 2006), 278.

¹³*Ibid.*, 231.

¹⁴Clark Warburton, *The Economic Results of Prohibition* (New York: Ams Press, 1968), 260.

¹⁵*Ibid.*, 185.

¹⁶Freund, *Prohibition*, 241.

¹⁷John C. Gebhart, "Movement Against Prohibition," *Annals of the American Academy of Political and Social Science* 163 (September 1932): 177.

¹⁸Miron and Zwiebel, *Alcohol Consumption During Prohibition*, 246.

¹⁹G. W. Wickersham, et al., *Enforcement of the Prohibition Laws of the United States* (Washington: United States Government Printing Office, 1931), 71.

²⁰Mark Thornton, "Alcohol Prohibition Was A Failure," <http://www.cato.org/pubs/pas/pa-157.html>. Accessed March 8, 2007.

- ²¹Miron and Zwiebel, *Alcohol Consumption During Prohibition*, 246.
- ²²Freund, *Prohibition*, 241.
- ²³Landis and Cushman, *Prohibition and Mental Diseases*, 472.
- ²⁴Based on Landis and Cushman's estimate.
- ²⁵Thornton, *Alcohol Prohibition Was A Failure*, 6.
- ²⁶Wickersham, *Enforcement of the Prohibition Laws*, 14.
- ²⁷Personal conversation with Mr. Lamb.
- ²⁸Freund, *Prohibition*, 240.
- ²⁹"Movies During Prohibition," <http://library.thinkquest.org/04oct/00492/Movies.htm>. Accessed 12 March 2007.
- ³⁰Wickersham, *Enforcement of the Prohibition Laws*, 21.
- ³¹"Drys Call New York Center of Sedition," *Los Angeles Times*, 17 January, 1920.
- ³²Thornton, *Alcohol Prohibition Was A Failure*, 3.
- ³³Miron and Zwiebel, *Alcohol Consumption During Prohibition*, 242.
- ³⁴Wickersham, *Enforcement of the Prohibition Laws*, 17.
- ³⁵Warburton, *The Economic Results of Prohibition*, 246.
- ³⁶Carter, *Historical Statistics of the U.S.*, Vol. 3.
- ³⁷Warburton, *The Economic Results of Prohibition*, 249
- ³⁸Wickersham, *Enforcement of the Prohibition Laws*, 84.
- ³⁹Ibid.
- ⁴⁰Ibid., 10; Frankfurter, *A National Policy for Enforcement of Prohibition*, 193, approaches the same problem with more insight.
- ⁴¹Wickersham, *Enforcement of the Prohibition Laws*, 11.
- ⁴²Warburton, *The Economic Results of Prohibition*, 260.

Bibliography

The following list includes the sources that were used for the paper and a short commentary on their significance.

Clark, Norman H. *Deliver Us from Evil: An Interpretation of American Prohibition*. New York: W. W. Norton & Company, 1976.

Described “the efforts of American society to legislate protective barriers against. . . drunkenness” (annotation). It also analyzed the achievement in 1920s, and related prohibition to American family values. This book helped describe the origins of the temperance movement, whose power actually caused prohibition.

Farris, Charles D. “Prohibition as a Political Issue.” *The Journal of Politics* 23 (August 1961): 507–525.

Monitored opinions on Prohibition after its abolition, concluding that it had been popular especially among women, older, and rural people. Several tables contain data on the correlation between temperance and religion, thus enhancing our understanding, which social groups supported prohibition. For instance, people with good schooling objected to prohibition.

Frankfurter, Felix. “A National Policy for Enforcement of Prohibition.” *Annals of the American Academy of Political and Social Science* 109 (September 1923): 193–195.

Uniquely helped explain the expectations of the public after the ratification of the 18th Amendment, and partially foresaw the future struggles. It pointed out the importance of enforcement from both states and the union.

Freund, Steve. “Prohibition.” Elisabeth Faue, ed. *Encyclopedia of American History*, Vol. 7. New York: Facts on File, 2003: 238–241.

Provided very concrete summary of the era of prohibition, and brought interesting points about the psychological effect of prohibition and the changes in women’s behavior and their social position.

Gebhart, John C. “Movement Against Prohibition.” *Annals of the American Academy of Political and Social Science* 163 (September 1932): 172–180.

Described the movement against prohibition, which had in the end managed to force the legislature to abolish the 18th Amendment. It paid special attention to examination of public opinion polls, the percentage of people supporting the abolition, and to the view of political parties.

Landis, Carney, and Jane **Cushman**. “The Relation of National Prohibition to Mental

Disease.” *The Scientific Monthly* 61 (December 1945): 469–473.

This secondary source article brought astonishing conclusions about the influence of consumption of alcohol. The graphs of “alcohol said to be primarily responsible for hospitalization,” clearly showed that the ratification of the Amendment led to increase in hospitalizations, and repealing had no effect at all. Showed also rather of legislature independent behavior of the disease rate curves.

Miron, Jeffrey A., and Jeffrey **Zwiebel**. “Alcohol Consumption During Prohibition.” *The American Economic Review* 81 (May 1991): 242–247.

Another article dealing with the consumption of alcohol during prohibition. Showed that “alcohol consumption declined sharply at the onset of prohibition” and did not increase after the repeal of the 18th Amendment. Clearly proved that the consumption had neither increased, nor decreased to a fraction of original value.

Thornton, Mark. “Alcohol Prohibition Was A Failure.” [Http://www.cato.org/pubs/pas/pa-157.html](http://www.cato.org/pubs/pas/pa-157.html). Accessed March 8, 2007.

A short study on prohibition completely denying any improvements of its. Although it sometimes presented misleading data, it provided valuable arguments against prohibition, highlighting the economical relationships causing the failure. It examines the influence on government finances in fair detail.

Warburton, Clark. *The Economic Results of Prohibition*. New York: Ams Press, 1968.

Classical work on prohibition cited in many articles. Included very thorough and detailed information on many types of alcohol, and compared the consumption values to those of the United Kingdom and Denmark. It also manifested the distribution of alcohol consumption among classes and different economic groups, and discussed the effect of drinking on work efficiency, and the results of prohibition concerning government finances.

Wickersham, G. W., et al. *Enforcement of the Prohibition Laws of the United States*. Washington: United States Government Printing Office, 1931.

Presented the “message from the President. . . transmitting a report of the National Commission on Law Observance and Enforcement, the Benefits, and the Abuses under the Prohibition Laws, both before and since the adoption of the Eighteenth Amendment to the Constitution.” This report, although partially inconsistent with its conclusions favoring prohibition, indirectly caused the repeal of the Amendment with its heavy criticism of contemporary American society.