

2018

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Recommended Citation

Gay, William, "A "Dry" Country: The Failure of the Eighteenth Amendment" (2018). *A with Honors Projects*. 227.
<https://spark.parkland.edu/ah/227>

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HIS 105

23 April 2018

A “Dry” Country: The Failure of the Eighteenth Amendment

At the stroke of midnight on January 16, 1920, the United States began one of the largest lawmaking and social experiments ever conceived in the history of the nation; this was the night the Eighteenth Amendment to the Constitution took effect. The Eighteenth Amendment, introduced in 1917 and ratified by thirty-six of the forty-eight states by 1919, caused “the manufacture, sale, or transportation of intoxicating liquors” to become illegal in the United States (George and Richards, Par. 1). Spawned from years of social activism from the Temperance Movement, mostly on the part of women’s rights and religious groups, Prohibition was created as a response to combat America’s love of “devil rum” and other intoxicating spirits that seemed to plague the minds and livers of America’s men. While pure in its intentions of stemming alcoholism and domestic abuse, Prohibition morphed into a lawmaking catastrophe that laid the foundation of organized crime all across the country and demoted many citizens to the status of a criminal--yet after the fact proved to be what many believe to be a necessary growing pain for the country.

Around the time the nation was reeling toward a bloody civil war over the issues of slavery and state’s rights, roots of temperance were beginning to embed themselves into the fabric of American culture. In the middle of the nineteenth century, many men over the age of fifteen were consuming “nearly seven gallons of pure alcohol a year,” which, understandably,

wreaked havoc on the lives of many wives and children (Burns, Par. 1). Men would spend a majority of their paycheck at the local saloon and arrive home extremely inebriated, with no money in their pockets to buy food for their families. To many advocates of temperance, like the WCTU (Women's Christian Temperance Union) and the Anti-Saloon League, the conversation had now shifted from the pre-Civil War conversations of letting drinking go voluntarily, to talks of forced sobriety through government action and legislation (Lerner, "Going Dry," 11).

Temperance organizations argued on the basis of family values and the protection of children and wives over the dangers of abundant alcohol consumption, which was a message that many Americans could rally around.

Saloons, or watering holes as many called them, were arguably one of the greatest causes of alcohol's demise soon after World War I. Saloons were thought of burrows of sin and debauchery that no respectable men would ever attend; this is especially true because there were no women allowed inside saloons. Much of the time, this was true inasmuch as men would spend most of their money in a saloon and get ridiculously drunk, only to commit adultery or domestic abuse as a result of extremely excessive alcohol ingestion. Women would hold protests in front of saloons where they would pray in unison and block patrons from entering, or would try and force the saloon to remain closed. One woman by the name of Carrie Nation even went as far as resorting to a practice dubbed a "hatchetation," in which she terrorized a string of saloons in Kansas with a hatchet, breaking bottles and mirrors in the saloon (Lerner, "Going Dry," 11). According to the teetotalers of America, "Demon Rum" had to go at all costs to protect the moral fiber of the country (Rorabaugh, 26).

In the winter of 1917 while a World War still ravaged Europe, the unthinkable happened to drinkers and alcohol producers alike: the proposed Eighteenth Amendment was passed by the Congress and sent to the states for ratification, which they had seven years to ratify or the amendment would fail. The Amendment was ratified in just over a year by the states on January 16, 1919, and would take effect one year later (Rorabaugh, 54). In a swift and stunning victory that many thought was an impossible outcome, alcohol would soon become illegal; the government had to be ready to regulate one of the thirstiest countries in the world, and many citizens prepared for what they thought would be an eternal drought. Technically speaking, it was not illegal to *drink* alcohol, it was only illegal to distribute, transport, and manufacture intoxicating spirits, so clubs and restaurants stocked up as much as they could before the law went into effect. On the other side of the aisle, the federal government was readying themselves to enforce new prohibition laws. These laws and punishments came in the form of an act called the Volstead Act, which would enforce the Eighteenth Amendment (Lerner, "Going Dry," 13).

After the passing of the Volstead Act in Congress to support the new amendment, there were immediate social issues that arose. The Volstead Act was much more severe than many people had expected, as it outlawed any drink containing above 0.5 percent alcohol; this was deeply concerning even to some temperance supporters who were under the impression that low-alcohol beer would still be legal and that only highly alcoholic liquor would be outlawed, and this left some prohibition supporters "wondering what they had signed up for" (Lerner, "Going Dry," 13). This extremely harsh set of laws and regulations alienated common Americans from the more hardcore believers like the members at the Anti-Saloon League and the WCTU who still held the firm belief that any and all alcohol must be completely eradicated from

the United States to protect wives and America's fragile youth. Again, this was surprising even to those who supported Prohibition because they thought four- or five-percent beer would remain legal and that liquor was the evil that must be eradicated. Even in its first year, Prohibition was alienating some of its former supporters because of a steadfast belief in destroying all traces of alcohol, which would eventually garner more pro-alcohol supporters, or, as they were called at the time, "Wets."

While these new laws were certainly radical to many people, Prohibition presented some positive effects in its early days of enforcement. While there were still many people drinking alcohol throughout the country, consumption fell by thirty percent, and there was a large reduction in arrests for public drunkenness; these declines could be attributed to the higher price of illegal liquor, or just citizens attempting to follow the law (Volstead Act, Par. 5). This "evidence" caused many who advocated for Prohibition to believe the law was working at first, but the fact is that people still drank heavily even if it was illegal; and this is exactly what they did. In fact, people who disregarded this particular law would come to be known as "scofflaws,"¹ or individuals who blithely brushed the law to the side--indeed, just a mere 59 minutes after Prohibition came into effect: "The first documented infringement of the Volstead Act occurred in Chicago on January 17 at 12:59 a.m." ("Today in History," Par. 5). In New York City, considered the wettest city in North America at the time, it is said that initial violations took even

¹ According to *Webster's Collegiate Dictionary* (11th ed.), the word was created for a contest: "In 1924, a wealthy Massachusetts Prohibitionist named Delcevere King sponsored a contest in which he asked participants to coin an appropriate word to mean 'a lawless drinker.' King sought a word that would cast violators of Prohibition laws in a light of shame. Two respondents came up independently with the winning word: *scofflaw*, formed by combining the verb *scoff* and the noun *law*. Henry Dale and Kate Butler, also of Massachusetts, split King's \$200 prize. Improbably, despite some early scoffing from language critics, *scofflaw* managed to pick up steam in English and expand to a meaning that went beyond its Prohibition roots, referring to one who violates any law, not just laws related to drinking."

less time than in Chicago. New Yorkers went out in droves to bars and clubs across the city to celebrate the last night in the United States with legal liquor, so much so that they treated it much like New Year's Eve with a countdown to midnight, when the law would go into effect. Two minutes after the stroke of midnight, many of those same New Yorkers had another drink in hand: all they had to do was ask (Rorabaugh, 60).

Another problem of the various shortcomings of Prohibition amounted to the ineffective methods used to enforce the new laws put into place; it seemed that whether the government thought it to be moral or not, citizens were still going to find ways to obtain alcohol. A problem that usually rears its head when an in-demand product is prohibited for public consumption is that illegal and unsafe products are produced to cover the demand that still remains, and Prohibition was certainly no exception. "Bootleggers," criminals who peddled illegal alcohol, often took shortcuts with their booze. Many times, poisonous industrial alcohol, or more specifically pure ethyl alcohol, would be used to dilute normal liquor like whiskey or rum, so bootleggers could save some money by buying less of the real stuff. Tragically, this caused devastating health problems in consumers who were drinking industrial chemicals, which led to blindness and sometimes even death, with an estimated 1,000 Americans dying each year due to alcohol cut with other fillers (Lerner, "Unintended Consequences," Par. 12). Problems like these also erupted as a result of homemade whiskey or moonshine stills with inexperienced distillers who created dangerous and inconsistent concoctions that sickened many consumers.

Some believe that mass disregard for laws can come from two things; either the law is inherently immoral or that there is a lack of or no enforcement of said law, and in the case of the prohibition of alcohol these two factors were simultaneously true. Many Americans saw the law

as an immoral act that violated personal liberties, but this is a miniscule element in comparison to the complete lack of effective implementation of the Volstead Act among the American public. During the first two administrations during Prohibition, the eras of Presidents Harding and Coolidge, funds and manpower for Prohibition enforcement were virtually non-existent. During the first nine years of Prohibition, there were only a mere “1,500 Federal agents to police [the law’s] enforcement in the continental United States.” (Hall, 1166). Yes, you read that correctly: for each state in the Union, there were only about *thirty* Federal Prohibition Agents if they were allocated equally, and that doesn't even take into account populations of each state. This meant that if agents were distributed on a state-by-state basis, New York City, one of the largest cities in the world, would only have thirty Federal officers keeping an eye on alcohol consumption--with no agents available for the state at large. So, naturally, unregulated drinking ran rampant, *especially* in New York City, which by 1925 boasted a baffling “30,000 to 100,000” speakeasys, a slang term for an illegal bar at the time (Volstead Act, Par. 6).

In 1928, President Herbert Hoover called Prohibition “a great social and economic experiment, noble in motive and far-reaching in purpose” (Lerner, “Unintended Consequences,” Par. 3). This was the feeling for many “Drys” around the country who had a can-do attitude and felt the Eighteenth Amendment should be defended at all costs. All across the country, though, the idea of alcohol remaining illegal was losing steam, especially in big cities like New York, Chicago, and New Orleans, all of which had extremely thirsty citizens. Wets who opposed Prohibition noted the total disregard for the law that was taking place everywhere, and it was agreed that the call for liquor and beer clearly and heavily outweighed the desires of the teetotalers, who thought Prohibition would eventually work out if it was given time (Volstead

Act, Par. 7). One of the most persuasive arguments made on the side of the Wets for a repeal was the (often deadly) way these high demands for alcohol were being met and the lengths to which individuals would go in order to profit from Prohibition. The extreme want of alcohol throughout the country attracted criminals who were not afraid to break the law, and a plague of violence and crime swept the country as criminals attempted to pick up where the once legal liquor distributors had left off in 1920.

Liquor was seeping through the cracks wherever it could: it was brought in from around the world with near legal ease. Rum was floated up from the Caribbean and Mexico, while millions of cases of whiskey, rye, and other distilled spirits spilled over the border from Canada and across the pond from Europe (Graham). “Rum runners,” as they were called, would string along cities of ships just outside of the United States jurisdiction in the Atlantic Ocean and ferry huge amounts of alcohol to cities up and down the eastern seaboard. Obviously, since these practices were illegal, bootleggers could charge ridiculous prices for their liquor brought in from other countries, and there were massive fortunes to be made. While rum runners who transported liquor into the country were relatively peaceful, when the alcohol entered the country to go to market, the gangsters and criminals who sold liquor would use savage and lethal practices to cut out the competition.

One of the darkest and most deadly consequences from America’s “Noble Experiment” was the cost in human lives and violence spurred on by organized crime and gang violence in its major cities (Lerner, “Unintended Consequences,” Par. 2). Prohibition economics of illegal booze gave fame and fortune to the various bosses of organized crime organizations who controlled the liquor distribution of cities around the country. The most infamous instances of

organized crime running a city's liquor distribution was certainly in Chicago and involved a man named Al Capone, one of the most famous gangsters of all time. Capone and the various other units of organized crime chopped up Chicago into different sectors of distribution that were controlled by different gangs; a gang war soon ensued (Graham). Chicago, especially, during the era of Prohibition could have been compared to a war zone with its constant turf and distribution warfare that took place. Gangs incessantly attempted to gain control of different parts of the city, resulting in a bloodbath. One of the most famous instances of gang violence during Prohibition, called the St. Valentine's Day Massacre, occurred in Chicago in 1929. On the morning of February 14th, seven men of "Bugs" Moran's crew were gunned down by automatic weapons resulting in a bloodbath that shocked the public; Al Capone, a prime suspect in the crime, was in Florida at the time but was suspected of ordering the hit (O'Brien, Par. 1).

Massacres like the St. Valentine's Day Massacre turned the heads of the public, and sparked a discourse over whether or not Prohibition was even worth carrying on with anymore. After almost a full decade of most of the country choosing to drink, gang violence in many major cities, and deaths from homemade or cut alcohol had taken their toll for a majority of the country. This being true, many people from the Anti-Saloon League and WCTU still dug in their heels even at the thought of legalizing beer. This stubbornness not even to think about the legalization of beer contributed to the downfall of the Eighteenth Amendment as the country grew ever more thirsty for legal liquor. With overwhelming public support, the "Noble Experiment" ended in 1933 under President Franklin Roosevelt at the height of the Great Depression. After thirteen years of non-observance, crime, and illegal liquor, Americans could finally buy a legal drink.

While most of the effects of the thirteen years of Prohibition are commonly characterized as negative, Prohibition had positive effects that are brushed over much of the time. For example, the pre-Prohibition tradition of men-only saloons and pubs had been shattered by the rise of hundreds of thousands of speakeasies that dotted the country. Since there were no laws regulating the running of a saloon, everyone was welcome to partake at a speakeasy, which found men and women sharing a drink--previously a rare occurrence in a public setting. Prohibition was also a growing pain for American drinkers, who, as a result of Prohibition's upheaval and hard lessons, held somewhat more mature drinking habits after the re-legalization of alcohol; the days of men stuck in the gutter outside of a saloon were gone, for the most part. Better regulations could now be posted for the sale of alcohol, too, like limitations of sales and age limits to purchase.

While being the only amendment to ever be nullified in the Constitution, the Eighteenth Amendment taught American drinkers valuable lessons, albeit at a high price. Prohibition had left thousands of dead in its path, forfeited years of lost taxable income that could have been extremely useful in the Great Depression, yet left citizens with a mindset of individualism and pride: more people now saw it unfit to attempt to control the morals of other people's lives with government intervention.

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