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# THE RISE and FALL OF PROHIBITION

The legal ban on the manufacture, sale, and transport of alcohol, within the United States, otherwise known as Prohibition, began with the ratification of the 18th Amendment in 1919. The national ban technically went into effect in 1920. One of the roots of Prohibition can be traced to the early 19th century temperance movement, which was eventually fueled by the rising influence of Social Gospel Protestantism and the wider progressive movement. What began as an effort to persuade individuals to choose to abstain from alcohol became an effort to use the force of law to ban its sale and transport. Though perhaps noble in aim, the legal enforcement of the ban limited personal freedom, gave rise to widespread lawlessness, and encouraged the growth of organized crime.

## RELIGION AND TEMPERANCE

In the early 19th century, Protestants including Methodists, Baptists, and Presbyterians took part in revivals to convert new followers to Christ to overcome corruption in the world. In their eyes, drinking was part of that corruption. They became advocates for temperance, which is defined as personal self-restraint or abstinence from alcohol. At this time, temperance advocates did not call for legal prohibition of alcohol, but rather asking citizens to choose to abstain from its use.

## THE SCIENTIFIC APPROACH

Temperance organizations realized that, for temperance to become mainstream, moral arguments against using liquor would not be enough. They began to employ what they claimed was a “scientific,” fact-based approach. As the Progressive Era began around the turn of the twentieth century, the advocates of temperance supported their religious arguments with various scientific reasons. Studies found that alcohol limited motor reaction, caused issues with nerve centers controlling the heart, interfered with digestion, and worsened diseases. Organizations like the Women’s Christian Temperance Union (WCTU), under the leadership of Frances Willard, used the new scientific findings to their benefit. They advocated compulsory instruction about temperance in public schools and wrote textbooks on the subject.

## THE ANTI-SALOON LEAGUE

Many Protestant churches joined forces with the Anti-Saloon League (ASL). The ASL began as a state organization in Ohio in 1893, and in 1895, Anti-Saloon Leagues across the country came together to form the nation’s leading lobbying group for anti-alcohol legislation. At its inception, it advocated not only for temperance, but for laws suppressing



▲ Saloon owners were targeted by Temperance and Prohibition advocates.

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the rights of saloon owners to do business. By the early 1900s, the ASL was becoming a major political force. Their head lobbyist described their efforts: “Word went out from Washington and state headquarters to send letters, telegrams, and petitions to Congressmen and Senators in Washington. They rolled in by tens of thousands, burying Congress like an avalanche”. The ASL’s state-by-state approach was working: by 1917, 26 of the 48 states had passed prohibition measures. Congress was also considering a constitutional amendment for nationwide prohibition of alcohol.

The 18th Amendment, which prohibited the “manufacture, sale, and transportation of intoxicating beverages,” was approved by Congress in December of 1917 and went into effect in 1920 after the required number of states ratified it. The amendment was the first ever to limit citizens’ personal liberties.

## PROHIBITION AND THE PROGRESSIVE MOVEMENT

Prohibition succeeded in large part when the ASL was able to apply political pressure to intimidate politicians. The ideas used to justify a nation-wide legal ban on the sale, manufacture, and transport of alcohol can be understood in the context of progressivism. Progressivism was a significant shift away from the traditional American understanding of the purpose of government to that point. The founders believed citizens could best pursue happiness if government was limited to protecting the life, liberty, and property of individuals. They believed people were naturally flawed, and structured government so that people’s inherent self-interest would lead officials to check one another’s attempts to exercise more power than the Constitution allows. Unlike the framers of the Constitution, Progressives believed that man’s nature can and should be bettered by enlightened rulers. Therefore, they believed, government should provide citizens with the environment and the means to improve themselves through government-sponsored programs and policies.

The Progressive movement successfully enacted a host of constitutional changes which increased the power of the national government. The 18th Amendment banned the manufacture, sale, or transport of intoxicating beverages and the Volstead Act codified it in U.S. law. The Sixteenth Amendment authorized the national government to tax incomes. The Seventeenth Amendment provided for the direct election of U.S. Senators, diminishing the power of the states to influence national laws in Congress. The 19th Amendment barred states from denying female citizens the right to vote in federal elections.

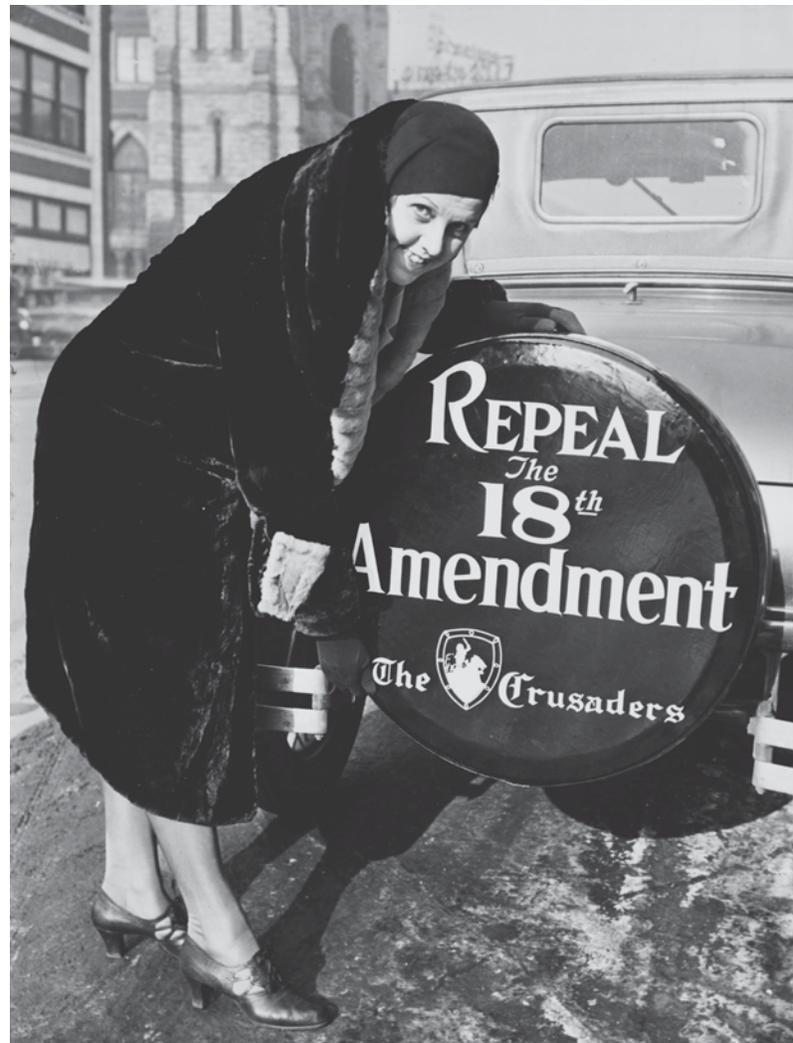
## TOWARD REPEAL

The 18th Amendment did not ban the consumption of alcohol, only its manufacture, sale, and transport. Many began hoarding alcoholic beverages during the year between ratification and when Prohibition went into effect. Under the law, individuals were still allowed to make wine and alcoholic cider for home use, but moonshine could be deadly if made incorrectly. Smugglers brought liquor into the United States through port cities around the country.

Federal agents charged with enforcing the law were ill-equipped to deal with the large numbers of bootleggers and speakeasies, and courts were overloaded with Prohibition-related cases. Chicago and New York were hubs for crime bosses like Al Capone and Meyer Lansky. Gangs began fighting for power in their territories; these power struggles led to corruption, destruction, and death.

The Great Depression struck a major blow to the nation's economy, and the tide had begun to turn against Prohibition. Some lawmakers believed that a tax on alcohol could help increase federal revenue to aid the struggling country. Citizens were concerned about the upsurge in crime and violence. Franklin Roosevelt reversed his position and came out against Prohibition during the 1932 presidential campaign. Two groups led the effort for repeal: the Association Against the Prohibition Amendment and the Women's Organization for National Prohibition Reform. In 1933, Congress passed and President Franklin Roosevelt signed an amendment to the Volstead Act, legalizing the sale of light beers and wine below a new, higher limit for "intoxicating" beverages. Congress approved the 21st Amendment on February 20, 1933, and it was ratified by state conventions throughout the year.

On December 5, 1933, the United States ratified the 21st Amendment, repealing the 18th Amendment. This was the first time in American history a constitutional amendment had been repealed. The 21st Amendment affirmed the power of states to make laws concerning the sale and transport of alcohol. Many states began tightly controlling liquor usage through licensing requirements, drinking age limits, and specific hours of operation for liquor sellers. Many of these regulations are still in force today.



- ▲ After 13 years, the 21st Amendment repealed Prohibition.

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## CRITICAL THINKING QUESTIONS

1. What is the historical relationship between the Temperance Movement and Prohibition?  
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2. How did the Founders' view of government differ from the Progressives' view in terms of:
  - the nature of mankind  
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  - the purpose of government  
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  - the types of powers government should be given  
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  - the types of things it is possible for government to do  
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3. Why did Prohibition lead to crime and violence? What is the relationship between Prohibition and individual rights, including property rights?  
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4. How did the 18th Amendment differ from every other constitutional amendment in history?  
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5. The constitutional amendment process requires that 3/4ths of the states ratify any changes. This ensures that most of the country must be in favor of a change in order to modify the Constitution. Why do you think that Prohibition, which had been approved by the people, failed so dramatically?  
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6. What do the 18th and 21st Amendments teach us about the role of states in policy considerations?  
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