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NEVER PROHIBITION AGAIN

by ROBERT M. LA FOLLETTE, JR.

PROHIBITION is attempting to stage a comeback. Under the guise of wartime necessities, the dry forces have launched the same kind of campaign that brought about the adoption of the Eighteenth Amendment after the last war.

One spokesman of the prohibition cause was quoted in the press only a few months ago as promising: "When prohibition comes in as a temporary wartime measure, that will give us a chance to rally our forces and nail it down permanently." The strategy of the prohibition movement, as he frankly stated it, is first, to try to dry up all military camps and establishments; second, to dry up all war industrial areas; and third, to dry up the entire country.

The first phase of the campaign is already well under way. Almost two years ago the late Senator Sheppard introduced in the United States Senate a bill to ban the sale of all alcoholic beverages in military camps and reservations and also in the surrounding communities within a "reasonable distance." The prohibition forces of the country have mobilized behind this legislation, and Congress has since been receiving a steady stream of resolutions, petitions, and letters urging its enactment. Hardly a day goes by in Congress without some member's rising to request that a new batch of petitions or resolutions on the subject be entered in the *Congressional Record.*

When the American people fell before the blitzkrieg of the prohibition forces twenty-five years ago, the circumstances were strikingly similar to the situation prevailing at the present time. For that reason, there is ominous portent in the recent effort to secure passage of the Sheppard bill by attaching it as an amendment to the last draft bill. This parallels one of the first moves of the prohibition campaign in 1917. Only a month after the introduction of the Eighteenth Amendment in Congress, legislation was enacted to prohibit the sale of all alcoholic beverages to soldiers.

In 1917, as now, the country was at war. Men and women from all walks of life were sending their sons to serve their country in the armed forces. It was only natural that there should be a deep and genuine concern

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The senior Senator from Wisconsin, now in the midst of his third term, ROBERT M. LA FOLLETTE, JR., is one of the most respected spokesmen for the Middle West and an American whose idealism is of the highest. Parents — and prohibitionists — should take seriously these cautionary words of his, spoken in the nick of time.

for their welfare and that every effort would be made to provide them with surroundings as clean and wholesome as possible. But in their anxiety and their preoccupation with the ebb and flow of the war tide, the people allowed the fanatics of the temperance movement to lead them away from the principles of temperance. As a result the country was plunged into an era of moral hypocrisy, political corruption, and institutional degeneration stemming from an "experiment" in national repression which proved to be thoroughly unworkable.

Then, as now, there was a growing concern over the necessary conservation of foodstuffs. We could not spare precious supplies of grain for the manufacture of liquor. In this war the Federal government has already stopped the manufacture of distilled liquors and is converting these facilities to the production of industrial alcohol for war purposes.

In 1917, as in 1942, there was a growing exercise of emergency powers by the Federal government, and the people looked to the government to deal with many problems which hitherto had been considered to be matters of local concern. Prohibition was no exception. The long history of reform through state legislation and local option was suddenly abandoned, and prohibition was thrust forward as a national issue requiring national legislation.

Within nine months after the United States entered the World War, the Eighteenth Amendment had passed Congress by the necessary two-thirds majority and was before the States for ratification. Legislation had been enacted to prohibit the manufacture and importation of distilled liquors. The President had been authorized to reduce the alcoholic content of beer and wine, and to limit or prohibit their manufacture.

But this move that started out to provide wartime prohibition ended by saddling the country with it for the following decade. It is of interest that the bill which was to implement previous legislation and make mandatory the ban on the manufacture of beer and wine as a wartime emergency measure became law ten days *after* the Armistice.

The similarity of the deadly parallel between that campaign and the one now under way should be a warning signal to the country. What happened then may very well happen again, despite the disastrous experience the nation had with prohibition in the twenties.

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Everyone approves the effort to provide wholesome conditions in and around the military training camps to which the nation's youth is being sent. Likewise there can be no quarrel with the aim of encouraging temperance among the men in the armed forces, and among the men and women in civilian life as well. But it was conclusively proved, by ten years of tragic failure after the last war, that prohibition is not an effective approach to temperance, among soldiers or civilians.

Its psychology is wrong. Among young men thrust into a life that puts a heavy premium on the spirit of adventure, an arbitrary ban on all alcoholic beverages will simply add to their temptations. Getting a drink will become an important event instead of the simple and prosaic matter of going to the Post Exchange for a glass of beer or stopping at a tavern in town. Certainly those who remember the days of prohibition and its speak-easies filled with young people enduring the worst kind of alcoholic concoctions, largely because it had become smart to break the law, will recognize the basic error in such tactics.

More than that, there is the serious danger that if the sale of liquor is forced outside the law, it will become allied with organized vice. Those who go in search of liquor — and there will be many — will be forced to find it in the lowest kind of establishments, where other illegal and far more dangerous menaces exist.

The armed forces have been doing a splendid job in controlling moral conditions in and around military areas. They have reduced the incidence of venereal diseases to a level unheard of in the history of any other army in the world. The sickness rate in the United States Army today is 40 per cent less than it was in the last war.

The cases of minor infractions of dis-

cipline, including drunkenness, which come before the summary courts of the Army, have declined 75 per cent compared with the number of similar cases during the last war, in proportion to the size of the Army.

Both the War Department and the Navy Department have told Congress in emphatic terms that any such legislation as proposed in the Sheppard bill or the Lee amendment providing strict prohibition in and around military posts would jeopardize the success of their efforts to build up and maintain morale. Secretary Stimson wrote:—

> It is my view and that of the War Department that temperance among soldiers is obtained by the application of practical and tolerant measures, from education, supervision, and restriction rather than from flat prohibition. The sale of beer on the military reservations during restricted periods in our belief facilitates self-control and discourages excesses. Prohibit this and those who desire such beverages will inevitably resort to the speak-easies and bootleggers outside the military reservation. From my own experience as Secretary of War many years ago, the so-called canteen legislation then passed produced similar disastrous effects.

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The issue does not stop there, however; nor is it intended to stop there. If prohibition is to be foisted onto the unwilling backs of the men in the armed forces, it will be necessary, under the legislation proposed, to enforce prohibition in some of the largest metropolitan centers of the country where servicemen go for their recreation away from camp. It will mean prohibition for New York, Chicago, Philadelphia, San Francisco, Seattle, New Orleans, to mention only a few. It will mean prohibition in every American port where American sailors are stationed.

There is no justification for singling out the men in the armed forces as special objects of prohibition. If prohibition is good for them, it is good for civilians. If it cannot be enforced among civilians, it cannot be enforced among servicemen.

There are problems that arise in military areas that require regulation, but the military authorities have ample power to deal with them and are doing so in a practical and matter-of-fact way that is understood and respected by the men in service.

However, for the folks back home to attempt to legislate for soldiers standards of conduct which they are not prepared to accept for themselves will only arouse contempt from the men in the armed forces. Free Americans, especially vigorous and young Americans, are bound to resent this kind of moral paternalism.

It would be a great mistake to arouse the animosity of millions of young men who will be serving the colors in this war, by inaugurating prohibition in their absence and without their consent, as we did in the last war. I can testify from my personal contact with my contemporaries after they came back from the last war that if there was one thing, above all others, that they resented, it was the nation-wide prohibition that had been inaugurated when they had no opportunity to participate in the decision.

Now it is proposed as an entering wedge, without their consent or without even giving them a chance to be heard, that prohibition be applied to the men who are being asked to die for this country.

These soldiers are our boys. They come from our homes. We have brought them up and given them their fundamental training and character. Now we are calling them to do a man's job. To do it they must be men, not children, and we owe it to them to recognize them as men who have the judgment and self-control to conduct themselves accordingly.

The real issue then is whether or not we are going to embark upon another prohibition experiment similar to the one launched during the last war. On that issue there should only be one answer.

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For thirteen years this country grappled with the prohibition law, and finally threw it overboard with a great feeling of relief in 1933. Throughout that unfortunate period the unenforcibility of the prohibition law threatened the effectiveness of all law.

The Wickersham Commission appointed by President Hoover in 1929 made an ex-

haustive investigation of conditions produced under prohibition. The report of the Commission and the record of data presented to it should give pause to anyone now seeking a repetition of that sad experience. As the Wickersham report pointed out, the basic difficulty of prohibition enforcement is the fact that "settled habits and social customs do not yield to legislative fiats." It continued: "Lawmaking which seems to overturn such habits and customs, even indirectly by cutting off the sources of satisfying them, necessarily approaches the limits of effective legal action."

The ineffectiveness of prohibition in reducing the use of alcoholic beverages was obvious. As the Commission reported, the available statistics on the question indicated "that after a brief period in the first years of the amendment there has been a steady increase in drinking."

The serious implications of widespread disregard of the prohibition law were stressed in these words: —

> To the serious effects of this attitude of disregard of the declared policy of the National Prohibition Act must be added the bad effect on children and employees of what they see constantly in the conduct of otherwise law-abiding persons. Such things and the effect on youth of the making of liquor in homes, in disregard of the policy, if not of the express provisions of the law; the effect on the families of workers of selling in homes, which obtains in many localities; and the effect on working people of the conspicuous newly acquired wealth of their neighbors who have engaged in bootlegging are disquieting. The widespread and scarcely or not at all concealed contempt for the policy of the National Prohibition Act, and the effects of that contempt, must be weighed against the advantages of diminution (apparently lessening) of the amount in circulation.

Between 1920 and 1933 the bootlegger became a national institution. Disregard for the prohibition law encouraged disregard for other laws. Racketeers and gangsters were given a new and highly lucrative traffic that was accepted and even encouraged by the most substantial element of our citizenry. The public winked at political corruption connected with the lack of prohibition enforcement. Our courts were bogged down with liquor cases and were therefore unable to give proper attention to other more important crimes.

Where once the Federal law had won the respect of the criminal world, the farce of prohibition made Federal law enforcement an object of scorn and ridicule. Another quotation from the Wickersham report emphasizes the importance and seriousness of this aspect of our experience in this field. Before prohibition, "the professional criminal, who sometimes had scanty respect for state tribunals, was careful so to conduct himself as not to come within the jurisdiction of the Federal courts. The effect of the huge volume of liquor prosecutions which has come to these courts under prohibition has injured their dignity and impaired their efficiency, and endangered the wholesome respect for them which once obtained."

Since repeal in 1933 we have come a long way in rebuilding the prestige of Federal law and law enforcement. It would be a tragic blunder to risk another fiasco, especially at this critical time when democratic government is being tested to the limit. We cannot afford to start again the cancer of corruption eating at the vitals of democracy and law enforcement under prohibition. In a troubled post-war world, democracy cannot stand such an added burden and strain.