

PROHIBITION: THE FAILURE OF THE 1920s

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HIS 122: United States History Since 1865
March 24, 2023

Prohibition was one of the most galvanizing times in American history changing its course. This was due to many reasons including law enforcement being not motivated to prosecute lawbreakers, raising the crime rate and leading to a more dangerous society, and the many loopholes that were often exploited by people in every societal class. Prohibition was one of the most influential moments in American history and during the 1920s because of its effect on American society.

Prohibition was not just a local, state-level piece of legislation, it was an amendment to the Constitution, something that takes a lot of support to get passed. This amendment was the 18th amendment also known as the Volstead Act; however, because this was an amendment that required an immense amount of public support there were many loopholes in the law, the biggest stating that “liquor for non beverage purposes and wine for sacramental purposes may be manufactured, purchased, sold, bartered, transported, imported, exported, delivered, furnished and possessed.”¹ With loopholes like these, there was no easy way to enforce the law, people could just say that they were taking the wine to a religious gathering and there would be no way to verify the story, these kinds of exemptions also spread to other types of people, predominantly doctors, they could give out prescriptions for hard liquor. Because of the loopholes, many religious members and doctors started acting like drug lords, selling liquor for dubious reasons because it wasn’t illegal for them. Another loophole also allowed the production of “grape bricks,” when put in water, these grape bricks would dissolve and turn the water into wine just like a bouillon cube. While the Volstead Act did lower the amount of alcohol consumed when it was first implemented, it failed to do its job in the long run, the amount of alcohol consumed

1. The Volstead Act, 66 U.S.C. §1 (1919)

rose yearly because of people exploiting the loopholes added to the law. If the Volstead Act were never implemented in the first place, then the government would not have had to use resources to fight a battle that it could have never won.

With the lack of alcohol, a very popular drink at the time, the rate of crime increased significantly. As stated by Richard J. Hopkins, “liquor traffic has been the dominant cause of crime, misery, and pauperism.”² Without prohibition, crime would have been lower and the standard of living would have risen, this was not just an isolated problem, this was on a national scale affecting millions of people. One of the worst cities facing the new trafficking problem was Chicago, this was the home base of many mobs and gangs. These mobs would often fight over territory, and with territory came the ability to sell more alcohol and gain more money. Money was another driving factor when it came to the abolition of prohibition, because liquor was illegal the government could not tax it, if they could then the government would gain a large amount of revenue. Gang wars often lead to violence and shootouts in the streets, a sign of a failing government and a distrustful populous. No one can argue that prohibition did its job when the standard of living plummeted, crime rose, and people still had access to alcohol.

The most condemning evidence stating that Prohibition did not do its job was how the justice system treated it. Most of the time “prosecutors and even judges were so unsympathetic that enforcement was impossible. Elsewhere local juries refuse to convict in bootlegging cases.”

³A law needs to be enforceable if it is to be considered a law, judges, and prosecutors not

2. Richard J. Hopkins, “Prohibition and Crime,” *The North American Review* 222, no. 828 (1925): 40-44, <https://www.jstor.org/stable/25113451>.

3. J. C. Burnham, “New Perspectives on the Prohibition ‘Experiment’ of the 1920's,” *Journal of Social History* 2, no. 1 (1968): 51-68, <https://www.jstor.org/stable/3786620>.

enforcing the law proved that Prohibition was mostly a symbolic message and nothing more. Many gangs would take advantage of this as they would not care about breaking the law knowing that no one will care, this often leads to an increase in crime and hostilities in the streets of major metropolitan centers. Another reason the judges and prosecutors wouldn't prosecute bootleggers was that they would drink the liquor the bootlegger provided. Prohibition was the epitome of a failed legislative system doing without thinking and not thinking of the consequences. If prohibition was never a thing, then the American judicial and legislative system would have been much more cohesive and less prone to poor decision-making.

Something that is often stated by people who supported prohibition was that it was worth it because it stopped people from getting alcohol. Often backing this up by saying "in the early years of national prohibition, liquor was tough to obtain."⁴ While it is true that at the start of prohibition, it was much more challenging to obtain liquor for use besides religious gatherings and medicinal reasons it should be noted that it was not impossible. During this time bootlegs got better their jobs, this would not have been a problem if law enforcement would have kept up with the new techniques developed by the bootleggers; however, they could not keep up. The breakdown of the difficulty of obtaining liquor helps prove that prohibition was a very influential time as people started to change and adapt to a desirable society. Nearing the end of Prohibition, the amount of alcohol consumed was almost the same as before the Volstead Act's implementation. The change in people's attitudes towards prohibition and the ways developed to get around it shows just how influential it was.

Prohibition has had a massive impact on American culture and way of life, it forced people to adapt to a completely foreign environment. Prohibition was arguably one of the most

4. Burnham

influential and pivotal moments in American history, affecting everyone in the nation. This was because there were so many exemptions from the original law that everyone abused them, the crime rate skyrocketed, and judges and juries did not attempt to convict people who have broken the law. If it was not for the Prohibition era, then many movies and cultural references that are predominant today come directly from the prohibition era. Without Prohibition, America would have been a much different country with different cultural, economic, and societal ideals.

Bibliography

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