

Prohibition as an Issue

The activity of the opponents of prohibition comes in a nature of a surprise, but of their activity there is no longer room for doubt. It is a surprise because the triumph of prohibition was neither sudden nor incomplete.

Instead of being sudden it was the result of a prolonged conflict during which those engaged in the liquor business and their patrons had ample information as to what was going on.

The Women's Christian Temperance Union, organized nearly 50 years ago, began in a crusade against Ohio's saloons; the women visited the drinking places, pleaded with those in charge and prayed for the abolition of the traffic. From the first, the noble women who marshaled under the banner of the W. C. T. U. proclaimed undying hostility to the saloon, and they have never for one moment lowered their flag or slackened their efforts.

Twenty-six years ago the Anti-Saloon League was organized. It also had its birthplace in Ohio. Its name indicates its relentless opposition to the liquor traffic.

The prohibition party, organized for the sole purpose of abolishing the saloon, is older than the Anti-Saloon League, and has entered every presidential campaign since its birth with a candidate pledged to the overthrow of the saloon.

A quarter of a century ought to be sufficient to give the dealers in intoxicants fair notice and to warn the supporters of the saloon of the movement on foot for its extermination.

The movement seems new to the east only because most of the eastern papers did not take the efforts of prohibitionists seriously. Probably they are under the delusion that because the wise men came from the east nineteen hundred years ago, they must necessarily come from that direction all the time. They seem to think that this is a law of nature that cannot be changed.

When the south began to go dry they said to their readers, "Don't worry about the south; the white people down there don't want prohibition for themselves; they want it only for the black man. It will never cross the Mason and Dixon line." But it did cross that line and reached the Canadian line, and every state bordering on Canada ratified.

When the west began to go dry they said to their readers, "That is another western craze and will soon blow over." Their attitude recalls a story told on a Kansas farmer who lived on the prairies where the winds were high. He was putting up a fence with stone and mortar when a neighbor came along and said, "I wouldn't waste time on that fence; the first high wind will blow it over." "Look at that fence," said the farmer, "three feet high and four feet wide; if the wind ever blows it over it will be a foot higher than it is now." And prohibition did blow over the whole country.

As the first states to go dry were agricultural states, the wets congratulated themselves that it was purely a rural movement, and would not reach states containing large cities. But it did. State after state went dry—south, west and north. The movement traveled toward the northeast, gathering strength as it went. Still the eastern editors insisted that it never could be submitted, because submission required two-thirds of both Houses. But it was submitted and won with votes to spare.

Then the wets said that it could not be ratified, and they pointed out what seemed to them an insurmountable opposition. "The dries," they said, "must have both branches of the legislature in three-fourths of the states, while the wets need only one House in each of thirteen states." In other words, the dries had to elect 72 Houses in 36 states while the wets only had to hold 13 Houses in 13 states. It did seem like a tremendous handicap, but the dries carried 91 Houses out of 96, while the wets held both Houses in New Jersey, both in Rhode Island and one House in Connecticut.

When ratification began some of the smaller states acted first. Then the wet press began to predict that if the amendment was ratified, it would be ratified by the small states—that they might thus force prohibition on the big states. They grew very indignant at a constitution that would permit such an outrage. But within an incredibly short time—less than a year and a half—all the big states, all the middle states

and most of the small states had ratified. The big states joined the middle-size states and nearly all the small states in forcing prohibition on Connecticut, New Jersey and Rhode Island.

To show how complete the victory is, it is only necessary to point out a few facts. First, 34 states are dry by their own individual act—nearly all of them by constitutional amendments adopted by popular vote. Those states that adopted prohibition by statute have, since its adoption, selected legislatures pledged to continue prohibition.

The amendment was submitted by five more than four-fifths of the Senate, when only a two-thirds vote was required for submission. The House gave it more than two-thirds. Votes taken since that time indicate that the strength of prohibition has increased in both Senate and House. The last record vote in the Senate showed a majority of 5 to 1 for the prohibition side. The last vote in the House showed a majority of almost 4 to 1.

But, more significant still, it is not a partisan victory. On the contrary, the two leading parties have been close rivals in the effort to see which could give to prohibition the largest percentage of its votes in Senate and House. In the Senate the Democratic vote was just 3 to 1 in favor of submission and the Republican vote, 5 more than 3 to 1. In the House both parties gave more than two-thirds of their vote to the amendment, the Democratic percentage being just a little the larger.

Seldom, if ever before, have the two parties acted together so harmoniously on any important question. It was triumph of the conscience of the nation irrespective of party. It was the greatest moral victory ever achieved at the polls so far as history records.

These facts have been presented in order that the reader may understand the audacity of the effort now being made by the opponents of prohibition to undo what has been done or, rather, to invite a period of lawlessness, because they can not hope to repeal the constitutional amendment by constitutional methods.

To repeal the amendment it would be necessary for the wets to secure two-thirds of both Houses in order to submit a repealing amendment and then secure ratification by 36 of the 48 states. Who believes that such a change in public sentiment is possible?

A few states have attempted to define for themselves the alcoholic content to be permitted in beverages manufactured and sold within the states. Rhode Island attempted to fix the alcoholic content at 4 per cent, and New Jersey has recently attempted to fix it 3½ per cent. In Massachusetts a number of legislative districts voted under a state statute, to instruct their representatives in the legislature to vote for 4 per cent. The Federal Enforcement Law fixes the alcoholic content at one-half of one per cent and one and four-tenths per cent has been declared by the war department to be intoxicating—possibly not to the men whose system has been diseased by alcohol—but at least to the beginner.

It is hardly possible that the supreme court will permit the nullification of a federal statute and the federal constitution by state action. A decision sustaining a state law permitting more than one-half of one per cent of alcohol in beverages would entirely defeat the purpose of the constitutional amendment; because, if the constitution has no effect as against state statutes, it is of no value whatever and leaves prohibition entirely a state matter. The court can not so hold on the ground that the fixing of the alcoholic content is a judicial matter, because it has already held that it is a political question which Congress has the right to decide.

If the court were to hold that prohibition is a subject upon which the federal government can not act, (that is, that it comes within the reserved rights of the states), it would be equivalent to declaring that the dead can control the living and no one can tell how far-reaching such a decision would be.

If the people who lived in 1789, when the constitution was written, made a constitution that can not be changed by subsequent generations the American people of today are in a difficult position. But there is no likelihood of

any supreme court tying the hands of the people, and surely, those who wrote the constitution never intended to make it unchangeable, for they expressly provided a way by which the constitution could be amended, and the present amendment has been adopted in strict conformity with the constitution's provisions.

Of course, no attention will be paid to these wets who protest, against the amendment, because it was ratified by state legislatures. Eighteen amendments have been adopted and they have all been adopted in this way.

The absurdity of the protest is apparent when it is remembered that the state legislatures deal with all other questions. The wets do not complain when a state legislature changes the laws in regard to domestic relations, the care of children, educational institutions and taxes. Even human life can be taken in accordance with statutory provisions. It is only when a legislature dares to deal with the saloon question that the wets lose faith in the judgment of legislators.

It seems impossible that either party would put a wet plank in its platform or nominate a candidate pledged in advance to violate his oath of office and refuse to enforce prohibition, and it likewise seems impossible that a Congress can be elected favorable to a repeal or material modification of the enforcement law.

What then will be the effect of the injection of the prohibition question into the campaign? It will simply prevent a deliberate consideration of other pressing subjects and make the prohibition question the paramount issue. Those who are leading the fight have nothing else on their minds. No matter what a candidate may think on any other question, if he is not wet they are against him.

This being the attitude of the wets, the dries are not at liberty to ignore the issue. To do so would bring a condition that would soon subordinate all other issues and compel the country to give its entire attention to the anarchistic liquor traffic that has been legally exterminated by a constitutional amendment. Can the American people afford to put aside great political and economic problems and give their whole attention to combatting an outlawed business?

Statistics show that crime as well as drunkenness has decreased under prohibition and that the homes of the land have been safer than ever before. To turn back would be worse than never to have entered upon the fight. The liquor business, if it were "called back" after the adoption of prohibition, would be more impudent and insolent than it has been in the past, if any increase of its impudence and insolence were possible.

A return to the saloon would not only be ruinous to us but it would be disastrous to the cause in other lands. If prohibition can not be successful here—especially after such a victory,—where on earth can the friends of the home select a battlefield for the triumph of virtue and morality?

It behooves dry Democrats and dry Republicans to bestir themselves at once, and, beginning with the lowest political units, instruct those who go to the conventions, state and national, to vote for a dry platform, pledging the party to prohibition as the permanent policy of the country and to strict enforcement of existing laws, together with the nomination of men who can be trusted to resist the influence of those who would carry us back to the reign of the liquor traffic.

The more decisively the victory for prohibition the more speedily shall we be able to give attention to other problems, domestic and foreign. The sooner the dry forces make their power manifest the less disturbance will the liquor forces make in the two conventions. There never was a greater issue before the country than the prohibition issue now is, and no time is to be lost in meeting the challenge of those who represent the friends of the brewery, distillery and saloon.

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If any of Governor Cox's friends try to explain his small vote by saying that "he had no opposition," it is sufficient to answer that the Democrats of Ohio would have taken the trouble to go to the polls if they had been interested in his candidacy. They know that on a wine and beer platform he would lose the state by 100,000. Ohio retires Cox as it retired Harding, only more so.

Hoover's lament: "O had I but served the people with half the zeal I served the (N. Y.) World, they would not have left me," etc.