

PROHIBITION—A STUDY OF THE PROBLEM AND THE REMEDY

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PART ONE—THE PROBLEM

I.

AMONG the vexing problems of the time the liquor question is far the most troublesome. The entire nation is being rocked on the surge of the discussion and there is scarcely a community in which the subject is not the chief topic of conversation. At no time since the beginning of the temperance agitation in this country has there existed so widespread a feeling of despair. Prohibition, whose coming thrilled the hearts of many zealous well-wishers for their kind, has proven a delusion and a snare. If the system has remedied certain evils which inhered in the old order it has given rise to a new and fearful variety of its own. So far as experience thus far justifies a verdict the solution of the problem is yet to come.

A relaxation of the prohibition system is inevitable. Many of its former champions are conceding the hopelessness of the present method and are finding its evils worse than the evils of the old order of things. With the confusion of present conditions, the futility of prosecutions, the rapid spread of the drink habit to quarters which in the early days were never invaded, with the open flouting of the law on every hand, to say nothing of the enormous sums poured out by the national government in the effort to operate an unworkable plan and the social and economic disorders which have followed in the wake of the illicit traffic, the moderates of the old day, who opposed the open saloon and absolute prohibition alike, may at last come into their own.

That good in sundry directions has come from the present experiment—sufficiently “noble,” in the language of Mr. Hoover, so far as concerns the motive behind it—no one can deny. Here and there the system has fulfilled its promise. The habitual drunkard

is less in evidence than in the old days, since sale to an habitual drunkard is an unwise procedure for the illicit vender. Even the social tippler now finds fewer occasion, on the whole, to challenge his favorite weakness. The working man, also, of the lower order, who found the proximity of the bar too much for his feeble will, now escapes temptation. These advantages are not to be despised. They represent a distinct benefit to a goodly portion of the population. Offset against them, however, are a group of evils so terrifying in their nature that the stoutest champion of prohibition is given pause. The drink habit, once confined to the saloon, has spread like a deadly cancer under the knife to more vital parts of the social organism. The private home has become a brewery. Women and children, formerly protected against their insidious influence, are now in daily and intimate contact with intoxicants and are acquiring the appetite. The family circle, always free under the older system from the vicious intrusion of social drinking, takes the place in some measure of the proscribed bar, and pride in the preparation or possession of an article banned from legalized channels moves the host in the privacy of the home to offer liquor to guests who were rarely subjected to such temptations before the eighteenth amendment.

On top of all this we have the amazing spectacle of rival groups of bootleggers in the great centers of population debauching from the almost limitless profits of the illicit traffic the instrumentalities of law and order, taking virtual charge of the community, levying tribute upon legitimate business in every direction, declaring gang-law as the authorities in emergencies declare martial law, pursuing with murder and arson their deadly feuds with one another, and with the same weapons punishing resistance on the part of the citizen where lesser means will not avail—a state of things for which no adequate parallel exists short of the French and Russian revolutions. That a condition would ever arise when millions of peaceful inhabitants in the great cities of the United States should stand helpless before a coterie of criminals, purchasing protection for their offenses with the fruits of a forbidden traffic, is something that could never have suggested itself even to the wildest opponent of prohibition before the Volstead act, and it is a mocking commentary upon the fatuity of the prohibitory plan that the minor disorders in the cities, which so greatly exercised the eloquence of the prohibition advocates in the old days, and which in all likeli-

hood were only partially due to the open bar, have now been displaced by major disorders directly traceable to the illicit traffic and almost insurrectionary in extent.

Nor is it only from the illegal sale and use of the commodity the citizenship suffers. On the side of the government itself, striving through over-zealous or fanatical instruments to enforce an impracticable system, comes the ever-present terror of prohibition agents battering down the doors of private homes without warning and taking life with impunity upon the highway and even at the fireside. Our cup of tribulation is sufficiently full from the outlawed traffic and the vexation that springs from an unlawful business bursting all bounds and overflowing into areas always before free from intrusion. For the government itself to add to the people's misery by a system of espionage of which only Czarist Russia would not have been ashamed—but without which, as we are told, the law can not be enforced—is to impose a burden beyond the capacity of a free people to bear.

The danger to the enforcement agents from the desperate character of the outlaws engaged in the traffic does not alter the case, resulting as it does, only too often, in the death of some courageous and conscientious officer. It is the tragedy of the situation, indeed, that the ablest and bravest, whose experience and natural feeling would protect the innocent, are precisely those to whom the hazardous tasks are assigned, while the pettier types, so easily spoiled by a badge and firearms, are given the easy job of demolishing the motorist on the highway who has no means of distinguishing at a glance between the enforcement agent and the high-jacker,—or laying out on his own hearth-stone the peaceful citizen who, knowing nothing of the finely-drawn technicalities of prohibition enforcement, imagines he possesses still the traditional American right of protecting his home against violent invasion.

In addition to the forbidding aspects of the problem we have mentioned there are the fearful consequences resulting from the large-scale consumption of inferior liquors, made by vicious or inexperienced hands and sowing ill-health, blindness, dementia, paralysis and death wholesale through the land. These tragedies, occurring everywhere, and blighting homes in all communities, give no concern to the extreme adherents of the present system, who argue with cool indifference that the best way of advertising the dangers

of bootleg liquor is to let the patrons of the bootlegger taste in broken minds and bodies the folly of their course—wholly forgetful that when prohibition was as yet in the future, they made precisely the opposite argument and urged in favor of the prohibitory plan, with impassioned appeals to the emotions, that the banishment of the saloon would remove from the path of our weaker brothers a commodity which was a menace to health, an enemy to efficiency and a curse to the unborn child. Just how the partisans of prohibition hope to justify this reversal in the whole tenor of their appeal is a problem for their own solution.

Though no reasonable mind espouses the return of the open saloon, certain it is that beside the modern speak-easy, whose number is legion in all centers, and is generously represented even in small communities, the drinking-place of the old days was a model of order and innocuousness. Adequate laws effectually prevented sale to minors, to habitual drunkards and to others upon notice from their families and, being open to public gaze, its activities were readily confined. The speak-easy, however, secret and hidden from view by its very nature, and free from inspection and supervision, lapses readily into an agency for the promotion of vices infinitely more menacing to the well-being of society than the worst of drinking dives in former days. Let any reader interested in this aspect of the question consult the reports of the Committee of Fourteen, devoted to the suppression of commercialized prostitution in the city of New York and in the light of those findings determine the price society is paying in all large cities for the present experiment,—a price easily calculated notwithstanding the committee's own unwillingness to pronounce judgment.

Even the most irrational of the prohibition advocates must admit that at the end of the first decade's experiment with the plan conditions are ghastly. With liquor in millions of homes which knew neither its look nor taste before—with the flask naturalized from an alien and almost unknown thing into a necessary adjunct of many social functions—with the bottle to a terrifying degree grown familiar to the lips of boys and girls in their gatherings—we have a state of things under prohibition which, had it obtained when the open saloon existed, would have brought down upon the professional venders of liquor a veritable avalanche of public rage, with mob vengeance, probably, here and there. Yet the very classes which in such a case would have cried out for the gun and the

halter as fitting remedies for such unspeakable evils now look with complacency on the same evils as inevitable incidents in the eradication of the drink habit.

It is a safe wager that had any ardent and enthusiastic prohibitionist before the adoption of the eighteenth amendment been asked to forecast in advance the actual working of the measure, he would have anticipated a group of enforcement agents negligible beside the enormous army which now exists—a fund for the administration of the system trivial in comparison with the oceans of treasure annually dispensed—a few bootleggers, here and there, eking out a furtive and meager existence, instead of the many thousands in every state living openly in new-found splendor—the homes of citizens safeguarded at last from the defilement of alcohol instead of those same homes turned into amateur theatres for the exercise of the brewer's and vintner's art—children strangers even to the appearance, to say nothing of the touch and taste of drink, instead of the horror which now confronts every second or third parent in the hidden flask and the habit of its use formed and fixed—none of which awful catalogue of abuses held so fearful a place in our life during the reign of the saloon, bad as that reign was in other ways. Beside the vender of liquor today, indeed, the old time saloon-keeper was a radiant angel.

II.

To rehearse the evils of prohibition, however, is not to solve them. No good comes of ranting against the plan and pointing out that the fruits of its operation are precisely what the moderates predicted. "I told you so" is a dreary and futile comment. The question now is what to do. With the clamp of the eighteenth amendment upon the federal powers of legislation the area for discussion is limited, and the repeal of the amendment, or even its modification, for this generation at least, may not be practicable. None the less an early and radical change is necessary within the limit of state and congressional powers and it is the character of that change which presents the immediate challenge to statesmanship.

As always happens under such circumstances the whole discussion has drifted away from its logical position. The real principles which should control the problem are largely lost sight of in the

multitude of incidental considerations. The student of the subject, earnestly wishful of reaching a just conclusion, must take his bearings anew. On an uncharted sea, far out from our starting point, the safest course is to go back to the beginning and check over the lessons of experience with legislation in this troubled and treacherous domain.

We must not forget that the subject is as old as man. In the earliest books of the Greeks and Hebrews, and in the sacred writings of India and Persia, we read of the subtle potion, lurking in the chalice of the grape, which robbed men of their reason; and, as we come down the ages, we trace in the history and literature of all peoples, the vice of intoxication—the Bacchanalian revels, by which the maudlin Greek and Roman celebrated the rites of the wine-god—the wild festivals of the Saxons, during which the mead-horn was lifted high in drunken orgy—the carouses of early England, when sack and sword held equal place in the eyes of the higher classes and the red lattice of the ale-house was seen for the entire length of a street with never a tradesman's shop to break the succession.

But if the vice is as old as the race, the effort of rulers and philanthropists to wean man from his thralldom to its spell is quite as old. From the time when, in China, a thousand years before Christ—and again in Thrace during the reign of Lycurgus—all vines were ordered uprooted, to our own day, law-givers and reformers have sought to banish drunkenness from the world. The edict of Draco, which made death the price of inebriety—even though that law rest only in tradition—bespeaks the habits which could suggest so terrible a decree; and the command of Mahomet, ten centuries later, which banned the wine-cup forever from the lips of the faithful, is no less strong a token of the practices at which the prophet aimed his blow.

In our own day, however, owing to the greater complexity of human relations and institutions, the problem is far more difficult than was the case in by-gone centuries, nor can we use against the evil the weapons which proved so effective in ancient times. In the simple civilizations of old, where the will of the monarch was the supreme law and punishment was swift and sure, the imperial command, however harsh, failed never of obedience; but in our own age, when law is the reflection of the popular will, legislation which

is hysterical, vengeful or ever-severe is self-destructive. The enforcement of laws being lodged in the people by virtue of the jury system, popular prejudice annuls the statute by making verdicts impossible.

In this day, therefore, and particularly in our own land, the thoughtful legislator shuns endless severity and strives so to fashion his statutes as that, while achieving their purpose, they shall as far as possible be backed by the united sentiment of the community. Wise statecraft rejects legislation passed and sustained by the might of a mere majority. In no democracy does the machinery of law enforcement operate with the precision which obtains in monarchies, whether absolute or limited, and where the voice of the masses, speaking through jury verdicts, decides guilt or innocence, an enactment is still-born and hopeless from the beginning which tells against the feelings and prejudices of a large minority. In such situations it behoves the legislator to avoid extremes and feel his way forward with moderate measures.

In the United States, however, the battle-cry of the temperance reformer was from the beginning "absolute prohibition"—a Draconian method of dealing with the problem which is plainly out of keeping with modern principles of legislation, but which, however subject to objection in the abstract, did, in agricultural districts and small towns, when backed by the predominant sentiment of the community, prove successful. Whilst in larger towns, almost universally, the prohibitory plan fell notoriously short of its end, this circumstance did not retard the progress of the movement. Upon the contrary, it was gathering impulse and in the southern and western sections of our country was fast drawing great states to its support when national prohibition became an accomplished fact.

The extremists who advocated and the moderates who opposed absolute prohibition were in truth largely agreed that the open drinking place was without justification on moral grounds. It need excite little wonder, therefore, that with us, in the absence of an adequate plan for the elimination of the evils surrounding the liquor traffic the widespread feeling against the bane of intemperance should have found outlet in a movement which, impatient of further delay, sought the difficult end of destroying the demand by abolishing the supply.

State prohibition, as distinguished from local option, was tried and abandoned in many states. In each of these states the enforcement of the law was found impracticable in larger towns and cities. Nor, indeed, were the results commonly better in the larger towns situated within local option communities, however successful in the rural districts, though even in the case of larger towns it would seem that the traffic in liquor could be effectually prevented as against the sentiment of a considerable minority of the citizenship where those towns were within reach of non-prohibition sources of supply and the avenues of communication were not obstructed by statutory restrictions tying the hands of the common carriers. It was in reality this "safety-valve," in the form of a ready communication with a non-prohibition center of supply, that in such places protected the machinery of prohibition from breakdown.

The history of the liquor agitation in the United States discloses a cycle which reflects the mass psychology upon the subject and may serve as a prophecy of the future. The pioneer experiment by Maine in 1846 was the beginning of a prohibition wave which during the middle of the nineteenth century seized one state after another until eighteen in all stood committed to absolute prohibition. Then, little by little, the wave receded as experience demonstrated the inefficiency of the method, until in 1906 only three prohibition states remained, namely, Maine, Kansas and North Dakota. The local option plan then began an intensive growth and its ideal adaptability to conditions of rural communities and small towns gave the movement an immense vogue so that many states became almost entirely dry. The local option community, indeed, situated near enough to centers where supplies could be easily and lawfully obtained, enjoyed practical freedom from the blind tiger, but even in local option communities situated far from non-prohibition centers of supply, and where, in consequence, illicit sales went on, conditions were not seriously objectionable, since the evasions of the law were limited in extent and the commodity sold was free from adulteration.

The prohibitionists in reality might well have been content with these results. They represented very nearly all that could be accomplished by methods of legislation. Any effort to achieve much more hazarded the defeat of its end. It is characteristic of the prohibition agitation, however, that its leaders have never been

content with a wise compromise and have always sought to bludgeon the system through to unqualified success. Refusing to believe that the presence of nearby wet centers was in reality the salvation of the prohibition method in local option communities they again took up the battle for absolute prohibition, particularly in the south and west, and with the enactment of the Georgia law in 1907 the movement spread a second time so that in the year 1918 prohibition was once more widely in effect. Reenforced by acts of Congress preventing shipments of liquor into dry states, cutting off the safety-valve of lawful importation, conditions were growing rank in all prohibition states, and a complete breakdown was again imminent, when the hysteria of the European war created the eighteenth amendment and the Volstead act. Thus was realized at last for its unreasoning enthusiasts the long-cherished dream of national prohibition, so soon to turn into a nightmare of horrors.

We may take it as the chief lesson of our experiments with absolute prohibition thus far that while men would prefer to withhold patronage from the illicit dealer, where they can with moderate inconvenience obtain supplies from legitimate sources, they will not hesitate to countenance an outlawed business where they can not otherwise satisfy their wants. The illegal traffic cannot compete at short range with the legalized sale of drink, in however restricted a form, and the illegitimate trade dies for lack of sustenance where the inhabitants of the closed community can easily and quickly secure supplies through lawful channels. With this qualification prohibition is successful, but not otherwise.

Another phase of prohibition, as commonly enforced in the old days, is of importance in connection with our discussion. Under systems of this character the illicit vender was usually the sole object of punishment, as indeed is the case now. The purchaser went scot free, though equally guilty in act and intent. It is notorious that in prohibition states druggists were often forced against their own wishes to make a secret traffic of dram-selling for the accommodation of their general patrons, knowing that a refusal would mean a gradual drift of their custom to less scrupulous competitors; and it was not in keeping with sound principles of legislation to punish the sale, but not to punish the purchase, when both parties knew equally that the act was a violation of the law.

That this principle of legislation has not thus far found a place

in the armory of prohibition is due purely to the drastic nature of the prohibitory plan. It is recognized on all hands that enforcement of penalties against the purchaser would rarely be possible. Few, indeed, of the leaders of opinion on the prohibition side will be heard to champion such an enactment—the shining example of the distinguished author of the eighteenth amendment to the contrary notwithstanding—and no movement for the enactment of such a law can ever be successful. Courts and juries may now and then convict the seller but only in very extraordinary cases, indeed, would the same court or jury apply the same punishment to the purchaser.

To punish the purchase of liquor from illicit venders would moreover seriously hamper the enforcement of prohibition. A large proportion of the convictions now obtained arise through purchases made by government agents who, while morally parties to the crime, are free from punishment and as accomplices to the violation of the law turn state's evidence. The practice of inviting the commission of crime for the sake of inflicting punishment is, indeed, as the prohibitionists insist, an indispensable necessity and the circumstance offers to the patrons of the bootlegger the strongest assurance that no law will ever be enacted which cuts off all lawful source of supply and at the same time closes to them the illicit channels by penalties against themselves.

All this, however, has to do with the present system. Supply to the citizen who now supports the illicit traffic a legalized means under a system of regulations neither too loose nor too rigid and the situation is sure to change. No court or jury would hesitate to assess the penalty where, with a lawful source of supply before him, the purchaser deliberately chooses the outlawed agency. Here and there, perhaps, in an exceptional situation the speak-easy might thrive but the instances would be too few to give to the owners the immense power and profit which the embattled violators wield today, and it would only be cases of extraordinary emergency which would move a citizen to imperil his freedom by visiting such resorts with lawful sources open and accessible. Participation, moreover, by the government itself in the very offense it seeks to punish might be dispensed with, releasing for wholesomer and more beneficent activities the many agents who now so joyously pander to crime.

III.

That prohibition upon a national scale can meet the shortcomings of state-wide prohibition—an argument constantly used when the conspicuous failure of local or state-wide prohibition in all large cities was urged in the old days—is now definitely refuted. Our large cities without exception are flowing seas of liquor. Not only so but with national prohibition the small community, measurably protected under local option, has equally with the large city become the haunt of the home-brewer and the illicit distiller. Orgies of drunkenness, confined to quarters before the Volstead act, are as every one knows, common isolated incidents throughout the land. The “wild party” is thoroughly domesticated and almost respectable.

A sane solution of the drink problem, urged by the moderates during the prohibition agitation and scorned by the extremists, would have abolished the open saloon and permitted the sale of liquors in sealed packages under license and regulation, with penalties against consumption on the premises and against consumption, likewise, in any public place—except, possibly, in the case of light wines and beers with meals on trains and at hotels and restaurants—leaving intact the local option system for particular communities which preferred that plan. That this is as far as the prohibitory system should have gone is now frankly conceded, in the light of present experience, by many of those who stood forth for the plan actually adopted. It is perhaps not too much to say that the evils of prohibition turn largely on the effort to carry the system beyond that sane and rational limit.

Had temperance legislation stopped with the banishment of the open drinking place and the interdiction of public drinking, with reasonable limitations such as we have mentioned, the operations of the bootlegger, with their lurid accompaniment of gang-wars and racketeering, machine-gun massacres and political corruption and terrorization, would assuredly have remained in the limbo of fanciful things for the use of blood-and-thunder novelists. That any man, believing himself unable to dispense with alcoholic liquors, would choose the illicit in preference to a legitimate channel for obtaining his supplies is inconceivable, particularly in the face of possible punishment and when the legalized source carries an assurance of purity and care in preparation wanting to the other; and even though the illegitimate vender might try to undersell the lawful

agencies—which would hardly occur since it did not happen under high license before prohibition—the number of his patrons would be few. If, then, a means had existed for legally obtaining alcoholic beverages, under whatever restrictions, the bootleg traffic, which is now one of the country's major industries, and which uses its unbelievable profits in debauching the public service and corrupting business and degrading social life in all large centers, could never have reached anything like its present scale.

A benefit by no means to be despised in connection with the more moderate form of liquor regulation is the protection it would afford against the poisonous connections which now destroy health, vision and sanity and in the aggregate throughout the land take a fearful toll of life. In this aspect, the open saloon, little as can be said in its defense, was by comparison a wholesome institution, and even the lowest dives were guiltless of the savagery which on every hand today coins into money through murderous beverages secretly vended the well-being and even the very existence of the unsuspecting.

It is a tragic aspect of the problem in this regard that even those who would otherwise shun alcoholic drinks, even of the purest brands, are forced, out of considerations of courtesy, as guests in private homes where liquors are served, to imbibe against their real wishes liquors of the vilest variety. If the substitution of absolute prohibition by the regulated traffic along the lines suggested should do nothing more than deprive alcoholic beverages of their fancied value as an aid to goodfellowship and thus protect unfortunate guests in private circles against deadly potions served by deluded hosts as "pre-war" and "imported" and "guaranteed pure" it would be worth all the agony and turmoil the change is sure to cost.

The manufacture of liquors in the home—now so common that the odor of brewing beer and fermenting wine is a daily experience—would, under the more moderate system, come to an end, and, however pure, as a symbol of welcome in private residences, become as rare as in the days of the saloon, since nothing so easily obtained by the guest himself in the channels of commerce could have the unique appeal it now possesses as a token of hospitality. With the ubiquitous bootlegger, moreover, starved out of business, and the avenues of lawful supply cut off from minors as in the era of the saloon, the use of intoxicants by boys and girls should become as unusual as it was then, and certainly the hip-pocket flask

at social gatherings of young and old would lose its present dignity and become as disgraceful as such things were at all refined functions in the days when liquors of all kinds could be readily obtained at lawful places of supply.

The spirit of bravado, indeed, which now moves young people to indulge in intoxicating liquors is something distinctly traceable to prohibition. It might have been foreseen that the very ban placed upon the possession and use of strong drink would carry a challenge to youthful daring. It has always been so. During the days of the saloon young men grew convivial and partook to excess, and the practice was bad enough, but there was no incentive to indulgence apart from the occasion. In these supposedly soberer times the imperious demand to abstain in the name of the law is met by a contemptuous defiance, and youthful impatience of restraint converts the forbidden cup into a gage of battle. No more illuminating commentary is possible upon that spirit of the American youth than the indifference of many young men to liquor in the old days when it might be easily had and freely used.

Indeed, the whole tone of social life, which has markedly deteriorated since the coming of prohibition, would be elevated by a modification of the system in favor of a less extreme plan. There can be no doubt that the common use of liquor by women and girls since the passage of the Volstead act is poisoning social life at its source. It is against masculine human nature long to retain a reverence for womanhood, in the fine sense of the old days, where liquor reeks upon the breath of maiden or matron. The prejudice against tippling, even for men, learned in childhood and reenforced later by private and pulpit eloquence, cannot be so easily forgotten.

In the case of any system which shall provide, under whatever regulations, a legalized channel for the purchase of liquors it is certain that the present terrorization of legitimate business by gangsters and racketeers—of which Chicago is only an outstanding example destined, doubtless, to more or less open emulation in all large centers—would come wholly to an end. Angry declarations by partisans to the contrary notwithstanding, the sober judgment of every thinking man traces these ebullitions of criminality directly to the illicit liquor traffic.

It was a favorite practice of the prohibitionists in the days before the eighteenth amendment to attribute to the legalized liquor traffic every item in the reeking catalogue of crime. The actual working

of the prohibition system has forced apologists for its abuses into precisely the opposite contention. They now vehemently deny that the crime wave, which has existed coincidentally, with prohibition during the past ten or twelve years, is attributable to the bootleg liquor industry. The ingenuity which they utilized in the old days for tracing connections between crimes of all kinds and the saloon they use now in arguing away the palpable relation, evident to all beholders, between the use and sale of liquors in outlawed channels and the saturnalia of criminality which has co-existed with prohibition from the very beginning.

Rational consideration of the problem leads inescapably to the conclusion that with liquors obtained in legitimate channels, even though barred from public use or consumption on the premises, and with whatever modifications in the case of light wines and beers upon trains and in hotels and restaurants, the bootlegger's vocation would languish and with his dwindling custom would go the power which now threatens to convert our leading cities into armed camps of constabulary and citizenry, on the one hand, and bootleggers, gangsters and racketeers on the other.

One of the unexpected enigmas of prohibition psychology is the ready excuse any enormity finds on the lips of men and women otherwise deeply sympathetic where the end sought is prohibition enforcement. Natures which in all other relations are stirred instantly by tragedy and pathos look with cold and unfeeling eye upon spectacles in our courts which would move a heart of stone. It is the blight of fanaticism, which in whatever department of human affairs seals up the well-springs of pity and neutralizes kindness at its source. With the whole weight of prohibition enforcement falling, not upon the millionaire bootleg-kings and their immediate associates, who enjoy practical immunity, but on the miserable underlings who try to eke out a precarious existence for themselves and their families by ministering furtively to the enormous demand for intoxicants in every community, the sight of broken men and white-haired women cast into prisons for years because of trivial offenses against the liquor laws, either on pleas of guilty or convictions for want of powerful counsel, has become so common as to attain the proportions of a national scandal; yet the same voices which in the old days rose above all tumult in denunciation of a traffic that demoralized the working man and snatched the food from the mouths of his wife and babes sees no

cause for commiseration in the appalling human wreckage which prohibition enforcement is leaving in its wake.

The illicit liquor business in the gradations of the traffic below the upper levels of highly organized and powerfully entrenched groups has become a catch-all for the flotsam and jetsam of humanity, running into hundreds of thousands throughout the country who, denied comforts or luxuries otherwise, fall back on the ever-ready resource of liquor-vending, until prisons everywhere are crowded to overflowing and prison-riots on a scale of savagery and desperation unprecedented in the history of penology testify to the threatened collapse of our whole penal system.

For many years before national prohibition became an accomplished fact, and for several years after, magazines of the higher type admitted to their pages with doubt and trepidation any discussion of the liquor question. The ground was so far monopolized by partisan speakers and writers that few deliverances, either of tongue or pen, were free from the taint or, to say the least, from the suspicion of propaganda in the one direction or the other. It is matter for deep rejoicing that so baneful a period in the history of so momentous a question has passed. No omen could be darker for the solution of any great problem than an impassioned state of sentiment which divides the thinking public into warring armies. In such an hour the voice of reason is lost. The field is seized on both sides by shrewd figures, practiced in the arts of organization and leadership, and the calm accents of philosophy and statesmanship go unheard. At such a time, indeed, even the organs of opinion whose pages usually are fountain-wells of light are prone to silence, either from considerations of prudence or considerations of self-respect. It is precisely this last which is the unhappiest aspect of all periods of tumult in a great democracy.

(End of Part One)