Close Read: Prohibition & Temperance Movement

**CR Objective**

What does it mean when we say that the US constitution is a living document?

**CR Introduction**

In the early 1900’s, groups such as the Women’s Christian Temperance Movement lobbied & protested the federal government on behalf of the ban of alcohol production, sales and consumption, while other groups argued against the prohibition of alcohol & liquor. Eventually, the 18th amendment (1920) to the Constitution was passed and the temperance movement claimed victory. Short lived, victory turned to defeat soon after when the 21st amendment (1933) was ratified lifting the ban. The ensuing debate was grounded in many social, political, and economic reasons - illustrating to historians the concerns of Americans at the time.

**Pre - Analysis:** Please answer the following two questions below prior to analyzing the primary sources below.

1) Why is the debate of social, political, and economic ideas healthy for the growth of a democracy?

2) Should a government dictate what you can and cannot consume?
Arguments for Prohibition & the Temperance Movement: Below are excerpts from 4 primary sources arguing FOR the continued enforcement of the 18th amendment. After you read the primary sources, answer the analysis questions on the following page.

A Moral & Ethical Argument for Prohibition, in North American Review - September 1925 | By: Reverend Walter A. Morgan

...The moral quality of the will that voted the nation dry had its origin in a moral and social source. It was an honest desire to protect human life. This wish made concrete and appealing through the lives of women and children...As the race has evolved, womanhood and childhood have come to occupy more commanding positions. Today in the United States the moral sense of the people puts them first. What is good for them should become a law. So the voters were led to believe and so they acted. Men and women merely said, “The liquor business is a menace to our women and children. Let us get rid of it...”...Salvation Army leaders, social workers, district nurses, Prohibition officers, child welfare organizations, and others who are in close observance of social conditions have repeatedly declared that no other law has worked so great a revolution in social welfare as has Prohibition..... Nearly one hundred million dollars of funds once spent to cure the harm done by the saloon is now expended in fresh air work, free dental clinics, prematurity care, district nursing, hospitalization, and other forms of work...

Prohibition and the Medical Fraternity in North American Review - September 1925 By: | Dr. Howard A. Kelly

We insist with every energy at our command that the state has the inalienable right to restrict any action whatever - whether it concerns our eating or drinking or other personal habits - in order to promote the public welfare. If the government controls our use of opium and of cocaine, then why not by reasoning, alcohol?

Prohibition and Respect for the Law in North American Review - September 1925 | By: James J Britt

That there is a general increase in lawlessness, all know, but it has no connection with the Prohibition Amendment....It is due to the general lowering of morale following a war in which the moral props of centuries were removed...There is an awesome increase of murder, manslaughter, burglary, theft, false pretense, and other crimes... It is not impossible that cheats, whose business is ill-gotten gain, seeing a larger opportunity in bootlegging, may have shifted from one crime to another, but Prohibition did not make them criminals; they were already criminals, and merely revealing themselves in a different way.

Prohibition as seen by a Businessman in North American Review - November 1925 By: | Richard H. Scott

The businessman sees Prohibition’s results, not in terms of moral issues or personal appetites, but in the dual terms of business: production and distribution. Especially noteworthy have been the effects upon production....The efficiency of the average worker was increased. Factories were more nearly able to work up to the reasonable expectation of their machine power. Instead of dulled minds, unsteady muscles, and jumping nerves after the holiday of Saturday afternoon and Sunday, the workers began the week on Monday with full power. . . . These factors in the business problem increased efficiency per worker, continuity of machine output due to fewer absences of workers, lowered labor turnover and fewer accidents, would have been sufficient to change the red ink [deficit] figures of loss to a substantial profit so far as production is concerned. In each of these factors, Prohibition turned the tide. Distribution is the other element in business. Products must be sold. Prohibition created new markets for our products. New standards of living were set nineteen per cent higher than when prohibition arrived, according to Secretary [of Commerce Herbert] Hoover. Instead of a pail of beer, the worker bought oil and gasoline. Better homes, better furniture, better clothes, more amusement were demanded. The wage check that once went into the bartender’s till began to travel to the local merchant. . . . The great mass of the people are sober, making money, buying luxuries as well as necessaries of life, banking undreamed sums, and keeping business steadily on the high plane of prosperity in spite of all the prophets of disaster.

Arguments for Prohibition & the Temperance Movement: Answer the analysis questions below.
1) Using the table below, summarize the main argument of each primary source.

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<thead>
<tr>
<th>Primary Source</th>
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<tbody>
<tr>
<td>A Moral &amp; Ethical Argument for Prohibition</td>
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2) Which argument do you think is most effective? Why?

3) Women’s suffrage groups in the early 1900’s often advocated for both the right to vote as well as supporting the prohibition & temperance movement. Why do you think these two reform movements were so closely related?

4) How does the Prohibition & Temperance movement relate to the spirit of reform that took over the nation during the Progressive Era?
Arguments Against the Prohibition & Temperance Movement: Below are excerpts from 3 primary sources, followed by a political cartoon - all are arguing AGAINST the continued enforcement of the 18th amendment. After you read the primary sources, answer the analysis questions on the following page.

The Paradise of the Ostrich in North American Review - July 1925 By: | Samuel H. Church

Prohibition is the paradise of the ostrich. With his head in the sand the stupid bird believes that what he will not see does not exist. But all around him there has been created a business worth hundreds of millions a year, which pays no tax, knows no control, is without responsibility, dispenses more or less poisoned liquors, debauches youth and age, corrupts the politicians, demoralizes the police, and spreads everywhere a contempt for all law.

Prohibition Against Human Nature in North American Review - July 1925 By: | Henry Bourne

Five years have rolled by, and many think that Prohibition has had its chance. Many have come to think and believe that after the most diligent effort for five years by the government of the United States of America to enforce bone-dry prohibition upon our people, it has totally failed. Vast appropriations have been made by the national government and by the state governments to no avail. In Michigan one of the leading state officials recently said that the more money we appropriate and the more people we employ to enforce Prohibition, the more freely is liquor available. . . . Have the American people lost their balance wheel of common sense so that they can no longer understand human nature? We might as well legislate against the natural functions of existence [i.e., respiration, elimination, etc.] as to seek to continue on our present path towards a complete disrespect for our laws and for the natural rights of a free people.

Prohibition and Respect for the Law in North American Review - July 1925 By: | Henry Samuel Priest

We have hundreds of thousands of laws that should have no place upon the statute books and that come to be disregarded and lead to a disrespect and disregard of all law. The Eighteenth Amendment is this type of such frivolous enactment. They enforce no duty and protect no rights. . . . The constitutional provision announces no fundamental principle of government. It is an effort to regulate the morals of the country, to make that immoral and criminal which is neither immoral nor criminal per se [in itself]. The evil consists in the excessive use of intoxicants, not in their moderate use.
“The Unhappy Couple” by Carey Orr, Chicago Daily Tribune September 21 1925
Arguments against Prohibition & the Temperance Movement: Answer the analysis questions below.

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2) Which argument do you think is most effective? Why?

3) The US Constitution is often referred to as a “living document”. How does the debate over the prohibition amendment illustrate this concept?
During Mayor Michael Bloomberg’s tenure as mayor of New York City, he attempted to regulate the consumption of soda by New York City residents. He did this by proposing an amendment to health codes of New York City - the amendment banned the sale of sugary drinks over 16 oz in food service establishments (all restaurants, fast-food establishments, delis, movie theaters, sports stadiums and food carts). His controversial decision was ultimately deemed illegal by the courts, but it spurred much debate over whether or not the local, state, or national governments had the right to regulate consumer’s consumption of any sort of food or liquid, regardless of health benefits.

Read the following news articles:

NY Daily News - Keep Hammering Big Sugar
CNN - Banning Large Sodas is Legal & Smart
CBS News - Soda ban would lead customers to consume more
New York Times - 60% of New Yorkers Oppose Ban

Using the sources provided, the documents above, and your knowledge of US history - respond to the prompt:

The US Constitution and legal system are often thought of as “living documents” - meaning that they are systems that are continuously evolving & changing. How does the prohibition and temperance movement of the early 1900’s, as well as the Bloomberg soda ban, illustrate the notion that the US Constitution & legal systems of the United States are “living documents”?

- Explain the debate over prohibition
- Explain the debate over the Bloomberg soda ban
- Explain how these debates & examples of US history support the idea of the US Constitution & legal systems of the United States as a set of documents that are actually “living documents”

When completing this assessment keep the following definition in mind:

- **explain** means “to make plain or understandable; to give reasons for or causes of; to show the logical development or relationships of”