THE PROPOSED AMENDMENT TO THE CONSTITUTION

The proposed amendment to the Constitution was approved by Congress in early 1917 and was sent to the states for ratification. The amendment, known as the 18th Amendment, was ratified by the states in December 1919 and prohibited the manufacture, transportation, and sale of intoxicating liquors. The amendment was a direct response to the widespread public concern over the negative effects of alcohol consumption during the early 20th century. The amendment had significant implications for society, including changes in the legal system, the economy, and individual behavior. The prohibition era, as it is often referred to, lasted from 1920 to 1933, and during this time, the enforcement of the law was often lackluster, leading to a rise in organized crime and black markets. The repeal of the 18th Amendment in 1933 marked a significant shift in American society and the legal landscape.
Case Against National Prohibition

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the voluntary and most meritorious labors of various temperance organizations. The work will doubtless go on successfully in the future, and the question is whether the cause of temperance will be better served by radical measures instead of those that are now proving efficient. I think it will not.

"I do not believe that it will be practicable to enforce national prohibition permanently, though for a time under the enthusiasm of the moment a strong effort will be made to do so. From the earliest times civilized man has used intoxicants. I know of no great nation in which prohibition exists or has existed. Even the assurance of a sensual paradise has not induced the fanatical Moham medans to observe the injunction of the Koran to abstain from wine.

"Let us see what will be the practical result of an attempt to enforce nationwide prohibition. The movement has its strength in the rural parts of the country; its opposition in the cities. The United States is continually becoming more and more industrial and less agricultural. Indeed the rural population in many, if not in most of the States, is actually decreasing, while the population of the cities is increasing by leaps and bounds. Even in the prohibition States the majority of the inhabitants of large cities are opposed to prohibition. Especially is this true of the artisans or workingmen, so-called. It is from that class chiefly that the political party which controls the South has in the North its adherents. If that class is alienated the party that represents the South will for many years have small chance of again controlling the National Government.

"Moreover, with any enforcement of national prohibition will go the enforcement of all the provisions of the Federal Constitution. It will not be tolerated that, when New York is forced to obey an eighteenth amendment, Mississippi may ignore or evade the fifteenth amendment. The Southern prohibitionists will get neither sympathy nor support in that matter from the Northern prohibitionists. The great majority of Northern prohibitionists are as radical on the negro question as they are on the liquor question. Already one of the leading New York journals has declared that now that the Government has taken over the railroads Jim Crow cars and similar arrangements for segregating the races on public conveyances must cease. This is what the South must face.

"Finally there is no justification for Federal control of the subject at all. We all believe in home rule. The observance of this principle, instead of weakening our loyalty to national unity, is the dominant cause of our great devotion to it. It needs no amendment of the Constitution to protect the rights of prohibition States. Under recent acts of Congress and the decisions of the Supreme Court construing them, a prohibition State has now the same absolute power to forbid not only the manufacture, use and sale of liquors, but to restrain their importation into the State as if the State were an independent nation. But what those States seek is not to protect their own people, but to rule those of the other States. It cannot, however, be denied that this is eminently a human trait, but nevertheless a most unfortunate one and productive of great evil."