Repealing National Prohibition

It was without a doubt one of the most significant moments in American Constitutional history: at 3:32 p.m. Mountain Time, December 5, 1933, the Utah state convention voted to ratify the Twenty-first Amendment to the United States Constitution. For the first, and to date, the only time in the nation's history, an amendment to the United States Constitution had been overridden by a majority of the states. To the still extremely Constitution-conscious population of the 1930s it was as though a revolution had taken place; a dramatic change in the formalities of government as drastic in its own day as the resignation of a president to avoid impeachment proceedings would be to a later generation of citizens.

David E. Kyvig, assistant professor of history and director of the American History Research Center at the University of Akron, provides in this meticulously researched and ably written monograph, an account of the manner in which the Eighteenth Amendment was undone. His saga among other things quite rightfully emphasizes the unbelievable nature of the process by which a small group of the American economic elite labored mightily and successfully to repeal an act which they felt was undermining the moral and political fiber of the nature of the body politic.

The advent of the amendment outlawing the production and sale of alcoholic beverages and the accompanying Volstead Act providing for federal enforcement of the same was probably welcomed by a majority of the American public. Localities and states had been drying up for years thanks to the intrepid endeavors of the Anti-Saloon League, the WCTU, and other watchdogs of public morals. World War I added fuel to prohibitionists' arguments. The need to conserve grain for use as food and the desire to remove temptation from soldiers in the areas around army camps encouraged teetotal efforts. Industrialists such as Henry Ford advocated prohibition as a means of encouraging worker productivity, while proponents of Americanization looked with fondness on a device that would rid the nation of German beer gardens, Irish pubs, and other nasty manifestations of foreign influence. The entry of the United States into the global conflict made prohibition akin to patriotism, as "dry" advocates attacked the economic well-being of such potential German "subversives" as the brewers Pabst, Schlitz, Miller, and Busch.

The wartime environment, coupled with decades of anti-alcohol
agitation, resulted in the passage of the Eighteenth Amendment. The nation looked forward to a future unencumbered by drunkenness and its handmaidens of broken homes, crime, unbridled lust, and indiscriminate violence. This golden future was, however, not to come about.

Prohibition did, as Kyvig stresses, probably result in the overall lessening of alcoholic beverage consumption. But drinking remained part of the life styles of many Americans, even though it was now an illegal act. Many middle class and upper class citizens were now in the embarrassing position of engaging in criminal acts as they purchased alcohol from bootleggers and consumed the products acquired. To a growing number of conservatives in the 1920s, prohibition brought undesirable side effects. Crime seemed to be on the rampage, while disrespect for the law was endemic. Sensitive advocates of states rights and the self-responsibility of the individual found national prohibition to be a violation of the freedoms and rights of the citizenry viewing this piece of sumptuary legislation as an unwarranted federal governmental intrusion into the personal behavior of otherwise upstanding members of the body politic.

As Kyvig emphasizes, these conservatives gradually flocked to join and support such organizations as the Association Against the Prohibition Amendment. They later continued their support of the personal rights of the citizenry into the Liberty League and other anti-New Deal groups. To the Duponts, Pews, Joys, and other conservative upholders of the status quo both prohibition and the New Deal seemed to be harbingers of the coming of federal tyranny.

Kyvig skillfully describes the manner in which conservative elements came to dominate the anti-prohibition cause. He graphically relates the career of their agents, most notably William H. Stayton who became the guiding spirit of the AAPA and remained as such until more influential and powerful agents of the cause such as John Jacob Raskob came to the fore. Politicians, as the author relates, were relatively hopeless in the movement against prohibition, with Governor Alfred E. Smith of New York having too many liabilities to emerge as a national symbol of effective opposition to prohibition and Franklin D. Roosevelt being simply too devious and unreliable to be converted into a champion of the cause.

Kyvig, in some of his most telling pages, narrates the process by which imaginative supporters of the repeal of the Eighteenth Amendment hit upon the device of using state conventions as a means of undoing the ban on alcohol found in the Constitution. As the author states, this device was probably the only feasible means of bringing
back spiritous beverages, given the unwillingness of politicians to stand up and be counted as supporters of strong drink.

Kyvig's volume constitutes a most important addition to the growing corpus of books dealing in a meaningful manner with the Prohibition episode of American history. It also provides a contribution to American Constitutional history in its fascinating description of the dilemma faced by those who brought about statutory legislative curbs on human behavior and then desperately sought to undo what they had done.

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Anyone who is interested in railroads and who reads about their history is aware that there is a flood of books on the subject. Unfortunately, this outpouring must be acknowledged as being, in the main, mediocre. H. Roger Grant and Charles W. Bohi recognize the problem and observe that "the few book-length works that deal with small-town stations lack either a narrative or an interpretive framework." (p. 177) One is naturally led to apply this yardstick to The Country Railroad Station in America.

The authors did not choose a narrative framework. The book is organized along rather broad geographical lines: Eastern U.S. to Western to Canada. There are only occasional chronological references. Neither dates of construction of stations nor dates of photographs are regularly included. An interpretive framework seems to have been the aim of Grant and Bohi. In the first sixteen pages they discuss the role of the depot in the community. While giving a few examples to clinch their argument that the station was the "community hub," they hardly exhaust the subject. The remainder of the work is devoted to "an architectural overview of the combination freight and passenger depot."

It is difficult to find much success in their effort. The lines of demarcation are so indistinct that one is not sure just what they mean to in-