

from
MY BOOTLEGGERS
1921

----- *Samuel Hopkins Adams* -----

In September 1919, Congress passed the Volstead Act which prohibited the sale, manufacture, and import of all “intoxicating beverages.” The Eighteenth Amendment was ratified in support of the Volstead Act in 1920, yet federal agents were unable to successfully enforce these laws. This article from *Collier’s* magazine describes some of the troubling consequences of Prohibition.

THINK THROUGH HISTORY : Drawing Conclusions

According to this article, why was Prohibition difficult to enforce?

“My bootlegger used to be a good citizen. So did I. He respected and obeyed the law. As I did. Before the Volstead enactment he would never have considered taking part in any furtive or forbidden trade; not any more than I would. But he needed the money, and when he saw his opportunity of making it at the expense of a law which he believed unfair and oppressive, he took it. I wanted liquor to which I had always been accustomed and which I had never abused, and when he offered me opportunity of supplying myself at the expense of a law which I believe unfair and oppressive, I took it. Thus he became an illicit seller and I became an illicit buyer. Together we are successfully defeating and overthrowing the law of the land. Doubtless there are thousands of teams like us all over the country. We represent, I suppose, an abnormal condition of the body politic. My bootlegger is the symptom of it. I, I suspect, am the disease.”

So writes to me a friend of many years’ standing, a man who has attained success and prominence in his chosen profession, honored, thoughtful, fair-minded, courageous enough to look at himself in relation to the problem under discussion with candor, tenacious of his own rights, respectful of the rights of others, an instinctive believer in law and order, a typical “best citizen.” Yet the phrase “my bootlegger” comes naturally from his pen, a profoundly significant phrase. Back of it lies the implication that the hired violator of law, the criminal who makes his profit out of systematized defiance of the will of the people duly enacted, has become an established institution, partnership in which need not be occasion for shame on the part of a self-respecting citizen. The man who asserts his right or privilege to live on the same basis as in ante-Volstead days now has his bootlegger as he has always had his physician, his lawyer, his tobacconist.

So far have we progressed along the road into which prohibition has led us! And here at the turn of the road stands "my bootlegger" pointing the way to contempt of the law, to anarchism, limited to one selected phase, it is true, but essentially corruptive of respect for all law. How widespread and important an institution "my bootlegger" has become may be estimated from any week's file of the larger newspapers. Everywhere the drink question is to the fore. Properly and logically it should be a dead issue, since for nearly two years we have theoretically banned booze; yet it still holds the center of the stage.

As a nation, if the newspapers correctly reflect what most interests us, we sit in rapt contemplation of ourselves in the act of discrediting a law which we enacted only after the maturest and most careful consideration; and if many of us greet the anomalous performance with hisses, millions of others contribute laughter and applause. A stranger, ignorant of our peculiar national psychology, might justifiably suspect a deliberate conspiracy to overthrow the law of the land, with "our leading citizens" and "my bootlegger" as chief conspirators.

There is, of course, no such conspiracy. If there were, the situation would be far simpler. Conspiracy is positive action. It can be dealt with positively. The present revulsion is mainly negative. It is an unformulated, almost instinctive campaign of obstruction and nullification; a sullen, contemptuous, resentful determination not to be bound by a restriction upon personal tastes, even though every dictate of patriotism and good citizenship calls for submission. It therefore follows with inevitable logic (does it not?) that the revolt is made up of the lawless and disreputable classes; criminals, wastrels, the vicious, the outcast, the dregs of society?

Nothing could be farther from the fact. The people who are in more or less active rebellion against prohibition (that is to say, the law) comprise pillars of the social structure—as well, of course, as many of the other kind—props of church and state, leaders in the professions, the industrial world, and society, men such as the friend from whose letter I quote above; the type which exults in terming itself 100 per cent American. A strange and saddening phenomenon, the solubility of 100 per cent Americanism when it encounters the one-half of 1 per cent alcoholic limit.

Taking laws in general, it is practicable to classify as respectable citizens those who obey them and as dubious citizens those who do not. Not so with this National Prohibition Law; there is no such line of cleavage. In fact, there is no clear line of cleavage whatsoever, social, sectional, political, economic, or religious, other than the elementary difference between those who want to take a drink and those who are determined—though most ineffectually thus far—that they shall not take it.

The trail of the bootlegger is over us all. From the Mexican border come reports of a reliable supply pouring into States, some of which were dry before the nation voted that way, and are decidedly less dry now. A southern

California acquaintance tells me:

“I can go or send across the border to Tia Juana or other places, put in an order, and have the stuff delivered to me, safe and not too expensive, at whichever one of half a dozen spots is most convenient.”

The officials on the border estimate that not more than 3 per cent of the contraband is confiscated.

San Francisco is well supplied both by land and by water. The “Barbary Coast” resorts are wide open except when warned of occasional spasmodic reactions of official virtue, and “Dago red” flows plentifully at many restaurants.

On the Eastern coast the “booze ships,” despite an occasional capture, do a steady traffic. The moonshiner continues to supply the South as he has always done, except that his trade area has broadened to take in the cities as well as the country districts. Along the northern border there is a constant stream of Canadian booze flowing in through systematized channels: from original seller to Canadian representative of bootlegger, thence to boat for transfer across the water, from boat to temporary storage in boathouse on the American side, finally by motor car or van to bootleg headquarters in the city whence it is distributed. There was a time when as high as 3,000 cases a week were coming into Buffalo, mainly by moving van, from the banks of the Niagara River....

The influx into Buffalo via water probably averages 500 cases a week. Yet when I was recently there the local government office had available just two agents for field work! A regiment might successfully have guarded the river frontage, though I am inclined to think that the regiment would have needed a fleet to reenforce it....

If there were no other testimony to the absurdity to which the law has been reduced, the figures of the Department of Commerce for the fiscal year would be enough, showing that \$5,000,000 worth of intoxicants were imported into the United States (not including, of course, that brought in by border runners), as against one-tenth of that total in the previous year. One item which may be commended to the thoughtful and law-abiding is 195,000 gallons of whisky, brought in from overseas. All this *may* be for non-beverage, medical, sacramental, or manufacturing purposes, but as the reported shipments for 1920 were but 32,000 gallons, the inference is that Europe is acting the part of “my bootlegger” on an increasing international scale.

It is impossible to study the effects of prohibition over a large area and escape the conviction that never before has there been enacted a law which has bred such widespread corruption, official and unofficial. To hold the law itself responsible is, of course, the shallowest casuistry. The blame must be imputed first to our national spirit of insubordination which bids us refuse allegiance to the will of the majority unless our own private conscience jump with it; second, to the attitude, supine or worse, of those who, having promulgated the law, now cripple their own enactment by negligence of the means to enforce it, as if

a man should build and launch a ship and then leave it, masterless, to the disposal of wind and wave.

Prohibition enforced would be at least an honest and worthy experiment. Prohibition half enforced or unenforced is merely an incitement to trickery, lawlessness, blackmail, and extortion. It has hatched a precious brood of lawbreakers ministering to the unashamed demand for stimulants of a public which would blush at the thought of a tacit conspiracy to nullify any other law....

The prohibition leaders most skillfully stimulated public opinion to pass the law. They have not inspired it to respect the law. They ceased effective work just when their missionary endeavors were most needed. For—let me repeat it again—new and restrictive laws do not enforce themselves.

Hence “my bootlegger.” So long as the prohibition enactment remains, in the minds of a large, determinedly rebellious, otherwise law-abiding and self-respecting minority, as “your law” or “Volstead’s law” or “blue law,” it will continue in its present slow-poisoning process of dry rot. But if ever, by a repetition of the endeavors which enacted it, it can be made to be regarded in any wide sense as “my law,” to be rigorously respected and jealously upheld, then good-by to “my bootlegger” and all that he implies.

Source: “My Bootlegger” by Samuel Hopkins Adams in *Collier’s*, September 17, 1921. Reprinted in *A Cavalcade of Collier’s*, edited by Kenneth McArdle (New York: A. S. Barnes & Company, Inc., 1959), pp. 228–237.

THINK THROUGH HISTORY : ANSWER

Students may answer that, according to this article, Prohibition was difficult to enforce because so many “respectable citizens” who did not regularly break laws broke this one. The article describes the “pillars of the social structure” and “the type which exults in terming itself 100 per cent American” who flaunted Prohibition. Students may note the author’s conclusion about America’s “national spirit of insubordination,” the citizens’ unwillingness to follow a law unless they agree with it. Students may also cite the author’s description of the poor policing of alcohol importation as another reason why Prohibition was so difficult to enforce.