

Prohibition and Anti-Immigrant Sentiment: An Era of Excessive Inconsistency

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Excess had this way of turning things into their opposites: an amenity became a crime; the imposition of controls led to a loss of control; the churches created gangsters; reformers became reactionaries; purifiers became poisoners. Excess also made it impossible for the politicians to fulfil their customary function of compromising opposed interests and mediating between extremes. That some men may live by principle is possible only because others live by compromise. Excess destroyed this nice symbiosis: it converted the politician into a bogus man of principle, a breed of hypocrite who voted one way while he drank the other.¹

Between 1865 and 1918, more than twenty-seven million people, mostly Europeans, immigrated in waves to the United States.² Although this influx of immigrants contributed to the Nation's industrial development, Americans debated the merits of immigration. The American public imposed its culture on immigrants and expected them to live within their pre-established societal norms, however this wave of immigrants arrived in mass with their own cultures, values and drinking habits. Native born Americans felt that this invasion of foreigners failed to blend with their own White Anglo-Saxon Protestant (WASP) culture, and pointed to the generalized immigrant presence as the reason for radical change in American cities. Certain immigrant stereotypes and biases, such as immoral, drunk and criminal, were created by society and perpetuated by the media. The tension between American ideals and reality led to an overall anti-immigrant sentiment, or nativism, which forced the hand of the United States Government to create legislature to restrict new Americans. The Immigration Act of 1918 and the Emergency Quota Act of 1921 were the most stringent immigration enforcement laws ever imposed by the

¹ Sinclair, Andrew. *Prohibition: The Era of Excess*. London: Faber and Faber, 1962. VII

² *This Fabulous Century, 1910-1920*. Alexandria, VA: Time-Life Books, 1969.

U.S. Government.³ By mitigating immigration numbers following World War I, the government could combat the threat of an anarchical presence in the country. The Prohibition Act of 1919 focused on the social concerns purportedly brought on by immigrants, as it served to ban alcohol consumption and close down saloons to eliminate crime and debauchery from American cities. The anti-immigrant legislature of the United States in the early twentieth century was intended to control immigration and suppress certain immigrant groups, however these laws had unintended consequences on the American society and economy which forced both the nativist and immigrant to question the constitutionality of the federal government.

I intend to address the national crusade on alcohol through the acknowledgement of anti-immigrant sentiment, focusing on the implementation of alcohol and immigrant suppressing laws which served to oppress and dismantle immigrant progress. It is important to analyze the depiction of certain immigrant groups versus their actual situation throughout the years prior to and throughout the Prohibition era as this knowledge of their plight will help formulate an understanding of how the religious, fanatical prohibition groups such as the Women's Christian Temperance Union and the Anti-Saloon Movement took advantage of the anti-immigrant hype and used it as a vehicle to further their cause. I will reveal ways in which the twentieth century American media perpetuated the prejudice of the immigrant, and how lawmakers intended to curb immigration by

³ United States. Cong. U.S. Immigration Legislature. *1921 Emergency Quota Law*. 67th Cong., 5 sess. Cong H.R. 4075

creating highly restrictive immigration laws which held the immigrant to a standard higher than its own American citizen. The biases created by the American society not only appropriated the passing of stricter immigration laws to deter immigrants from America, but fueled the religious based movement for the prohibition of alcohol. The blatant prejudices within the judicial and legislative systems, law enforcement and American society serves the framework to conclude that the federal legislation enacted during this era was, in fact, retaliation based on a broad anti-immigrant sentiment. It is important to present the case for separation of church and state when revealing the unintended consequences of government intervention on the social morals of the Nation. In conclusion, I hope to bring attention the self-serving nature of the nativist American and how his prejudices fueled the backlash that resulted in the devastation of the immigrant and the encroachment on his own freedoms.

The United States has had a culture of alcohol consumption since its forefathers. For centuries, Americans have fermented fruits and grains to create drinks with low alcohol content. Cider and beer were routinely drunk at meals by adults and children and were preferred over water from unreliable sources. By the eighteen-hundreds, whiskey and distilled spirits with higher alcohol content were introduced to society, and Americans drank them with the same fervor as cider and beer without regard for the difference in alcoholic content. The consequences of alcoholism in the early eighteen-hundreds landed men in prisons, workhouses and poorhouses: women and children suffered from physical abuse and poverty. Physicians and ministers demanded that alcohol was damaging to the health and

moral behavior. Women became vested in change and naturally turned to the church for support. However, the religious crusade against alcohol and the saloon soon became synonymous with the immigrant, and “as many have previously failed to see, this crusade became a war of extermination partly because the churches and the saloons were rivals in the same business— the business of consolation.”⁴ As a result, media, lawmakers and law enforcement manipulated immigrant portrayal during this “era of excess” to further the cause of the prohibitionists. This bias devastated immigrant progress, prevented social change, and led to national anti-immigrant sentiment that trapped certain immigrant groups at the bottom of society. The idea of Prohibition had been present well before this massive movement of European immigrant, and was founded on religious-based movements such as the Puritans’ Temperance Movement, Women’s Christian Temperance Union and Pietistic Protestantism. These groups believed that alcohol hindered an individual’s ability to be truly devout and successful, as they aimed to create a pure society removed from the influence of the “devil’s liquor”. They sought to instill and enforce laws that severely punished and dissuaded people deemed to be anarchists or aliens, as they believed that their society was only as strong as their weakest link. Because of their aggressive campaigning, by 1850 more than a dozen states had implemented their own prohibition laws. The Temperance Movement served as the unintentional framework for Prohibition, yet became riddled with the common themes of oppression and stereotyping, from a government that was persuaded to

⁴ Sinclair, VI

dismantle the industry and unionization created by the immigrant population for their own social progress and change.

In 1862, the federal government legitimized the alcohol industry by taxing alcohol sales and manufacturing as a means to fund the cost of the Civil War. The prohibition movement could not gain momentum while the consumption of alcohol was directly responsible for funding the government budget. It was during this period that the first mass wave of Europeans immigrated to America. Between 1820 and 1870, British, German and Scandinavian immigrants arrived. This group was generally English speaking, literate, Protestant or Jewish, except for the Irish Catholics. They readily found work on railways, in steel mines, slaughter houses, and assembly lines. The second wave of immigration occurred between 1870 and 1920. These immigrants came primarily from southern and eastern European countries and were typically poorer and less educated than the first wave of immigrants and were primarily Catholic, Greek-Orthodox and Jewish. They had a harder time acclimating to the American language and culture, and often stayed within their tight-knot communities for security and to perpetuate their heritage.⁵

Both waves of immigrants spent all of their money on passage to America and were forced to live in cheap, over-crowded city tenements. Often there was no running water or sanitary conditions, and they lived amongst filth and disease. Crime and petty theft were typical in these communities, as was alcohol abuse. Nativist moved out of the neighborhoods permeated with immigrants for fear of

⁵ "The Anti-Saloon Movement." *Christian Union (1870-1893)* 34, no. 15 (Oct 07, 1886): 3.

disease and crime. New social patterns created by immigrants threatened the idea of the native born American, and out of panic, society manifested stereotypical prejudices against certain immigrant groups. While immigration was an attempt at revival for some Europeans, American society saw them as an attack on their way of life, and became fearful of their own livelihoods and safety.⁶ Americans debated that certain immigrant groups were drinking the wrong kinds of alcohol and too much of it. Nativists didn't want to acknowledge that the new Americans were helpful to the development of their country and only recognized the negative cultural differences that defined the foreigners. Americans became particularly fearful of the power of the immigrant vote, and the change that they could effect as a group upon the Nation.

With the arrival of European immigrant after the end of WWI, the prohibition movement received the push it had needed: American fear shifted from strictly alcohol, to fear of immigrant alcohol abuse and the crime that would result. A widespread concern over the influence of the immigrants on American society was pronounced. The idea of alcohol being an inherent danger to the family became the temperance leagues' propagated banner for its prohibition movement, as themes of drunken abuse culture, anarchy and inconsistent law enforcement on the immigrant effected both American society and economy. The vast majority of immigrants involved in the American liquor industry came from Ireland, Germany and Italy, and as a result American's created stereotypical beliefs that merged them as a single

⁶ "Corruption Under Prohibition." *Chicago Tribune*, February 13, 1931. Accessed October 24, 2015.

group.⁷ This was detrimental to the immigrant population as it placed the attention on the whole, instead of acknowledging the many different individual cultures and religions that distinguished these European immigrants. Whether accurate or not, it has been stated that rationale behind the government enacting the Prohibition Act is because the alcoholic immigrant threatened diminishing productivity in the workplace and usurping the blue collar labor industry from the rising industrial middle class.⁸

This anti-immigrant approach not only stems from anti-German sentiment during World War I, but also because of the prevalence of alcohol in the European culture: Germans were known for their successful American breweries, the Italians for the cultural importance they placed on their vineyards and wine making, and the Irish for their alleged alcoholic nature which stemmed back to the Irish potato famine when they suffered sub-standard living conditions which caused mass immigration and death. The American media depicted these immigrant as runaways and assumed that their immigration was an attempt to takeover the American dream and merge their immoral culture. While immigration was an attempt at revival for many of these Europeans, American society saw their invasion as an attack on their way of life, fearful of their own livelihood.⁹ While this was not the

⁷ Swift, Otis. 1922. "Italy to Select Its Immigrants for U.S. Needs." *Chicago Daily Tribune (1872-1922)*, Nov 10, 15.

⁸ Sinclair, 75

⁹ Wheeler, Wayne B. "5 Years of Prohibition and Its Results: Is There Prohibition? And to What Extent?" *North American Review*, September 5, 1925

intent of the European immigrant, they suffered heavily in terms of lost opportunity because of this bias, and were forced to live in immigrant dominated slum communities where the alcohol industry, comprised of saloons, brothels, and pool halls, was their only mode of survival.

The saloon became a national issue as it not only represented a place of excessive alcohol consumption, but also came to be known as a place where immigrant political corruption took place. Whereas the reality was that the saloon served as a unifying place, not just in terms of common struggle and a shared lack of opportunity, but also allowed for a collective processing of the public oppression.¹⁰ It served as a safe haven for the unionization of laborers and blue collar workers who sought to create equality across the entire population of working class America: the White Anglo-Saxons Protestant had his private social club, and the immigrant had his saloon.

The combination of an anti-European sentiment stemming from World War I, society's forced symbiosis of the immigrant and alcohol, and the unrelenting prosecution of the immigrant saloon and breweries, points to the fact that the European immigrant played a crucial role in the legislature of prohibition. The blatant oppression and inconsistency of law during this era calls to question this movement's reliance on religious rhetoric as a means to protect the country, while indicting and placing blame on immigrants who had neither the support nor the advocacy on a national or federal level. "National alcohol prohibition in the United States between 1920 and 1933 is widely believed to have been a misguided and

¹⁰ Sinclair, 120

failed social experiment that made alcohol problems worse by encouraging drinkers to switch to spirits and created a large black market for alcohol supplied by organized crime.”¹¹

It is important to remain unbiased when looking at Prohibition as an American system. There are similarities to many other legislative changes in America’s history which have had both positive and negative effects, yet the difference was that the biased, anti-immigrant sentiment weighed heavily on the enactment of federal law. The plight of the European Immigrant is dominated by oppression and corruption, as seen when looking at their limited social and economic mobility, and most notably in the destruction of their unions and livelihoods which fell with the termination of the saloon.

On the eve of Prohibition, the United States had developed an industry in alcohol production and distribution that had allowed economic and social gain that politically empowered the immigrant. It is through the saloon that immigrant began to make his mark on the American society, politics and economy. With the passing of Prohibition, the vessel for change became nullified, and immigrants were forced toward other means to make a living. “After Prohibition was law, they (The U.S. Government) approved the legal poisoning of industrial alcohol, knowing full-well that men would die from drinking it.”¹²

¹¹ Hall, Wayne. "What Are the Policy Lessons of National Alcohol Prohibition in the United States, 1920–1933?" In *Addiction*, 1164-173. Vol. 105.

¹² Sinclair, 174

American media continued to perpetuate the stereotype of the immigrant during Prohibition as in a state of constant drunkenness, active in organized crime and politically corrupt activities.¹³ While this was clearly not the choice nor the course for the vast majority of European immigrants, the fantasized idea of the Mafia and corrupt police forces was and still is detrimental to the immigrant narrative in the United States. The fact that certain immigrant communities were dependent on the liquor industry for social progress, made it easy for nativists to blame alcohol related crimes on the immigrant. However, alcohol played an essential role in America well before the influx of European immigrants. The clear hypocritical nature of this logic reinforced the stereotypical depictions of the immigrant, and despite the pure absurdity of the claim that the immigrant was responsible for the trials attributed to the alcohol industry, “prohibition pressed forward with the unbridled ruthlessness of those who are absolutely sure that their cause is just and that it can be carried to the point of total victory.”¹⁴ This push for total reform on the part of the prohibitionists only begins to sum up the wrongs committed by the U.S. government, as “prohibitionists did not mean to limit or control the evils of alcohol: they meant to stamp them out altogether.”¹⁵ This excessive approach is substantiated by the focus on “stamping them out

¹³ Corruption Under Prohibition.

¹⁴ Andrew Sinclair, VII

¹⁵ Sinclair, VII

altogether,”¹⁶ with the emphasis on the loosely used term “them,” undermining and targeting the immigrant alien as a whole.

Well before the passage of Prohibition, the immigrant experience was limited by the Immigration Act instated in 1917, that labeled an immigrant or any non-United States citizen as an alien. This alien designation primarily sought to control immigrant movement in and out of United States territories, but also served to deter these movements with excessive taxes and preventative measures that held certain immigrant groups above others. Section 3 of the Immigration Act states,

That the following classes of aliens shall be excluded from admission into the **United States**: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons; persons who have had one or more attacks of insanity at any time previously; persons of constitutional psychopathic inferiority; persons with chronic alcoholism; paupers; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who practice polygamy or believe in or advocate the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States.¹⁷

The vast degree of these restrictions is excessive and touches on a wide range of undesirables designated by an immigrant’s religion, profession, and education as well as his mental capability, physical nature, and ability to work. The detrimental aspect of this exclusionary act focuses on the deterrence of unavoidable diseases, disabilities and culturally related traits that call to question the United States

¹⁶ Ibid, VII

¹⁷ Immigration Act of 1917. H.R. 10384, 39 Govt. Print. Off. 874-898 (1917)

motives. Not only did this label differentiate the United States citizen, or the true American from the immigrant, but also it created a figurative color-divide that placed the minority percentage of white American citizens at an economical and political advantage over the immigrant population. This blatant lack of empathy and disregard for cultural opportunity is crucial to the prohibition immigrant narrative, and the stereotypical depiction of the alien immigrant as an uneducated laborer plagued by physical and mental deformities alongside of alcoholism and corruption served as a uniting factor amongst the religious-based prohibitionists who tainted the mind of the perfect American citizen.

Following the passage of the Immigration Act of 1917, the United States government began to focus on the national issue of alcohol control, which had become a concern well before WWI, and led to the passage of the Wartime Prohibition Act, which was interestingly ratified following the conclusion of WWI. This act publicly sought to control the production of alcohol, if the materials used in their production were also used in the production of food. This was touted as a means of rationing wheat, barley and workers, which were needed most in times of war. A highly functioning military depended on clarity of mind where sobriety would be crucial, but the passage of this act following the war raises questions to the legitimacy of these claims, although this law was purported by the government to be an act of patriotism. The focus on alcohol control became the national agenda following the Wartime Act in 1918, and led to the passage of the more permanent Volstead Act, which served to define the legal definition of an intoxicating beverage, as well as banned the production and sale of alcoholic beverages.

This agenda, which had begun with the religious affiliated national temperance movement, took advantage of the negative immigrant connotations and depictions that connected the immigrant to alcohol as their economic livelihood, and as a vice in the immigrant population. This connection was detrimental to immigrant mobility before prohibition, and was appropriated by national depiction of the saloon as the base for immigrant alcohol consumption and political corruption. This belief was validated through national attention on the drunken abuse culture that threatened the American family institution. The national acceptance of the connection between alcohol, the saloon and the immigrant was the impetus that the prohibition movement needed, as was the threat of the immigrant to American political power and social structure.

The development of the saloon came as a result of United States demographic changes between 1900 and 1920 that saw increases in urbanization, immigration numbers, religious diversity and the establishment of a new working middle class.¹⁸ The expansion of cities gave birth to a new white industrial middle class, which also called for a nativist agenda to protect their own economic and social mobility. The American depiction of the saloon portrayed the immigrant as detrimental to numerous American social institutions. Along with other temperance and women's movements, the Anti-Saloon movement, touted a progressive movement, became a political force that gained momentum by seeking to physically and economically protect the American family, as well as the immigrant family from the harm associated with a husband or father afflicted with habitual drunkenness. This

¹⁸ This Fabulous Century

portrayal of the saloon relied on the connection made between immigrant and alcohol, as the Anti-Saloon movement self-claimed it “not a movement against drinking, but against the drink habit and especially against the liquor traffic. It is primarily and preeminently an Anti-Saloon movement.”¹⁹ This perpetuates both the anti-immigrant and specifically anti-German sentiment stemming from WWI, as many saloons were owned and operated by the German American breweries and relied heavily on the immigrant. The enforcers of the Wartime and Volstead Acts were corrupt well before Prohibition took place, as saloons that were on the “payroll” continued business with little to no issues, while independent saloons were targeted by federal agents in an attempt to remove and make an example out of immigrant bartenders and bars, regardless of whether liquor was found to be stockpiled or even just served.²⁰ The legal system lacked consistency in every possible manner and resulted in a standard being set that placed the immigrant existence beneath that of the nativist. This became extremely problematic, as no immigrant was assumed safe from the wrath of the law, whether on the pay roll or not, and their fate was justified by the government’s claim to prevent an anarchical outbreak. This pre-Prohibition treatment of the immigrant and his relationship with the saloon was clearly portrayed by the media to the American audience, who applauded the oppressive legislature imposed upon immigrants, as well as the enforcement and punishment under those laws, naive to the fact that these laws would soon emerge as a restriction on their freedoms as well.

¹⁹ *The Anti-Saloon Movement*

²⁰ *Corruption Under Prohibition*

When the Eighteenth Amendment was passed, the target was intended to be the saloons, distributors and manufactures of alcohol across the country. At first Prohibition did not outlaw the private use and possession of alcohol: Americans did not take the law seriously nor did law enforcement. In New York City for example, there were 13,000 New York Police Department (NYPD) officers, but only 200 federal officers whose job it was to enforce the Volstead Act. In order to force the NYPD to do their share of enforcing Prohibition, the Mullan Gage Law was passed in New York State.²¹ The Mullan Gage Law was the equivalent of the Volstead Act but at the state level, making the carrying of alcohol illegal without a permit or proof that if it was used for legal purposes. This law was very effective in the city, "Within one week of the passage of the Mullan Gage Law, the New York City police had made more than 400 arrests and seized over a million dollars worth of liquor."²² The Mullan Gage Law had a great impact on New York City by using the New York City Police Department, but other states with loose, corrupt Prohibition laws remained unlawfully inconsistent.

This rising middle class of American laborers saw the economic opportunity in the liquor and brewing industry, which created advantage in purchasing these saloons and hiring immigrants to run day to day operations. While it seemed advantageous to both the liquor industry and the immigrant, the sheer number of

²¹ Lerner, Michael A. *Dry Manhattan Prohibition in New York City*. Cambridge, Mass.: Harvard University Press, 2008. 78

²² *Ibid*, 79

saloons in cities, which reached a ratio of about 300 people for every one saloon, caused an extreme saturation in the saloon industry.²³ Despite difficulties in the business of running a saloon, the importance of the relationship of this American institution with the immigrant was profound. Regardless, the cooperation of the immigrant with these American small business owners was crucial to the immigrant community. These establishments served as a vital piece of the urban immigrant laboring community's everyday life. The inability of these saloons to exist financially while following the law, served as the key for the portrayal of the corrupt immigrant. Many immigrant saloon managers, under the direction of American owners and investors, attempted to circumvent the law through bribing of police officers and political leaders, asking them to endorse their illegal activities. This relationship between the nativist and the immigrant, which was already based on extortion, extended to the federal level as the saloon became mutually beneficial across the American social spectrum, as

The saloon interests were almost inextricably entwined with the structure of working-class and ethnic ward politics. The saloon was often central to the political machine that glued together an aggregate of social, economic, religious, and political life-- In the saloon wards --voter registration might increase by as much as 50 percent when the word went out to round up the vote.²⁴

The illicit side businesses and supposed corrupt political dealings associated with the saloon steered the focus of the saloon as a vehicle for immigrant mobility into

²³ Sinclair, 67

²⁴ Ibid, 75

this perceived “hell-soaked institution,”²⁵ where the negatives associated with the collusion between the immigrant and the saloon far outweighed the lucrative aspects of government’s cooperation with the alcohol industry.

Contrary to the national opinion of saloons catering to a immigrant dominated clientele, about half of all male Americans were assumed to regularly visit their local saloon.²⁶ The propagated “dry logic” set forth to the entire country by the prohibitionists was reliant on religious messages that threatened man’s relationship with god, and claimed the first sip of alcohol would lead to a life of crime and a shameful death. The saloon was perceived as a place for the working man to get inebriated, but contrarily allowed the immigrant to be social and political. Not only did the saloon serve as a political and social forum for the immigrant, but also as his only option for a meal, as food was packaged with the purchase of drink. In these industrial U.S. cities,

The saloon was the church of the poor. While the churches supplied a meeting place for the respectable, the saloons were the rendezvous of the workers. If religious service provided many of the consolations of the well-to-do, the brass rail provided an equal footing with the rest of humanity, for the down-at-heel. While the minister advised and aided his flock, the bartender performed the same service for his regular patrons. Both took in money and dispensed comfort. Both provided an escape from the world. But the virtue of the churchgoers put them at odds with the assumed vice of the refugees of the swinging doors. For the sin of the saloon was that it sold alcohol.²⁷

²⁵ Clark, Norman H. (1965) “‘The hell-soaked institution’ and the Washington Prohibition Initiative of 1914.” *Pacific Northwest Quarterly* 56: 1-16

²⁶ Sinclair, 30

²⁷ Sinclair, 72

The saloon served similarly to the church in its ability to create equality and human fellowship, but instead of being a place of judgment like the church, the saloon was an escape from the everyday trials of the immigrant's oppressive life, where entry was available to anyone and judgment was spared. Despite the unifying factor and political leverage associated with the saloon, prohibitionists and the American public remained focused on the problem of excessive immigrant drink and the corrupt saloon which was detrimental to the advancement of American society.

The distinguishing factor in the United States immigration laws during Prohibition compared to its European counterparts was that the United States legislative focus was on the exclusion of undesirables, legally originating back to section 3 of the 1917 U.S. Immigration act. Dr. Jenks of the *New York Times* claimed "They (The United States) exclude undesirables, giving discretion to their immigration officials to hold examinations of the prospective immigrant in any European language they please in order to ascertain their fitness for entering."²⁸ Jenks substantiates this by referencing U.S. treatment towards the Japanese and German immigrants with quota laws restricting the number of immigrant per year, in addition to work related restrictions that limited immigrant access to transportation through taxes and law enforcement, stripping these immigrants of access to their only economic option.²⁹ The National Origins Act of 1924

²⁸ Wynne, Edward C. 1925. "Immigrant Discrimination." *New York Times (1923-Current File)*

²⁹ Wynne, *Immigrant Discrimination*

superseded the 1921 Emergency Quota Act by limiting the number of immigrants who can be admitted from any country to two percent of the number of people from the country who are already living in the United States according to the 1890 consensus.³⁰ The prejudice here lies within the framework of the consensus of 1890 being a gauge to future immigration, as this period was prior to the wave of immigrants that entered the country after World War I and is not a fair representation of the immigrants of the time.

Surprisingly during this Prohibition era of immigrant oppression and exclusion in America, some European governments promoted a path of American emigration. As a *Chicago Tribune* article headlines, the Mussolini Government will cooperate with American needs for an Italian quota.³¹ This article's introduction is followed by justification of its government cooperation, as Italian Immigration Officer Giuseppe De Michelis clarifies, "If the United States wants farm workers, laborers, house maids, college professors, movie actors, we will sort them out and send exactly what is wanted- we have no desire to send immigrants who are not needed and not wanted in the American Industrial machine."³² Despite this foreign cooperation with the U.S. Government, United States immigrant officials turned the majority of these immigrants deemed worthy by their homelands, back to Europe as

³⁰ G.P.O. (1927)

³¹ *Corruption Under Prohibition*

³² Swift, Otis. "Italy to Select its Immigrants for U.S. Needs." 1922. *Chicago Daily Tribune (1872-1922)*

its standard for an acceptable immigrant became somewhat unattainable.

Regardless, the European perception of America was as a mystical new land where immigrants were afforded equal opportunity both politically and economically. This idea of America being a nation founded by the immigrant for the immigrant had become well outdated by the time Prohibition was in full force, and was replaced by national anti-immigrant sentiment in society, the workplace, as well as in the government which valued American economic and diplomatic power over, what seems to contradict that of the beliefs of the United States immigrant founding fathers, "Life, Liberty and the Pursuit of Happiness."

This discrepancy between the immigrant and the nativist, who were all descendants of immigrants, becomes a crucial piece of this Prohibition narrative: to start, native-born Americans enjoyed alcohol centuries before the arrival of foreigners, yet the immigrant presence was the rationale behind the the passage of the 18th amendment; then, during the first ten years of Prohibition, the dry supporters, the religiously fueled temperance movement and Anti-Saloon League attacked the immigrant and the saloon, which was certain immigrant's only hope for social mobility; and finally, after the actual enforcement of Prohibition in 1930, the push for repeal pitted the majority of Americans, immigrant included, against these religiously fueled groups that had somehow gained influence over American politics, economy and the federal prohibition agents. How is it possible that the government allowed nativists to decide which liberties immigrants could or could not pursue. As new Americans, immigrants were denied the obvious unalienable rights offered to American citizens.

As the popularity of nativism spread, the Anti-Saloon League's initial goal of ridding America of the saloon appeared successful. Yet the inconsistency of law abiding saloons compared to saloons that paid-off government officials and police created an alternative means of economic opportunity. Not only did the passing of Prohibition completely change the American's ability to legally drink, but the continued demand for alcohol created job opportunities in bootlegging, which was the illegal production of alcohol and spirits, and rum running, which was the natural progression in the illegal distribution of these bootlegging enterprises. The creation and success of these illegal enterprises, most often based in rural areas, was perpetuated by the continued demand for alcohol in both rural and urban community's country-wide. As a result of the forced shut down of the saloon, the speakeasy was born. With the growing popularity of bootlegging and rum running, this demand for a lucrative alternative business to the saloon was necessary. The upward trend in production of illegal alcohol created a need for an equally illegal place to consume and congregate for laborers, both immigrant and American, and the speakeasy was the solution. "Speakeasies were being opened at a stunning rate, for every saloon that closed, half a dozen speakeasies opened and by the middle of

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the decade there were thought to be 100,000 speakeasies in New York alone."

Speakeasies filled the void that was left behind with the destruction of the saloon. As the church of the immigrant remained unbiased, it was dependent on secrecy and collusion with the law. Speakeasies were also a good source of income, as "many

³³ *This Fabulous Century 1920's*

owners made up to \$1,370 a month selling liquor.”³⁴ The security was extreme in most speakeasies due to periodical police raids, as it was necessary to keep the alcohol hidden from the police. For the speakeasy owner, alcohol was their lifeline and the more the elaborate the contraption to hide their liquid gold, the greater chance they had in avoiding federal confiscation. This business would not have been possible without the cooperation of certain European immigrant groups in America: the Germans were responsible for the distilling and brewing of alcohol, while the Italians were responsible for the organization and distribution of this illegally-made liquor, and the Irish dominated the local police forces which looked the other way because of pay-offs and immigrant corruption.³⁵ It is clear that the United States government saw financial opportunity in this lucrative industry, and without the corruption of this era, the industry would have never become as successful. The problem with inconsistent law enforcement allowed a small minority of the immigrant community to benefit from this industry, whereas the masses of people suffered from alcoholism, were offered little to no opportunity and were often scapegoated to protect the distillers, rum runners, mobsters and corrupt government officials that reaped the rewards of the system.

The majority of the immigrants’ inability to achieve social and economical change thanks to the lucrative nature of this business created tension amongst different immigrant groups who sought to progress from the bottom of society. This

³⁴ *This Fabulous Century 1920’s*

³⁵ Sinclair, 231

tension became a defining moment in the depiction of the immigrant population in America, as organized crime syndicates became the new face of the American immigrant, despite the fact that a minute fraction of the immigrant population actually partook in the illegal production and distribution of alcohol. Instead, the vast majority of Americans choose to indulge in the consumption of illegally produced alcohol. As this tension grew amongst immigrant populations, violence became a major component of the illegal alcohol industry, and remained a definition of the immigrant experience in America during the Prohibition era.

While gangs and organized crime had always existed in America on some level, Prohibition and the public's continuing desire for alcohol allowed gangs to attain more power than ever before, and to flaunt their success through public violence and flashy lifestyle. The police had to do something to control the gangs or risk losing the confidence of the American people. Organized crime presented a new challenge for the police and a new face of the immigrant, as successful immigrant mobsters were often celebrated due to their invincible public appearance of being placed above the law. Instead of villainizing these figures, federal agents developed questionable new strategies to combat these prohibition era heroes.³⁶ Many of the techniques used by the police, included illegal tactics such as wiretapping and warrantless search and seizures, which not only caused the immigrant and the

³⁶ Beshears, Laura. "Honorable Style in Dishonorable Times: American Gangsters of the 1920s and 1930s." *Journal of American Culture* 33, no. 3 (September 2010): 197-206.

American public to question their civil rights and safety, but also police.³⁷ The use of hard power was obvious among gangs during the time, but also equally evident among governmental forces. Corruption within police forces helped to deflect attention towards the gang's corruption. Despite this attempted deflection, Prohibition came to be defined by organized crime, violence, corruption and constitutional inconsistency.

Legality was not only an issue for immigrant bootleggers, rum runners and saloon or speakeasy owners, but it was also a factor on the prosecuting side of the law in the way in which the Federal Government and its Prohibition agents attempted to gain information on possible perpetrators, and in the actual prosecution of the indicted syndicates and individuals. In the case of *Olmstead v. U.S.*, Roy Olmstead, who was convicted of selling alcohol challenged his conviction on the ground that the evidence used to convict him was gathered unconstitutionally. The police, acting without a warrant, had wiretapped his phone and listened in on his private conversations. Olmstead believed that this went against the 4th and 5th Amendments and that his conviction should be thrown out.³⁸ His case brought national attention to the techniques used by the police, wondering whether they were following the Constitution. The Supreme Court in a five to four decision ruled that the police actions were in fact constitutional but nevertheless, wiretapping

³⁷ Beshears, 201

³⁸ *Olmstead V. United States* (June 4, 1928)

remained controversial.³⁹ This controversy extended well beyond the prosecution of Prohibition violators and law enforcement, as consistency in this era was non-existent and as a result, it would be fair to conclude that the U.S. was in a complete state of chaos. The trending focus on the removal of drink can be traced back well before the beginning of the 20th century, but the motives and the ways in which Prohibition was administered seems to lack clarity as well as legal consistency.

The inconsistency between state and federal law created a negative perception of Prohibition, as the focus of these laws varied from state to state, creating a divide between the rural and urban areas of the country. The implementation of prohibition laws by federal agents blended the color line between immigrant and Americans, as the public perception of Prohibition changed from religious-based nativist sentiment to a focus on federal corruption against the freedoms of the American people. Although the eighteenth amendment was ratified in 1919, the actual enforcement of Prohibition laws did not fully take place until about 1930. This lengthy period of inconstant lawlessness led to fear of what the United States government was capable of doing to its citizens. Corrupt and uncontrolled disregard of American law made it nearly impossible for Prohibition to be a successful. During this time, private institutions and private homes sought to stockpile massive amounts of industrial alcohol hoping that it would last until the eventual demise of this doomed social experiment. This sentiment became blurred as the government created a secret collective slaughter of the drinker, through the

³⁹ Olmstead V. United States (June 4, 1928)

use of poisoning the remaining stocks of industrial liquor through combining alcohol with wood grain and other harmful substances.⁴⁰ No longer was it just the immigrant who was the target of the government, but also the American citizen with his supposed unalienable rights.

At this point it was too late for Prohibition to be successful, as dangerous and unregulated rural distilleries replaced industrial liquor and became the backbone of the illegal U.S. alcohol trade. The government's campaign to combat these pop-up distilleries was bleak as the number of federal agents was far less than the number of needed. These agents were too underpaid and undermanned to fight against the overpowering distilling groups who were often were protected by organized crime syndicates and corrupt government officials who had initially financially supported the alcohol industry as well as the anti-Prohibition movement. More often than not, federal agents would accept bribes from distillers and rum runners to look the other way, often making one hundred times their yearly salary which ranged from one thousand to two thousand dollars.⁴¹ To these agents, the risks associated with their line of work were not worth the compensation. The corruption associated with this period of Prohibition became the focal point of the government's agenda, and the time that had elapsed until the actual prosecution of Prohibition perpetrators allowed for the creation of a national organization of the illegal liquor production and trade. Prohibition supporters, such as the Anti-Saloon League, explored possible

⁴⁰ Sinclair, VII

⁴¹ Ibid, 193

methods of new law that sought to mend the framework which this time of lawlessness had created. They attempted to create laws aimed at first time offenders such that, Clarence True Wilson advocated that “buyers of bootleg liquor should be sentenced to a maximum of five years in prison in order to ‘put the fear of god in the minds of those who feared neither God nor man.’”⁴² This dry logic depended on the conversion of their religious teachings and if this was not successful, the fault lay in the hands of the teacher and not the unconverted.⁴³

This logic made clear that Prohibition’s goal was to remove the saloon from the public sphere, knowing full well that it would take an extended amount of time for wet supporters to stopping drinking. Yet the delayed enforcement of Prohibition allowed for the “Three tremendous popular passions” of this era to be satisfied: “the passions of the Prohibitionists for law, the passion of the drinking classes for drink, and the passion of the largest and best organized smuggling trade that has ever existed for money.”⁴⁴ This new gold rush, which came a result of the United States government’s oversight on the actual carrying out of these Prohibition laws, served as a guiding force for the American as well as the immigrant, in the pursuit of their version of the American dream. “The job of the Prohibition bureau was to enforce the impossible,” as “the Wickersham commission conceded, Few things are easier to

⁴² Lerner, 75

⁴³ Ibid, 77

⁴⁴ Sinclair, 88

make than alcohol.”⁴⁵ This admission draws light to what the United States prides itself on in “the pursuit of life, liberty and property,” which completely contradicts Prohibition as a whole. Even the Commissioner of the Internal Revenue protested his responsibilities of Prohibition, claiming “there could be no sort of adequate enforcement unless the Prohibition bureau had the fullest support from state policemen, churches, civic organizations, educational societies, charitable and philanthropic societies and all the law abiding citizens of the United States.”⁴⁶ This was an impossible task given the limited resources of the immigrant and the lucrative nature of the alcohol industry. In addition to the the fact that in the first eleven years of Prohibition, there were “17,972 appointments to the service, 11,982 separations from the service without prejudice, and 1604 dismissals for cause.”⁴⁷ This symbiosis between the alcohol industry and the alleged enforcers of Prohibition created major problems for the American perception of Prohibition as well as in the faith of the United States government and its officials, as the Prohibition bureau became to be known as a breeding ground for bootleggers and rum runners due its minimal retention rate of its agents.⁴⁸

The inconsistent nature associated with the Prohibition era, created excessive tension between the Republican and Democratic parties, which led to

⁴⁵ Sinclair, 224

⁴⁶ Ibid, 238

⁴⁷ Ibid, 267

⁴⁸ Ibid, 270

debate over whether or not the national Volstead Act promoted dry or wet support, such that the American peoples' perception of Prohibition became as problematic as any previously instated amendment. The result of political deference on the part of both parties alienated dry supporters from both sides of the political spectrum creating a split within both parties, damaging the credibility of the minority dry religious groups supporting Prohibition.⁴⁹ Initially, thought to be progressive and necessary to the advancement of the United States government and society to become one of the world's youngest super powers, the actual monetary and physical investment in Prohibition, combined with the lack of consistent enforcement and support, made this social experiment doomed from the start. When looking at the proposed path of Prohibition and its supporters, such as the Anti-Saloon and the temperance movements that both sought to purify American society through the removal of excessive drink, it becomes obvious that the separation of church and state was not respected. The clear disregard for the immigrant labor class served as a uniting factor for blue color workers nationwide, as economic dependency shifted from farm work to the factory, forcing an upheaval of labor workers from rural areas into poor urban slums. These ghettos were dominated and overpopulated by the immigrant and working class, blending the color line of the poor American and the poor immigrant; both of whom were heavily impacted by the lack of legal job opportunity which had become standard to the immigrant experience. This split in political and religious ideology was condemned by dry supporter, Clarence True Wilson in his document, *Association Against the Prohibition Movement*, which

⁴⁹ Lerner, 156

disproved much of the propagated support claiming the success of the Prohibition movement to be falsified due to excessive political, religious, ethical and economical corruption, and by the sheer fact that the vast majority of Americans did not support the 18th Amendment.⁵⁰

The presidential campaign of 1928 created a discrepancy in the the Democratic and Republican parties that created a bigger divide than ever seen before in American politics, such that the interconnectedness between religion and politics at the time allowed for the addition of a religiously fueled protestant dry party, coined the progressive party, which still supported Prohibition. The religious focus and bigotry of this era that had fueled this movement that commenced well before the start of the 20th century, became a crucial component to this election, and began the downward trend of prohibition support. “The election of 1928 was not a popular referendum on Prohibition, though it was held to be so. Conservatives voted for the conservative candidate, radicals for the radical candidate, and traditional Republicans and Democrats stuck to the parties of their prejudice.”⁵¹ The campaigns of the forerunner Herbert Hoover, who “was telling the come-ons about how the Republican party had invented prosperity, bank accounts, good crops, radios and benzene buggies,,” was combatted by Al Smith who argued “against the works of Prohibition, wasteful government and farm relief.”⁵² Unfortunately for Al Smith and

⁵⁰ Lerner, 156

⁵¹ Sinclair, 272

⁵² Ibid, 270

the laboring classes, the vast political population questioned “where he went to church, what kind of lid he wore, what liquids he took with his meals, and how he was born.”⁵³ The campaign of 1928 is considered to be the last stand for Prohibition by the dry Prohibition supporters, and their clear religious undertones served, not only the reason for Hoover’s election, but also for the end of popular support for this institution of Prohibition that existed solely on political and economical corruption, as well as religious bigotry.

Following the election of Herbert Hoover, it is important to note that the American popular belief, based on the past forty years of propagated religious, media and government support that alleged that the correlation between immigrant and alcohol as the chief cause of poverty, crime, disease and insanity had become outdated. This realization is confirmed by the trend of Anti-Saloon League and Prohibitionist supported publishing’s, “that saw 175 articles that blatantly supported the dry cause in 1905, where in 1920, the ratio of pro-dry articles shrank from 1905’s previous ratio of twenty to one, to less than four to three pro dry articles, and by 1930 article’s favoring Prohibition had reached a ratio of one dry for every two wet.”⁵⁴ In combination with other studies done on the publishing of wet to dry articles, it can be claimed that “Prohibition opposition increased 5 times between the years of 1924 to 1931, where the progression of scientific reasoning

⁵³ Sinclair, 270

⁵⁴ Ibid. 271

began to take precedence over religious sanction.”⁵⁵ Franklin D. Roosevelt campaigned against Prohibition in the 1932 election. That and his stance regarding the constitutional rights of the American citizen won him the White House.

Federal anti-immigrant legislature imposed by the government during the early twentieth century was influenced by the cries of the nativists and the obsessive, religious temperance groups who joined forces to campaign for a national ban on alcohol and the suppression of the American immigrant. Their motives were different, yet both groups manipulated the depiction of the immigrant to achieve its goal. The Prohibition era had an unexpected impact on the American society and economy: it was riddled with illegal activity and corruption that made both nativist and immigrants question the intent and the constitutionality of the the United States government. Other consequences of Prohibition included a country divided between drinkers and non-drinkers, an increase in violent crime, exposed corruption in the judicial, executive and legislative systems, and a considerable increase in alcohol consumption from pre-prohibition times. Immigrant and nativist tensions were no longer the focus during this period, as both native-born Americans and American immigrants denounced the encroachment on their constitutional rights. The United States government was forced to address these issues and committed to the separation of church and state by repealing the Prohibition Act. This affirmation ensured all Americans that the federal government would remain neutral on issues of morality, and would allow individual states to create laws as dictated by their

⁵⁵ Sinclair, 280

constituents. The influx of immigrants into America during the late eighteenth and early nineteenth centuries was indeed, an exercise of excess. The hasty imposition of controls led to a loss of control, as reformers became reactionaries and politicians failed to fulfill their function of compromising opposed interests and mediating between extremes. Excess destroyed this nice symbiosis.⁵⁶

⁵⁶ Sinclair, VII

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