

89-2-11

LIBERTY

MODERATION

*“The Case Against
Prohibition”*

FROM AN ADDRESS

By DR. STEPHEN LEACOCK

Professor of Economics, McGill University



~~HV5089-W746 McLennan~~
~~Windle Charles Augustus,~~
~~The case against prohibition~~
~~1894-1900 71785735~~

FREEDOM

TEMPERANCE

The Case Against Prohibition

THINGS have come to a point where the expression of opinion is no longer free and unrestrained. People will not speak out frankly what they think. This man trembles for his business, that man for his profession. All, or nearly all, keep silent. The prohibitionist has contrived to masquerade before the country as if he were of necessity a good man, a moral man, and his opponent of necessity a bad one.

The truth is that a very large part of the most honest and honorable opinion of the country is opposed to prohibition; and a very large part of the worst opinion, and the meanest elements in the community are strongly in favor of it.

I happen to be of those who are honestly and sincerely opposed to prohibition as a matter of principle. It is my candid belief that the adoption of prohibition in the United States is the worst disaster that has fallen upon the American republic since its origination. If it could last, it would undermine the foundations of Government itself. If it could last, it would, in time, bring down the strongest political fabric into anarchy and dissolution.

But prohibition cannot last, neither here nor there nor anywhere because it is based upon a lie. And a lie cannot endure. Prohibition declares it to be a crime to drink beer. And it is not a crime. The commonsense of every honest man tells him that it is not a crime to drink a glass of beer. All the Legislatures that ever sat cannot make it so. You can make your statutes as cruel and as sharp as you like. You may multiply your spies and informers, you may throw wide the doors of your penitentiaries, and you still cannot make it a crime; and the sharper and the harder your law the more public sense and public feeling will revolt against it.

Let those who have organized the legislative tyranny of prohibition look well to what is bound to follow. They are putting their trust

in coercion, in the jail, in the whip and the scourge. They are done with the moral appeal. They are finished with persuasion. They want, however, authority. They want to say, "Thou Shalt," and "Thou Shalt Not," and when they say it, to be obeyed under the fear of the criminal law. And the time must come when they and their law must go down together. I tell you that if there is a moral issue involved in this present contest it is the moral issue of the spirit of human freedom struggling against bondage. The age-long spirit of liberty that the chain can never bind, that the gag can never silence.

* * *

The more the pity that we are so soon un-mindful of our heritage. We are wandering into untried paths, despairing of being good by virtue of the individual spirit, we are to be made good by statute. Every hysterical vote of the majority is to be clamped upon us as a code of conduct. Our life, our food, our clothes, our amusements are to be made the subject of stringent and coercive legislation. And for those who will not obey there waits the jail.

And that is what is happening. Law, divorced from the support of the individual conscience, is breaking down. A vast wave of crime is sweeping over the continent. And the reason is not far to seek. Prohibition is the most fruitful mother of crime that ever spawned its progeny upon the world.

Note well what has happened. Before the prohibitionists had their way and before hysteria, fanaticism and mistaken desire for righteousness placed them in power, there was no more frequent argument, no greater mainstay of their cause than the plea that prohibition would lessen crime. See what has happened! It needs no statistics to prove the awful and appalling wave of crime upon this continent. The world stands horrified. In the streets of New York and Chicago human life is no longer safe. Organized robbery is everywhere and murder has its daily price and hire.

The reason is clear. The rising generation of to-day see all about them a form of criminal law called prohibition. They see it everywhere broken. They see it broken by many of the most

respected people of the community. They know that it can only be maintained at all by the most brutal, most stringent and most repulsive of methods. They see employed in its service the vilest of human creatures, the paid informer—the man that lacks even the honor that prevails among thieves—the man who carries down through the ages the part of Judas Iscariot. This they see and upon this they act. The law has become something to be despised, to be broken or evaded at will, the source of adventure or of profit, but no longer based upon the plain teaching of right and wrong.

Can you blame any youth if he grows up with a confused sense as to obedience to the law? He knows that the most conspicuous and the most discussed law on your statute book is a sham and a lie. He knows that it is broken everywhere. He knows that the methods used in its enforcement are often despicable. And he knows that there are enlisted in its service some of the most contemptible characters that walk the earth—the spies and informers that are the ears and the tongue of prohibition.

That is the spectacle you are giving to your young men. What, think you, will be the result? You have broken with liberty, you have done with the morality of Jesus Christ that relied ever upon the moving spirit, you have seized the sword to smite off the ear of your opponents—force, force and power, and the tyrant's brutal delight in coercion, that is what the prohibitionist has chosen.

The sharper the tyranny the quicker the cure. But this I do know: that a law based upon a lie shall sooner or later be dashed to pieces against the impregnable power of truth.