

## Constitutional Blemishes: American Alcohol Prohibition and Repeal as Policy Punctuation

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*Historical explanations for the American “noble experiment” with alcohol prohibition based on individual conspiracies, cultural changes, social movements, or self-interested bureaucracies are partial and unsatisfying. Recent advances in punctuated equilibrium theory shine new light on this historical enigma, providing a more persuasive account of the dramatic episodes associated with both constitutional prohibition and its repeal. Through longitudinal analysis of a unique data set reflective of early twentieth century public alcohol control sentiments, this article suggests that, as but one of a range of potential alcohol policy options, national alcohol prohibition was hardly a foregone conclusion. The ultimate adoption of prohibition over competing alcohol control alternatives, as well as its eventual repeal, can best be understood with reference to particular feedback processes inherent in the institutional structure of American policymaking, which readily account for both the mad dash for prohibition and the widespread clamor for repeal, which have traditionally eluded historical explanation.*

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**KEY WORDS:** punctuated equilibrium theory, alcohol control, prohibition

The American experience with alcohol prohibition in the early twentieth century has always been considered something of an enigma, embodying a series of apparent historical anomalies: a successful antiprogressive initiative in the middle of the Progressive Era, the only constitutional amendment to circumscribe individual liberty (the Eighteenth), and the only amendment to nullify another (the Twenty-First). For social movement studies, there is the dilemma of explaining the ultimate victory of temperance forces at a time when both alcohol consumption and enrollment in temperance organizations were on the decline from heights in the nineteenth century (Rorabaugh, 1979). Moreover, the conventional wisdom that faults the particular American socioeconomic and cultural divisions for this ultimately disastrous policy experiment fail to acknowledge that the United States' experience was only part of a worldwide temperance wave that ultimately saw prohibition adopted in 10 countries, with others simultaneously adopting somewhat less draconian alcohol restrictions. Finally, the hypotheses of historians developed to explain the advent of prohibition have a notorious inability to explain its demise some 13 years later. In short, it is time for a new perspective on the “noble experiment” (Fisher, 1930)—one

that can not only encompass development at the national, subnational, and international levels of analysis, but also adequately account for *both* the rise and fall of national prohibition.

I propose that a more complete understanding of American prohibition can be obtained by viewing prohibition as only one of many alcohol policy options, including high license, excise taxation, state monopoly, and “Gothenburg systems” of municipal dispensary and disinterested liquor control. Adopting a punctuated equilibrium approach to alcohol control policymaking provides a fundamentally new perspective of the history of American prohibition and enriches our understanding of the complex policymaking dynamics associated with periods of international and domestic crisis. To that end, this consideration is anchored analysis of a unique historical dataset based upon protocols of the Policy Agendas Project, coding entries in the *Reader's Guide to Periodical Literature* from 1890 through 1950 to gain greater insight into prevailing American public perceptions with regard to the so-called liquor question. Before endeavoring to reinterpret this major chapter in American history, however, we must first bring existing perspectives on prohibition into dialogue with appropriate theories of policy change and punctuated equilibrium.

### Perspectives on Prohibition

Previous attempts to come to terms with American prohibition and its repeal have provided a vast, yet necessarily incomplete, literature on the subject. Most historical accounts focus solely on one side of the liquor question: scholars of prohibition spend great effort detailing specific factors leading to the adoption of the Eighteenth Amendment and the Volstead Act that outlawed beverage alcohol, relegating repeal to a happily-ever-afterword (Engelmann, 1979; Kobler, 1973; Lee, 1963; Pegram, 1998). Conversely, those that focus on the repeal movement give only scant attention to the causes of national prohibition in the first place. This analytic isolation often leads toward biased, unsatisfying explanations for the dramatic vacillations of American alcohol policy in the early twentieth century.

Early historical explanations focused disproportionately on the influence of particular leaders active in either the promotion of temperance (Cherrington, 1920; Merz, 1931; Odegard, 1928) or the repeal movement (Dobyns, 1940; Gordon, 1930, 1943). A second generation of scholarship viewed prohibition as the consequence of a tumultuous cultural context. In what quickly became accepted wisdom, prohibition was attributed to the reactions of rural, native-born Protestants to the increased urbanization and immigration of the early twentieth century (Gusfield, 1963; Hofstadter, 1955). In these works and others, prohibition became the last gasp of the old order, with repeal as the natural and inevitable consequence of increased immigration and the rise of urban morality, voices, and votes (Clark, 1976; Sinclair, 1962). Yet, these accounts leave much unexplained—the widespread political support required for a prohibition amendment to the Constitution, the incredible speed of ratification—as well as the equally swift opposition a decade later—can be explained neither by the machinations of individual political elites nor as the result of gradual cultural changes.

A third generation of scholarship discounted culturalist explanations, instead focusing attention on the evolution of particular interest organizations or the temperance movement as a whole (Blocker, 1976, 1989). Historians concentrated particular attention on the influence of the Anti-Saloon League (ASL) (Kerr, 1985), the Woman's Christian Temperance Union (WCTU) (Tyrrell, 1991a, 1991b), and the Independent (later, International) Order of Good Templars (IOGT) (Fahey, 1996) for the adoption of prohibition, and the Association Against the Prohibition Amendment (Kyvig, 2000) and the Woman's Organization for National Prohibition Reform (Kyvig, 1976; Rose, 1996) concerning its repeal. This focus on particular social movements came at the expense of considerations of the institutional context of policy-making (Evans, Rueschemeyer, & Skocpol, 1985).

More recently, attempts have been made to explain prohibition in terms of predominant theoretical approaches within economics and political science, with varying degrees of success. Emerging from divergent perspectives on social movements and legal institutions respectively, Ann-Marie Szymanski (2003) and Richard Hamm (1995) come to similar, persuasive conclusions as to the interaction of social movement strategies with the institutional openings of the state structure to bring about prohibition. Much less convincing are attempts to square prohibition with economic theories of the rational, budget-maximizing bureaucracy, leading to a misplaced blame on the U.S. Coast Guard and the as-yet nonexistent Bureau of Prohibition for the creation and maintenance of the policy of prohibition (Anderson, 1997).

To our consideration of the shortcomings of existing historical interpretations, we must add the realization that prohibition was not a uniquely American phenomenon: when the Eighteenth Amendment and Volstead Act came into effect in 1920, the United States joined nine other European and North American countries and innumerable territories and colonial possessions with statutory prohibition (Hayler, 1914; Heap, 1998; Olukoju, 1991). By 1932, all but the United States had enacted repeal. Viewed in this light, explanations based on particular American social features, organizations, movements, or leaders remain unfulfilling. A more convincing account not only acknowledges the influence of foreign experiences but also identifies prohibition as only one (albeit the most drastic) policy option for the control of liquor consumption.

Therefore, we must first stop viewing prohibition as one matter and repeal its antithesis, and instead regard each simply as different alternatives within the realm of alcohol control policy. Throughout history, states have attempted to regulate the production, sale, and consumption of beverage alcohol through various means: excise taxation; production and sales quotas; production, distribution, and sales monopolies; tax farming; restrictions on availability and advertising; individual rationing; licensing and local option; restrictive taxation; and finally statutory prohibition (Mäkelä, Room, Single, Sulkunen, & Walsh, 1981). Viewed as one option in the spectrum of alcohol control policies, we can begin to understand the dynamics associated with prohibition and repeal in terms of the policy studies literature: prohibition emerged as the most promising alcohol control measure in the early twentieth century, and within a matter of years, had proven to be a

disastrous policy failure—not only in the United States but also globally—and was replaced by an alternative alcohol control arrangement. The fact that both prohibition and its repeal required constitutional amendment in the American context should not make them exceptional, except in that the institutional barriers to the adoption of these particular policy options were more imposing than for other, less draconian policy choices.

### Attention, Information, and Institutions

With a new perspective of prohibition and repeal as instances of dramatic policy change, it is possible to integrate prohibition studies with the well-developed literature on American policy dynamics, with particular regard to the punctuated equilibrium approach pioneered by Frank Baumgartner and Bryan Jones (Baumgartner & Jones, 1993). By taking a longitudinal view of public policies, this approach confronts the frequent observation of long-term policy stability punctuated by sudden, dramatic change—explaining both change and stability with reference to the shifting attention to information within an (occasionally) shifting institutional context.

Policy stability is explained with reference to negative-feedback information processes that serve to counterbalance external challenges to the established equilibrium. The American political system has the benefit of many such self-correcting institutional features, most notably the persistence of institutionalized policy monopolies based on shared understandings of esoteric policy interests, commonly held policy images (specific sets of ideas that structure how policymakers analyze the policy), and an institutional arrangement that reinforces both. In brief: “where the institutional venues of decision making are stable, and where a positive policy image supports a given policy, powerful negative-feedback processes can operate, creating a strongly homeostatic system that generates stable policy outcomes for decades” (Baumgartner & Jones, 2002).

Rapid changes, or policy punctuations, can be accounted for by means of moving away from traditional negative-feedback processes toward positive-feedback mechanisms, which serve to compound rather than dampen external forces for policy change. Based on a boundedly rational approach to individual and collective decision making, the transfer from negative- to positive-feedback processes occur through mimicking behavior, shifting attention to underlying attributes, or both, resulting in a change in the dominant understanding that provides the foundation to the present enactment of policy. Mimicking behavior, or cue taking, involves the observation of the behavior of others and acting accordingly. This foundational aspect of cascade, tipping-point, and critical-mass models of political behavior depends upon a certain threshold level of collective behavior at which individual activity becomes self-sustaining based upon perceived chances of ultimate individual benefit (Beissinger, 2002; Laitin, 1998; Tarrow, 1998).

New information or new circumstances may shift attention from one underlying dimension of choice to another in what is, after all, an inherently complex policy debate, or make apparent previously unacknowledged aspects of a particular policy

position (Jones, 1994). When individuals shift attention from one attribute to another, it may lead to a rapid change in behavior, leading to dramatic effects on public discourse and institutional response by government representatives. The social nature of public debate over contentious policy issues makes them prone to the mimicking and serial shifting of attention to dimensions of choice that combine to create positive feedback—because individual decision makers are attentive to the positions of others, and the implications of coming out on the “winning side” of a given debate are significant, especially for elected representatives.

This attention model of political debate has tremendous implications for the institutional location, or venue, or government policymaking. In response to the attenuation to diverse attributes or implications of a given policy, rival government institutions may assert their authority to become involved in the policy. Such shifts did not only occur solely as the result of increased attention to an issue, or from a changed societal perception of that issue, but also because such heightened attention creates pressure for policy change. Just as social debates are prone to the mimicking and serial shift that leads to positive feedback, heightened attention, altered policy images, and changed expectations for success of policy change combine to produce dramatic changes in a short period of time—a policy punctuation.

In brief, if the punctuated equilibrium model is to be applicable to American alcohol policy, we should expect to find: (i) long periods of stability characterized by negative feedback interrupted by dramatic policy shifts characterized by positive-feedback trends; (ii) dramatic policy shifts preceded by heightened attention to the issue, combined with shifting perspectives on underlying dimensions, and increased anticipated prospects for success of policy change; (iii) a changing institutional venue of policymaking; and (iv) policy stability and negative-feedback processes following the punctuation. Finally, because in the study of prohibition we are addressing two policy punctuations—prohibition and repeal—we should expect to find these dynamics at work in both cases, although the first may be rightly viewed as a poor policy decision and the second as a correction of the earlier policy error.

## Data

In order to discern whether the information-processing/punctuated equilibrium model is applicable to the history of prohibition, a number of data sets analogous to those of the Policy Agendas Project (PAP) need to be created because the PAP data extend back only as far as the 1940s. First, in order to gauge the public and media attention to prohibition, a data set was constructed, coding all articles in the *Reader's Guide to Periodical Literature* related to alcohol control policy (i.e., prohibition, alcohol license, local option, Gothenburg system, and dispensary system) from 1890 through 1950 ( $N = 2593$ ).<sup>1</sup> All articles in the data set were coded as to level of analysis and location of the alcohol issue in question (1-state/local level, 2-national level, 3-international level). Based upon the title, author, subject heading, and abstract (where available), the cases were coded as to whether the article reflected positively or negatively toward the policy of prohibition at the given level of analysis, or was

either neutral or uncodable as to tone. Intercoder reliability was achieved with 96 percent of articles coded identically. In order to track trends in article tone and allow for analysis of possible correlations, the following positive–negative index (PN index) was created for each year:

$$\text{PN index} = \frac{\sum(\text{pos. articles}) - \sum(\text{neg. articles})}{\sum(\text{all articles})} \quad (1)$$

This simple average gives an indicator of the tone of all articles published in a given year, ranging from +1 (all articles reflect positively on prohibition) to –1 (all articles negative).

In order to gauge federal government attention and activity over time, a data set of all congressional hearings on alcohol policy from 1890 through 1950 was created from Congressional Information Services reports of congressional activity ( $N = 166$ ). Each hearing was coded by title, accession number, congress, session, year, hearing dates, total days of hearing, House or Senate Committee, and whether the hearing tone was positive, negative, or neutral/uncodable toward the policy of prohibition in particular, in addition to considerations for greater government regulation more broadly. These measures of tone were derived from the title of the hearing, subject, abstract (where applicable), and predisposition and affiliation of the witnesses testifying before the hearing. The data on hearings were then analyzed both in terms of the number of hearings (as per PAP protocol) and by the number of hearing days. The results are presented in graphical form throughout the text.

### Explaining American Prohibition

The United States has a long history of temperance activism—dating from Benjamin Rush’s temperance admonishments in the eighteenth century—as well as a long history of enactment of the policy of prohibition at the level of individual U.S. states, dating from Maine’s dry law of 1851. By the late nineteenth century, the temperance movement, led by such organizations as the WCTU, the IOGT, the Sons of Temperance, the Prohibition Party, and eventually the Anti-Saloon League of America, contained a surprising diversity of opinion on alcohol control issues, ranging from moderates who advocated moderation in the use of alcohol, to more radical absolutists who insisted on total abstinence and coercive regulatory measures against liquor. With an increasingly zealous interest in social sobriety and a refusal to engage in compromise measures with the elements of “evil” that were presumed responsible for social ills, the absolutist sentiment captured the temperance current, directing it toward a sole focus on the ultimate victory of national prohibition (Krout, 1925; Nicholson, 1908). By the early twentieth century, the ends of temperance and the means of prohibition were virtually indistinguishable for the vast majority of temperance proponents.

While the temperance-cum-prohibition movement has garnered the lion’s share of historical interest, it should not be assumed that the policy of prohibition was

adopted solely because of the absence of feasible alternatives (Room, 2004). By the 1890s, the "Gothenburg system" of disinterested management emerged as a viable alternative to prohibition, threatening to divide the temperance movement between radical proponents of prohibition and more pragmatic advocates of adopting a modified Gothenburg system (Hamm, 1995). This arrangement, pioneered in Sweden, was a municipality-based initiative to curb the perceived evils of overindulgence by removing from the liquor trade the private-profit element, which provided an incentive to increase alcohol sales. Retail outlets were placed in the hands of a local trust of reputable citizens who directed all liquor profits into a public fund to promote the general welfare (Kiaer, 1899; Thompson, 1935; von Heidenstam, 1904; Wieselgren, 1907).

This system of disinterested management came to be seen as a sensible alternative to prohibition in both the United States and abroad (Carnegie, 1872; Kiaer, 1899; Larsson, 1890; Pitman, 1878; Pratt, 1907; Rowntree & Sherwell, 1901). In 1891, Athens, Georgia scrapped their ineffective local prohibition in favor of a municipal dispensary system modeled on its Scandinavian predecessor. Its positive results prompted greater interest at both the city and state levels, with numerous towns and counties throughout North Carolina, Georgia, Alabama, and Virginia establishing effective local dispensaries (Aaron & Musto, 1981). In 1893, South Carolina initiated what would be a much-debated, but ultimately failed, experiment with a state dispensary system, which translated the lucrative profit incentive into a new stream of statewide corruption and graft (Christensen, 1908; Eubanks, 1950; Lee, 1897). Despite such shortcomings, the South Carolina dispensary was increasingly regarded as a viable alternative to state prohibition (Cherrington, 1929; Peters, 1908), and the nationwide adoption of a Gothenburg-type system was increasingly regarded as a rival to nationwide statutory prohibition. To this end, numerous studies of Scandinavian liquor control were commissioned by individual states, interest groups, and the U.S. Department of Labor (Gould, 1893).

The most thorough investigation of practical alternative alcohol control policies arose through the efforts of the Committee of Fifty for the Investigation of the Drink Problem, organized in 1893 "in the hope of securing a body of facts which may serve as a basis for intelligent public and private action."<sup>2</sup> Rather than a new movement in temperance agitation, the Committee was a self-declared research body, with the general intent not being "the expression of opinion, or the advocacy of one theory over another, but strictly the investigation of facts without reference to the conclusions to which they might lead."<sup>3</sup> In the 12 years between 1893 and 1905, the Committee examined the legislative, economic, moral, and physiological aspects of the alcohol trade (Billings, 1903; Billings, Eliot, Farnam, Greene, & Peabody, 1905; Calkins, 1919; Koren, 1899). The Committee's conclusions provided an eerie prophecy of the inherent flaws of prohibition—unavoidable shirking, corruption, and rebellion against the law as hallmarks of an ultimately ineffective policy (Levine, 1983). The reports of the legislative subcommittee advocated a more flexible alternative to prohibition, which included local option and the removal of the private-profit motive—a hallmark of the Gothenburg system (Wines & Koren, 1897). The Committee of Fifty ultimately advocated a Scandinavian-type dispensary system as

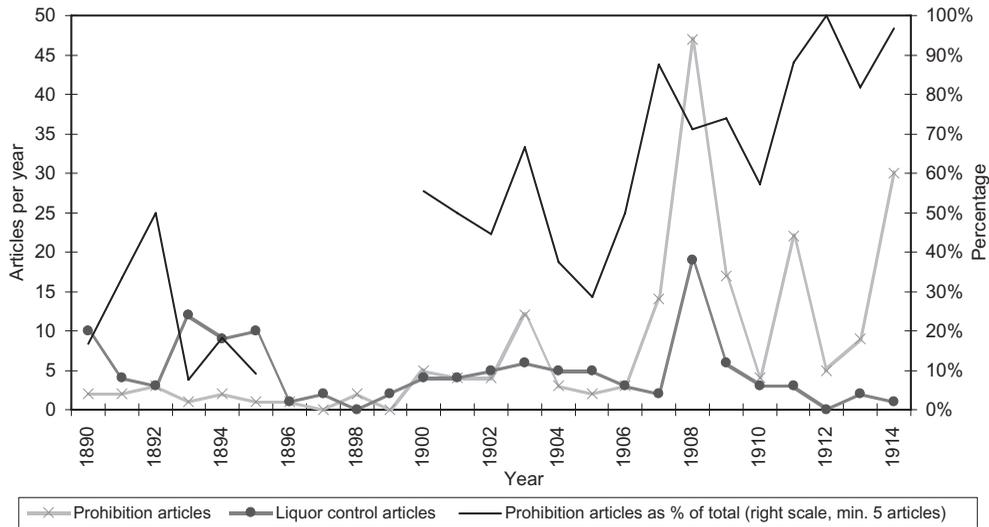


Figure 1. Prohibition and Liquor Control Articles in *Reader's Guide to Periodical Literature*, 1890–1914.

the best approach to the liquor issue through the removal of the private-profit motive (Rumbarger, 1968).

The Gothenburg/dispensary alternative of liquor control should not be considered an insignificant footnote to the usual story of American prohibition. These restrictive measures—along with local option and license systems—provided a substantial obstacle to the onward march of prohibition. Such viable alternatives to prohibition posed distinct challenges to the dries and were perceived variously as effective temperance measures, necessary stepping-stones to prohibition, or indefensible accommodations of the “evils” of the liquor traffic that would make the state even more complicit in this “deplorable” trade (Gordon, 1911; Hamm, 1995; Kerr, 1985; Ohlin, 1916a, 1916b).

In the so-called marketplace of ideas, the press coverage and literary discussion of these various alcohol control measures was actually much more pronounced than the coverage of the policy of prohibition, with a particular surge in the interest in the Gothenburg/dispensary option in the late 1890s (Figure 1).<sup>4</sup> Indeed, the dominance of the prohibition option did not become fully established in the public discourse until about 1906, after which time it became the dominant policy alternative—with a disproportionate majority of articles reflecting positively on the prohibition option. Therefore, the march to nationwide prohibition was hardly inevitable, as for much of the Gilded Age prohibition was not even the most frequently considered alcohol control policy option.

The challenge for prohibitionists and temperance organizations was to promote a legislative solution to intemperance at the expense of competing options. While systematic reduction of liquor outlets through a licensing system and the expansion of “dry” territory through local option were easily incorporated as stepping-stones toward prohibition, the Gothenburg/dispensary system provided a greater

challenge as it implicated the state in the liquor trade. Not surprisingly, during the wave of prohibition sentiment that preceded the United States' entry into World War I, many temperance tracts expressly aimed to debunk the Gothenburg/dispensary system through attacks of its shortcomings in Scandinavia (Eaton, 1912; Ebersol, 1904; Gordon, 1911; Hayler, 1911, 1912; Shadwell, 1915) or the various U.S. dispensaries (Gordon, 1916), condemning the system as a morally reprehensible accommodation of the evil liquor forces (Eaton, 1912; Homan, 1910), or by attacking its proponents—such as the Committee of Fifty—as a “partisan” and “incorrigible” group scheming to impede the people’s will to end the liquor evil once and for all (Gordon, 1916; Kerr, 1985; Odegard, 1928).

While the Committee and other advocates of a Gothenburg/dispensary option did attract followers among intellectuals and antiprohibitionists (Flint, 1919; Homan, 1910; Koren, 1916), they failed to gather sustained popular support for their recommendations. Initially formed as a neutral and nonpartisan research group, the lack of an enduring, organized support base may be one reason that its policy recommendations were so quickly and easily overcome—ideas and information frequently prove to be powerful sources of policy change, but in the American political environment, they are ineffective insofar as they are not promoted by organized groups able to overcome barriers to collective action (Bates, 1981; Olson, 1965).

Having effectively incorporated or disposed of the major competing policy alternatives, the push for national prohibition kicked into high gear under the guidance of the Anti-Saloon League. Following the wave of statewide prohibition that swept the American South after 1908, Anti-Saloon League was able to make significant gains toward national prohibition through a focus on federal interstate commerce legislation, which proved to be an effective tool in asserting federal powers into what had been considered state jurisdiction. The shift of institutional venues for consideration of prohibition as a national policy option was solidified in 1913 with the Hobson Resolution—a proposed Constitutional prohibition amendment drafted by members of the Anti-Saloon League. Although falling short of the two-thirds majority needed to pass, debate on the resolution not only made statutory prohibition an issue of national public attention but also began the shift of institutional venues of alcohol control policymaking from the states to the national government.

The change of policy venue would be accompanied by a dramatic shift in policy image with the looming war in Europe after 1914. The frenzied emotions associated with war mobilization allowed prohibitionists to recast prohibition from an issue of personal morality to one of patriotism, sacrifice, and national security by urging and subsequently achieving wartime bans on distilling and brewing between 1917 and 1919. The increase in the coverage of the rising prospects for national prohibition in the media was mirrored by an increased coverage of prohibitory legislation at both the state and international levels. The submission of the Eighteenth Amendment to the states for ratification in 1918 was preceded by a wave of prohibition legislation at the state level—between 1915 and 1918, the number of prohibition states increased from 10 to 32. Likewise, by 1918, the United States would join the ranks of Russia, Finland, Iceland, Canada, and Newfoundland as prohibition countries, with

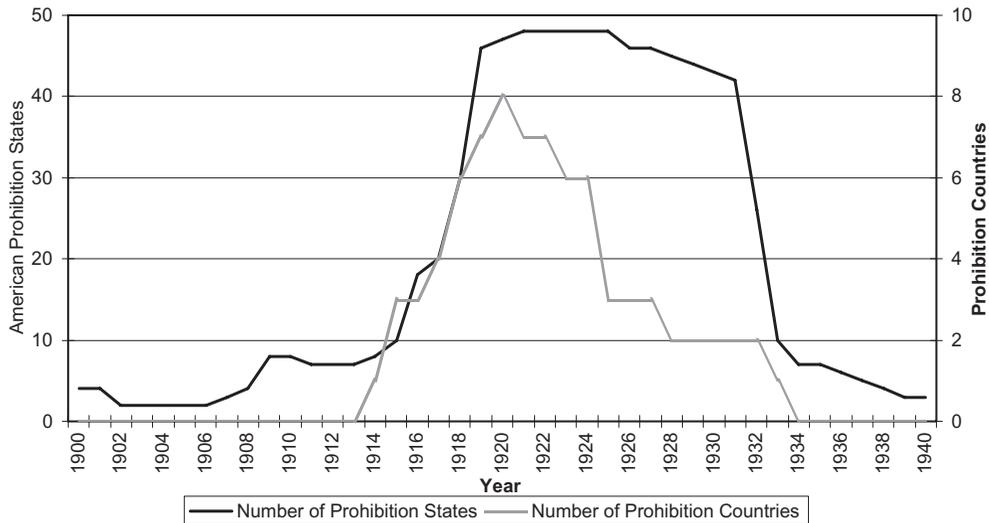


Figure 2. Countries and American States Under Prohibition, 1900–40.

numerous other European states incorporating increased restrictions on alcohol production (Figure 2).<sup>5</sup>

Two elements of the final drive toward national prohibition are of particular interest: First is the explosion of positive coverage accorded to prohibition in the media. The number of prohibition articles between 1915 and 1919 increased more than fivefold over the previous five-year period (Figure 3). The tone of these articles were overwhelmingly positive toward prohibition, with only 4 to 13 percent of these articles being coded as critical of prohibition (Figure 4). In the build up to war and constitutional prohibition, the positive tone toward prohibition did not differ significantly between the state, national, and international levels of analysis—prohibition in foreign countries and the various American states was seen as positive developments, as were the prospects for a permanent nationwide prohibition law.

The second element of note concerns the rapid adoption of prohibition legislation. The crisis of war shortened the decision-making time horizons of legislators at both the national and state levels in adopting prohibition. In the words of Richard Hamm (1995):

The emergency surrounding war mobilization precluded long debate on the prohibition amendment. In 1916 and 1917 congressional consideration of the merits of national prohibition did not reflect the importance of the issue. Congress held no committee hearings on the subject. Little time was set aside for discussion of the matter, The House devoted less than six hours for debate on the proposed amendment, and the longer Senate deliberations centered on the side issue of a ratification time limit. . . . In general, the character of the debates in both bodies were as desultory as they were nearly one-sided (*sic*). The brewers and distillers were hopelessly and bitterly divided; wet spokesmen in Congress appeared leaderless and lost.

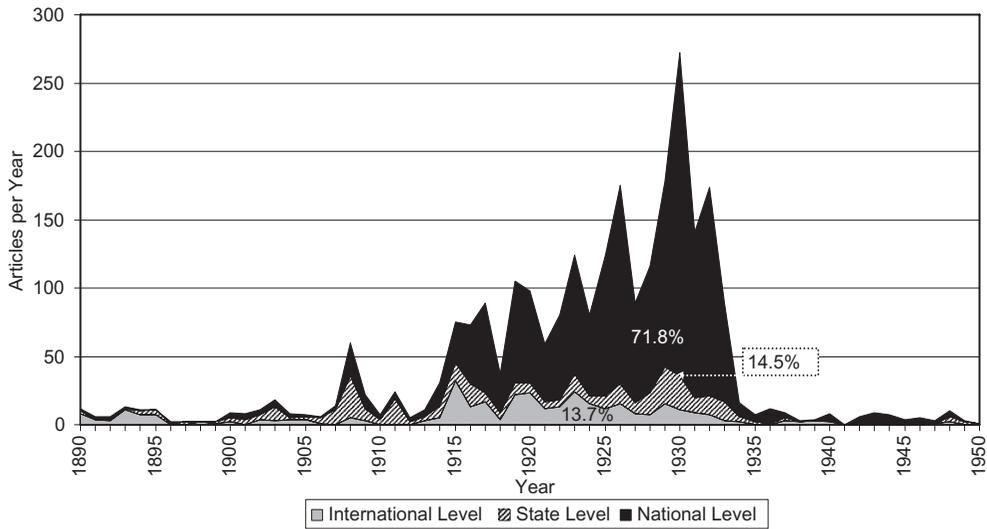


Figure 3. Coverage of Prohibition and Alcohol Control in *Reader's Guide to Periodical Literature*, 1890–1950.

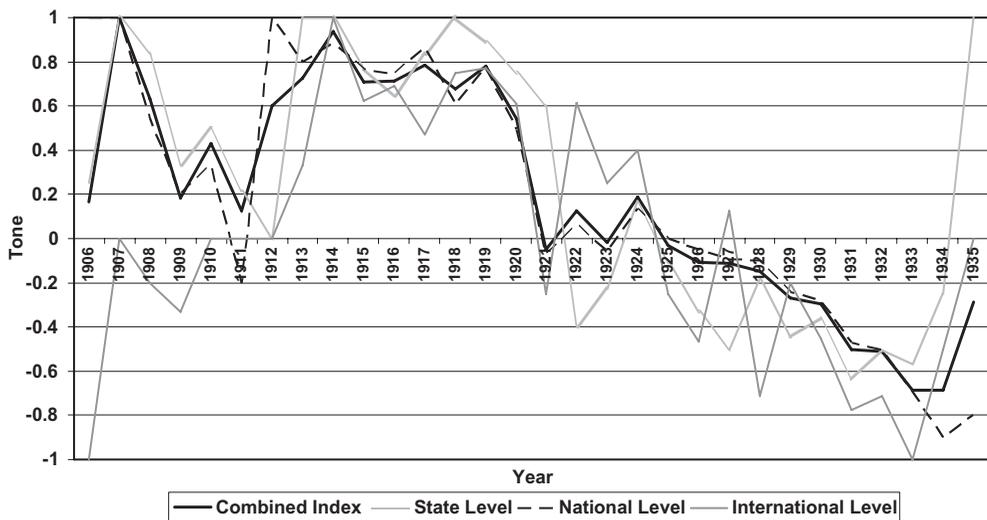


Figure 4. Positive-Negative Tone Indexes for *Reader's Guide* Articles, 1906–35.

Receiving the required two-thirds majority in both houses of Congress in such a timely fashion was indeed surprising. The ratification of the amendment by three-fourths of the states was seen to be an almost insurmountable obstacle, although in just over one year—by January 1919—36 states had ratified the Eighteenth Amendment, which would take effect one year later. The adoption of national prohibition came with a rapidity that stunned even the most optimistic dry proponents, who envisioned a three- to four-year process rather than a matter of months (Aaron &

Musto, 1981; Blocker, 1976, 1989; Cherrington, 1920; Hamm, 1995; Kerr, 1985; Kyvig, 2000; Merz, 1931; Odegard, 1928; Sinclair, 1962; Szymanski, 2003; Timberlake, 1963). By the time the Eighteenth Amendment and the Volstead Act came into effect in January 1920, the Great War had been over for months and the wave of patriotic support for prohibition was already on the wane. Yet the United States found itself locked into what would become a disastrous policy option—and thanks to the institutional barriers to policy change, the ill-fated experiment with national prohibition would prove difficult to undo.

### Prohibition as Policy Punctuation

The punctuated equilibrium model of policy dynamics suggests particular tell-tale elements to be found in the prohibition narrative, beginning with the assumption of policy stability associated with negative-feedback mechanisms. Before the outbreak of the Great War in Europe, the characteristic features of American alcohol policy—federal liquor taxation combined with questions of administration or restriction relegated to the individual states—remained stable, despite fluctuations in the number of states enacting or repealing their local prohibition measures at any given time. This stability can, in part, be attributed to the negative-feedback mechanisms inherent in the American institutional arrangement: the federal division of powers that relegated policymaking capacity to the state level provided a natural obstacle to nationwide statutory prohibition in that opposition would invariably erupt from traditional proponents of states' rights. Likewise, the supermajoritarian requirements associated with enacting a constitutional amendment provides an enormous institutional obstacle to the prohibition policy option, as evidenced by the failure of proposed prohibition amendments in 1890 and 1913. Additionally, the existing institutional arrangement proved resistant to change because of a certain degree of path dependency (Katznelson, 2003; Krasner, 1988): considering that federal alcohol taxes comprised 20 to 30 percent of the nation's total tax revenues in the late 1800s (Hu, 1950), the government had a vested fiscal interest in maintaining the existing national alcohol policy (Ely, 1889). Beyond such institutional elements of negative feedback buttressing the federal policy subsystem, bureaucrats and administrators tend to share similar policy images, encapsulating similar diagnoses of the policy, and therefore, similar plans for action (Baumgartner & Jones, 1991). Alcohol policy is no exception to these "policy images" or "governing ideas" (Jones & Baumgartner, 2005; Moore & Gerstein, 1981). As the operations of the alcohol policy subsystem did not attract much public attention as evidenced by the dearth of articles related to alcohol policy in the *Reader's Guide* before the mid-1910s, it is clear that before the outbreak of the Great War, alcohol control policy in the United States was marked by numerous elements of negative feedback and the resultant policy stability suggested by the punctuated equilibrium approach.

Second, the adoption of the Eighteenth Amendment seems a dramatic punctuation in national alcohol policy. Accordingly, we should expect to find a shift from negative- to positive-feedback mechanisms preceding the punctuation—and this is

indeed the case—in terms of increased attention to the issue, shifting perceptions on underlying dimensions, anticipated prospects for success of policy change, and a shifting institutional venue.

The key initial element to the shift from negative to positive feedback is a heightened attention to the issue, evidenced by the fivefold increase in published articles on prohibition beginning about 1915, which overwhelmingly cast prohibition in a positive light (Figures 3 and 4). Moreover, with the European war looming, the most salient dimension of the liquor question shifted—from a condemnation of personal moral shortcomings to a call for economic sacrifice on the home front in defense of the homeland. Additionally, an increased expectation of political success of policy change only furthered the mimicking behavior and opinion cascade, as not only was there perceptible progress toward national statutory prohibition but also the dry gains at the state level and reports of wartime prohibition in foreign countries bolstered expectations for success of constitutional prohibition. The reframing of the alcohol issue also served to shift the institutional decision-making venue from the states to the federal government. While liquor policy was long understood to be a state matter, imposing wartime prohibition in order to conserve foodstuffs was considered a matter of national security—the sole jurisdiction of the federal government (Rossiter, 1948).

While it has long been understood that times of war and national crisis open windows of opportunity for dramatic policy change (Kingdon, 1984; Mayhew, 2005), the experience of World War I prohibition gives us greater insight into exactly what that entails. The national crisis and build up to war ultimately created a policy punctuation by: (i) increasing public attention to the liquor issue; (ii) shifting focus from one set of underlying views on the issue to another; (iii) increasing expectations for policy success by highlighting similar prohibition successes at both the state level and abroad; (iv) shifting the institutional venue for alcohol policymaking from the states to the national government; and (v) shortening the time horizons for in-depth debate over various policy options in favor of ready-made solutions, such as prohibition. Such windows of opportunity are a temporary phenomenon as positive-feedback mechanisms must end at some point—the important question being how much policy change may be enacted as a result of this heightened attention. Important policies are often adopted remarkably quickly, even when that issue has gone nowhere in previous years, frequently prompting governmental action, and often overreaction (Baumgartner & Jones, 2002). In brief, the punctuated equilibrium approach to American prohibition readily explains the most peculiar and seemingly inexplicable questions confronting students of the prohibition era: How could the American people and their leaders make such a disastrous policy choice, and how could it have passed such enormous institutional hurdles so quickly? Whereas previous studies look for explanations in individual conspiracies, cultural change, or organizational tactics (Blocker, 2006), this analysis suggests that the answer lies in a switch from negative- to positive-feedback processes among both the public and policymakers, resulting in a dramatic policy punctuation. Finally, the adoption of the new prohibition policy resulted in a new institutional equilibrium, with a complex of new institutions and vested interests, and replaced positive-feedback mechanisms

with negative-feedback processes that would endure for more than a dozen years until repeal and the return of alcohol control to the states.

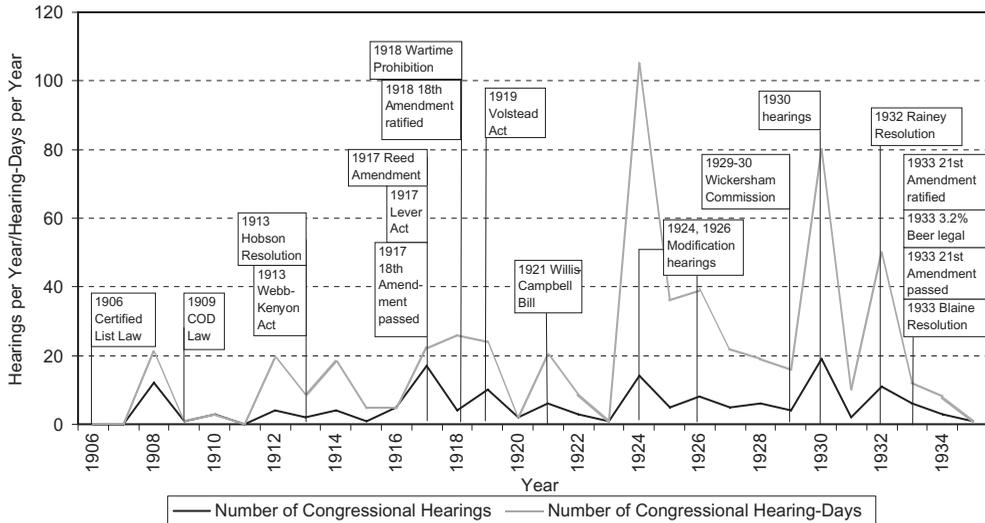
### Explaining Repeal

Previous investigations of the demise of American prohibition exhibit striking similarities with those that examine the advent of the same policy. Early interpretations tended to focus on the role of particular individuals in policy change (Dobyns, 1940; Gordon, 1943), second generation shifted focus toward cultural and macro-social explanations, (Clark, 1976; Sinclair, 1962), before a third generation emphasized the influence of organized interest groups in enacting repeal, including the Association Against the Prohibition Amendment (AAPA) (Kyvig, 2000). One notable difference is the greater attention to international experience and multiple policy alternatives, as much of the policy debate focused explicitly on alternative alcohol control policies—whether that meant increased dedication to the enforcement of prohibition, modifying the Volstead Act to allow weak alcoholic beverages such as beer, or the outright repeal of the Eighteenth Amendment, to be replaced with an alternative regulatory system. Interestingly, of the policy alternatives available in each case, the policy that was eventually adopted—first constitutional prohibition, then constitutional repeal—was the policy that faced the largest institutional hurdles and was therefore the most difficult option to implement.

Once the wartime patriotic fervor that ushered in the Prohibition Era began to subside, opposition to the policy began in earnest from a number of diverse viewpoints: self-interested brewers, distillers and unions, libertarians, and advocates of states' rights. A shared hostility to a common enemy provided the foundation of an antiprohibition coalition (Tarrow, 2005) and prorepeal interest groups, such as the AAPA, as early as 1919 (AAPA, 1921).

A number of elements of the Eighteenth Amendment and the Volstead Act doomed the American experiment with prohibition. First, contrary to popular belief, prohibition did not prohibit the consumption of alcohol, but rather the "manufacture, sale or transportation of intoxicating liquors," which created general ambivalence toward the law among a public that did not view occasional indulgence in alcohol as a crime. Second, enforcement was not explicitly relegated to the federal government or the states, but rather to both concurrently, leading to uneven enforcement, and provided incentives for shirking and corruption of the law enforcement agencies. Still, while prohibition was untouchably enshrined in the Constitution, policy debates disproportionately addressed ways to bolster enforcement, rather than calling the policy itself into question. As a result, while popular opposition to prohibition was increasing throughout the early 1920s (Figure 4), congressional activity focused primarily on enhancing enforcement and administration (Figure 5).

While the prohibition issue generally cut across party lines before the early 1920s—attributed in part to the strategic pressures of the ASL—the waning power of the ASL and increased public opposition meant that establishing definitive platforms on the alcohol issue became crucial for both parties. The 1928 presidential election labeled liquor affiliations along party lines—the great wet hope Al Smith running on



**Figure 5.** Quantity of Alcohol Control and Prohibition-Related Congressional Committee Hearings and Hearing Days, 1906–35.

the Democratic ticket versus Republican dry Herbert Hoover, who pledged a prohibition study commission if elected. While Hoover's overwhelming 58 percent victory was the result of a complex of diverse social, regional, ethnic, and economic issues (Lichtman, 1976; Silva, 1962), the election was framed as a dry mandate for continuance of the prohibition experiment (Ogburn & Talbot, 1929; Peel & Donnally, 1931; Sinclair, 1962). Yet the 1928 campaign and election marked the beginning of a renewed movement to consider policy alternatives to prohibition rather than just enforcement measures, while antiprohibition organizations such as the AAPA redoubled their efforts, creating a department of research and information to publicize the effects of prohibition and examine foreign systems of alcohol control. Moreover, Hoover's National Commission on Law Observance and Enforcement—the Wickersham Commission as it came to be known—began the most in-depth study of the issue since the Committee of Fifty.<sup>6</sup>

While these research efforts were ongoing, the stock market crash of late 1929 led to national economic collapse and the beginnings of the Great Depression. Much as the crisis of World War I opened a window for policy change, the Great Depression would signal the eventual downfall of national prohibition by introducing new social and economic concerns to the liquor debate, which were increasingly propagated by various policy advocates, and debated vigorously in the media (Figure 4). In addition to concerns over increases in crime and infringements on states' rights, in the midst of economic depression, a persuasive economic argument was put forth—that a resurrected, legal liquor industry would provide a respectable source of government tax revenues and produce badly needed jobs nationwide.

By 1929, the United States, along with Finland and the maritime provinces of Canada were the world's only remaining prohibition territories. Not surprisingly,

AAPA publications tended to reflect negatively toward outright prohibition in Nova Scotia and Prince Edward Island, Finland, and Norway's recently repealed experiment with prohibition, while extolling the virtues of liquor licenses and restrictions on the hours of alcohol sales in Great Britain, as well as the restrictively high liquor taxes in Denmark. Most favorably portrayed were the Gothenburg/dispensary systems of municipal control and elimination of the private-profit motive that had spread throughout Scandinavia, Europe, and even Canada. Business mogul and AAPA cofounder Pierre du Pont (of the Du Pont Company) had taken great interest in the Gothenburg/dispensary alternative beginning in 1926, even publishing a book to suggest its implementation in the United States (DuPont, 1929, 1930)—favoring the Swedish state-regulated, privately run dispensary system over a potentially corruptible state-run system as in Quebec and the earlier South Carolina dispensary experiment.

Similar considerations were being made at the national level through the Wickersham Commission, which in 1931 advocated an increase in federal appropriations to aid law enforcement efforts rather than promoting outright repeal. A significant section of the final report was allocated to the comparison of the liquor laws of the United States with possible alternative policies in operation in Canada and the states of Northern Europe. There was a deep division of opinion of the Commission members, with those convinced that prohibition was unenforceable and an outright failure ultimately conceding to giving prohibition "one more go" attributed solely to the practical understanding that constitutional repeal would be a drawn-out process, if achievable at all (National Commission on Law Observance and Enforcement, 1931). Having undertaken a substantial investigation of liquor control in Sweden, and convinced of its potential, the separate report of commissioner and former special assistant to the U.S. Attorney General Henry Anderson contained a detailed plan to implement an American Gothenburg/dispensary system, including a system of individual rationing akin to the recent Swedish innovations of Dr. Ivan Bratt (National Commission on Law Observance and Enforcement, 1931). Interestingly, 6 of the 11 commissioners voiced their support for a Gothenburg/dispensary system in their individual reports.

The tide of public opinion began to swing heavily against prohibition following the crash of 1929. A nationwide *Literary Digest* poll in 1930 revealed only 30.5 percent of respondents favored continuing prohibition, and increasing pressures for state-wide repeal referenda blossomed in every region of the country (Anonymous, 1930; Sinclair, 1930; Willcox, 1931). Reflecting this popular sentiment, a tidal wave of scholarly and journalistic opinion concentrated on the search for alternative policy options to prohibition—more often than not settling on some modification of a Gothenburg/dispensary system to be administered at the state level (see, e.g., Abbot, 1933; Anderson, 1931; Anonymous, 1932; Ball, 1933; Bratt, 1931; Cabell Bruce, 1930; Callender, 1932; Catlin, 1931, 1932; Churchill, 1932; Fosdick & Scott, 1933; Henius, 1931, 1932; Leuchtenburg, 1963; Nevins, 1933; Overbeck, 1933; Rockefeller, 1932; Root, 1932; Ybarra, 1928).

In light of the economic depression, the United States found itself the last country still trying to enforce statutory prohibition, and with increasingly vocal

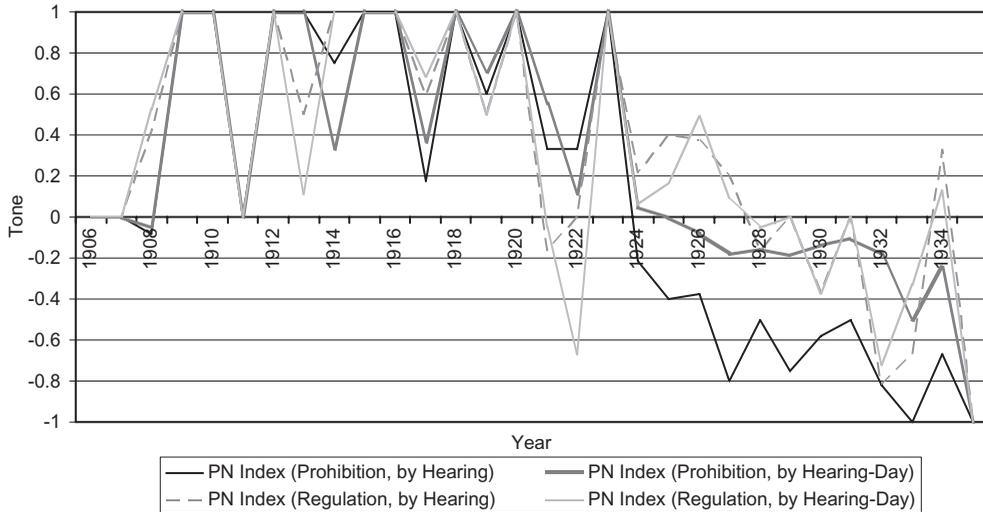


Figure 6. Positive–Negative Tone Indexes for Congressional Hearings, 1906–35.

opposition to prohibition at home, an increasing number of states were repealing their state prohibition statutes (Willcox, 1931) (Figure 2). Based on this context, it is not surprising that not only was public opinion and media attention increasingly hostile toward prohibition, but also following the expectation that “legislation conform to public opinion, not public opinion to yield to legislation” (National Commission on Law Observance and Enforcement, 1931), legislative committee hearings responded with an increasingly negative tone on prohibition (Figure 6).

The beginning of the end of the great American prohibition experiment followed the (wet) Democratic election landslide of 1932, which not only swept Franklin D. Roosevelt to the presidency but also gave the Democrats an overwhelming majority in both houses of Congress. As the liquor issue was one of the few issues that clearly divided the two parties, the results were interpreted as a popular mandate for repeal, although the issue seemed increasingly trivial in the face of massive unemployment and economic depression (Leuchtenburg, 1963). Responding to the electoral results, the outgoing Congress approved the proposed repeal amendment in February 1932, sending it to the states in order to be ratified by state conventions. During the ratification process and within nine days of inauguration, on March 13, 1933, President Roosevelt requested legislation to modify the Volstead Act to legalize beer with 3.2 percent alcohol content, which passed easily—making the United States the last country to relax its prohibition statutes.

Just as 13 years earlier, when the Eighteenth Amendment was ratified with a speed that surprised even its most enthusiastic supporters, the Twenty First Amendment was ratified *even faster* (288 days versus 395 days), drawing the Prohibition Era to a close in December 1933, much to the surprise of both wets and dries, who had both prepared for a drawn-out struggle (Clark, 1976; Gebhart, 1932; Harrison & Laine, 1936; Kiaer, 1899; Kyvig, 1976; Leuchtenburg, 1963). Just as 13 years earlier,

when support for the Eighteenth Amendment was lopsided in virtually every region, the support for repeal was overwhelming and exhibited surprisingly little variation in terms of regional or urban/rural differences (Kyvig, 2000). One implication of this “mad stampede for repeal” (Sinclair, 1962) was that with liquor control once again reverting to state control, state governments had precious little time to arrange a liquor control option, with the result being a patchwork of different systems—15 adopting a state monopoly/dispensary system, 25 adopting a central licensing system, and the remaining eight retaining statewide prohibition (Harrison & Laine, 1936; Heckman, 1934). With the eventual relenting of these eight dry strongholds, the particular state regulatory systems adopted in the wake of repeal for the most part are the systems that remain in operation today (McGowan, 1997).

### Repeal as Policy Punctuation

Explaining the repeal of prohibition based on dominant analytical approaches proves to be quite difficult. How can rationalists who hold preferences to be stable, explain the incredible nationwide tides of opinion on the liquor question within a span of 15 years? Can culturalists contend that those sociocultural elements, which made prohibition seem so inevitable have changed so dramatically within such a short time? How can proponents of bureaucratic politics and incremental approaches account for the complete and sudden destruction of the huge enforcement infrastructure? Perhaps, then, it is not surprising that most accounts of the prohibition focus exclusively on *either* prohibition *or* repeal.

The punctuated equilibrium approach seems to offer a more satisfactory explanatory framework by not viewing prohibition and repeal as separate issues but rather as individual policy choices along a continuum of potential policy options. Moreover, punctuated equilibria are especially characteristic of the American political process—frequently vacillating between inaction and overreaction. To this end, repeal can be viewed as a necessary “error correction” to what was an initially poor policy choice—and overreaction—in the form of prohibition (Baumgartner & Jones, 2002; Jones & Baumgartner, 2005). Yet, even if a policy is adopted in order to overturn a previous bad policy, this does not exempt repeal from the same policy dynamics that resulted in the prohibition policy in the first place.

The first element that we expect to find is a period of policy stability characterized by negative-feedback processes throughout the 1920s. The most obvious institutional aspect that served to ensure policy continuity was the seeming permanence of prohibition that came with its enshrinement as a constitutional amendment. The vast public support necessary to repeal an amendment was only compounded by the overwhelming majority that had just instituted prohibition in the first place to make any organized efforts to oppose prohibition in the early 1920s appear quixotic at best. An additional negative-feedback mechanism was the predominance of the prohibition policy image that supported the administration and enforcement of the prohibition statutes. The endurance of this policy image can clearly be identified in the lack of responsiveness in terms of congressional hearings: although the general attitude toward prohibition seems to have cooled beginning around 1922 (Figure 4), the

resulting congressional response was to increase expenditures on enforcement rather than consider repeal or modification (Figure 5). Indeed, this tendency is most evident in the results of the congressional hearings on prohibition in 1924 and 1926, and the recommendations of the Wickersham Commission as late as 1931 (National Commission on Law Observance and Enforcement, 1931). Particularly noteworthy is the surprising resilience of these negative-feedback mechanisms in the face of growing opposition to prohibition: while most accounts of negative feedback are premised on public apathy, prohibition was a burning national question throughout the 1920s, demanding ever-increasing public attention (Figure 3).

As with the prohibition policy punctuation, the repeal punctuation exhibits a shift from negative to positive feedback in terms of increased issue attention and shifting perceptions on underlying dimensions and prospects for success. Although interest in prohibition never seemed to wane significantly throughout the Prohibition Era, media attention to prohibition issues prior to repeal was double or even triple that which preceded the adoption of prohibition in the first place, as seen in Figure 3. The increased attention was coupled with ever more negative assessments of the prohibition policy as the 1920s progressed—the proportion of articles coded positively fell below 33 percent as early as 1925, and would only continue downward from there (Figure 4). Such figures are easily contrasted with the large proportion of positive articles that preceded prohibition. Moreover, these results appear to confirm analyses that have suggested that the shift of public opinion against prohibition between 1926 and 1930 was more rapid than between 1922 and 1926 (Willcox 1931).

The stock market crash of 1929 and the ensuing Great Depression served to shift the focus on the relevant underlying policy dimensions from law and order and states' rights arguments to economic ones, portraying a legalized liquor industry as a responsible corporate taxpayer and employer, with the ability to jump-start a lagging economy by giving work to droves of unemployed men while simultaneously reducing the tax burden to the individual. Finally, political happenings at other levels of analysis served to increase expectations for the eventual success of national repeal—internationally, by the late 1920s, every country save Finland had repealed prohibition, and even Finland would quit prohibition before the United States (Wuorinen, 1931). At the same time, pioneering states such as Wisconsin, Illinois, New York, and Massachusetts were busy repealing or modifying their state prohibition enforcement statutes (Figure 2). As a result, both at home and abroad, prohibition was seen as a curious relic from a bygone era—an anomalous intrusion against avowedly American principles of individual liberty and a generator of “mischievous follies, petty tyrannies and entanglements” whose time had come to go (Churchill, 1932). Just as national prohibition entered amidst a context of increasing dry gains at all levels that provided optimism for successful policy change, prohibition's demise would be facilitated by a tide of wet gains at the state, national, and international levels, all providing increased expectations for eventual constitutional repeal. The surge activity at the state level likewise provided a change in institutional venue, as alcohol policymaking was increasingly being reclaimed by the states.

Following the ratification of the Twenty-First Amendment, control over alcohol policy was returned to the states, depoliticizing the issue of liquor control. Indeed,

alcohol policy in the United States has never again flirted with the realm of “high politics,” with policy decisions occurring more or less incrementally within policy monopolies or “iron triangles” at both the federal and state levels. This policy stability is a hallmark of a return to negative-feedback processes following repeal, as is the decreased public and media attention to the liquor question after 1934 (Figure 3).

Finally, consideration must be given to the proximate cause of repeal: the economic crisis of the Great Depression (Rossiter, 1948). Just as World War I opened a window for radical policy change resulting in prohibition, the stock market crash likewise facilitated a dramatic punctuation in national alcohol policy. Both served to increase public attention to the perceived deficiencies of the status quo alcohol policy by shifting attention to alternative (economic and security) aspects of a complex and multifaceted public issue. Both crises occurred in an environment that increased expectation for the success of policy change, and finally, the necessity for decisive action in crisis situations tended to preclude extensive debate over policy options—both within the government and the public—leading to the eventual adoption of dramatic, ready-made solutions: absolute prohibition, absolute repeal.

A punctuated equilibrium approach better accounts for the most inexplicable elements of national repeal: the overwhelming speed at which it was ratified and the overwhelming support that it received from what was, for all purposes, the same electorate that had ushered-in prohibition just a dozen years earlier. Rather than resulting from the works of individual conspirators, organizations, or broader cultural shifts, the switch from negative- to positive-feedback processes among both the public and policymakers better explains the error correction and dramatic policy punctuation better known as repeal.

### Conclusions

The application of a punctuated equilibrium approach to policy change in the case of prohibition and repeal has undoubtedly enriched our understanding of this peculiar chapter in American history. By examining the ability of individuals and governments to process information and prioritize problems related to the consumption of alcohol, we can better understand the competition of varying ideas and policy options in the public sphere, and in what ways these ideas can make a discernible and dramatic influence on policy. The punctuated equilibrium approach is superior to rival culturalist, bureaucratic, or social-movement explanations by accounting for the most inexplicable elements of early twentieth century American alcohol policy: how the American people could have so overwhelmingly and quickly endorsed a policy that would prove to be a disastrous failure—and how that same citizenry could even more overwhelmingly and even more quickly reverse track.

The study of prohibition and repeal likewise enhances our understanding of the policy process. First, this study begins to link the policy dynamics literature with the crisis-governance literature. Scholars have long understood that even in advanced democracies, periods of crisis and war can dramatically change the dynamics of decision making in matters of foreign and domestic policy alike (Fatovic, 2004;

Mayhew, 2005; Rossiter, 1948)—this study suggests a number of ways that external crises can generate positive-feedback mechanisms and create radical policies. Increased public attention can raise the salience of the issue by shifting the focus away from those issue dimensions that provide the foundation for the stability of the existing policy toward economic and security dimensions that tend to dominate public concern (Jones & Baumgartner, 2005). The reframing of issues or the shifting of focus on underlying issue dimensions can also serve to expand the issue to other venues of decision making. In times of crisis, it is usually assumed that the policy-making jurisdiction of the executive increases, but in the study of prohibition, at least, the location of decision making made an additional shift from the state to the federal level. Finally, the shortened time horizons associated with crises and wars can curtail in-depth deliberation on policy options (Cohen, 1997), favoring simple solutions to complex problems. These factors can—and in the case of prohibition, did—lead to the enthusiastic adoption of a disastrous policy failure that would take more than a dozen years to correct.

Second, this study calls into question a general causal claim of punctuated equilibrium approaches, namely: increased issue coverage in the media translates into increased legislative attention (as measured by frequency of relevant congressional hearings), which in turn translates into policy change. A cursory examination reveals that the increased congressional activity as gauged by Figure 5 does not correlate particularly well with the increases in public attention in Figure 3 (bivariate correlation with PN media index  $R^2 = 0.43$  for hearings,  $R^2 = 0.38$  for hearing days)—although the tone of congressional hearings toward prohibition in Figure 6 does correlate well with the tone of coverage in the public sphere of Figure 4 (bivariate correlation with PN media index  $R^2 = 0.72$  for hearings,  $R^2 = 0.64$  for hearing days). The revelation that a dramatic policy shift like prohibition was adopted without meaningful debate or recourse to any committee suggests that increased committee attention may not be a reliable indicator of legislative attention, or indeed policy change at all. This result suggests additional lines of research on the interface between periods of crisis governance, social cascades, and policy punctuations. Does there come a point where the apparent unanimity of public opinion overwhelms the need for deliberation and debate? Are the shortened time horizons associated with war and periods of national crisis systematically less conducive for analysis in terms of punctuated equilibrium policy dynamics?

Finally, by studying prohibition and repeal as policy failure and error correction, we can further examine those particular structural, contextual, or interactive factors that facilitate or inhibit the adoption of bad policies. In other words, can we identify particular institutional elements that facilitate the creation of consistently *better* policies? This suggests synthesis with diverse literatures on “deliberative democracy” (Dryzek, 2000; Elster, 1998; Gutmann & Thompson, 2004) and the international relations hypotheses on democratic peace (Lake, 1986; Russett & Oneal, 2001) and democratic victory (Desch, 2002; Reiter & Stam, 2002), although in order to better understand the influence of particular facets of decision and institutional arrangements within the United States and beyond, a genuinely comparative endeavor will be necessary.

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### Notes

For their insightful comments and critiques on earlier versions of this manuscript, I would like to thank Byron Shafer, Frank Baumgartner, Bryan D. Jones, John Witte, John Coleman, Graham Wilson, Joel Rivlin, and two anonymous reviewers. All errors or omissions are, of course, my own.

1. The data are available at ICPSR as study 20903, online through ICPSR at <http://webapp.icpsr.umich.edu/cocoon/ICPSR-STUDY/20903.xml>, or through the author's website: <http://polisci.wisc.edu/~schrad/research.htm>. An earlier version of this study was presented as "Prohibition and Progressivism, or Punctuated Equilibrium?" at the 64th Midwest Political Science Association Conference, Chicago, IL, April 22, 2006.
2. Minutes of the Committee of Fifty for the Investigation of the Drink Problem; Cambridge, MA, March 27, 1897—Francis Peabody, Secretary: Frederick Howard Wines Collection on Social Problems, University of Illinois at Urbana-Champaign.
3. Minutes of the Committee of Fifty; Cambridge, MA, March 27, 1897.
4. Also worthy of note is that the first issue of the monthly journal *Temperance*, emerging in 1908, was dedicated to the consideration of the Gothenburg system and other nonprohibition alcohol control options. (Anonymous, 1908). Experiments in Regulating the Liquor Traffic. *Temperance*, September, 3.
5. The following is the list of countries adopting national prohibition, and the years in which the policy was in force: Russia/Soviet Union (1914–25), Belgium (1914–15—before being overrun by German forces in World War I), Iceland (1915–22), Newfoundland (1915–24), Finland (1917–32), Canada (1918–20), Estonia (1918–20), United States (1919–33), Turkey (1920–24), and Norway (1921–27).
6. Records, National Commission on Law Observance and Enforcement, NC 103, Record Group 10, National Archives, Washington, DC.

### References

- Aaron, Paul, and David Musto. 1981. "Temperance and Prohibition in America: A Historical Overview." In *Alcohol and Public Policy: Beyond the Shadow of Prohibition—Panel on Alternative Policies Affecting the Prevention of Alcohol Abuse and Alcoholism*, ed. M. Moore and D. Gerstein. Washington, DC: National Academy Press, 127–81.
- Abbot, Willis John. 1933. "Liquor Control in Sweden and Denmark." *Literary Digest* (November 18): 5.
- Anderson, Gary. 1997. "Bureaucratic Incentives and the Transition from Taxes to Prohibition." In *Taxing Choice: The Predatory Politics of Fiscal Discrimination*, ed. William Shugart II. New Brunswick, NJ: Transaction Publishers, 139–67.
- Anderson, Henry. 1931. "Liquor Control—A Substitute for Prohibition." *Forum* 83 (April): 193–94.
- Anonymous. 1908. "Experiments in Regulating the Liquor Traffic." *Temperance* (September): 3.
- Anonymous. 1930. "How the Nation Sizes Up the Digest Poll." *Literary Digest* (June 7): 5–7.
- Anonymous. 1932. "Swedish Liquor Control System Urged for the United States: Ambassador Morehead Explains How the Bratt Monopoly Works and Argues for Adoption of a Similar Plan by American States." *New York Times* (May 22): XX3.
- Association Against the Prohibition Amendment. 1921. *Certificate of the Formation of the Association Against the Prohibition Amendment*. Washington, DC: Association Against the Prohibition Amendment.
- Ball, W. W. 1933. "South Carolina's Dispensary System." *Forum* 90: 10–11.
- Bates, Robert. 1981. *Markets and States in Tropical Africa*. Berkeley: University of California Press.
- Baumgartner, Frank R., and Bryan D. Jones. 1991. "Agenda Dynamics and Policy Subsystems." *Journal of Politics* 53 (4): 1044–74.
- . 1993. *Agendas and Instability in American Politics*. Chicago: University of Chicago Press.

- , eds. 2002. *Policy Dynamics*. Chicago: University of Chicago Press.
- Beissinger, Mark R. 2002. *Nationalist Mobilization and Collapse of the Soviet State*. New York: Cambridge University Press.
- Billings, John S., ed. 1903. *Physiological Aspects of the Liquor Problem: An Investigation Made for the Committee of Fifty* (2 vols.). New York: Houghton Mifflin and Company.
- Billings, John S., Charles W. Eliot, Henry W. Farnam, Jacob L. Greene, and Francis G. Peabody. 1905. *The Liquor Problem: A Summary of Investigations Conducted by the Committee of Fifty, 1893–1903*. New York: Houghton Mifflin and Company.
- Blocker, Jack, Jr. 1976. *Retreat from Reform: The Prohibition Movement in the United States, 1890–1913*. Westport, CT: Greenwood Press.
- . 1989. *American Temperance Movements: Cycles of Reform*. Boston: Twayne Publishers.
- . 2006. "Did Prohibition Really Work? Alcohol Prohibition as a Public Health Innovation." *American Journal of Public Health* 96 (2): 233–43.
- Bratt, Ivan. 1931. "How Sweden Does It." *Forum* 85 (4): 195–99.
- Bruce, William Cabel. 1930. "State Liquor Control in Countries Once Dry: Nature of the Methods of Government Regulation Evolved in Sweden and in the Canadian Provinces, Where Prohibition and Lincensed (sic) Selling Failed." *New York Times* (April 6): 142.
- Calkins, Raymond. 1919. *Substitutes for the Saloon*, 2nd ed. New York: Houghton Mifflin and Company.
- Callender, Harold. 1932. "Control of Liquor in Sweden: Its Aim to Restrict Drinking." *New York Times* (August 21): XX3.
- Carnegie, David. 1872. *The Licensing Laws of Sweden: And Some Account of the Great Reduction of Drunkenness in Gothenburg*. Glasgow: Glasgow Philosophical Society.
- Catlin, George. 1931. *Liquor Control*. New York: Henry Holt and Company, Inc.
- . 1932. "Alternatives to Prohibition." *Annals of the American Academy of Political and Social Science* 163: 181–87.
- Cherrington, Ernest H. 1920. *The Evolution of Prohibition in the United States of America: A Chronological History of the Liquor Problem and the Temperance Reform in the United States from the Earliest Settlements to the Consummation of National Prohibition*. Westerville, OH: American Issue Press.
- ed. 1929. *Standard Encyclopedia of the Alcohol Problem* (6 vols.), Vol. 5. Westerville, OH: American Issue Press.
- Christensen, Niels. 1908. "The State Dispensaries of South Carolina." *Annals of the American Academy of Political and Social Science* 32: 75–85.
- Churchill, Winston. 1932. "The Shattered Cause of Temperance." *Collier's* (August 13): 20–21, 48–49.
- Clark, Norman H. 1976. *Deliver Us from Evil: An Interpretation of American Prohibition*. New York: W.W. Norton & Co.
- Cohen, Joshua. 1997. "Deliberation and Democratic Legitimacy." In *Deliberative Democracy: Essays on Reason and Politics*, ed. J. Bohman and W. Rehg. Cambridge, MA: MIT Press, 67–92.
- Desch, Michael. 2002. "Democracy and Victory: Why Regime Type Hardly Matters." *International Security* 27 (2): 5–47.
- Dobyns, Fletcher. 1940. *The Amazing Story of Repeal: An Exposé of the Power of Propaganda*. New York: Willett, Clark & Company.
- Dryzek, John S. 2000. *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*. New York: Oxford University Press.
- DuPont, Pierre S. 1929. *A Business Man's View of Prohibition: Radio Talk by Pierre S. DuPont, Guest Speaker of Collier's Hour, Broadcast by National Broadcasting Company, December 15, 1929*. Washington, DC: Association Against the Prohibition Amendment.
- . 1930. *Statement Made Before the Committee on the Judiciary of the House of Representatives: April 30, 1930*. Washington, DC: Association Against the Prohibition Amendment.
- Eaton, E. L. 1912. *Winning the Fight Against Drink*. Cincinnati, OH: Jennings and Graham.

- Ebersol, Charles E. 1904. *Types of Public Control of the Liquor Traffic: In Sweden; in Norway; in South Carolina; and in Athens, Georgia*. PhD diss., Chicago Theological Seminary.
- Elster, Jon, ed. 1998. *Deliberative Democracy*. New York: Cambridge University Press.
- Ely, Richard T. 1889. *An Introduction to Political Economy*. New York: Chautauqua Press.
- Engelmann, Larry. 1979. *Intemperance: The Lost War Against Liquor*. New York: Free Press.
- Eubanks, John Evans. 1950. *Ben Tillman's Baby: The Dispensary System of South Carolina 1892–1915*. Augusta, GA: n.p.
- Evans, Peter, Dietrich Rueschemeyer, and Theda Skocpol, eds. 1985. *Bringing the State Back In*. New York: Cambridge University Press.
- Fahey, David M. 1996. *Temperance and Racism: John Bull, Johnny Reb, and the Good Templars*. Lexington: University Press of Kentucky.
- Fatovic, Clement. 2004. "Constitutionalism and Presidential Prerogative: Jeffersonian and Hamiltonian Perspectives." *American Journal of Political Science* 48 (3): 429–44.
- Fisher, Irving. 1930. *The "Noble Experiment"*. New York: Alcohol Information Committee.
- Flint, George Elliot. 1919. *The Whole Truth about Alcohol*. New York: MacMillan Company.
- Fosdick, Raymond B., and Albert L. Scott. 1933. *Toward Liquor Control*. New York: Harper & Brothers.
- Gebhart, John C. 1932. "Movement Against Prohibition." *Annals of the American Academy of Political and Social Science* 163: 172–80.
- Gordon, Ernest. 1911. *Breakdown of the Gothenburg System*. New York: National Temperance Society and Publication House.
- . 1916. *Two Footnotes to the History of the Anti-Alcohol Movement*. Pamphlet, Boston: Available from Historical Society Library Collection, University of Wisconsin, Madison.
- . 1930. *When the Brewer Had the Stranglehold*. New York: Alcohol Information Committee.
- . 1943. *The Wrecking of the Eighteenth Amendment*. Frankestown, NH: Alcohol Information Press.
- Gould, E. R. L. 1893. *The Gothenburg System of Liquor Traffic*. Washington, DC: Government Printing Office.
- Gusfield, Joseph. 1963. *Symbolic Crusade: Status Politics and the American Temperance Movement*. Urbana: University of Illinois Press.
- Gutmann, Amy, and Dennis Thompson. 2004. *Why Deliberative Democracy?* Princeton, NJ: Princeton University Press.
- Hamm, Richard. 1995. *Shaping the Eighteenth Amendment: Temperance Reform, Legal Culture, and the Polity, 1880–1920*. Chapel Hill: University of North Carolina Press.
- Harrison, Leonard, and Elizabeth Laine. 1936. *After Repeal: A Study of Liquor Control Administration*. New York: Harper & Brothers.
- Hayler, Guy. 1911. *The "Disinterested" Liquor Monopoly Scheme: A Seathing Exposure*. Pamphlet, Birmingham, England. Available from Historical Society Library Pamphlet Collection, University of Wisconsin, Madison.
- . 1912. *The Gothenburg System*. Birmingham, UK: I.O.G.T. Grand Lodge of England.
- . 1914. *Prohibition Advance in All Lands; A Study of the World-Wide Character of the Drink Question*, 2nd ed. London: International Prohibition Confederation.
- Heap, Simon. 1998. "'We Think Prohibition is a Farce': Drinking in the Alcohol-Prohibited Zone of Colonial Northern Nigeria." *The International Journal of African Historical Studies* 31 (1): 23–51.
- Heckman, Dayton E. 1934. "Contemporary State Statutes for Liquor Control." *American Political Science Review* 28 (4): 628–36.
- Henius, Max. 1931. *Modern Liquor Legislation and Systems in Finland, Norway, Denmark and Sweden*. Copenhagen, Denmark: L. Levison Junr. Akts.
- . 1932. *Stepping Stones from Prohibition*. Chicago: Wahl-Henius Institute.
- Hofstadter, Richard. 1955. *The Age of Reform: From Bryan to F.D.R.* New York: Alfred A. Knopf.
- Homan, J. A. 1910. *Prohibition: The Enemy of Temperance*. Cincinnati, OH: Christian Liberty Bureau.

- Hu, Tun Yuan. 1950. *The Liquor Tax in the United States*. New York: Columbia University Graduate School of Business.
- Jones, Bryan D. 1994. *Reconceiving Decision-Making in Democratic Politics: Attention, Choice and Public Policy*. Chicago: University of Chicago Press.
- Jones, Bryan D., and Frank R. Baumgartner. 2005. *The Politics of Attention: How Government Prioritizes Problems*. Chicago: University of Chicago Press.
- Katznelson, Ira. 2003. "Periodization and Preferences: Reflections on Purportive Action in Comparative Historical Social Science." In *Comparative Historical Analysis in the Social Sciences*, ed. J. Mahoney, and D. Rueschemeyer. New York: Cambridge University Press, 270–301.
- Kerr, K. Austin. 1985. *Organized for Prohibition: A New History of the Anti-Saloon League*. New Haven, CT: Yale University Press.
- Kiaer, A. Th. 1899. "The Norwegian System of Regulating the Drink Traffic." *The Economic Journal* 9 (33): 101–16.
- Kingdon, John W. 1984. *Agendas, Alternatives and Public Policies*. New York: Harper Collins.
- Kobler, John. 1973. *Ardent Spirits: The Rise and Fall of Prohibition*. Greenwich, CT: Fawcett Books.
- Koren, John. 1899. *Economic Aspects of the Liquor Problem, An Investigation Made Under the Direction of a Sub-Committee of the Committee of Fifty*. New York: Houghton Mifflin and Company.
- . 1916. *Alcohol and Society*. New York: Henry Holt and Company.
- Krasner, Stephen. 1988. "Sovereignty: An Institutional Perspective." *Comparative Political Studies* 21: 66–94.
- Krout, John Allen. 1925. *Origins of Prohibition*. New York: Alfred A. Knopf.
- Kyvig, David E. 1976. "Women Against Prohibition." *American Quarterly* 28 (4): 465–82.
- . 2000. *Repealing National Prohibition*, 2nd ed. Kent, OH: Kent State University Press.
- Laitin, David. 1998. *Identity in Formation: The Russian-Speaking Populations in the Near Abroad*. Ithaca, NY: Cornell University Press.
- Lake, David. 1986. "Powerful Pacifists: Democratic States and War." *American Political Science Review* 86 (1): 24–37.
- Larsson, John. 1890. *Review of the Working of the Gothenburg Public-House Licensing Co. (Göteborgs Utskänknings Aktiebolag) with Statistics of the Malt, Liquor and Wine Traffic, Not Under the Control of the Company, Represented by Compendium, Tables and Explanations Compiled for the Alcohol Congress at Kristiania, 1890* (J. Duff, Trans.). Göteborg, Sweden: Göteborgs Handelstidnings Aktiebolags Tryckeri.
- Lee, A. M. 1897. *The South Carolina Dispensary Law and "Original Package" Decisions*. Charleston, SC: Lucas & Richardson Co.
- Lee, Henry. 1963. *How Dry We Were: Prohibition Revisited*. Englewood Cliffs, NJ: Prentice-Hall, Inc.
- Leuchtenburg, William E. 1963. *Franklin D. Roosevelt and the New Deal, 1932–1940*. New York: Harper & Row.
- Levine, Harry G. 1983. "The Committee of Fifty and the Origins of Alcohol Control." *The Journal of Drug Issues* (Special issue on the political economy of alcohol): 95–116.
- Lichtman, Allan. 1976. "Critical Election Theory and the Reality of American Presidential Politics, 1916–1940." *American Historical Review* 81: 317–51.
- Mäkelä, Klaus, Robin Room, Eric Single, Pekka Sulkunen, and Brendan Walsh. 1981. *Alcohol, Society and the State*. Toronto, Canada: Addiction Research Foundation.
- Mayhew, David R. 2005. "Wars and American Politics." *Perspectives on Politics* 3 (3): 473–93.
- McGowan, Richard. 1997. *Government Regulation of the Alcohol Industry: The Search for Revenue and the Common Good*. Westport, CT: Quorum Books.
- Merz, Charles. 1931. *The Dry Decade*. Garden City, NY: Doubleday.
- Moore, Mark, and Dean Gerstein, eds. 1981. *Alcohol and Public Policy: Beyond the Shadow of Prohibition—Panel on Alternative Policies Affecting the Prevention of Alcohol Abuse and Alcoholism*. Washington, DC: National Academy Press.
- National Commission on Law Observance and Enforcement. 1931. *Enforcement of the Prohibition Laws of the United States*. Washington, DC: Government Printing Office.

- Nevins, Allan. 1933. "Repeal: The Amazing Turnabout." *New York Times Magazine* (September 10): Section 6, 1–2, 12.
- Nicholson, S. E. 1908. "The Local-Option Movement." *Annals of the American Academy of Political and Social Science* 32: 1–5.
- Odegard, Peter H. 1928. *Pressure Politics: The Story of the Anti-Saloon League*. New York: Columbia University Press.
- Ogburn, William, and Nell Talbot. 1929. "A Measurement of the Factors in the Presidential Election of 1928." *Social Forces* 8: 175–83.
- Ohlin, A. Symonds. 1916a. "Crown Prince of Sweden Favors Prohibition Measures." *Union Signal* (May 18): 8.
- . 1916b. "Sweden's Progress on the Road to Prohibition." *Union Signal* (March 15): 5.
- Olson, Mancur. 1965. *The Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge, MA: Harvard University Press.
- Olukoj, Ayodeji. 1991. "Prohibition and Paternalism: The State and the Clandestine Liquor Traffic in Northern Nigeria, c. 1898–1918." *The International Journal of African Historical Studies* 24 (2): 349–68.
- Overbeck, Alicia. 1933. "Drinking in Sweden." *Harper's Magazine* (December): 102–10.
- Peel, Roy, and Thomas Donnally. 1931. *The 1928 Campaign: An Analysis*. New York: Richard R. Smith.
- Pegram, Thomas. 1998. *Battling Demon Rum: The Struggle for a Dry America, 1800–1933*. Chicago, IL: Ivan R. Dee Publishers.
- Peters, John P. 1908. "Suppression of the 'Raines Law Hotels.'" *Annals of the American Academy of Political and Social Science* 32: 86–96.
- Pitman, Robert. 1878. *Alcohol and the State: A Discussion of the Problem of Law as Applied to the Liquor Traffic*. New York: National Temperance Society and Publishing House.
- Pratt, Edwin A. 1907. *Licensing and Temperance in Sweden, Norway, and Denmark*. London: John Murray.
- Reiter, Dan, and Allan Stam. 2002. *Democracies at War*. Princeton, NJ: Princeton University Press.
- Rockefeller, John D., Jr. 1932. "The Failure of Prohibition." *Review of Reviews* (July): 42.
- Room, Robin. 2004. "Alcohol and Harm Reduction, Then and Now." *Critical Public Health* 14 (4): 329–44.
- Root, Grace C. 1932. "Liquor Control: A Survey of Forty-Six Varying Systems." *New York Times* (December 25): 3.
- Rorabaugh, W. J. 1979. *The Alcoholic Republic: An American Tradition*. New York: Oxford University Press.
- Rose, Kenneth D. 1996. *American Women and the Repeal of Prohibition*. New York: New York University Press.
- Rossiter, Clinton. 1948. *Constitutional Dictatorship: Crisis Government in the Modern Democracies*. Princeton, NJ: Princeton University Press.
- Rowntree, Joseph, and Arthur Sherwell. 1901. *British "Gothenburg" Experiments and Public-House Trusts*. London: Hodder & Stoughton.
- Rumbarger, John J. 1968. *Social Origins and Function of the Political Temperance Movement in the Reconstruction of American Society, 1825–1917*. Dissertation, Department of History, University of Pennsylvania, Philadelphia, PA.
- Russett, Bruce, and John Oneal. 2001. *Triangulating Peace: Democracy, Interdependence, and International Organizations*. New York: W.W. Norton & Co.
- Shadwell, Arthur. 1915. *Drink, Temperance and Legislation*, 3rd ed. New York: Longmans, Green and Co.
- Silva, Ruth. 1962. *Rum, Religion and Votes: 1928 Re-Examined*. University Park, PA: Pennsylvania State University Press.
- Sinclair, Andrew. 1962. *Prohibition: The Era of Excess*. Boston: Little, Brown & Co.
- Sinclair, Upton. 1930. "Digest Poll Again." *New Republic* (November 5): 326.
- Szymanski, Ann-Marie. 2003. *Pathways to Prohibition: Radicals, Moderates, and Social Movement Outcomes*. Durham, NC: Duke University Press.

- Tarrow, Sidney. 1998. *Power in Movement: Social Movements and Contentious Politics*, 2nd ed. New York: Cambridge University Press.
- . 2005. *The New Transnational Activism*. New York: Cambridge University Press.
- Thompson, Walter. 1935. *The Control of Liquor in Sweden*. New York: Columbia University Press.
- Timberlake, James. 1963. *Prohibition and the Progressive Movement, 1900–1920*. Cambridge, MA: Harvard University Press.
- Tyrrell, Ian. 1991a. *Woman's World, Woman's Empire: The Woman's Christian Temperance Union in International Perspective, 1880–1930*. Chapel Hill: University of North Carolina Press.
- . 1991b. "Women and Temperance in International Perspective: The World's W.C.T.U., 1880s–1920s." In *Drinking: Behavior and Belief in Modern History*, ed. S. Barrows and R. Room. Berkeley: University of California Press, 217–40.
- von Heidenstam, O. G. 1904. *Swedish Life in Town and Country*. New York: G.P. Putnam's Sons.
- Wieselgren, Sigfrid. 1907. *A Contribution to the History of the Development of the Gothenburg System*. Stockholm, Sweden: P.A. Norstedt & Söner.
- Willcox, Walter F. 1931. "An Attempt to Measure Public Opinion about Repealing the Eighteenth Amendment." *Journal of the American Statistical Association* 26 (175): 243–61.
- Wines, Frederic H., and John Koren. 1897. *The Liquor Problem in its Legislative Aspects: An Investigation Made Under the Direction of the Committee of Fifty*. New York: Houghton Mifflin and Company.
- Wuorinen, John. 1931. *The Prohibition Experiment in Finland*. New York: Columbia University Press.
- Ybarra, T. R. 1928. "How Sweden Manages State Liquor Control: Originator of the Bratt System of Personal Licenses and Limited Sales Declares that the Results are Even Better than was Expected—What Modified Prohibition has Done for the Swedish People." *New York Times* (September 9): 132.