

Iowa's Pestilence of Prohibition

Draft Translation of *Die Prohibitionssuche in Iowa*, Chapter 11 from
Joseph Eiboeck, *Die Geschichte der Deutschen von Iowa und deren Errungenschaften* (1900)
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There's a joke in Württemberg, the home of the Swabians: if a Swabian turns forty without having gotten some sense into his head, he'll never be sensible. One might apply this proverb to a class of Anglo-Americans in Iowa, for in forty years they have not yet come to their senses nor realized that, in the long run, a law prohibiting the consumption and production of spirits cannot be enforced. Nor have they realized that the reasonable enjoyment of such beverages has never previously been regarded as a sin or crime, other than by Turks who consume opium and by intolerant Puritans, who, in accordance with the narrow-minded and intolerant worldview of their forebears, see the world as a vale of tears and life as penance, and who have thus developed no reasonable understanding of the world and its inhabitants. By contrast, Germans have been taught since time immemorial that, when done in moderation, a person can indulge in all good things, and even if the Roman historian Tacitus¹ said of our forefathers in the primeval forests along the Rhine that "they drank yet another" and was astounded at their capability in this regard, he nonetheless failed to see that the original Germans were not pampered and coddled as the Romans and could thus stomach more. And precisely because the drinking of godly wine and of noble barley juice [i.e., beer] was not forbidden to them, they learned to enjoy the same within reason, and in this way Germans became [p. 122] and remained a people strong in body and spirit, fearing God alone and hating only hypocrites and the sanctimonious.

The state of Iowa was, as described in a previous chapter, first settled en masse by Anglo-Americans who moved west from the eastern states of the Union and established themselves in Iowa. They brought with them their eccentric worldviews, which they had acquired in New England from Puritans who had been expelled out of England. They began immediately to impose their

¹ The ethnographic work *Germania* (ca. 98 CE) by the Roman historian Publius Cornelius Tacitus contains the first historical account of the Northern European regions of present-day Germany. The work was rediscovered in 1425, and its valorization of Germanic tribes as noble savages, although possibly intended as a ironic critique of Roman society, has long served German historians as evidence for the virtue of German customs.

doctrines and opinions on others, and as their rhetorical appeals were unsuccessful, they took recourse in creating new legislation to accomplish what reasonable means could not.

As early as the late 1830s a movement seeking to forbid the consumption of fermented and distilled beverages was already in progress in the eastern United States. In New York there were “The Sons of Temperance,” in Boston “The Washingtonians,” and in Maine the “Father of Prohibition”² had already begun to campaign against the consumption of spirits. He did so on the basis of intolerance, exactly as the Puritans once condemned adherents of other faiths as heretics and burned women who did not observe their religious beliefs as witches. These were the sort of people who came to Iowa from Maine, Vermont, New Hampshire, and Oberlin, Ohio and unfortunately formed the majority of the state population at the time. They impressed upon the state their stamp of intolerance at the moment of its founding by declaring in the state constitution that Iowa should never participate in the production or sale of intoxicating beverages.

The first anti-temperance meeting to be convened in the state of Iowa took place in Davenport on February 18, 1852. It was a popular assembly, at which the Honorable Hans Reimer Claussen gave a rousing speech against the introduction of such coercive laws. A. F. Mast, who hailed from Germany and served for several terms as mayor, chaired the meeting, during which participants proposed and adopted energetic resolutions against prohibition.

The state of Iowa was admitted to the Union in 1846, during a [p. 123] time when there were only two large political parties, the Democrats and the Whigs. Six years later, upon the death of the party’s grand leader Henry Clay, the Whig Party dissolved. In its place, the Free Soilers and abolition parties arose, together with a Know-Nothing Party, which for several years, beginning in 1853, threatened to devour all other parties. This party grew out of the inborn hate of Puritan Anglo-Americans against all foreigners and those of other faiths, especially Catholics. The persecution of Germans and Irish in the larger cities of the US as well as the atrocities of the Know-Nothings in the following years in Cincinnati and Louisville: these have entered the history books, providing proof of the intolerance of a class of people whose forefathers had left their home country once their freedom of conscience was infringed upon, only to become equally if not more intolerant and oppressive, all in the name of their one-sided religion which will suffer no other beside it. As a boy, the author of this account witnessed time and again the defamations and persecution of Germans by

² Neal Dow (1804-1897), mayor of Portland, Maine, helped to draft the first prohibition law at the state level in the nation, the Maine law of 1851.

the Know-Nothings; at the time, he swore to himself that when he reached manhood he would fight this impudent lot.

On account of these xenophobes, the state legislature presented to voters a referendum on complete prohibition in 1855, under which the production as well as the sale of wine, beer, and spirits was to be forbidden. The referendum passed by five thousand votes. Cities such as Dubuque and Davenport produced majorities against the bill, but the New Englanders in the central part of the state voted almost unanimously in favor, and the bill was thus adopted, a curse to the state and to true moderation ever since. If the vote had been held two years later, the newly arrived German settlers, who would have been in Iowa for five years at that point, would have been able to cast their vote, and the state prohibition legislation would have been tossed out. Our otherwise beautiful and abundant state was from the outset dominated by xenophobes, as indicated. [p. 124] That much was evident, for in Wisconsin and afterwards in Nebraska and other states foreigners could vote in state elections after a mere one year's residency, while in Iowa they have to wait five years before this privilege is granted to them. The legislature that adopted the first of Iowa's prohibition laws was dominated in the majority by Whigs. This majority was composed of Democrats, Whigs, and anti-Nebraska types, who later in the same year combined to form the Republican Party. The Whigs and the anti-Nebraskans, with the help of a few Democrats, pushed the fateful law through. It proved to be a disaster for the state in the true sense of the word in that it not only failed to reduce drunkenness, but rather, as a result of the ban's false "improvement theory," fostered an even greater craving for the forbidden fruit and helped to create clandestine drinking (*der heimliche Suff*), the worst form of immoderation.

Prior to prohibition, saloon licenses cost \$6.25 quarterly or \$25 annually, and one seldom heard complaints about such establishments. And that was true even though every corner store kept a barrel of whiskey available, from which any patron could help himself as much as he liked, free of charge.

After July 4, 1855, when the new law took effect, things changed. It was all over. Just one person per county, a County Agent, who ran the "County Grocery," was permitted to sell spirits, and then only for medical, mechanical, cooking and religious purposes. Most pharmacists sold such beverages regardless, both then and later, despite all prohibition laws.

1858 was a turning point. Political turbulence was particularly high, and the still young Republican Party, already in the majority in the state, realized that they could never retain majority status without German votes. Conscious that Germans and liberal-minded citizens despised the law

against spirits [p. 125], beer and wine included, and that in Davenport, Dubuque, and elsewhere people agitated openly against the law's instigators and the party that sought to defend it, a law was adopted by the next legislature that permitted the sale of beer, wine, and cider that was made with barley, grapes, and fruit grown in Iowa, provided the majority of the local community was in favor. All this to preserve votes, particularly those of Germans, for the party. The law was a pure political gimmick on the part of politicians of the time, such as Samuel J. Kirkwood, the later famed wartime governor, who during a gathering of Republicans exclaimed: "Give the Dutch their slop!"³ Herr Kirkwood was like the vast majority of Anglo-Americans—he believed that drinking was the main thing in life for Germans, and if one were to give them their beer then they would be satisfied; he couldn't understand that the issue centered on a principle of the highest importance. He later recognized his error, however, and the older he grew, the more liberal minded he became in this regard. Instead of preventing the consumption of stronger spirits, such as whiskey and brandy, the new law saw an equal amount, if not more of the same libations consumed. Strong drink was forbidden, and because it was forbidden, people (especially Anglo-Americans) craved it. Saloon proprietors were forced—in many cases against their will—to offer strong spirits, since with beer alone they would not have been able to survive. Consequently, in nearly every bar, despite the high penalty, brandy was sold under the name *ein Kurzer*,⁴ or under the name of "wine" or "cider."

Now and then saloon proprietors were taken to court and, in predominantly Anglo-American communities, sentenced. Nevertheless, the sale of the forbidden libations continued. In cities where no concession for the sale of the weaker beverages was granted there were establishments, usually drug stores, that before the amended Prohibition law had come into effect [...] usually County-Agencies, and as such were the only ones licensed to sell intoxicating beverages.⁵ In these establishments [p. 126], schnapps was now sold as medicine, consequently promoting clandestine drinking (*heimliches Trinken*), a custom that still exists today.

Those who agitated for a complete suppression of the production and sale of all alcoholic beverages held meetings daily on how to implement their ideas. Many of them were upright and honest in their fight against the "rum mafia" (*Rum-Macht*), their preferred term for saloon owners, brewers, etc. They thought they were in the right, that everything evil, terrible, and morally

³ The German text gives this quote in the original and then translates it as „Gebt den Deutschen ihr Spülwasser!“

⁴ The term means literally "a short one," perhaps in reference to the relatively small height of a shot glass.

⁵ The syntax of the original German is faulty here, perhaps due to a typesetting error.

reprehensible stemmed from the enjoyment of stimulating beverages. Mohammad believed and taught the same thing, and there is no people in the world that calls itself civilized and yet is more degenerate in its customs and morals than that which draws its doctrines from the Koran, condemns wine, and instead uses hashish, which is a thousand-times more damaging.

In the time of Christ there was a sect that preached complete abstinence like the temperance advocates of today, condemning any and everyone who drank wine, even vilifying Christ himself as a drunk and glutton. These one-minded extremists could not forgive the Lord and Master for having in his omnipotence transformed water into wine at the wedding of Cana.⁶ Bit by bit, the Sons of Temperance, the Good Templars, and other such groups became just as intolerant and persecution-crazed. In their first years they limited themselves to “moral suasion,” pamphlets, sermons, etc., but later they took recourse to the power of the law. What they couldn’t achieve by persuasion, they wanted to impose through the penal code. It was this intolerance that brought about the first prohibition law, an intolerance that stemmed from the Puritans in New England, who wanted to enforce everything—religion, morals, decorum, etc.—through legislation. The law was a direct descendent of the infamous “Blue Laws” of New England, which made it punishable for a boy or girl to laugh too loud or run too fast, for a husband to kiss his wife on Sunday, or other proscriptions that made a mockery of personal freedom. They believed the state had to take charge of matters best left to parents and heads of families. [p. 127] Neal Dow of Maine, the founder of prohibition laws in America, who died in 1898, lived in an atmosphere of petty, intolerant Puritanism, which year in and year out preached nothing other than the complete subjugation of the mind, soul, and heart to the dogmas imposed by pastors and elders. These sorts of people assumedly had honest and upright intentions, but only produced discord and ruin for humanity and the world. Alcoholism is a great evil, it creates much misery and woe; nonetheless, prohibition has created the worst form of inebriety and the greatest of all evils—clandestine drinking (*der heimliche Suff*). The tenet that it is immodest and immoral to consume alcoholic beverages in public and that it is thus better to keep them in private cabinets, in remote locations, and behind the curtains, etc. and to “nip” them there unseen: this has turned hundreds of thousands of drug stores in America into saloons and people into hypocrites and has accustomed hundreds of thousands to stronger instead of lighter drink.

⁶ John 2:1-11.

Neal Dow's apostles continued to stir the pot without end. They influenced state elections with their incessant activities, so that their yes-men gained more and more power and were in a position to push through increasing restrictions from one legislative period to the next. The penalties for infractions grew increasingly worse. Proprietors accused of having broken the law were forced to provide evidence of their innocence, rather than placing the burden of proof on their accusers. Under the pretense of morals and religion, unethical attorneys took advantage of the law to shake down accused proprietors and to squeeze as much money as possible from them. Many of these law perverters were elected to the legislature, so that the prohibition act became increasingly subservient to shady lawyers and court clerks who relied on fees for their income. Proprietors had to pay higher bonds and were held responsible [p. 128] when a man who had drunk too much committed a misdemeanor or greater crime, even if the accused had given him only one glass or often no glass at all of the beverages in question. Lawsuit followed lawsuit, ruining many good and reputable saloon owners, who were often replaced by worse people of lesser character who had nothing to lose and were interested only in extracting as much money from the establishment as possible. The position of proprietors became worse and worse. They were constantly hounded, with the result that outside of large cities, in areas where the foreign-born were numerically too weak to decide elections, saloon proprietors were in constant danger of having their licenses revoked by the local authorities, which took place repeatedly. In many cities in the interior of the state, one or two years might pass without a single public inn being allowed to operate, leading again to drinking occurring only in private clubs, societies, and drug stores. It was a constant battle, taken up anew each year, one that generated an ever worsening bitterness and hatred among citizens during every local election. Neighbor set upon neighbor; old friends were transformed into bitter enemies, and instead of living in peace and harmony, residents of the state's smaller towns lived in continual discord and strife.

Anti-saloon crusades—incited by temperance zealots, usually sensationalist preachers who were otherwise unable to maintain a congregation—became more frequent at this time. This particular variety of clergymen knew how to excite their listeners, especially the women among them, to such an extent that they often marched in formation from their houses of worship through the streets, singing and praying while they stormed saloons, where they poured out all spirits and destroyed tables, chairs, and other furnishings. It was mostly women who were incited and spurred on by these fanatical pastors and who, in their dazzlement or [p. 129] over-excitement, committed acts which they were later ashamed of and regretted.

As one might expect, the struggle over prohibition soon moved from local politics to state politics, forcing the two large parties, the Republicans and the Democrats, to take a position on the issue. Temperance advocates had aligned themselves with the Republican party shortly after the party's founding in Iowa in 1855 and had since maintained their allegiance. Since the Republicans were the dominant party at the time, supporters of temperance could achieve their goals better through them than through the Democrats. By constantly stirring the pot, they gradually forced Republican politicians to make their party expressly pro-temperance. When a resolution in favor of repealing Prohibition was put forward at the 1874 state Democratic convention in Des Moines, it engendered a heated debate. Republican party leaders were persuaded by the constant cajoling of temperance supporters to adopt an explicitly anti-alcohol stance, however reluctantly some of them did so. They simply feared temperance advocates more than temperance opponents. At its state convention of 1875, the Democratic party adopted a resolution for a sensible "license law" instead of prohibition, and the Republicans adopted the principle of temperance, against licenses. So it went from year to year until 1877. In this year during their state convention, the Republicans adopted the following resolution for their platform:

"Resolved, that we are in favor of the strictest implementation of our current liquor-prohibition law as well as of any amendments thereto that will make its provisions more effective in the suppression of immoderation."⁷

In the same year, temperance advocates put forward their own ticket for state elections, despite the above resolution on the part of the Republicans. It garnered 10,545 votes. [p 130]

In 1878, the Republican state convention adopted the following plank for their platform:

"Resolved, that personal temperance is a virtue of a people worthy of encouragement; the practical, popular movement currently promoting temperance so effectively has our greatest respect, goodwill, and approval."

In 1879, the Republican state convention adopted the following resolution:

⁷ Reverse translation from the German text.

“We once again affirm the previously formulated position of the Republican party concerning compulsory temperance measures, and we welcome the effective charitable efforts of reform clubs and other organizations for the promotion of personal temperance. In order that the question of compulsory temperance laws may be resolved through non-partisan means, we propose that a referendum be put before the people concerning a constitution amendment that would ban the production and sale of all alcoholic beverages within the state.”

This resolution was adopted lock, stock, and barrel by a slim majority of delegates. At the moment of passage, the convention was in a veritable tumult over the issue, and with the racket of all the howling and shouting, many did not understand the resolution’s actual meaning. Nevertheless, it provided the impetus for a long and bitterly fought crusade against the production and sale of intoxicating beverages. Republicans defended their new political maxim, while the Democrats adopted the opposing viewpoint. One party raised the banner of higher morals and ethics, the other defended the principle of personal freedom. Now and then, the Democrats won an occasional skirmish, i.e., they elected several anti-temperance law makers and county officials in response to the constant persecution by temperance supporters, but they could never gain the upper hand statewide. [p. 131] The Republicans still conjured the specter of the Civil War during elections, and the voters, persuaded that if the Democrats won, the Rebels would again take charge and the whole country would have to pay off the South’s war debt, voted the Republican ticket. The Germans did the same, since the vast majority of them still belonged at this time to the Republican Party. Consequently, this party remained at the helm of politics and had *carte blanche* to do as it wished. As mentioned earlier, although Germans were customarily more liberal-minded, Republican leaders had no fear of them, because they had already proven year in year out that they remained loyal to the party, regardless of which stance it adopted in the temperance question. Party leaders did fear temperance advocates, however, since the latter were organized and threatened to leave the party if it did not conform to their wishes. It was this fear of the prohibitionists that made their victory in the previously mentioned convention possible.

The prohibition resolution was a two-edged sword for the Republican Party. It did not satisfy extremist agitators for temperance, and German Republicans began to realize that they would have to break with the party in order to prevent another tightening of the law. At the same time, they recognized that the resolution represented an imminent threat to the individual rights of citizens.

This was the moment when a permanent organization of all opponents of prohibition within the state should have been founded. The leading German newspapers understood this and campaigned accordingly, at least those papers that were able to distance themselves from the Republican party. Many Anglo-Americans were also prepared to join a more liberal-minded voting block, and corresponding attempts were made. The writer of these lines organized on his own initiative, without prompting, eighty liberal leagues throughout the state, and such agitation would have been successful if one had followed through with the matter properly, namely by formally breaking with the Republican party. But no one wanted or dared to tell people that they should vote Democratic [p. 132], since that would have alienated liberal-minded Republicans, who would have then withdrawn their support. And yet, it would have been best to advocate for an alliance with Democrats. One should have declared war on the Republican Party and coalesced, at least temporarily, with the Democratic Party in order to make clear to the dominant party that it underestimated the power of the liberal-minded faction when it acquiesced to the demands of the prohibitionists. This did come about later, but only when it was already too late, after the fateful prohibition amendment had been approved by referendum and adopted. Only then did Germans recognize the necessity of breaking with the Republican party, but the horse had already bolted, and it was of no use to close the barn doors. We had been robbed of our freedom, and the realization came too late.

[approximately 1/4 of original text translated above; pages 133-170 of the full chapter remain]