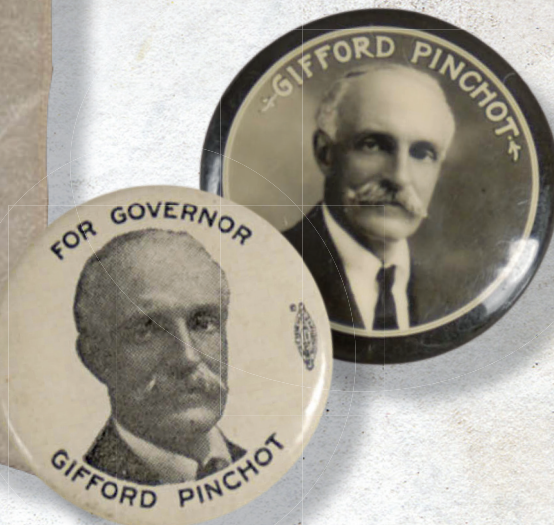


Pinchot & PROHIBITION

By Carrie Hadley, Collections Associate

The Keystone State is known for having some of the strictest alcohol laws in the United States. If Pennsylvanians want to purchase wine or liquor, they must do so at a state-run store. Beer must be purchased at a distributor, a bar or brewery, or in specific sections of some grocery stores and gas stations. Liquor control has figured in recent political debates and some changes to the laws have been made—for example, in 2016, Governor Tom Wolf signed a bill that allows alcohol to be sold on Sundays for the first time since Prohibition.¹ Where did Pennsylvania's liquor laws come from, and why are they so strict compared to other states? An examination of the gubernatorial administrations of Gifford Pinchot provides some answers.



Buttons and a ribbon from Pinchot's campaign for the Governor's office in 1922.

All artifacts HHC Collections, The Elaine B. and Carl Krasik Collection of Pennsylvania and Presidential Political Memorabilia, 2015.22. Photos by Carrie Hadley.

The Prohibition Party was a major political force for many years before Prohibition was implemented.

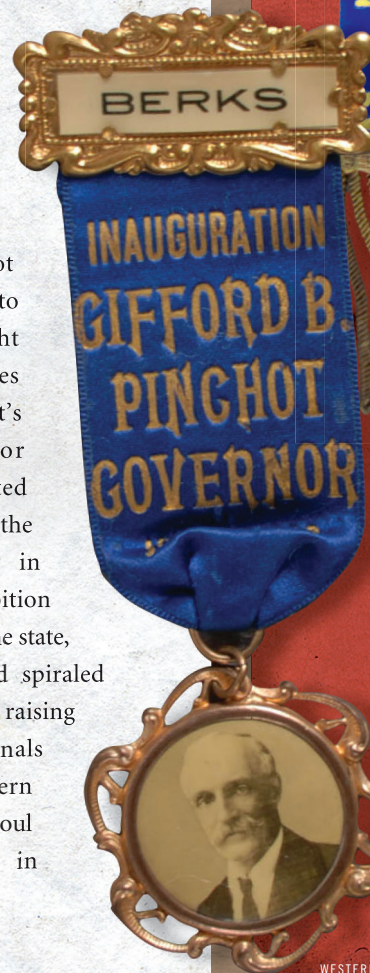
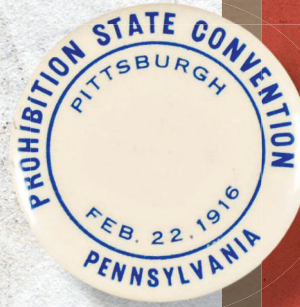
Pennsylvania Governor Gifford Pinchot (1865-1946) believed in the power of legislation to fix societal problems. By the time he ran for office in Pennsylvania, Pinchot had earned a reputation as a major figure in the late 19th and early 20th century conservation movement and as a political ally of President Theodore Roosevelt and the Progressive Party. As the first Chief Forester of the United States Forestry Service formed under President Roosevelt, Pinchot worked at the federal level to preserve forests from destructive lumbering practices in the late 19th century. His plan included responsible cultivation of natural materials in a way that also benefited the members of society. Pinchot's philosophy of placing endangered lands under the care of the federal government, while still enhancing the lives of the public, eventually transcended forestry and influenced his political career.²

Both of Governor Pinchot's successful gubernatorial elections (he served 1923-1927 and again 1931-1935) were reflections of shake-ups at the state and national level of politics. A supporter of Roosevelt's Progressive Party platform in the 1912 Presidential election, Pinchot ran his own unsuccessful Senate campaign against the powerful political boss of the state Republican Party, Boies Penrose, in 1914.³ Down but not out, Pinchot continued to advocate for Pennsylvania conservation issues.⁴ His focus on Progressive-era issues attracted union members, industrial workers, farmers, and newly-minted women voters. This support, combined with a split in the state Republican Party leadership after Penrose's death in 1921, paved the way for both of Pinchot's surprising victories. An ardent "dry," or supporter of Prohibition, his stance on this issue also contributed to his election.⁵

Prohibition became law through the ratification of the 18th Amendment to the Constitution in 1920, three years before Pinchot first took office. The law made the

"manufacture, sale, or transportation of intoxicating liquors" illegal.⁶ Pinchot formed his personal views on alcohol after witnessing drunken behavior as a young man in college and while studying forestry in Europe.⁷ This was not a novel concern—support for Prohibition had its roots in the 19th-century Temperance movement. The great amount of alcohol consumed caused public concern: by the 1830s, Americans drank on average seven gallons of pure alcohol yearly, the highest amount of alcohol Americans have ever consumed.⁸ The formation of the political Prohibition Party and social and religious movements such as the Women's Christian Temperance Movement in the mid-19th century demonstrate how prevalent the concern became regarding alcohol consumption.

By the time Pinchot took office, the reaction to Prohibition had brought unintended consequences in Pennsylvania. Pinchot's predecessor, Governor William Sproul, admitted in his farewell speech to the state General Assembly in January 1923 that Prohibition laws were not working in the state, and that bootlegging had spiraled out of control. "We are raising a fine brood of criminals which it will require stern measures to suppress," Sproul lamented. The solution, in



Badge from Pinchot's first gubernatorial inauguration.



Dr. Silas Swallow was a frequent Prohibition candidate for Governor in Pennsylvania, and was the Prohibition Party's candidate for President in 1904.



Homer Castle ran for Governor of Pennsylvania in 1906.



Madison F. Larkin ran for Governor in 1910 as a Prohibition candidate.

his eyes, involved “careful and conscientious enforcement of the law by the authorities,” and greater public interest in seeing the law enforced.⁹ Pinchot rose to the challenge, and his supporters stood ready—according to one newspaper account, the part of his inaugural speech discussing enforcement of Prohibition laws “drew more applause than any other portion.”¹⁰

Shortly after his inauguration, Pinchot began cracking down on lawbreakers. “Proper enforcement of Prohibition,” he argued in one speech, “will add uncountable millions to the wealth of the United States; will enormously increase the prosperity of our people and will

raise happiness and welfare, especially of our women and children, to a new and higher plane.”¹¹ A dramatic opener to a newspaper article in late January 1923 read:

The first stone from the reforming slingshot of Governor Gifford Pinchot fell like a ton of bricks among the wet Goliaths of Pennsylvania today. Dry agents descended upon liquor law violators seemingly by the thousands, and wires to the capital burned with minute by minute reports of new raids and seizures in all parts of the state.¹²

Ultimately, Prohibition fell far short of Pinchot’s lofty goals. As criminal activity increased and enforcement of the law

decreased nationally, Prohibition had clearly run its course by the end of the 1920s. With the federal government low on tax revenue due to the Great Depression, support grew for reversing the ban and reinstating taxes on alcohol. In 1933, the 21st Amendment passed, repealing Prohibition 13 years after its implementation.¹³

The 21st Amendment to the Constitution gave states the power to regulate alcohol. Not surprisingly, Governor Pinchot, two years into his second term, proved a strong advocate for maintaining strict policies on alcohol within Pennsylvania after repeal. He worked with a special legislative session to create state

Poster for Republican William S. Vare's 1926 candidacy for Senate. Vare ran against Pinchot and George Wharton Pepper in the Republican primary, a clear advocate for moderating Prohibition. Though he won the primary and general elections, scandalous charges lodged against his campaign ultimately resulted in Vare being unseated from the Senate.

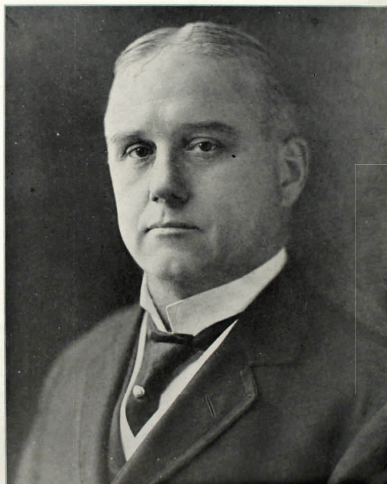
regulations, which made purchasing alcohol difficult. His plan created a state monopoly on liquor sales, run by the State Liquor Control Board and facilitated through the state store system—a system Pennsylvanians still use to purchase liquor today. The Liquor Control Board licensed the institutions that served alcohol, set serving and state store hours, and defined the institutions allowed to serve. Employees of the stores had to pass a civil service exam and they were to be paid a salary, not a commission, to dissuade an “artificial stimulation of demand.”¹⁴

The new system targeted corruption. Pinchot noted that the plan would prevent liquor from becoming “the tool of unscrupulous politicians and the meal ticket for the innumerable promiscuous dispensers of booze,” and low prices would discourage bootlegging.¹⁵ According to Pinchot, there were three strains of thought on Prohibition: “sincere dries” (supporters of Prohibition) and “sincere wets” (detractors of Prohibition) had enough in common to work against the corrupt interests of the “selfish wets,” who “have a selfish personal interest in the return of liquor.”¹⁶

Pinchot wanted to eliminate private profit from liquor sales, arguing that “if sales were in the hands of private retailers and wholesalers there would be sharp competition for business,” which he believed played into the hands of corrupt politicians and distillers.¹⁷ Instead, tax revenue from the state system would partially fund social programs

ITALO-AMERICAN Campaign Committee of Philadelphia
Supporter of President Coolidge For Tax Reduction and Economy

VOTE FOR WILLIAM S. VARE



FOR
United States Senator
Republican Ticket

Primary Election, Tuesday, May 18

*Demands Modification of Volstead Act
To Permit Sale of Light Wines and Beer*

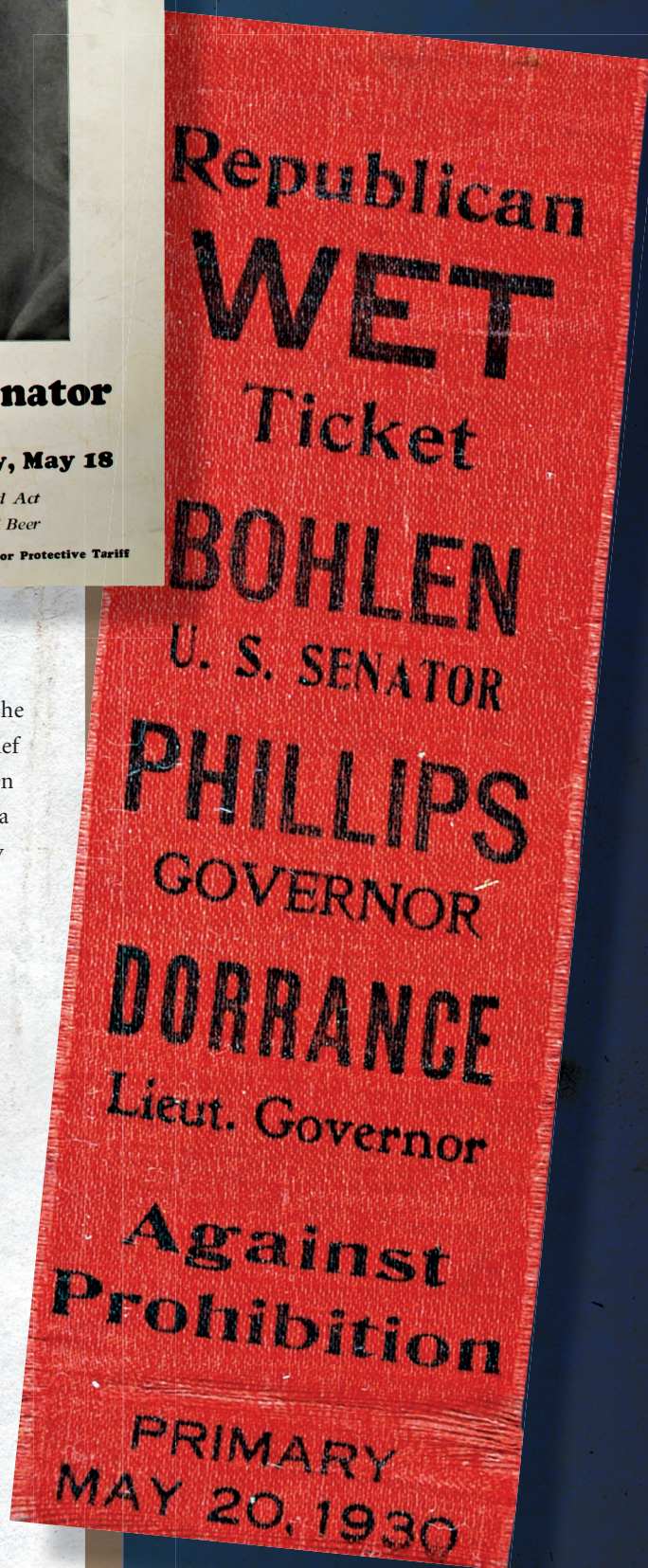
Voted for Soldiers' Bonus

Stands for Protective Tariff

Ribbon for the “Republican Wet Ticket”, or supporters of Prohibition repeal, for the Republican primary election in 1930. Pinchot went on to win this election, his second term in office.

for the unemployed, care for the elderly, and schools—welcome relief during the Great Depression, when unemployment in Pennsylvania reached a staggering 40 percent by the time Pinchot left office in 1935.¹⁸

While Prohibition was repealed more than 80 years ago, actions that Gifford Pinchot and the state government took at its death knell ensure that Pennsylvanians still feel its effects. This is also felt on a local level; local municipalities choose their stance on alcohol, and as of August 2017, there were 686 municipalities throughout Pennsylvania that remain “dry.”¹⁹ This legacy of Prohibition is not unique to our state—many states were influenced by Prohibition in their liquor laws, including Mississippi,



which remained a dry state until the 1960s.²⁰ While changes have recently been made to state liquor laws, liquor control continues to be an issue that Pennsylvanians grapple with at the polls.²¹

¹ "Governor Wolf Signs Historic Liquor Reform Bill" Newsroom, Governor's Office, June 8, 2016, accessed December 4, 2017, <https://www.governor.pa.gov/governor-wolf-signs-historic-liquor-reform-bill/>; Mike Negra, "Overview of Pennsylvania's Liquor Laws & Regulations, Including Recent Changes" *Pennsylvania Liquor Control Board*, last modified January 4, 2017, <http://www.lcb.pa.gov/Licensing/ResourcesForLicensees/Documents/February%202017%20Presentation%20for%20PA%20Producers%20and%20Licensees.pdf>.

² Char Miller, "Introduction," in *Gifford Pinchot: Selected Writings*, ed. Char Miller (University Park, Pennsylvania: The Pennsylvania State University Press, 2017), 2, 6.

³ Char Miller, *Gifford Pinchot and the Making of Modern Environmentalism* (Washington: Island Press, 2001), 237.

⁴ *Ibid.*, 249.

⁵ James A. Kehl and Samuel J. Astorino, "A Bull Moose Responds to the New Deal: Pennsylvania's Gifford Pinchot," *The Pennsylvania Magazine of History and Biography*, Vol. 88, No. 1 (Jan., 1964), pp. 37-51; Miller, Char, *Gifford Pinchot and the Making of Modern Environmentalism*, pp 250-258.

⁶ Amendment XVIII, *The Constitution: Amendments 11-27*, National Archives, accessed November 27, 2017, <https://www.archives.gov/founding-docs/amendments-11-27#toc-amendment-xviii>.

⁷ Miller, *Gifford Pinchot and the Making of Modern Environmentalism*, 251.

⁸ "Section 1: America Had A Drinking Problem" *American Spirits: The Rise and Fall of Prohibition*, Exhibition, National Constitution Center, accessed November 27, 2017, <https://prohibition.constitutioncenter.org/exhibition.html>.

⁹ United Press, "State Very Wet, Sproul Admits to Legislators" *The Pittsburgh Press*, January 2, 1923, 2.

¹⁰ Dale Van Every, "Takes Oath as Chief Executive of State; Capital is Jammed" *The Pittsburgh Press*, January 16, 1923, 1.

¹¹ Gifford Pinchot, "Why I Believe in Enforcing the Prohibition Laws," in *Gifford Pinchot: Selected Writings*, 145.

¹² Dale Van Every, "Federal Agents May Aid Pinchot Dry Plan," *The Pittsburgh Press*, January 28, 1923, 1, 8.

¹³ Daniel Okrent, "Wayne B. Wheeler: The Man Who Turned Off the Taps" *Smithsonian Magazine* (May 2010), accessed 11/27/2017, <https://www.smithsonianmag.com/history/wayne-b-wheeler-the-man-who-turned-off-the-taps-14783512/>.

¹⁴ Gifford Pinchot, "Liquor Control in the United States: The State Store Plan," in *Gifford Pinchot, Selected Writings*, 172-173.

¹⁵ *Ibid.*, 175.

¹⁶ *Ibid.*, 174.

¹⁷ *Ibid.*, 173.

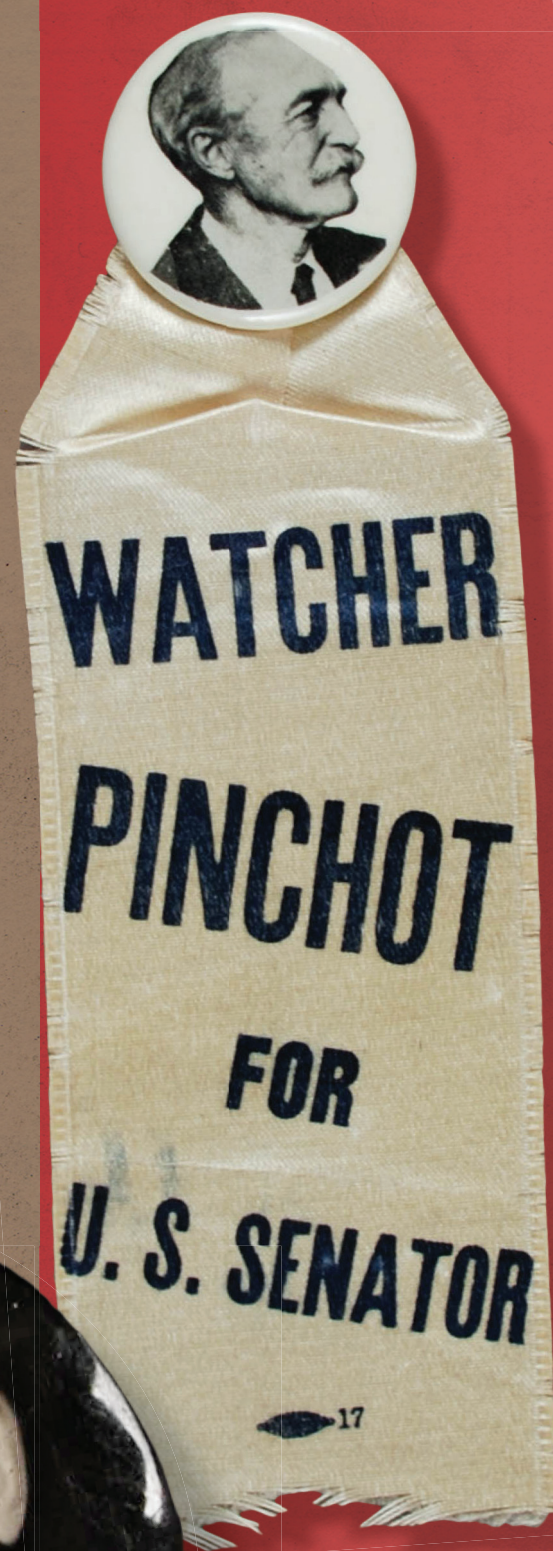
¹⁸ "Governor Gifford Pinchot," *Pennsylvania Historical & Museum Commission*, accessed December 4, 2017, <http://www.phmc.state.pa.us/portal/communities/governors/1876-1951/gifford-pinchot.html>.

¹⁹ "Wet Versus Dry Municipalities," *Pennsylvania Liquor Control Board*, accessed December 4, 2017, <http://www.lcb.pa.gov/Licensing/Topics-of-Interest/Pages/Wet-Versus-Dry.aspx>; "Local Option Referendum," *Pennsylvania Liquor Control Board*, accessed December 4, 2017, http://www.lcb.pa.gov/Licensing/Topics-of-Interest/Documents/Dry_Municipalities_List.pdf.

²⁰ NCC Staff, "Five interesting facts about Prohibition's end in 1933" *Constitution Daily Blog*, National Constitution Center, modified December 5, 2017, accessed December 7, 2017, <https://constitutioncenter.org/blog/five-interesting-facts-about-prohibition-28099s-end-in-1933>.

²¹ Scott Bomboy, "Pennsylvania to fight one of Prohibition's last battles" *Constitution Daily Blog*, National Constitution Center, January 30, 2013, accessed December 1, 2017, <https://constitutioncenter.org/blog/pennsylvania-to-fight-one-of-prohibitions-last-battles>.

After both terms as Governor, Pinchot continued to pursue political office.



In 1938, Pinchot ran for a third term as Governor, but lost to Arthur H. James in the Republican primaries.

All Set for the Big Flood—By Hungerford



Cartoon drawn by Cyrus Hungerford that depicts Pinchot's response to the end of Prohibition. This cartoon was originally published in the *Pittsburgh Post-Gazette* on December 1, 1933.

HHC Detre L&A, Cy Hungerford Papers, MSS 194.