

Shmanners 426: Prohibition, Part 3

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[theme music plays]

Travis: Hello internet, I'm your husband host, Travis McElroy.

Teresa: And I'm your wife host, Teresa McElroy.

Travis: And you're listening to *Shmanners*.

Teresa: It's extraordinary etiquette...

Travis: For ordinary occasions. Hello my dove.

Teresa: Hello dear.

Travis: How are you?

Teresa: I'm fine. I think, yeah, I'm fine.

Travis: Hi Fine, I'm Dad. [chuckles]

Teresa: [chuckles]

Travis: That's old man Beavis and Butthead.

Teresa: Oh yeah?

Travis: When they're just makin' dad jokes, and it's not like offensive at all.

Teresa: [chuckles]

Travis: And they're just like, "Hehe, good one."

Teresa: Wait, did you say, "dad" or did you say "dead?"

Travis: Dad jokes.

Teresa: Oh, I thought you said, “Hi Fine, I’m dead.” [laughs]

Travis: Oh, that’s like *Beetlejuice*. Then I guess we were just doin’ a *Beetlejuice* laugh afterwards then.

Teresa: Maybe?

Travis: Okay.

Teresa: I mean, that sounded a lot like a *Beetlejuice* kinda—

Travis: Oh no, that’s three times! Well, I don’t think it counts— Does it count spread across three— I guess it does— I mean, we see that happen. Hello, this week we’re talkin’ about *Beetlejuice*, and—

Teresa: No, we are not.

Travis: No? Okay.

Teresa: Although that would be—

Travis: Very spooooky.

Teresa: That would be fun. I don’t know if there’s a whole show in it.

Travis: I think we could do the etiquette of like making a deal with a demon, right?

Teresa: Um.

Travis: There’s a lot— We should do a whole episode about genie wishes, so much etiquette.

Teresa: Maybe we should do a whole thing about—

Travis: Well here’s what we’ll do, we’ll do a whole episode about— where people send in their genie wishes.

Teresa: Okay.

Travis: And then we’ll point out all of the loopholes and terrible things.

Teresa: [laughs]

Travis: That's not quite a *Shmanners* episode, but we could. Okay.

Teresa: Maybe bonus content, one of these years.

Travis: Okay.

Teresa: Okay.

Travis: No. We're picking up—

Teresa: We're—

Travis: — where we left off.

Teresa: We are still in the— the several decades that it took to pass prohibition.

Travis: Okay.

Teresa: Yeah. So here is something that is still applicable to today, and that is racism.

Travis: Oh okay, cool.

Teresa: Yeah. If there's one thing that—

Travis: That was a joke. Racism isn't cool, folks.

Teresa: It isn't cool.

Travis: Just to clarify, it's not cool.

Teresa: That was sarcasm.

Travis: I was being sarcastic, racism is bad.

Teresa: And this period in history, there is a— a tendency to blame the drink that the immigrants are bringing in.

Travis: Yeah, the other.

Teresa: The other, yeah.

Travis: We touched on that a little bit last time, but I mean during this wave of time you have like a lot of Italian immigration—

Teresa: Mm-hmm.

Travis: — a lot of Scottish immigration, Irish immigration.

Teresa: Yes.

Travis: And with those— And once again man, I was about to say, there is this idea of, but I don't know, maybe that's just a stereotype of like, "Oh yeah, they're bringing in like whiskey and wine and beer and all this stuff." It's like yeah, that stuff was probably already here.

Teresa: It was already here.

Travis: We had bourbon here, we had wine here.

Teresa: Yeah. It was already here, but it is a tried and true kind of tactic for passing legislation, is to make it— I mean, you talked about this in the other day about like, you know, there's trouble right here in River City.

Travis: Yeah.

Teresa: Right?

Travis: Make it about the other.

Teresa: Make it about the other, and that's so with this new wave of immigrants coming in, we had an other to blame. It's not like, "We're not bad, it's the stuff that they're bringing in."

Travis: Oh.

Teresa: "That we need to protect ourselves from."

Travis: It's not your fault you did this thing, it's that you— someone preyed upon your weakness, or took advantage of you, or it's outside influence.

Teresa: Right. Michael Lerner, who is a prohibition historian and writer, said that it's just kind of funny that the middle and upper class's idea of how to help people doesn't include asking them what they want done.

And they went after the one thing that was actually very important to them. And you hear that from immigrants over and over again about prohibition.

Travis: Mm.

Teresa: The idea was "We have to protect ourselves from them, and we have to protect them from themselves."

Travis: And that's one—

Teresa: And so legislation—

Travis: Yeah.

Teresa: — is gonna be the key to this, right?

Travis: This is unfortunately one of those history repeating itself over and over and over again.

Teresa: Yeah.

Travis: And I really think I mean obviously it's classist, right.

Teresa: Mm-hmm.

Travis: But I think that there's a classist thing of like, "Well, if I am financially more successful than this other person—"

Teresa: Yeah.

Travis: "— it must be because I'm better than them."

Teresa: Exactly.

Travis: "And so I know better than them."

Teresa: Which plays into this kind of like savior complex.

Travis: Right.

Teresa: Right? That all of these people trying to pass this legislation have.

Travis: "It couldn't possible be that I was born into a more privileged situation."

Teresa: Mm-hmm.

Travis: "Or a richer family, or treated differently because of the wealth that I already have. No, it must be because I'm morally better."

Teresa: Right. And so, these— the people, like the people fighting for this legislation, I— No-one really thinks that they were actually afraid of alcohol.

Travis: Mm-hmm.

Teresa: Because they continued to consume alcohol.

Travis: Yeah.

Teresa: Right. They were actually—

Travis: I'm sure that there were— I mean, when we go back to like— Oh, her name wasn't Molly Hatchet, what was— Carrie Nation.

Teresa: Yeah.

Travis: Molly Hatchet's a band, I think?

Teresa: [chuckles]

Travis: I don't know. That might've actually been a person too, but anyways. I think that there probably were people who took it on as an actually moral thing.

Teresa: Yes.

Travis: But we talked about this last week too, of the people who were like, "This is my power grab. This is the boogeyman that I can use."

Teresa: Mm-hmm.

Travis: "To like gather influence and raise myself up."

Teresa: I— Yeah.

Travis: Yeah.

Teresa: I was talking about the politicians specifically.

Travis: Yeah. Yeah.

Teresa: What they were afraid of is the id— like the city and the numbers of people in the city.

Travis: Yes.

Teresa: And like having to control this population growth.

Travis: Well, especially since— [sighs] Man, this is ge— Ah. Okay. I just almost stopped myself from like let's not get too political, but we're talkin' about prohibition. There was also, and we see this once again time and time again, when there's a wave of immigration come in.

Teresa: Mm-hmm.

Travis: Or when there is a new influx to a population, there then becomes this worry of if you are someone who maybe is on the more conservative side, that you're like, "Ooo, my policies have never been stuff that would benefit them. I'm going to lose, now that they can vote."

Teresa: Yeah.

Travis: "So I have to find a way to make them the bad guy."

Teresa: Mm-hmm. To energize your base, to keep you in power.

Travis: Yeah.

Teresa: Okay. So... the problem then with the Anti-Saloon League that we've been talking about is... America at this point receives 70% of their federal revenue thanks to taxes on alcohol.

Travis: Mm-hmm.

Teresa: Right? This is their big hurdle that they're trying to get over.

Travis: A pretty big hurdle.

Teresa: And so, you know, when the way that government works relies on people drinking, right? Peop— They're not going— They're not interested in getting people to stop drinking.

Travis: Yeah, why would you do that?

Teresa: And so.

Travis: That's a nose— cutting off a nose to spite your face kinda deal right there.

Teresa: Yeah. I mean, not only was the government as a whole not exactly interested in this, but distillers, brewers, saloon goers fought back.

In one instance, they even paid the poll taxes, which we've talked about, for Hispanic and Black Texans, because the league felt that these were two demographics that were the most likely to vote in support of keeping alcohol legal.

Travis: Yeah. But I also have to imagine... that, just from putting together everything we've talked about and everything I know.

Teresa: Mm-hmm.

Travis: That this was not... Like publicly, like if you polled like every single person in the US at this time, and said, "Would you like a complete and utter ban on alcohol in the US?" I can't imagine—

Teresa: Right.

Travis: — that public opinion was yes. But I'm willing to bet that this was as the people who had the money to purchase alcohol illegally and have this not affect their lives whatsoever.

Teresa: Mm-hmm.

Travis: Liked the idea of the dregs of society, the lower classes, not being able to be drunk and disorderly and have access to this thing. So you had a small percentage with a lot of wealth and power pushing for it.

Teresa: Right.

Travis: And so public opinion didn't matter.

Teresa: Right.

Travis: Okay.

Teresa: The brewers in particular tried to turn public opinion against those people—

Travis: Yup.

Teresa: — with PR campaigns and advertisements. So there was the idea that it was a health beverage, beer specifically was branded as a health beverage, it's quote "liquid bread," right?

Travis: Liquid bread.

Teresa: "It's healthy and babies should drink it," right? And here.

Travis: Well. Maybe not babies.

Teresa: If you want to Google, there are so many advertisements showing babies drinking beer, or at least drinking at their mother's breast and the mother is drinking beer in it. If you can see here.

Travis: Oh wow.

Teresa: Yup. And then the idea that—

Travis: That's a baby that knows how to party. [chuckles]

Teresa: [giggles]

Travis: Listen, babies shouldn't party like that.

Teresa: Here is— Here's one for you, honey. Here is children surrounding a beer bottle like a maypole, having a great time.

Travis: Okay, that's kinda funny.

Teresa: [giggles]

Travis: I like that one.

Teresa: And so... there was this kind of— these waves of things that would crash on this— on the— Let's see, crash across the deck of this prohibition ship that slowed it down, but did not topple it.

Travis: Yeah.

Teresa: One of the ways that this was accomplished was with income tax.

Travis: Wait. Hold on.

Teresa: Yes.

Travis: Income tax was created because of prohibition?

Teresa: To pave the way for prohibition.

Travis: So that it made up for the money that they were losing.

Teresa: Yes.

Travis: So income ta— Wait.

Teresa: Yes.

Travis: Hold on. Income tax... is prohibition's fault.

Teresa: Yes.

Travis: Wait. Wait. Wait.

Teresa: Because I told you, the revenue from taxes on alcohol—

Travis: Yes.

Teresa: — was so outstanding.

Travis: Uh-huh.

Teresa: In order to get rid of that obstacle, they had to find the money somewhere else.

Travis: So they instituted income tax?

Teresa: Yes.

Travis: It's their fault?

Teresa: Yes.

Travis: I hate them so much, flames.

Teresa: [chuckles]

Travis: Flames, on the side of my head.

Teresa: [laughs]

Travis: That's— I had no idea.

Teresa: Mm. Mm-hmm.

Travis: I had no idea. I'm so angry right now.

Teresa: Yeah. The—

Travis: Oh my god.

Teresa: The other thing was World War I, right?

Travis: I hated that too.

Teresa: Like that as well.

Travis: Like let's be clear.

Teresa: Yes.

Travis: It's just that World War I affects me a lot less now—

Teresa: Mm-hmm.

Travis: — than income tax does.

Teresa: Right. Because—

Travis: Don't email me explaining how World War I still affects me, please.

Teresa: [laughs] The anti-German sentiment.

Travis: Yeah.

Teresa: In World War I—

Travis: Ohhh, yeah.

Teresa: — contributed to the beer being demonized.

Travis: Yeah, see that a lot here in Cincinnati.

Teresa: Yeah.

Travis: It's a big part of Cincinnati's history. Even now around town, you can find— Like in the neighborhood we used to live in, there was a sign where it was like a plaque denoting what the name of the street used to be.

Teresa: Mm-hmm.

Travis: Before it was changed during like the anti-German kinda sentiment, because I was like a German ass name. And like a lot of beerhalls were like burned down and destroyed during that time.

Teresa: Yep.

Travis: I'm trying to remember, 'cause there was a thing during prohibition where like pre-prohibition, there was like 50 breweries or something in Cincinnati, quite a bit.

Teresa: Quite a bit.

Travis: And then like post-prohibition, thanks only to, and we'll talk about this soon, but like the ability to keep making beer for quote unquote "medicinal reasons."

Teresa: Mm-hmm.

Travis: There was like two.

Teresa: Yeah.

Travis: And now we see the like rebirth, but like Cincinnati is a great example of like not just a public affected by prohibition, but like a city.

Teresa: Yeah.

Travis: That like had a lot of its identity stripped away because of a combination of the anti-German sentiment and prohibition.

Teresa: Exactly. And so—

Travis: 'Cause it used to be so much about like—

Teresa: Yeah.

Travis: Like you know sausage processing and beer, right?

Teresa: Yeah.

Travis: It was a heavily German city, and that was a lot of its identity. Gone.

Teresa: Yeah. So then at this point in American history, there were really two things that made you a traitor, right? The beer bottle, and your affinity for the Kaiser.

Travis: Yeah.

Teresa: So then, the Drys, who is the short-hand name given to people who supported prohibition, were gaining momentum in a way that they had never—

Travis: You could hear that and you know you're not cool, right?

Teresa: Right.

Travis: Like if someone hears that, and they're referring to you like, "And over there's the Drys," right? That's not a cool nickname you get for doing a cool thing. Like even they must've been like, "Can we not? Like I don't wanna be the Wets either, or the Moists or whatever—

Teresa: [laughs]

Travis: "— but the Drys? We all know that that's not a cool thing to be, right?"

Teresa: Yes. Not cool. The Men's and Women's Temperance Leagues marched on Washington DC, demanding not only a law, but an amendment to the Constitution, which at this point in history had never been repealed. This was pretty much they were like, "We're gonna etch this in stone for forever," because—

Travis: For-e-ver.

Teresa: [chuckles]

Travis: For-e-ver. You know, like from *Sand Lot*.

Teresa: And— Yeah, I—

Travis: And you know when they're talking about the dog.

Teresa: I got it.

Travis: You don't remember that? Classic.

Teresa: Yeah, I get it.

Travis: "You're killin' me, Smalls."

Teresa: Mm-hmm.

Travis: You remember that?

Teresa: Yeah, I do.

Travis: Yeeeeeah.

Teresa: And I think—

Travis: Brought back Chucks.

Teresa: And I think that had it not been or World War I, they probably wouldn't have been able to pass this, because the anti-German sentiment was so high that prohibition—

Travis: It became a public— Yeah.

Teresa: Well prohibition being enshrined in the Constitution, not— made it—

Travis: Was so American.

Teresa: Yeah, made it so American.

Travis: Yeah.

Teresa: Made it part of the list of values that made someone a true American, right? "We're not like those people."

Travis: Oh, "We don't drink beer like them."

Teresa: "We don't drun— We don't drink beer. We're American."

Travis: [sighs] Gross.

Teresa: Which sounds so weird.

Travis: Gross. And that set our drinking culture back so far. I mean think about where we could have been.

Teresa: I guess that's true.

Travis: Culturally.

Teresa: And so the second argument was the only way that we're going to beat this Devil is if we banish him from our lands.

Travis: Yeah.

Teresa: Because we knew that having a dry city, or a dry county, or even a dry state didn't work.

Travis: Yeah.

Teresa: As long as you could go and get it someplace else.

Travis: You could just DoorDash it.

Teresa: And they needed— [chuckles] You couldn't DoorDash it.

Travis: Oh. Okay.

Teresa: They didn't have that, but you could go—

Travis: Uber Eats?

Teresa: No.

Travis: No? Okay.

Teresa: Train? The postal— The post office?

Travis: I bet you could not.

Teresa: Could you send beer in the mail?

Travis: I doubt it.

Teresa: [chuckles]

Travis: I mean maybe like legally you could, but I doubt it'd make it there.

Teresa: [laughs] Okay. And they had urgency to pass this.

Travis: The Pony Keg Express!

Teresa: That's nice.

Travis: Thank you.

Teresa: That's nice. They had urgency because in 1920, a new census would pass, right? And this would show that there were more people in the United States than ever before. And so the small towns that would have supported temperance would have less representation federally.

Travis: Mmmm.

Teresa: Than the big, bad cities that everyone was afraid of.

Travis: Yeah yeah, okay.

Teresa: So, their idea passed the Senate under the watchful eye of Wayne Wheeler, who witnesses—

Travis: That nerd.

Teresa: I know. Witnesses would say—

Travis: Nerd (derogatory).

Teresa: — that he would show a thumbs up or a thumbs down to any representative who looked his way. He literally had his kind of thumb on top of them.

Travis: What a dork.

Teresa: Right, little squish, squish, squish.

Travis: I don't care for that man.

Teresa: So it passed in the Senate, but it still needed to be ratified by the states, and they were given seven years to do that. How long did it take them?

Travis: 12?

Teresa: Nope.

Travis: How long?

Teresa: A year and a month.

Travis: Really?

Teresa: Yeah.

Travis: So they didn't drag their feet.

Teresa: No.

Travis: That's what I would've thought.

Teresa: No, not at all. They were— They ratified it in 13 months.

Travis: [sighs] Same as the original colonies, think about it.

Teresa: Ohhhh.

Travis: Yeah.

Teresa: Conspiracy.

Travis: I don't think so. Hey, speaking of conspiracy— No.

Teresa: [laughs]

Travis: We're gonna go. [chuckles] Where are we going? No-one knows. But we're gonna take a break real quick for a word from another MaxFun show.

[transition theme music plays]

Jackie: Jackie Kashian, hi, and welcome to the maximumfun.org podcast, *The Jackie and Laurie Show*, where we talk about stand-up comedy, how much we love it, and how much it enrages us.

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Speaker Two: I don't know, I think I'm going to stick to Joe Rogan.

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[music fades out]

Travis: Okay, so when last we left off, we were talking about the conspiracy. The Illuminati has banned beer, and small cities, and look at the eye on the money.

Teresa: Mm-hmm.

Travis: Am I right, folks?

Teresa: Mm-hmm.

Travis: And there at the top, it's DC from the top down, what's that? It's a beer bottle. Ha ha.

Teresa: Yeah. Whoaaaa. Alright.

Travis: Okay, you can just say no.

Teresa: [giggles]

Travis: You don't have to make that noise. Like a just a doubtful ghost. "Oooooo."

Teresa: [laughs] Midnight. January 16th, 1920, the 18th Amendment fully banning alcohol's consumption, sale, and distribution, would go into effect. People counted it down like they were partying like it was 1999. Like for real, they were out in the streets to celebrate prohibition.

Travis: The— This is what's wild about this, right? Throughout history, and this is another like I feel like people... often... like... the repeating of this thing, right? Where someone will happen, and everybody will get it in their head of like, "This is going to dramatically change everything."

Teresa: Mm-hmm.

Travis: "Overnight." Good or bad, right. And what you see is like that's not really how— There have definitely been things.

Teresa: Yeah.

Travis: That— But mostly it's only when we look back like a decade later that you're like, "Now we understand the changes that came out of this thing, and how it truly impacted." And so I bet that there were people who were like in the Drys, who were like as soon as this happened, "Man, we wake up tomorrow, morality in this country's gonna turn around."

Teresa: "And the world is gonna be better."

Travis: "Everybody's gonna be happier."

Teresa: "Sunshine and lollipops and rainbows."

Travis: "Cities are safer, everybody's more produc—" And it's like, "You know that's not gonna happen, right?"

Teresa: Right.

Travis: Like not like that. Even if you think everything will be better, you have to see it as like here's the first step.

Teresa: So they were partying very soberly in Washington DC.

Travis: So fun. So fun.

Teresa: So fun. But it was very different in Chicago. In Chicago, temperance protesters celebrated with masked bandits, armed with pistols, and they emptied two freight cars full of whiskey. So they had a party, a very sober party, and they had a brawl in Chicago. Right? There were gangs stealing crates of alcohol.

Travis: Not great for the PR, yeah.

Teresa: Not great.

Travis: No.

Teresa: Not great. Threatening violence in government warehouses, carjacking trucks filled with bourbon. Like I mean...

Travis: But a good indication for what's to come.

Teresa: [giggles]

Travis: Spoiler alert, foreshadowing.

Teresa: Because they had basically just sentenced their country to a decade of violence, thievery, sin, and ruthless organized crime. So they spent a hundred years fighting quote "the Devil," but—

Travis: Then created him.

Teresa: They created a new one.

Travis: 'Cause the Devil wasn't there before, let's be honest, they created it, right? Yes.

Teresa: Right. There was some evidence—

Travis: So now, wait.

Teresa: Okay.

Travis: This is the third movement, right?

Teresa: This is the third movement.

Travis: 'Cause we had what, it was the movement towards wanting prohibition, pushing for prohibition, prohibition.

Teresa: Prohibition.

Travis: Okay. Those two? Prequels.

Teresa: [chuckles]

Travis: This is—

Teresa: The main event.

Travis: Yeah. That was amateur-hibition, that was semi-prohibition, and now we're at prohibition, they've gone pro.

Teresa: In the first few months—

Travis: Nothin'?

Teresa: Aw, sorry.

Travis: Nothin' for the amateur, semi-pro?

Teresa: Oh yeah. Yeah.

Travis: Okay. No, I— Listen, I knew it was a stretch.

Teresa: [giggles]

Travis: I can feel it, sometimes I'm just huntin' for kind of a groany laugh, you know what I mean? A negroni laugh.

Teresa: Is it worse when I just ignore you? Sorry.

Travis: Is it worse. For me, like does it hurt deeper in my gentle poet's soul? Yes.

Teresa: Oh, okay. Sorry.

Travis: But outside I'm a big, brave boy, and I don't cry. But inside—

Teresa: On mic.

Travis: On mic, I don't cry, I cry later, in my onesie, while holding a stuffie of myself.

Teresa: [chuckles] Okay, alright.

Travis: To let out my poet's tears.

Teresa: I'm sorry, do you wanna try it again?

Travis: No.

Teresa: I'll laugh this time.

Travis: No. No.

Teresa: Okay. [chuckles]

Travis: I'm just going to pretend in my mind that you did laugh that first time and tell myself that until—

Teresa: Yes.

Travis: — that's how I remember it.

Teresa: That's what happened. The first few months, there was actually some evidence that prohibition was working. Because alcohol consumption dropped by a third, alcohol-related deaths plummeted, and so did arrests for public drunkenness.

Travis: But I'll tell you right now, once again, I'm not an anthropologist, I'm not a statistical analyst, but even I could tell you that's because that's everybody kind of in a holding pattern to say, "How strict is this gonna be?"

Teresa: Right.

Travis: Right? Like sure there are still people who are like, "I don't care about it, blah blah blah," right.

But then you probably had a big chunk of people in the middle who were like, "I still wanna do this, I still wanna make it, I still wanna sell it, whatever. How strict is this gonna be?" and then once they got the vibe of like, "Oh, nobody is really gonna enforce this. Okay cool, let's go."

Teresa: California winemakers began to plant apricots and plums instead of grapes, distillers and brewers either pivoted towards selling ice cream or soda or yeast or cheese or non-alcoholic beers, and Coca-Cola stock skyrocketed. So there's that.

Travis: Good for them.

Teresa: If you lived in a small town, you probably did think that this was gonna solve all your problems, and that you didn't need the saloon, and that everything that the saloon did, we could do in the church basement instead. And, "Hooray, society can be made a better place by the government." But.

Travis: But no. But hey, spoiler alert, prohibition didn't work. [chuckles]

Teresa: Yeah, it— And if you lived in a town that supported prohibition, you probably hadn't been drinking for years, right?

Travis: Yeah, man.

Teresa: Chances were pretty low that you'd ever encounter a speakeasy, or an illegal whiskey still, or even a visit from a prohibition officer, right? They didn't bother with you because they knew about you, right? And so your life didn't really change that much. But, for people in the cities, and— I don't wanna say, "wet towns." [chuckles] No, but maybe wet towns.

Travis: Soggy. These soggy towns.

Teresa: It did change a lot.

Travis: Hey, I'm just gonna jump in again to say the cycle of time.

Teresa: Mm-hmm.

Travis: We see a lot, at least in America, US, I can't speak for other countries, but you probably see it there too. What you're describing of this thing of like it already wasn't impacting your day-to-day life, but you didn't like that other people did it.

Teresa: Yeah.

Travis: And so you're like, "I'm gonna stop them from doing it," and then you wake up after it's done and you're like, "Why aren't I happier?" [chuckles] And it's like 'cause it already wasn't affecting you.

Teresa: Right.

Travis: What you've done is you've stopped other people from having the choice.

Teresa: Mm-hmm. Mm-hmm. Noah Fieldman, who is a legal scholar who was interviewed for Ken Burns's documentary series *Prohibition*.

Travis: Uh-huh.

Teresa: Said that there are really two reasons that people follow the law. One is that they understand from the world around them, their parents, their culture, other traditions, and their neighbors, that this is the rule, and everybody follows it. Right? That's one reason. And the other reason is that they are afraid of getting caught and being punished.

Travis: This is so interesting, 'cause you hear people talk about this, and like... If suddenly tomorrow, right, you legalized murder, right? Do you really think, person listening to this, that suddenly everyone's gonna go out and start murdering, right?

Teresa: Mm.

Travis: It's like many people, I would say, refrain from murder not simply because it is illegal, but because they [chuckles] don't want to murder people. They fear it might be wrong to murder people. So if you say—

Teresa: Are we sure that we should say that word so many times?

Travis: Eh. So here's the thing, if you're saying we are going to legalize—like, create a legal form for morality.

Teresa: Mm-hmm.

Travis: That's not really how that works, right?

Teresa: Right.

Travis: So as you said, you're either creating rules that maybe not everyone would agree with, but you do need to keep the structure of things going. For example, speed limits.

Teresa: Right.

Travis: Stop signs, these things. What's too fast to drive a car? Really hard to pin that down. So we have to set a limit that we think everybody needs to agree with to be safe. Okay, cool, that makes sense to me. But the idea of "We're going to completely restrict like a thing because it's the moral good" is never gonna work.

Teresa: Right, so there are so many people at this point who don't believe that this law is moral, right?

Travis: Correct.

Teresa: And so the only thing keeping them from following this law would be the fear of getting caught and punished.

Travis: Correct.

Teresa: But if you don't feel that kind of pressure in your life, if you don't see a prohibition officer, if you see all of your friends still drinking and not getting in trouble, that's gonna make, you know, criminals out of everyday citizens, is what's gonna happen.

Travis: And there's no way, feel about them what you will, that any police force in America at this point had the resources to overnight—

Teresa: Mm-hmm.

Travis: — be able to also police if anybody in the city consumed alcohol.

Teresa: Right, and where there's a will, there's a way, right? We see from this period in history all kinds of ways of disguising the alcohol that you're drinking. We've got hollowed out canes, we've got fake books, we've got dress mannequins, we've got—

Travis: Suddenly everybody's turning into a *D&D* rogue.

Teresa: Exactly.

Travis: Everybody's got their secret compartments—

Teresa: Mm-hmm.

Travis: — and their gadgets.

Teresa: Yeah.

Travis: Everybody's drinking Batman all of a sudden.

Teresa: And so the flagrant disregard of this law would make you believe that not only did most of the population think that this was laughable, they also thought that nothing would ever happen to them, if something—

Travis: Yeah.

Teresa: If they were to continue drinking, everything would just be fine.

Travis: Well it's another one of those time ones. Again, cyclical in history.

Teresa: Mm-hmm.

Travis: Where yeah, there's definitely a large portion of the population for whom, even if it's a law on the books, that law doesn't really apply. You're gonna get a slap on the wrist and you're gonna get that like, "Oh, you scoundrel," right? "Oh, this scallywag." But then there's also a large chunk of the population for whom this will be used—

Teresa: Mm-hmm.

Travis: — as a way to control them.

Teresa: Yeah.

Travis: As a way to be like, “Hey, you were just minding your own business, not hurting anyone, but we don’t like your ethnicity, we don’t like your beliefs, we don’t like you as a person, and so we’re going to use this as a reason to say like ‘Yeah, we saw him drinking alcohol.’”

Teresa: Yeah.

Travis: “Well, okay, they’re in prison now for a week, or whatever.”

Teresa: And so, the organized crime skyrockets, and the bribery and corruption in government and police also skyrockets, right? Because if you are in a position of authority and you don’t believe the morality of this law, and you don’t believe you’re gonna get caught.

Travis: Cash in those chips, baby.

Teresa: That’s right. So that is what starts to happen, right? People start accepting bribes, it was commonplace to completely ignore or defy the laws, it became a joke, right?

In 1924, a mere four years after the amendment was ratified, the *Boston Herald* offered \$200, which would be about \$3600 today, to whoever won a naming contest. They wanted a name for someone who blatantly ignored the laws of prohibition. In the end, two people wound up splitting the prize money, after coming up with the same term. Scofflaw.

Travis: Wait, let— Can I see it? Okay, so like a combination of “scoff” and “law.”

Teresa: Right.

Travis: Like they scoffed at the law, scofflaw.

Teresa: Right, like outlaw, but scofflaw.

Travis: So, it's not just that you're breaking law, but you're like, "I don't— This means nothing to me."

Teresa: Exactly.

Travis: Excellent. This is also a period of time where not only was the regulation of like, "Okay, we're still drinking everywhere," but you also then had—

Teresa: Mm-hmm.

Travis: — because it was illegal, right? When we talked about like bathtub gin and all this stuff. I think we've talked about this before on the show. But like you had people making quote unquote "hooch," right?

Teresa: Mm-hmm. Mm-hmm.

Travis: And it was poisonous, it was deadly, you couldn't drink it, right? They would include like turpentine and, you know, different things to make it—

Teresa: Ethanol and stuff.

Travis: Ethanol like in shoe polish, right? To make it look like whiskey, and then they would sell it to people, and they would drink it and they'd die.

Teresa: Right.

Travis: And be— So it [chuckles] wasn't just like, "Oh yeah, we're disregarding," but once you made it illegal, right?

Teresa: Mm-hmm.

Travis: If I bought this hooch from somebody and I'm like, "Oh, this is poison," what am I gonna do? Complain to— Like take it to court and be like, "This guy sold me—"

Teresa: [chuckles]

Travis: "— illegal illegal hooch," right?

Teresa: [laughs]

Travis: And so you just had people who were the most desperate.

Teresa: Right.

Travis: And would pay for this thing, buying like poisonous stuff, where you had the people with the money to have like champagne parties and stuff with the mayor and be like, "Who cares?"

Teresa: Right.

Travis: Still partying it up.

Teresa: Exactly, and one of the things that worked against prohibition as the amendment is that it wasn't very specific. And so Wayne Wheeler, who we know.

Travis: Nerd. Wayne Weiner.

Teresa: Plus Andrew J Volstead. Volstead, sorry.

Travis: Oh, the Volstead Act.

Teresa: Exactly. So okay, the—

Travis: I don't know what it is, but I—

Teresa: But you've heard of it.

Travis: Before I sound smart.

Teresa: "You've heard of me though!"

Travis: I know what it is.

Teresa: [laughs]

Travis: I simply do not know what it is.

Teresa: The 18th Amendment had quote “prohibited the manufacture and sale of intoxicating beverages.” Many people didn’t think that beer was included. Because it was marketed as a health beverage, right?

Travis: Yeah, “This is liquid bread.”

Teresa: “This is my health drink.”

Travis: “You want me to skip lunch?”

Teresa: And it technicallyyyy didn’t count until the Volstead Act.

Travis: Mmmmm.

Teresa: So people didn’t think of the— about like beer being included, and light wines like cooking sherry or whatever. But the Volstead Act decreed that any beverage containing more than one half of 1% alcohol. One half of 1%.

Travis: So .5%.

Teresa: Yes, alcohol should be stricken from the public.

Travis: What’s wild about that, there are like some fruit juices.

Teresa: And Worcestershire sauce.

Travis: Oh, really?

Teresa: Yeah!

Travis: Okay.

Teresa: I know, German chocolate cake, sauerkraut, all kinds of stuff, right? There’s— It is a naturally occurring compound.

Travis: Yeah.

Teresa: And so it naturally occurs in a lot of stuff that we don’t even like think about.

Travis: This is, once again, cyclical. Where especially in a time where there's like a fervor for a thing.

Teresa: Mm-hmm.

Travis: People will rush through these things without having like, you know, law scholars go through it word for word and be like, "Well, there's a loophole here, and this would be a problem, and this isn't clear, and this could be misinterpreted."

And they're just like, "Yeah, get it out there! Let's do it, let's do it!" and then people are like, "Hey, um... This is very— There's— We can't follow this, this creates a whole lot of issues—"

Teresa: Mm-hmm.

Travis: "— you couldn't have possibly foreseen."

Teresa: Yeah. Here's another part of this. Wheeler agreed that it was legal for individuals and private clubs to be allowed to keep any alcohol that they had purchased—

Travis: Oh, I know this.

Teresa: — before the amendment went into effect, and that gave them about a year to prepare, to stockpile everything that they could, right?

Travis: And is this where like they couldn't sell it, and so it'd be like you'd buy like a sandwich and get a free pint of whiskey, or something like that?

Teresa: Yeah, something like that.

Travis: "Yeah, you gotta buy this \$40 sandwich."

Teresa: So the people who could afford it started stockpiling. For example, the Yale Club in Manhattan bought enough bottles to keep a full tavern of guests drunk for 14 years.

Travis: There you go.

Teresa: It was like they were off to the races, right? They—

Travis: They were prepping.

Teresa: And everybody was dooms— It was like doomsday.

Travis & Teresa: [simultaneously] It was doomsday prepping.

Teresa: Exactly.

Travis: And they were like, “Thanks for the heads up. Apocalypse wouldn’t necessarily give it that, thank you. Thank you for letting us know we have a year to get all that, that’s a lot of time.”

Teresa: [chuckles] And so people had a year to find work arounds for their particular state, or you know, method of commerce. So like representatives from apple growing states made sure that hard cider would be available, because quote “housewives needed to be able to preserve their fruit.”

Travis: Mm.

Teresa: And alcohols in patent medicines would be allowed for medicinal purposes. All kinds of workarounds.

Travis: Time to build river boats. Time to build cruise ships. Time to build speakeasies.

Teresa: Right, exactly. So people were busying themselves, making sure that they would be able to partake in this thing.

Travis: A great time for the American economy.

Teresa: Exactly.

Travis: A huge boom in... construction material sales and alcohol sales.

Teresa: Let’s stop there for today. And—

Travis: And that’s it, we’re still in prohibition.

Teresa: And we're— We will—

Travis: To this day.

Teresa: [chuckles] No.

Travis: Oh.

Teresa: We will continue our exploration of prohibition next week.

Travis: Hey everybody, thank you so much for listening. I'm very excited to tell you that when you hear this, the very first like official episode of *Adventure Zone: Abnimals* is out now. We put out session zero last week where we talked about the rules and character creation, but this is our first actually playing episode.

Abnimals is the new season of *Adventure Zone* that I am running, as an homage to like *Teenage Mutant Ninja Turtles* and *Biker Mice From Mars* and *Battle Toads* and *Street Sharks*, and all that kinda stuff, where Justin and Griffin and Dad play different, you know, animal-person hybrid heroes. You can check that out, it comes out every Thursday.

Let's see, I also want to say thank you to Alex, our researcher, without whom we could not make this show. Thank you to Rachel, our editor, without whom we could not make this show. And thank you to you for listening. We could make this show without you, but what would be point, my friend? What would—

Teresa: We wouldn't want to.

Travis: Who— It would be like serving alcohol to an empty bar.

Teresa: Awwww.

Travis: It's so sad. What else, Teresa?

Teresa: We always thank Brent "Brentalfloss" Black for writing our theme music, which is available as a ringtone where those are found. Also thank you to Bruja Betty Pin Up Photography for the cover picture of our fan-run Facebook group, Shmammers Fanners. If you love to give and get excellent advice from other fans, go ahead and join that group today.

And as always, we are taking your topic submissions, your questions, your idioms. Please send those to shmannerscast@gmail.com, and say hi to Alex, because she reads every single one.

Travis: And also, just to let you know, coming up we're gonna have *My Brother, My Brother And Me* and *Adventure Zone* shows in, let's see, Phoenix and Denver, and Indianapolis and Milwaukee.

Also, Dad and I are going to be at MCM London in October, I believe it's like the 25th through to the 27th, something like that. But you could find all the information and ticket links and all that stuff at bit.ly/mcelroytours. And that's gonna do it for us, so join us again next week.

Teresa: No RSVP required.

Travis: You've been listening to *Shmanners*.

Teresa: Manners, shmanners, get it?

[outro theme music plays]

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