

# WHY PROHIBITION SHOULD BE MAINTAINED IN NOVA SCOTIA

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**I**N a recent speech, sparkling with characteristic humour, Mr. Lloyd George summed up the impressions he received on his visit to the United States. It was an address to the Free Church Council at Brighton, and the ex-premier began by telling his audience that the country which got most out of the war was America. He did not refer, however, to the gold that Americans got; for that, he said, is not very much use to them. *But the United States of America got Prohibition out of the war.*

He went on to confess that he had crossed the ocean with the usual European prejudice against the new reforming law, having been told too that it was demoralizing people, and that more liquor than ever was being consumed. But his observation on the spot convinced him that nothing of the kind is true. Alcohol was, indeed, still copious enough:

There are some men who get it. I believe, thank God, it is very bad. Some of them have been poisoned already, and the others are getting frightened for fear it will be their turn next. Some are drinking from swagger, some because they are not going to be interfered with, and some because they like it. But that generation will disappear.

Mr. Lloyd George, on being told by some of his friends in the United States how monstrous the law was, used to remark "I suppose it will be repealed soon?" Curiously enough they replied that they expected nothing of the kind, and did not think they would themselves vote for repeal if it were proposed!

Driving through American cities, this distinguished visitor would notice a fine building which—he was told—used to be a distillery, but is now packed with woollen goods. Another that had served a like purpose was full of automobiles for workmen. The only unemployed class which he could find in America consisted of the jailers; and "the children have never had such a time since the days of Eden." Some, concluded Mr. Lloyd George, were laughing at Prohibition as a joke, especially the little ones, for it was in truth the merriest joke of their young lives. Not that

he was himself advocating it to that Free Church Council: "That would be politics. I am just giving you a few facts."

These are the views of one observer, who is not of the kind that can be most easily hoodwinked, rather accustomed to take the claim of voluble propagandists with a grain of salt. In endeavouring to decide for ourselves whether Prohibition has been so successful as to justify its maintenance or so unsuccessful as to suggest that it should be abandoned, it will be necessary to rely on two sorts of evidence. In the first place, what do statistics indicate in regard to improvement or deterioration during the last three years in such matters as public health, crime, economic prosperity, and how far may we reasonably suppose that the difference has been made—in whole or in part—by the prohibitory law? In the second place, what is the opinion expressed by those best competent to judge regarding the effect of the law in districts not accessible to our own observation? These two enquiries will serve to supplement each other. The answers given may, indeed, be dictated by bias in either interest—a bias for which we must endeavour to allow, and which is at least as likely to pervert the judgment of those who have the liquor interest at heart as that of those who are over-sanguine about reform. But if we are to make up our minds at all, we must depend on such data as these, keeping in view at once the difficulty of interpreting statistics and the deceptiveness of those witnesses who have an axe to grind—moral, financial, or spirituous.

## I

Various factors contributed to the adoption of a prohibitory law for Nova Scotia. The Churches and temperance organizations had long advocated "total abstinence." Employers of labour were increasingly impressed with the need for finding sober workmen, and the proved impossibility of securing such under the "license" system. Local option in many places had shown the beneficial effect of closing the tavern. Thus those who declare that advantage was taken of an exalted emotional state of the public mind as produced by the war are forgetting how gradual was the movement against the liquor trade, shown for example in the majority vote for its suppression in this province at the plebiscites of 1894 and 1898.

The decisive step was taken by the Referendum of 1920. But it was not to be expected that Prohibition would have full effect all at once. For a century and a half the license system had affected the moral, social and business life of the people. It will take

years to remedy conditions created by the long continued sale of alcoholic beverages. As in the case of the individual drinker, so with the body politic, it takes time to "sober up."

One does not now hear so frequently the old objections propounded. (a) *You cannot make men moral by Act of Parliament.* True, but irrelevant. Acts of Parliament are futile for this purpose if taken by themselves. But does anyone doubt that they may be an important *factor* in promoting moral advance? We are surely long past the time when Lord Melbourne could limit the function of government to keeping the peace and enforcing contracts. By force of law alone we cannot cure a man of his bodily ailment, or endow him with intelligence, or make him clean in life. Yet laws properly enforced can affect for good not only the physical and mental but also the moral welfare of a people.

(b) *Prohibition interferes with personal liberty.* And why not? So do the Ten Commandments. It has been well said: "The man who had the greatest degree of personal liberty was Adam. He lost this soon after the advent of Eve. Since then, each succeeding generation has enjoyed less and less of this alleged divine attribute of human life." If a law is to be condemned merely because it interferes with "personal liberty," what is to become of our police regulations? Such restraint of the individual as is required for reasonable protection of the community needs no further argument to prove it right.

For perfect laws preserve us free  
By stinting of our liberty.

(c) *The evil of drink lies in the abuse, and not in the use of liquor.* Those who say so must meet a formidable array of scientific opinion. I am anxious not to over-state my case, but must point out that the dangers involved in the use of alcohol are now so emphasized by the highest medical authority as to make glib jests on the matter seem foolish. Sir Frederick Treves, perhaps the greatest brain surgeon of his time in England, has told us; "Alcohol is distinctly a poison, and the limitation of its use should be as strict as that of any other poison." In 1918 Dr. Arthur Bevans, President of the American Medical Association, addressing seven thousand doctors, condemned the beverage use of alcohol altogether, and used these words: "I want to plead for the united action of the organized medical profession to secure protection by law against the injury that drink is doing to our country, not as a political measure, but as the most important health measure that could be secured." Now whether we adopt so definite and decisive a view against the use of alcohol

*in toto*, or whether we regard this as the exaggeration of an enthusiast, it is at least plain that there are exceptional risks such as to justify exceptional measures of precaution.

(d) *Prohibition cannot be enforced.* There is surely an anarchistic ring about a statement like this. Are not our people, in overwhelming numbers, law-abiding? Or are we to suppose that certain laws may, with impunity, be disobeyed because they are regarded by a minority with disfavour? Will our governments permit officials to nullify one group of laws in their administration, assuming that they can pick and choose, can invoke the sanction of the Statute Book for those they like and disregard the same Statute Book for those they dislike? Weighty words on this subject were spoken some time ago by Charles S. Whitman, formerly Governor of the State of New York:

Certain students of political science have isolated a phenomenon of our legislative and administrative system which they have described as "unenforceable laws." These laws, although enacted by the legislative authority, with due observance of statutory and constitutional safeguards, are asserted to be fundamentally unenforceable. In our republican form of government means and ways are provided for the orderly expression of the public will; and when the public will is so expressed, it is sheer defiance of law and order to segregate laws for enforcement and laws for non-enforcement.

Those who deride such belief in the sacredness of our legislation are playing with fire. They may find the licence they have jestingly encouraged when it suits their taste turned into a grave danger when it will serve popular passions that they abhor. Especially in these disturbed times it is easier to raise the devil of lawlessness in one interest than afterwards to lay him in another.

If, however, all that is meant is that *perfect* administration of the prohibitory measure is impracticable, what other measure will stand such a test? Those against perjury, gambling, theft, smuggling? No man proposes to drop these laws on the ground that they are often evaded with impunity.

## II.

It is initially probable that as facilities for obtaining alcohol are reduced, there will be a reduction in the number of persons convicted of drunkenness and of other offences to which the drinking habit has been found to lead. It is also reasonable to expect that as intemperance is lessened, the social or economic progress which this cause has in the past so much retarded will show signs of

advance. What does the record show to have happened in these respects during the Prohibition years?

The police courts of Nova Scotia testify to a marked improvement. In the city of Halifax during the last six years under license the commitments to the city prison for drunkenness numbered 1918; during the six years under Prohibition the corresponding figure was 272. Commitments for all offences in the two periods show a drop from 2,750 to 957. And this with only the imperfect enforcement of the law that has been carried out in Nova Scotia!

A similar story can be told regarding Canada as a whole. In British Columbia, Prohibition became effective on October 1, 1917. On 30th September, 1919, *The Vancouver World* declared that the experience of two years had demonstrated its economic, business, and moral advantages. A representative of that paper had visited proprietors and managers of leading stores, and had found that in every instance better business was traced to the reform. The Savings Bank deposits of the province of Ontario told a like tale.

In the United States some months ago the federal government issued comparative figures of the population in all the penal institutions for July 1, 1917, and July 1, 1922. The ratio of prisoners per 100,000 of the general population in the latter year was 137.2, while in the former year it was 143. The corresponding decrease in the county jails—where one might look for the first effects of Prohibition—was from 58 to 50.4. And what is the evidence of the Superintendents of the American penal institutions? Estimates have been obtained in Georgia, Kentucky, Nebraska, North Carolina, Pennsylvania, Michigan, Iowa, Missouri, Nevada, and New Jersey. Without a single dissenting voice the Superintendents in those States avow their belief in the notable value of Prohibition as a check to crime. "That there is more drinking now than ever before—that's tommyrot," exclaims the Superintendent in Nevada: "I used to see more 'drunks' per day in this State than I see in months now." A recent survey covering 151 cities in the United States, with a total population of almost 26 millions, has shown that the average number of arrests for intoxication during the last three "wet" years was 432,753. The average under Prohibition was 255,735.

The President of the great Californian university, Leland Stanford, has declared: "The general effect upon the welfare of the United States has been immeasurable. The effect upon the youth of the next generation will make the benefits of Prohibition even more evident than they are to-day." Dr. Irving Fisher, Professor

of Economics at Yale, has observed that "the efforts to excite the public against the law have been surprisingly small and futile." Dr. Haven Emerson, Lecturer in Preventable Disease at Columbia and Cornell Medical Schools, regards the value of Prohibition in reducing the incidence of disease as second only to that of the application of modern bacteriology to public health. And President-Emeritus Eliot, of Harvard, has told us how, during the first year of the law's working, evidence "accumulated on every hand that Prohibition has promoted all over the country public health, public happiness, and industrial efficiency. The evidence comes from manufacturers, physicians, nurses of all sorts, school, factory, hospital and district, and from social workers of many races and religions labouring daily in a great variety of fields." I submit that the word of such persons is at least as reliable as that of stray travelers, with habits personally uncertain, who bring back a story about what American young men of fashion now carry to dances "in the hip-pocket."

I rely, too, on the testimony of leading men in the fields of commerce and finance, men like the Chairman of the United States Steel Corporation, or Mr. Frank A. Vanderlip, or Mr. Henry Ford, who have spoken in the most decisive terms about the value of Prohibition in improving the *morale* of Labour. Visitors from the Old Country have taken back to England a glowing report. Few people, for example, have better means of judging than General Booth of the Salvation Army, who says: "Half of the Salvation Army's Social Institutions are empty, thanks to Prohibition, and there has been a great diminution of crime." The Rev. Dr. R. J. Campbell, after a prolonged stay in the United States, tells us: "I have come back a convinced prohibitionist."

There are those who suggest that better results might be obtained by "Government Control." But the experience of Quebec and of British Columbia, as well as the Dispensary Systems of the United States, prove the contrary. Government control in British Columbia—according to a resolution passed by the Union of Municipalities—is proving an economic blunder. The Tourist Hotel Protective Association there made representations to the government that bootlegging flourishes to-day as much as at any time in the past, and that the effects of drinking hard liquor are daily becoming more noticeable in hotels as well as on the streets and highways. Drinking among women in the same province is declared now to be on the increase.

As regards Quebec, let the voice of the Cardinal Archbishop be heard:

The scourge of alcohol unhappily seems to be reappearing now more or less in parts of the country. It is *more than ever\** necessary to renew the agitation with vigour and perseverance, and without delay, if we desire that the advantages obtained in recent years be not lost.

“A perfect Mecca for evil-doers” is *The Montreal Gazette’s* description of the city in which that paper is published. And to those who would, forsooth, erect colleges, hospitals, reformatories and churches upon the financial foundation of the beer barrel, *The Montreal Star* has lately printed a warning that unless the Quebec system can be shown to be sound as a temperance measure, those who would elsewhere imitate it “for the purpose of getting revenue for a depleted provincial treasury” are taking a grave risk. “The Government Liquor Octopus may fasten itself upon the province with as dangerous a hold as the vested interests and the public-house and saloon trust have done in other countries.” These great organs of opinion, in the area where government control has been most fully tried are deserving of our earnest heed.

For citing so many personal statements in urging the Prohibition case my defence must be that in this matter we have to depend to a great extent on accumulated testimony by persons of judgment who have kept their eyes open and may be expected to speak the truth. I have endeavoured to include such testimony from other than the so-called “Prohibition sources,” and could quote much more to the same effect from employers of labour, from labour leaders, from judges, from heads of hospitals, none of whom were prejudiced by being pledged to the law in advance, none of whom can be discounted as “mere clergymen and social workers,” and none of whom are—apparently at least—less worthy of credence regarding the facts before their eyes than those anti-prohibitionists who fought the law from the beginning, and are now much tempted to boast about every occasional break-down “We told you so.”

With such evidence before us, both at home and abroad, is this the time for Nova Scotians to waver in the fight? Prohibitionists across the line have lost States, recaptured them, persevered, and finally obtained a nation-wide measure. May we not confidently expect that Quebec, Manitoba, Alberta, British Columbia will similarly be restored to the ranks of reform? In the early days after August, 1914, when the Allies were having repeated reverses, Mr. Winston Churchill said: “Germany is winning battles, but we shall win the war.” Prohibitionists in Canada, in their arduous campaign against the enemy, may be likewise sure that amid temporary discouragements victory awaits them in the end.

\*Italics mine.