

States Preparing for the Great Repeal Battle

NOW THE PEOPLE can decide, after more than thirteen years of Prohibition.

The opportunity for a direct voice on the bitterest issue since slavery comes to them almost a year after the great LITERARY DIGEST Prohibition poll of 1932, which showed all but two States favoring repeal.

Surprising the country, the lame-duck Congress, hitherto staunchly dry, reverses itself "in a stampede toward repeal," to permit the people to decide Prohibition's fate.

The dries, whose long, unrelenting fight finally put Prohibition into the Constitution, are ready to give their last ounce of strength to keep it there.

To do so they must hold thirteen States in line. Can they do it?

"No surrender, no retreat, no compromise," is their slogan, coined by Edward Dunford, counsel of the Anti-Saloon League. "The wet Prohibition repeal program will be fought to a finish at the State capitals, before the people in the election of delegates, and in legal proceedings, if necessary."

To kill Prohibition the wets must get thirty-six States to ratify the Twenty-first Amendment. Can they do it?

Jubilant over the action of Congress in passing the resolution for repeal, the wets admit that they must stage a terrific fight to achieve their goal.

BUT not more than two States, let alone thirteen, will vote against the repeal of Prohibition, as shown by THE LITERARY DIGEST'S polls. Kansas and North Carolina were the only dry States in the latest poll, and these by scant margins.

Our first Prohibition poll, taken eleven years ago, showed a strong anti-Prohibition sentiment, and the same was true of our 1930 poll. Thus THE DIGEST reflected the will of the people eleven years in advance of the legislators.

At the risk of seeming to pat itself on the back, but with a high pride in the accuracy of its polls, whose integrity often has been attacked, THE DIGEST begs leave to point out how it has served as the voice of the people in several great issues.

In 1924 it forecast the election of Calvin Coolidge as President with a margin of error of less than 2 per cent.

In 1928 it was 95.6 per cent. correct in revealing that Herbert Hoover would defeat Alfred E. Smith, and that the "Solid South" would be shattered.

In 1932 it was 99.6 per cent. correct in forecasting the electoral vote for Franklin D. Roosevelt, and 98.89 per cent. correct in forecasting the popular vote.

In view of this record, and with the results of the 1932 Prohibition poll in mind, it would seem that the dries will be unable to get more than one or two States to vote against ratification of repeal.

Excitement grips the country as the new battle begins. Various States rush to be the first to stab Prohibition. Dry leaders hurriedly launch their drive to block repeal. A meeting at Washington to map the strategy of all the dry forces is called for next week. Wets line up for a heavy campaign, which, they

admit, may take two years, altho they hope for success by next fall.

Adding to the general frenzy is the confusion over proper procedure toward repeal. The Congressional resolution provides for action by conventions in the various States. But how shall the delegates be chosen? Shall Congress set a day for the election of the delegates? Shall the initiative be left to the State Legislatures? Or might the Legislatures delay interminably?

This is the first time, we read, that a Constitutional question has been submitted to State conventions. Hence the confusion as many plans of procedure are advanced.

All this came about as a result of quick, amazing action in the last days of the lame-duck session. At the climax, the stocky, pink-faced Speaker Garner of the House rapped for order and uttered historic words that electrified the nation:

"On this roll-call the ayes were 289 and the nays 121."

It was all over, so far as Congress was concerned. It had passed the issue back to the people.

MORE surprizing than the House action, to Washington observers, was the vote in the Senate, taken four days before, on February 16. Previously, we read, no anti-Prohibition measure had been able to command thirty votes in the Senate. And so, with a two-thirds majority required, the wets had abandoned all hope of getting anything done before the special session to be called by Mr. Roosevelt.

But the tall, broad-shouldered Democratic leader, Senator Joseph T. Robinson, did not give up. He forced action. A dry filibuster was squelched. Up came the Blaine repeal resolution, girdled with amendments.

One by one, these were stripped away. At last only one remained—Federal protection for dry States. Differing thus slightly from outright repeal, and despite the bitter attacks of dry Senators, the measure rode through by the astounding vote of 63 to 23, five more than the necessary two-thirds. Backing the resolution were thirty-three Democrats, twenty-nine Republicans, and one Farmer-Labor member; opposed, fourteen Republicans and nine Democrats.

The resolution was pronounced satisfactory by Speaker Garner, who had refused to let anything but "naked repeal" come before the House, and the Representatives cleared decks for action on February 20.

In a scene of wild disorder, after only forty minutes of slam-bang debate, they put through the Blaine resolution, 289-121, and yelled their delight. It was fifteen votes more than the needed two-thirds majority. One hundred and nine Republicans joined with 179 Democrats and the Farmer-Labor member to pass the resolution, while eighty-nine Republicans and thirty-two Democrats opposed it.

This meant that nine Democrats and six Republicans had switched to the wet side since the opening day of the session, when "naked repeal," forced to a vote by Speaker Garner, failed by six votes of the two-thirds majority. The count was 272 to 144.

In the final scene of the long and bitter Congressional fight, the majority joined with Representative Frank Oliver, New York Democrat, who shouted: "Let's have one on the House. Prosit!"

"They yelled," says Arthur Hachten, Washington correspondent of Universal Service, "like schoolboys over a football

victory."

Thus was the dry grip on Congress broken, after fifteen years.

Presidential action being unnecessary, the Blaine resolution was signed by Speaker Garner and Vice-President Curtis and rushed to Secretary of State Stimson, for transmission by him to the Governors.

With forty-one Legislatures in session and two others about to meet, the business of setting up machinery for the conventions got away to a flying start. Wyoming already had made provision for holding its convention.

Wets are confident that the next few months will see action in many States, altho the Blaine resolution provides a period of seven years for ratification.

As some wet leaders plunge ahead to get quick action, others counsel caution to make certain of correct procedure and avoid litigation and delay. Many frown upon any Federal move to bring about the conventions, preferring to leave the initiative entirely to the States. Sentiment seems to be crystallizing behind the plan for the election of delegates at large, rather than district representation, since the former, it is argued, would provide a fairer test.

Altho the dries are preparing to fight in every State, they count their chances best in sixteen States, according to Albert L. Warner, Washington correspondent of the *New York Herald Tribune*.

In listing these, it is interesting to note how they voted on the issue of repeal in the LITERARY DIGEST poll of 1932. The only two States that voted against repeal in the poll were Kansas, with a dry percentage of 50.23, and North Carolina, 50.05.



The Dying Kick

The other States listed by Mr. Warner, together with their wet percentages in the poll are: Oklahoma, 54.8; Iowa, 63.4; Georgia, 63.8; Utah, 69.6; Nebraska, 62.9; Kentucky, 67.4; Tennessee, 51.6; North Dakota, 76.5; South Dakota, 69; New Hampshire, 68.9; South Carolina, 60; Alabama, 55.4; Mississippi, 56.2; Florida, 74.9.

Reviewing the history of Prohibition, Edwin C. Hill, political observer and radio commentator, tells of the part played by THE LITERARY DIGEST's 1932 poll in revealing public sentiment on the question of repeal:

"Unwilling to permit the public to express, in any fashion, its opinion on the dry law, the bone dries had blocked various attempts to secure an authentic referendum. Then THE LITERARY DIGEST, with considerable courage, polled the country,

LITERARY DIGEST

revealing an overwhelming desire not only for modification of the Volstead Law, but for outright repeal of the Eighteenth Amendment.

"Only two States—Kansas and North Carolina—voted dry in that sweeping poll.

"It was an eye-opener. Congressmen and political bosses, who had taken the word of the drys that the American people were solidly for Prohibition, world without end, discovered that quite the contrary was the truth. Confirmation of THE LITERARY DIGEST poll was to come with emphatic force in the national election of November.

"Signs had been unmistakable for several years that the country was heading for a change. THE LITERARY DIGEST polls had shown a swing from modification to outright repeal."

STARTLING as was the sudden about-face of Congress, a comparison of the vote with THE LITERARY DIGEST's 1932 poll "indicates that the residents of the States to which ratification of repeal must now be submitted are even wetter in sentiment than their representatives in Congress." This is pointed out by the *New York Times*, which continues:

"THE LITERARY DIGEST sent out 20,000,000 ballots a year ago this month and received back and tabulated 4,668,537 of them before its poll closed at the end of April. Of these 3,431,877 were for repeal and 1,236,660 were for continuance of Prohibition, or 73 per cent. were wet and 27 per cent. were dry.

"Forty-six States voted wet in the magazine's poll and the only two which went dry, Kansas and North Carolina, did so in each case by a very slender margin. Kansas voted dry by 397 votes out of 84,121 ballots cast, and North Carolina by only 68 votes out of 64,790."

THEN *The Times* proceeds with an analysis of the repeal vote in House and Senate:

"In the Senate last week both members from twenty-seven States supported the resolution for submission of repeal, and the Representatives from fifteen other States were equally divided. Both Senators of six States, Colorado, Idaho, Iowa, Kansas, Nebraska, and Oklahoma, voted against repeal.

"The vote in the House showed a majority of the Representatives from thirty-one States voting wet; the Representatives from seven other States equally divided, and the Representatives from ten States preponderantly dry. Of the ten dry States, the delegations from Kansas and Maine were solidly against repeal; the delegations from Colorado, Idaho, Iowa, Mississippi, Nebraska, North Dakota, Oklahoma, and South Dakota were split.

"The only State with all its representatives in both Houses as dry was Kansas. But North Carolina, the other State which was dry in THE DIGEST's poll, registered both its votes in the Senate and its entire slate of ten votes in the House for submission of repeal.

"The States which were predominantly dry in both the Senate and the House were Colorado, Idaho, Iowa, Kansas, Nebraska, and Oklahoma. The vote in each of these States recorded by THE LITERARY DIGEST was as follows:

<i>State</i>	<i>For Repeal</i>	<i>Against</i>
Colorado	22,887	14,870
Idaho	10,710	5,313
Iowa	57,874	32,480
Kansas	41,862	42,259
Nebraska	33,222	19,790
Oklahoma	30,004	25,026"