While US history is filled with colorful moments, one key decade that stands out in a variety of ways is the Roaring Twenties. The Roaring Twenties was preceded by World War I, which left many Americans questioning various aspects of their moral lives and dealing with the harsh reality of significant unemployment, staggering inflation, and a questionable future. It was an uncertain time in terms of the political climate, where radicalism had been sparked with a fear of communism. Adding to this was a significant amount of labor tension, with the reduction in the work hours of many workers and a focus on unionization.

The fact that the 1920s were considered “roaring” had a great deal to do with the fact that the Eighteenth Amendment of the US Constitution had a far-reaching influence during this time. The prohibition on the manufacture, sale, and distribution of “intoxicating liquors” created a certain upheaval in the social fabric. This time period focusing on the evils of alcohol was in the process of development many decades before the official federal ban itself. The Progressive Era at the turn of the twentieth century and the social earthquakes of urbanization and mass immigration, coupled with rapid social change over a short period of time, enhanced the Temperance Movement, which had been around since the early nineteenth century. Groups like the Anti-Saloon League and the Women's Christian Temperance Union were instrumental in pushing forward a moral agenda that sought to make liquor an enemy of the state and social life. These groups were quick to point out the link between alcohol consumption and other social problems such as domestic abuse. This in fact made many Americans concerned about the social ills that were seemingly generated as a result and led to the call for government to address these issues that posed a threat to the solidarity of the nation. The “noble experiment,” as it was known, certainly failed as a law seeking to shift behavior en masse. Inherent to this mechanism of massive formal social control was the fact that the enforcement of such a law led to serious problems, including corruption among the police and an increase in organized crime during the period.

The 1920s was a key time for criminologists and sociologists, especially those in the Chicago School, who were front and center for the social change that was taking place. Lilly, Cullen, and Ball (2011) point to this particular period of time as crucial for theorists who were breaking away from explaining crime at the individual level to exploring more macro-level approaches that considered the impact of the community and social context. More specifically, we see the development of social disorganization theory and theories focused on juvenile delinquency from the likes of Robert E. Park, Ernest Burgess, Clifford R. Shaw, and Henry D. McKay during this time. There was a serious intellectual movement taking place during this period that shaped criminological thought and influenced other scholars the field.

The Roaring Twenties were indeed roaring and full of life: the tone of the country was set from the
start, when on January 16, 1920, prohibition officially started with the ratification of the Eighteenth Amendment to the US Constitution, and then the National Prohibition Act, or Volstead Act, came into effect on February 1, 1920, allowing for the enforcement of the law with respect to the sale and manufacturing of “intoxicating liquors.” Prior to the passage of the Eighteenth Amendment, many states had adopted their own dry laws. One of the first to do so was the state of Maine, which in 1851 adopted a law prohibiting the manufacture and sale of liquor. The Volstead Act outlined the sanctions for the various law-breaking activities, including fines and possible imprisonment. Enforcement of the law was originally assigned to the Department of the Treasury (Internal Revenue Service) and later the Justice Department. Today, the Bureau of Alcohol, Tobacco, and Firearms (ATF) is charged with the enforcement of federal laws related to the areas implied by the agency’s name. Along with this federal law was the Mann–Gage Act passed in New York, one of many laws created by states to attempt to limit the manufacture and distribution of alcohol. That it was quickly repealed soon after taking effect, however, demonstrates the difficulties with the enforcement of such dry laws. The enforcement, of course, was up to local and state law enforcement officials, many of whom did not believe in the laws, but who also profited from them by taking kickbacks from the speakeasy proprietors and illegal liquor stores that had sprung up as a result of prohibition efforts. The state laws themselves were questioned based on their relation with the federal law already in effect.

The Bureau of Investigation (today’s FBI) had very limited jurisdiction during this time. Also in 1924, J. Edgar Hoover was selected to head the Bureau of Investigation and would command this agency for almost 48 years. Hoover quickly formalized the Bureau by requiring highly professionalized agents who were to be between the ages of 25 to 35 and be subjected to formalized training. It was Hoover who was instrumental in establishing the Identification Division, having the foresight to understand that law enforcement officials would need a variety of tools (including fingerprinting) at their disposal in order to solve crimes. Federal law enforcement did not fully have “teeth” until the Mann Act of 1911, followed by the Dyer Act or the National Motor Vehicle Act. These two Acts preceded a very turbulent period of federal cases coming from the period of prohibition.

Crucial to note here is that this Act in essence provided powers to federal agents and prosecutors to seek out and combat the illegal sale and manufacture of a product seen as leading to the moral disruption of the American way of life. However, as Burnham notes, “in some areas prosecutors and even judges were so unsympathetic that enforcement was impossible” (1968: 57). Many juries were seemingly unwilling to convict bootleggers as the jurors themselves lacked confidence in the law of the land. Of course, the Temperance Movement and the Progressive Era gave rise to and significantly influenced the way in which this law came about. However, it was clear that many people in the United States did not stop drinking. While no accurate data can substantiate a significant increase or decrease in alcohol use, the fact is the American people were going to continue to drink. The rise of speakeasies in various urban centers, the making of bathtub gin, and the use of rum runners from the Caribbean provide evidence that the desire to drink was to continue. Speakeasies were in fact places where illegal alcohol was sold; these bars oftentimes required a password for patrons to enter, in order to make sure they were not federal agents seeking to investigate the establishment. Bathtub gin was a concoction of distilled mash, which was usually used for home consumption. Rum runners was a term applied to those who were likely to smuggle alcohol into the country, often from the rum-rich Caribbean. The various violators of prohibition were not just men, as Murphy noted in a study about women bootleggers in Montana during this period: “for working class women it was a logical extension of the many kinds of home work they had traditionally undertaken to supplement family income;
admittedly it carried some risks that presumably offered greater rewards” (Murphy 1994: 187). Progressives were not only partially responsible for an attempt to shift people away from the use of intoxicating liquors, but were also, and perhaps even more so, influential in the attempt to change the prison system. As Rothman noted in *The Oxford History of the Prison* (Morris and Rothman 1995), the “The Big House” was a result of Progressive reform and resulted in large prisons (for the time) by the end of the 1920s.

Homicide rates during the 1920s, according to the National Center for Health Statistics, approximately averaged 8.0 per 100,000 during this period compared with an average of approximately 4.2 per 100,000 in the previous two decades (1900–1919). During this period, as noted by Stark and colleagues (1983), statistics were difficult to come by as academicians were not necessarily focused on quantitative methodologies and even the data that were collected were strictly scrutinized by the government. Writing at the time, Rice (1924) was critical of how the statistics then available were being manipulated and misrepresented by prohibition advocates such as the Anti-Saloon League.

The National Commission on Law Observance and Enforcement (the Wickersham Commission) was a product of the Roaring Twenties and was constructed by President Herbert Hoover in 1929 to actively study crime and law enforcement in a comprehensive manner, something that had never truly been attempted. While the Commission's findings were not published until the early 1930s, this particular study highlighted some key issues that are still germane for those in the field of criminal justice. Of particular importance was the focus on how much corruption was present in law enforcement, in large part due to prohibition. Furthermore, it denotes the use of force by officers in an unlawful manner to extract information from suspects, and the blatant use of brutality by many officers across the country. This led to recommendations to law enforcement agencies that professionalism was a priority and that this would hopefully lead to a decrease in the amount of lawlessness. In this instance it seems that a key by-product of the “noble experiment” was to have the federal government take note of the importance of studying criminal justice in a more comprehensive manner that could give way to reform of the criminal justice system and the professionals within. The study itself was scrutinized for being shortsighted and lacking direct evidence from empirically grounded sources (Waite 1938). However, even with the questionable collection methods, the Wickersham Commission's report led to the Uniform Crime Reports, which are used by today's academics as a major source of information with respect to the nature and extent of crime in the United States.

The Roaring Twenties, while not being able to provide a massive set of reliable data on crime, inspired numerous criminological studies on delinquency and gangs. The Chicago School and the sociologists associated with it were deeply moved by the social context of this historical period. As noted by Joe (1995), many of the academics during this period did not only focus on a quest for knowledge but did so with a desire to reform what they saw as problematic with the urbanized, industrialized, and wayward social upheaval that was taking place.

*Carroll v. United States* (1925) provided some indication of how the Volstead Act would make way for constitutional challenges. In this particular case, police officers had stopped and searched a vehicle that was believed to have been carrying liquor. While there was no search warrant, the justification of the stop and subsequent discovery of illegal liquor was brought into question under the Fourth Amendment. The Court ruled that officers need not obtain a warrant and need only probable cause to believe a crime is taking place when conducting a warrantless search of an automobile. As Kersch (2004) noted, this decision was reflective of a pattern whereby rights were being limited so as to make way for the

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crime control, more specifically the criminalization, of liquor offenses. This of course was short-lived.

Olmstead v. United States (1928) truly captures a variety of elements related to the 1920s. While later reversed in 1967 by Katz v. United States (1967), the Olmstead case involved a suspected Seattle bootlegger and former police officer who was convicted under the National Prohibition Act after federal agents using wiretaps were able to secure evidence that he was importing alcohol from Canada, storing it, and then selling it. Olmstead's actions and the issues surrounding the case demonstrate the various criminal dimensions of prohibition while at the same time providing a glimpse into the constitutional issues that emerged due to the need to enforce federal law. The case against Olmstead shows that the law banning the import and sale were being challenged by citizens who questioned the rationale for the law in the first place. Many of those involved in the Olmstead case were in fact law enforcement officials in the area, bribed to turn a blind eye. This practice was not uncommon in the 1920s, and while no accurate measure of police corruption exists, there is certain anecdotal evidence to suggest a good deal of police misconduct was taking place as a result of prohibition. Furthermore, Olmstead's actions demonstrated his ability to plan, organize, and coordinate a system where illegal product had a pathway to very willing and able-bodied "law-breakers." The Olmstead case provided agents with the ability to wiretap private telephone conversations and use them against someone without violating a person's constitutional rights.

Organized crime during this decade was certainly an ongoing struggle for law enforcement across the United States. Cities like New York and Chicago especially felt the impact organized crime was having on the social landscape. Al Capone was a major organized crime character of the 1920s and embodied the most typical aspects of organized crime, including his use of violence to enforce his control of various criminal enterprises. Born in New York, Capone, known as Public Enemy Number One, moved to Chicago, where he joined the ranks of the Colosimo family. It was in Chicago that he became boss and controlled the illegal activities of the organized crime family, including the corruption and bribing of public officials and the illegal manufacture and distribution of liquor. He introduced innovative schemes to make the money he made seem as though it was coming from legitimate sources: the term "money laundering" is said to have come from the practice of using laundromats as legitimate businesses to filter illegitimate monies (Roth 2010). While Capone was not present on February 14, 1929 when the St. Valentine's Day massacre took place, in which the city of Chicago was set even more on edge by the killing of seven rival gang members by Capone's associates, it is important to note that Capone pleaded guilty to tax evasion charges as well as prohibition charges. Furthermore, as highlighted by Okrent (2010), organized crime associated with the illegal distribution of alcohol made many people who had grown up as youths in ghettos very rich in their adult lives. Capone and others met in 1929 in Atlantic City to firm up partnerships and crime syndicates that enabled the flow of liquor down from Canada into Boston and out to Philadelphia. This coordination included Canadian suppliers, politicians, corrupt law enforcement officials, bootleggers and those who controlled the business, and the gangsters themselves, who stood to profit to the tune of millions.

The Ku Klux Klan gained in membership during the 1920s in a post-World War I era that questioned those individuals who were not native-born and who seemed, to certain segments of the population, to be a significant threat to the fabric of America. The KKK not only opposed certain groups, like Catholics or Jews, but took position against bootlegging as well during this period. During the 1924 Democratic Convention in Washington, DC, tens of thousands of cloaked members of the KKK paraded down the streets, demonstrating the growing number of members of this particular hate group. Its violent
tendencies during this period, including lynchings and various acts of intimidation, were beginning to escalate. The political influence of the KKK was far-reaching, and their defense of prohibition laws strengthened it. However, by the end of the 1920s membership had dwindled and one prominent Klan leader from Indiana, David Stephenson, was actually tried and convicted of kidnap and sexual assault.

The Roaring Twenties also was a time of concern over immigration law connected with the deportation of suspected radicals who were said to have been anarchists or supporters of Bolshevism. Some radical anarchists were alleged to have carried out a series of bombings in the early 1920s which gave rise to Attorney General A. Mitchell Palmer's raids on suspected radicals. Palmer himself was the victim of a bombing at the hands of anarchists focusing on the overthrow of capitalism. While he was not hurt in the bombing, his home was destroyed and his focus became more centralized on the need to defend the United States from radicalism. Law enforcement efforts were geared toward exposing and rounding up suspected anarchist sympathizers. The 1921 murder trial of Nicola Sacco and Bartolomeo Vanzetti outside of Boston highlighted the concern over radicals, as they were said to have been in alliance with known anarchists and it was of great importance to convict them. The trial, conviction, and subsequent execution of these two Italian immigrants were said to have been questionable: the evidence against them, as they stood trial in an iron cage, was weak.

The Roaring Twenties were certainly dominated by the era of prohibition and the notion that American culture needed to become a more pure and moral one. This, of course, was not to be the case, as the end of prohibition was overshadowed by the fact that it never really was a well-respected constitutional amendment. This time period also saw the development of the Federal Bureau of Investigation as a federal law enforcement agency and demonstrated how the professionalization of an organization can be significantly impacted by the shifting nature of crime. Furthermore, the impact of the Ku Klux Klan and immigration on the national landscape provides a base for an understanding of issues related to hate crime and the immigration debate in the modern age. All in all, this period of US history is an important one that sheds light on the development of crime and society's response to it for the decades to come.

SEE ALSO: Alcohol Use and Crime; Nativism; Racketeering; Social Bandits.

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Further Readings


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