

# THE VINE VOTE:

## *Why California Went Dry*

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## I. INTRODUCTION: VOLSTEAD, CALIFORNIA

Prohibition imperiled George F. Covell's livelihood. Born into an enterprising family in 1865, Covell joined his father's grape growing business at an early age.<sup>1</sup> By the 1910s he was a leader in California viticulture, earning positions of authority within trade groups<sup>2</sup> and collaborating with University of California researchers to advance farming technology.<sup>3</sup> Covell championed grape grower efforts to stave off prohibition at both the federal and state levels, including a last-minute compromise that would ban saloons throughout California.<sup>4</sup> He failed. On January 16, 1919, Nebraska provided the final vote required to ratify the Eighteenth Amendment. National prohibition under the Volstead Act began on January 17, 1920.<sup>5</sup> Grape growers were despondent; many dug up their vines, and one even committed suicide.<sup>6</sup>

But then, something unexpected happened: national prohibition proved profitable for Covell. As the 1921 harvest came to a close, he packed over 150 railcars with his wine grapes.<sup>7</sup> Covell wrote to Western Pacific, tongue-in-cheek, suggesting a name for his new and suddenly bustling cargo stop: Volstead.<sup>8</sup>

At the same time that Covell's fortunes took an unanticipated turn, California voters were deciding on prohibition as a matter of state law. Prohibition appeared as a statewide ballot measure five times between

<sup>1</sup> GEORGE H. TINKHAM, *HISTORY OF SAN JOAQUIN COUNTY 1583* (1923).

<sup>2</sup> Cal. Grape Protective Ass'n, *Grape Growers to Discuss the Wine Industry*, S.F. CHRON., July 1, 1917, at C7; *State Grape Meeting to Oppose Prohibition*, CAL. FRUIT NEWS, Sept. 7, 1918, at 13; *Exports from San Francisco for December*, CAL. FRUIT NEWS, Mar. 4, 1922, at 4–5.

<sup>3</sup> Ernest B. Babcock, *Studies in Juglans I*, 2 UNIV. CAL. PUBLICATIONS AGRIC. SCI. 1, 64–65 (1913).

<sup>4</sup> Cal. Grape Protective Ass'n, *supra* note 2.

<sup>5</sup> Wartime prohibition had gone into effect in 1919, but grape growers and wineries largely ignored the law pending resolution of constitutional challenges. *Injunction Against Dry Act Denied State Grape Men*, S.F. CHRON., Sept. 20, 1919, at 13.

<sup>6</sup> DANIEL OKRENT, *LAST CALL: THE RISE AND FALL OF PROHIBITION 1* (2011) ("Up in the Napa Valley . . . an editor wrote, 'What was a few years ago deemed the impossible has happened.'"); GILMAN OSTRANDER, *THE PROHIBITION MOVEMENT IN CALIFORNIA, 1848–1933, 177–78* (1957).

<sup>7</sup> Eddie Boyden, *Grape Grower Puts Volstead on California Map*, S.F. CHRON., Sept. 8, 1921, at 15.

<sup>8</sup> *Id.*

1914 and 1920.<sup>9</sup> It never passed. State law remained deeply controversial even after federal prohibition: The Eighteenth Amendment contemplated concurrent state enforcement, and Congress had established initial “police arrangements” that were somewhat “superficial” owing to inadequate funding and primary responsibility located within a sub-sub-unit of the Treasury Department.<sup>10</sup> While scholars have long debated the effectiveness of prohibition enforcement,<sup>11</sup> contemporaries certainly perceived state “mini” or “baby” Volstead Acts to be critical battlegrounds between the “dries” and the “wets.” In the 1922 California election, after nearly a decade of campaigning, the dries finally won out.

This essay posits an explanation for California’s sudden flip-flop on prohibition: federal law generated windfall profits for the state’s grape growers, causing them to temper their opposition. The argument proceeds in five phases. Part II details the strategic politics of prohibition in California, especially on the part of grape growers, and how 1922 departed from prior elections. The following Part III explains how federal law under national prohibition both tolerated and subsidized home winemaking. Part IV analyzes statistics on grape growing under prohibition, which reveal a sudden surge in fruit production and price. Part V recounts how grape growers recognized prohibition as the cause of their good fortune. Finally, a Conclusion completes the argument: California went dry because prohibition was so profitable.

## II. PROHIBITION POLITICS IN CALIFORNIA

Prohibition was an incremental initiative in California. A state chapter of the Woman’s Christian Temperance Union was incorporated in 1879,<sup>12</sup>

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<sup>9</sup> See *infra* Part II.

<sup>10</sup> THOMAS PINNEY, *A HISTORY OF WINE IN AMERICA: FROM THE BEGINNINGS TO PROHIBITION* 435 (1989); see MARK THORNTON, *THE ECONOMICS OF PROHIBITION* 100 (1991) (discussing federal and state expenditures on prohibition); *Peril in Dry Repeal Shown*, L.A. DAILY TIMES, Oct. 30, 1926, at 1 (claiming that without state, municipal, or local authorities, there would only be about seventy prohibition enforcement officers in all of California).

<sup>11</sup> See THORNTON, *supra* note 10, at 100–01.

<sup>12</sup> ERNEST H. CHERRINGTON, *THE EVOLUTION OF PROHIBITION IN THE UNITED STATES OF AMERICA* 204 (1920); OSTRANDER, *supra* note 6, at 58 (“The state W.C.T.U. took its place almost at once as the most effective temperance organization in California.”).