

[HS name]

Try, Try, and Try Again:

A Journey Through Prohibitive Action in America

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Prohibitions rarely work. It's extremely difficult to get a population of people to completely give something up. Yet the American government persists. Many times in American history a ban or prohibition has been attempted and many times it's gone downhill. But they don't come fully formed from the earth or even the congress. They came from various places. They came from Anthony Comstock of the 1800s who created the Comstock era of laws which attempted to ban obscenity. They came from temperance organizations in the early 1900s who fought for the 18th amendment which banned alcohol. And they came from the LAPD in the 1980s which attempted to steer children away from drugs. But even these various places and times are not completely separate. In comparing Comstock, Prohibition, and D.A.R.E, patterns of influence, action, and failure in the United States Government make themselves clear.

As a result of new technologies and industries, Anthony Comstock and his New York Society for the Suppression of Vice took to the streets and courts to combat what they saw as obscene and immoral materials.

The printing press was invented back in the 16th century. But during the 19th century and the Industrial Revolution, many improvements to printing were being made. The copying of text was made easier by the rotary press in the 1840s and increased the accessibility of making, and therefore buying, printed goods such as newspapers, books, and pamphlets (Timmons). The copying of photos was also made much faster by technologies like photo engraving which made printed goods more eye-catching ("The Art Industries"). Alongside this and encouraged by it, the explicit industries in New York were thriving (Gilfoyle). Prostitution has always been present, but with access to printing technology a new industry of printed explicit materials was on the rise in the 1800s. But change never goes unchallenged. Coming from an extremely Christian

childhood and believing it was a calling of his to control this new vice, Anthony Comstock entered the public eye (Werbel).

After being a salesman and a veteran, Anthony Comstock was working in New York as a police informant and New York postal inspector. But perhaps saw the police as ineffective as he established his New York Society for the Suppression of Vice or NYSSV (Pruden; New-York). This society's prime purpose was to seize and destroy explicit materials or things that could be used to produce them (New-York). Comstock spoke and wrote books warning about various dangers he perceived in the world. He took to lobbying for laws to ban obscene material and went all the way to DC for it (Pruden). While not the only person worried or outraged about such matters, he was extremely vocal (Werbel).

In Comstock's books, he wrote about the things he believes should be better controlled in the world. Gambling, alcohol, alternative politics, and how parents raise children are all on his radar. But across many categories, he is worried by bad information. False advertising, true advertising of things he finds harmful, newspapers, penny novels, pamphlets, and worst of all, "Death by Mail". The business, he says, of sending an advertisement to an unwitting person, having them send money back, and then they are returned some explicit material. Comstock claims that young men and boys are especially susceptible to this. Women and girls on the other hand are being targeted by materials regarding birth control and abortion, something he wrote about as an equal evil to obscenity. And these things are bad because, as he says, they are the evils of "satan" (Comstock). As formed by his extremely Christian childhood in Connecticut, Comstock saw it as a personal religious calling, a moral duty to act (Werbel). His goal, as seen in this book and the function of the NYSSV, is to eliminate these materials and this trade, ostensibly to improve some aspect of society.

In 1873, the federal Comstock Act was passed. It made the sale, sharing, or shipping of explicit materials or materials regarding abortion or birth control illegal. This heavily affected the postal service as well as public spaces. Already subject to search, if a person sent a letter or pamphlet considered to be explicit through the mail, they could be arrested. And if people shared things in spaces more public than secret, they could be reported to the law. Twenty-four states passed state legislation banning similar materials around this time, these are also sometimes called 'Comstock Laws', making it very widespread in American law and life (Pruden).

The Comstock Act also helped the NYSSV flourish. With the law now squarely on their side, seizures, arrests, and, most of all, the amount of people convicted went up. Thousands of arrests and seizures a year are shown in the NYSSV logs and countless businesses and much personal business was upturned by obscenity investigations. Later on, in 1879 the Hicklen test was brought to the U.S. and set as a precedent in courts (Werbel). The Hicklen test was a measure to say whether or not something was obscene that fell on Comstock's side of the ideological fence by saying it was anything that was meant to corrupt a person or their moral character (Jenkins). Anthony Comstock's words and beliefs made up nine-tenths of the law. But the leftover tenth was still up for grabs.

Immediately, lawyers, artists, feminists, and thinkers descended to challenge the law. These groups had already been active and criticizing before the law passed, but now the fight moved to the courts. Lawyers helped represent people in court to argue that the Comstock Act violated the First Amendment in regard to free speech. This came up often with newspapers being censored being a violation of freedom of press. Feminists argued that women had a right to information about birth control as part of their personal freedoms (Pruden). And artists argued the line between obscenity and art as nudity is present in many old statues and paintings that

have been respected for a long time. Despite this immediate pushback, the Comstock Era did thrive for a time, until its time inevitably ground to a halt (Werbel).

The first film was recorded in 1888, pictures were well established, lawyers never backed down, and obscenity was on tour. Like in the times that drew Anthony Comstock to start his crusade, new technologies such as peep shows, audio recordings, and, flashiest of all, film, were being co-opted to show explicit images and messages for whoever could pay. This was very popular among the public. At this point, popular support for the restrictions was dwindling down to nothing. The NYSSV tried to keep up with these new angles and changes but they were hard to keep up with, especially with the decreases in monetary support they were seeing. The closer it got to the 1900s, the more initial supporters of the NYSSV were leaving or passing away from old age. This was combined with even less public support than initially. Lawyers against comstockery were still active and working consistently, leading to fewer actual convictions to show the NYSSV working. And the artist's movement took the hammer of the 1893 World's Columbian Exhibition to drive nails into the coffin (Werbel).

The World's Columbian Exhibition also known as the Chicago World's Fair was a veritable disaster for those against obscenity. Sculptures, paintings, photos, music, and dance were all on tour and some displaying the human body under the banner of artistic merit. It was public, and it was very popular. This was not a direct push against Comstock or his work, but it was in opposition to his work and heavily normalized a degree of exhibition into the public sphere. And it was such a big event for him because of how he decided to handle it. Comstock did his usual work of witnessing the event, vocally disapproving of it, trying to get it taken down through legal and social means, and succeeding a bit by getting some shows suspended from the public (Werbel).

But he wasn't the only one interested in the event. A leader in the up-and-coming Women's Christian Temperance Organization also took a stake in this specific event. Emilie Martin headed a letter-writing campaign and had three dancers arrested at the time. This was an opportunity for Comstock and his fading organization to have an ally, and they did ally for a time. Their offices in New York City were in the same building and they were against many of the same obscenities. But in a court incident, Comstock decided to file a censorship bill that competed with one the WCTU had already filed. The bills were similar and similarly stricken down by opposition. Comstock's collaboration with his strongest ally cracked (Werbel). Even in this opportunity for support, Comstock's personal case against vice couldn't hold itself together.

Following an uptick in the business of alcohol and its consumption, preexisting temperance organizations started the push for a constitutional amendment to ban alcohol in the USA.

In the early 1830s, America was already seeing a rise in drinking, especially for men, and people were worried. This was put on the back burner during the Civil War when the public consciousness had bigger things to think about. But in the 1870s and 80s factors began to collide. The war was over and resources were freed up and ready to go to developing industries. At the same time, a wave of immigration took place containing mostly people from Europe. German brewers who were ready to establish themselves in the United States found resources and their business took off (Burns). This caused a steady rise in drinking moving into the 1900s (Olson). The industry of saloons, the main place for people to drink liquor, was also seeing a rise. They were not only a place to drink; They were often extremely social places for meetings, eating, and interacting with all sorts but especially the middle and lower classes. Upper-class people could

drop by, but by and large, saloons were an affordable and open place for both workers and those not as lucky (Grinspan).

In the early days of the 1830s, temperance organizations were in existence but they tended to be smaller and more focused than they would be in future centuries. These organizations were against overconsumption and addiction, with some being founded by alcoholics. Some organizations did advocate for total abstinence, including the Teetotalers who were named after the concept, but most were founded around the Christian virtue of temperance which started as just meaning moderation; prudence and chastity also made appearances. There was also a bigger volume of organizations with each one being smaller (The Mob).

By the 1870s there were prominent clergy talking about the issue and trying to get it in the public eye. In 1874, the Women's Christian Temperance Union (WCTU), the same one Comstock fought with, was formed and the massive organizing of the temperance movement began. The WCTU was special in that they allied with other organizations and gathered their support from already established movements. The union saw alcohol as the cause of many societal evils. Because of that view, they were able to ally themselves with other organizations and movements that were against those evils already, such as crime, and grow truly massive and widespread. The WCTU was effective and preached more than prohibition but then in 1893, the Anti-Saloon League (ASL) was founded. They had their own views on alcohol and, naturally, saloons, but their main feature was their fervent single-issue focus on a constitutional ban of alcohol. Whereas the WCTU allied with some other organizations, the ASL allied with every single body who was on their side about a total, constitutional, ban (Burns).

The goal of the movement moving into the 1900s was to eliminate alcohol, but most of the time alcohol wasn't the problem in and of itself. Many of the prominent beliefs revolved

around the effects of alcohol and alcoholism on society and communities (Burns). As depicted in an illustration at the time, alcohol was seen as the cause of disease, poverty, isolation, crime and suicide, especially in men who by these things would be abandoning or harming their wives and families. The cartoon shows a man going through the journey of alcoholism like they're steps on a bridge. The first few steps are casual drinking, like a drink with friends. At the top of the bridge, it becomes a habit, and then the steps start going back down into the various unsavory activities ending with suicide. Beneath the bridge, a woman and child are drawn alone and crying (Currier). It is worth noting that crime, breaking of marriage, and even suicide were commonly seen by Christian sources as sins. They believed at this time that alcohol was a great evil in the land driving people to various sins.

Simultaneously, alcohol was a sin of the nation and a personal failing of the people who did things such as abandoning their families (Burns; *The Mob*). It was a personal failing, so temperance organizers couldn't expect everyone to resist temptation on a personal level. And it was a national sin, so the only thing they could do was change the nation. For the stated plethora of reasons and the fervor of the Anti-Saloon League, the 18th Amendment made its way through the government and into the Constitution in 1919 with support less broad than it was deep. The 18th Amendment made the manufacture, transportation, importation or exportation, and sale of liquor illegal (Vile). After the amendment went into effect there were police and public raids to destroy stashes of alcohol across the country, and the Prohibition Era truly started.

Almost immediately, The 18th Amendment was a resounding failure. The once-legal industry of alcohol swiftly changed hands to organized crime which would lead the illegal industry of alcohol (Vile). Alcohol consumption did go down, but it never dropped to a total ban at any point during the prohibition (Olson). Saloons were now out of style but illegal institutions



called speakeasies were opened in their place and became very popular for people who still wanted to indulge. And again, the amendment was also challenged in court as unconstitutional and infringing on states' rights. These cases didn't end in anything but they show the negative public sentiment around the 18th. The ban of the sale of alcohol also meant the government no longer benefited from the taxes which were put on liquor, causing a dip in the economy going into the 1920s (Vile). Nothing bad could possibly happen in the 1920s.

The economy crashed. The lack of alcohol taxes was not the direct cause, but one of many that added to the precarious feeling and reality of the market at the time. Factor after factor had added up and the great depression started in 1929. Incredibly debilitating and disheartening living conditions do not make alcohol less popular (Olson). The great depression was a particular blow for people living in the middle and lower classes. Those same people to whom saloons and speakeasies were a haven. When the country elected Roosevelt's more democratic government, and once Roosevelt saw a major source of tax dollars not making money, the 21st Amendment was passed in 1933 to repeal the 18th, bringing legal prohibition to its end (Vile).

The creation of the D.A.R.E program was set up by the war on drugs in the 1970s and fully established by the LAPD in association with the Reagan administration in the 1980s.

In the 1970s and 80s, drugs were on the mind of the nation, mainly because of a rise in drug use. In 1971 President Nixon reacted by declaring the famous "war on drugs", and the Drug Enforcement Administration was formed in 1973 to help. However, these things remained small and specific until Reagan was elected in 1981. In the 80s, media coverage was increasing, especially around the "crack epidemic". So it was more a concern of the nation's people than it was in the 70s. And when the people are worried, the government, sometimes, acts. The Reagan administration expanded many parts of the war on drugs; prison sentences, zero tolerance, and

mandatory minimums (Britannica). But another project was brewing, another way to fight the war, just saying no.

Nancy Reagan was a very prominent first lady in her time and held up her own issues. Alongside her husband's administration she also did talks and tours regarding the war on drugs, and out of that came her famous slogan “Just Say No”. While the war on drugs spanned the entire country, “Just Say No” was a slogan meant for the young, made for the schools. And this became her platform. Speaking as a mother to parents and their children (Reagan). Inspired by her cause, Los Angeles Police Department Chief Daryl Gates came together with the administration of the Los Angeles public school system to create a program meant to help children in school navigate the issue of drugs. They called it Drug Abuse Resistance Education. They called it D.A.R.E (Ingrahm).

An element of all these events that is relevant here is Christianity. It is very obvious in the other cases. Comstock is a notable Christian who wrote extensively about sin and evil from a Christian perspective. The origins of temperance come directly from Christianity and remained there with the Women's Christian Temperance Organization and clergy involvement. Here, there is a slimmer direct link. However, it is notable that both the Reagans and Daryl Gates are Christian or were raised Christian (“Facts about”). This is a very interesting connection that plays into why these substances and materials were focused on, which will be addressed later. The direct, visible influence may be absent in more modern times, but Christian values of family and temperance are still present in the Just Say No campaign with its focus on children and the blanket anti-drug stance.

The stated goal of D.A.R.E in their manual is to stop drug abuse in school-aged children by getting out ahead of it. The main program was for middle school. Not because they do the

most drugs, but because high schoolers do the most drugs out of the school populations, and they wanted to prepare the children before they even got there. The stated ways they would try to do that is to help build good decision-making, the ability to recognize peer pressure, risk assessment, and the star of the show, refusal strategies (“An Introduction”). But the greater goals were aligned with the origins in the war on drugs and Just Say No, a crackdown.

There are many things in the world that one could see the need to ban. The figures who chose to go after the specific things that they did made those choices for a reason. And that reason usually links back to Christianity. The society in which these people lived has never been all good. There’s always something bad going on and these people and organizations tried to find the source of it. Comstock saw what he believed to be exploitation and corrupted minds. He decided that the source of that was the materials he later tried to ban, and also satan. Because he made that judgment in his own mind, the things that got banned are deeply influenced by his Christian morality. If Comstock was equally as fervent but a different religion, it would not have had the same outcome. The temperance organizations saw crime, death, and broken families. They decided that the source of those things was alcohol. Once again it is very influenced by the Christian morality of the groups. The people doing the bad things were not abiding by the virtues so they must be a source of the bad thing. And again in the modern day, it is more subtle in some ways, but in others, it's not. Nancy Reagan doesn’t speak about drugs like they are the source of other evils, but more like they are an evil unto themselves. One that infects people and makes them the kind that plots to steal away the good lives of children (Reagan). And again, this is a Christian judgment. The people decide that a thing is bad and wrong and evil and therefore must be the source of some bad and wrong and evil. If they could just get rid of it they could win the

crusade, the fight, the war. The people are loud enough that they inspire action. And the people are Christian.

One of the main pitches of the D.A.R.E program is that it involves police officers (“An Introduction”). Officers were the ones who would mainly be teaching the program in hopes of improving trust in police and making the program more real feeling since the officers had stories and experience with specifically drug crime. But, being a very large program at its height with thousands of officers teaching the course, experiences varied. Some people report friendly or even too-friendly interactions with the officers. Some people report decidedly negative interactions. Like characterizing all drug users as violent or bums even in communities that were deeply affected by substances. And the overall quality of the program in effect of teaching is also debatable. It’s said that the program was too simplistic. Like talking about drugs as a group without distinguishing any effects or risks that only applied to one. Talking like they were just one very bad thing (McGraith). The widespread nature of the program led to inconsistencies in the tone and quality, but it was still widespread, and big things need money.

Greater government action was mainly just to fund the program, but that meant a lot of things. Officer training, classroom time, information sessions, informational material, classroom materials, employees, locations, and merch, all had to be paid for, and the government contributed (“An Introduction”; Ingrahm). All officer training and activities were paid for by the police department which gets state funding. For programs in public schools, that time was also paid for by tax money. And the D.A.R.E nonprofit itself received up to an eight-figure cut of the governmental budget at its height when it was at 75% of school districts in the country (Ingrahm).

Being a more recent event, there isn't anything to say the D.A.R.E program was a resounding failure, but it also didn't work. In 1991, the first study on D.A.R.E was done by the University of Illinois. It was inconclusive but definitely not positive. In 1994 the Department of Justice funded another study by independent researchers that declared distinctly negative findings. The Department of Justice refused to publish that study. But throughout the 1990s many studies supported findings that said the D.A.R.E program did not decrease drug use in schools, and some even found it may have made the problem worse. One of the final nails in the coffin was a report by the General Accounting Office reporting and backing up negative findings in 2003. At this point, government funding of D.A.R.E started to decrease as did school districts that were willing to participate. In 2009 D.A.R.E changed its mission statement from being focused on "drug resistance" and "crime prevention" to helping students with "good decision making" and "healthy lives" (Ingrahm). D.A.R.E now lives on in their Keeping it REAL program, which stands for refuse, explain, avoid, leave (Ingrahm).

It is evident that all of these events, eras, and endeavors failed in some way. Plenty of endeavors fail but these share similarities in the ways that they did. The Comstock and Prohibition Eras failed in similar ways. Namely in the way that the things they attempted to ban would always be available in a different form or permutation. Comstock could never ban photography or writing so it always had the possibility to be explicit. And prohibitionists could never ban the fruit or yeast that was used to make alcohol, so that would never be completely banned either. The prohibition and D.A.R.E both failed in the way that the techniques for abstinence they were founded on do not work for people socially and scientifically. Complete bans or language that implies it is a poor way to handle addictive substances and to both those actions it was a foundational aspect bound to fail. Comstock and D.A.R.E were in similar ways

rude or condescending to their audiences. Anthony Comstock quite literally as seen is his relationship with the WCTU and also his main tactic of arresting people for doing things he disagrees with. D.A.R.E was overly simplistic and talked down to children in a way that made it less effective. And all three of these movements failed because they were unpopular. Comstock and Prohibition were never broadly popular among the people of the nation, and once D.A.R.E was revealed to be severely lacking in effectiveness it also took a nosedive. But the government kept trying.

A very interesting pattern seen in these cases is the specific way the government is willing to act. They are willing to, with the right push, ban and discourage. They are willing to ban the movement of explicit materials. They are willing to ban many things about alcohol. And they are willing to heavily discourage drugs that are already illegal. They are willing to prohibit. But these are not the only courses of action available. They could, possibly, more heavily restrict obscenity to adult audiences. They could offer support for alcoholics and those hurt by alcohol. They could teach alternatives to drug use. But this isn't what the government decided to do time and time again. This pattern seems averse to positive action, to offering alternatives to what is seen as bad. Instead, it is always the negative action that acts on the thing that is seen as bad. The action that says to the people; We will get rid of it. We will get rid of evil.

In conclusion, the American government is extremely susceptible to Christian lobbyists and actors, even if their ideas are unpopular or ineffective. They are willing to try the same prohibitive tactics time and time again but do not learn from the failures of the ones they already did. A lot of history goes into this conclusion and there is more. Abstinence-only sex education is another story entirely but still would fit into this paper very well. Hopefully, this helped form an understanding that can be taken to analyze patterns elsewhere. The government didn't go

anywhere. In the modern day, blatant Christianity appears to be quieting down, but it's an angle still worth analyzing. The lesson for today is to pay attention to where things are coming from. If a movement is coming from a Christian belief that may not apply to everyone, pay attention. If a movement is founded on shaky ideas of how effective total bans are, pay attention. If the government is supporting a movement or force with tax dollars, pay attention. That is your government. The things it does affect you, and to a degree, you get to shape it. Pay attention.

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