



Dry Quixote



Prohibitionist Earl Dodge Makes His Fifth Run for the White House

In a fourth-floor room of the Bucks County Sheraton in Langhorne, Pennsylvania, perennial Prohibition Party presidential candidate Earl Dodge serenades me, in church-choir baritone, with his party's theme song:

I'd rather be right than president
I want my conscience clear
I'll firmly stand for truth and right
I have a God to fear
I'll work and vote the way I pray
No matter what the scoffers say
I'd rather be right than president
I want my conscience clear

If the great third parties and their tribunes—the Socialists of Eugene Debs, Bob La Follette's Progressives, George Wallace and the American Independence Party—are gone but not forgotten, the Prohibition Party is forgotten but not gone. Yet despite the party's present obscurity, its 67-year-old embodiment, Earl Dodge, is running once more. "I could be called the moral Harold Stassen," he jokes.

Founded in 1869, the Prohibitionists are the oldest third-party in American politics. The party elected two congressmen and a governor of Florida early in this century; its high-water mark in presidential campaigns came in 1892, when reformed vintner General John Bidwell, having spurned the "drunkard-making business," won 271,058 votes, or about 250,000 more votes than Earl Dodge has received in four previous runs for the White House. No Prohibitionist has won election to local office since 1978 in the township of Lee in Maine (which was the first state to go dry, in 1851).

There is a charmingly anachronistic cast to Dodge and his party; the 18th Amendment was repealed almost 70 years ago, but the party continues to demand "the prohibition of the man-

ufacturing, distribution, and sale of all alcoholic beverages." They are still at it, a dwindling band of temperate ladies and male Sunday-school teachers in the only political party to address the question, "What About Those Bible Wines?" (Answer: They were probably grape juice.)

The indefatigable Earl Dodge is not delusive. "If I get to the White House it'll be on a public guided tour," he acknowledges. So why run? "It's important for people to have the right to vote for what they believe in. Everybody is going to be accountable to God. When I see God, He's not going to ask me if I belonged to the biggest party, but did I do what I know to be right?"

Earl joined the party in 1952, a Massachusetts teenager disillusioned by the failure of the Republican Party to nominate Robert Taft for president. His early work in a Boston rescue mission "gave me an education on how much damage booze does." The Baptist Dodge attests, "The Lord led me into this work when I was a young man because He knew that I would stick with it." The Lord was right. Earl became a \$1 a year party field worker; he, his wife Barbara, and their swelling brood would spend 20 years moving from one prohibition headquarters to the next, living in Indiana, Michigan, California, and Kansas before settling near Denver in 1971.

The Dodges are the first family of temperance; think of them as the anti-Kennedys. Earl is Mr. Prohibition: He is party chairman, editor of its newsletter, and its quadrennial standard-bearer. Barbara runs the computer and mailing list and is one of her husband's electors. Two daughters and one son have run for office; of the seven Dodge children, "a majority vote the ticket." If the kids are not unanimous for dad, well, neither were the Reagans.

Earl has run for office at least 20 times, for everything from Massachusetts Secretary of State to governor of Colorado. He has never won, though he did come within hailing distance of being elected to the Kalamazoo City Commission in 1969.

Despite his labors in what we had best not call the political vineyards, Dodge has overseen the decline of the party. Whereas a century ago dissenters had easy access to the ballot, the “oppressive election laws” of post-WWII America have forced the Prohibitionists off the ballot in such erstwhile strongholds as Kansas and Alabama. This November, Dodge expects to be on the ballot in Colorado, Utah, Tennessee, Arkansas, Florida, New Jersey, and Mississippi. A vote total of 10,000 would be a windfall. “If you look at this from a cold, calculating political viewpoint, my wife’s husband would be a blithering idiot for doing what he’s doing,” says the candidate. “The only excuse I can give is that I believe in it.”

The Dodge campaign consists mostly of interviews with Christian radio stations and small-town newspapers and occasional visits to states with visible supporters. He is in Langhorne not to press the flesh but to exhibit at a political button show. “When I started working for the party all they had was two little pins in a drawer, so I started to build a collection,” says Dodge. Thus he has become, poignantly, a party archivist as well; keeper of the dry flame, tender of a tradition that may not survive this recent recipient of a septuple bypass. For although the party has 31 national committee members from 21 states, there is no heir apparent to Earl Dodge. “I pray about that all the time,” he says. “I don’t know who would do it if I didn’t.”

Earl Dodge is amiable and garrulous—“my mother said I was vaccinated with a phonograph needle”—even after we establish that I would legalize marijuana and he would criminalize beer. While he is a True Believer, he does not routinely break out the Carrie Nation hatchet or subject stray wets to harangues on the Demon Rum. “Don’t drive me to drink!” he jokes with wet friends. And no, he is not a reformed drunk out to scourge the liquid that put him in the gutter: “I’ve got many faults but I’ve never had a drink of alcohol in my life.”

He defends the 18th Amendment and the resultant 13-year dry spell as “a tremendous success”; he offers “\$20,000 to anyone who can show that during prohibition, crime and diseases related to alcohol did not decline.”

Dodge concedes that immediate prohibition today is impracticable: “There’d be no point in enacting a law without majority support because you couldn’t enforce it, and drinking is an ingrained practice in America.” So while “prohibition is the ultimate answer, in the meantime we favor education” and the semi-prohibitionist steps advocated by groups like Mothers Against Drunk Driving. “We are slowly going in the direction of a dry nation,” Dodge says confidently. “If I live to 80 or 85, I expect to see some form of prohibition.”

Although Dodge doesn’t “know of a single person in our party who smokes,” the party takes a laissez-faire line on tobacco. “Unless they’re blowing smoke in your face, they’re not infringing on your rights,” he says, whereas alcohol “takes good people and turns them into beasts. Marijuana, LSD, cocaine: All those drugs put together don’t hurt a fraction of the people that booze does. The only parties that are honest and consistent on the alcohol-drug issue are the Prohibition Party and the Libertarians. They want to legalize it all; we want to ban it all.”

Dodge has a wonderful sense of history, of being part of an eccentrically American tradition. He calls the roll of Prohibitionists past: Isaac Funk published party magazines in addition to the dictionary he put out with Mr. Wagnalls. Grape-juice king Charles Welch ran for governor of New York in 1916 as a Prohibitionist. “Wrong-Way” Corrigan, the directionally challenged pilot who in 1938 aimed for California and wound up in Ireland, was the Prohibition candidate for U.S. Senate in 1946 from California. (He eventually did find his way there.) Astonishingly, the *New Yorker*-Hollywood wit Robert Benchley was a Prohibition activist before settling into a gin and rye haze during the 1920s: A Prohibitionist done in by Prohibition!

The party’s symbol has been various: Once the white rose of purity, then the water fountain, then the one-humped camel—until “Camel cigarettes came out,” whereupon the smoke-free party added a hump to make it bactrian. “In our office in Denver we collect anything that’s a camel,” says Dodge. “We even have a small camel whiskey container—empty, of course.”

Dodge’s fifth nomination did not come without a fight. Meeting last summer in the dry Amish town of Bird-in-Hand, Pennsylvania, the Prohibitionists renominated Dodge over a surprise challenge from a Utahan who wanted to de-emphasize prohibition and play up less outre concerns. (If a century ago the party was progressive—woman suffrage and the income tax were second only to prohibition in its list of demands—today its platform is generally conservative-populist: pro-life, anti-foreign aid, pro-free enterprise, anti-immigration, pro-gun.) The convention chose Dodge by a vote of 9-8; he explains, “A lot of the traditional members were out having a late lunch; they didn’t know there was going to be a contest.” But even with his allies off at their no-martini lunch, Dodge’s defense of tradition carried the day: “If we abandon or play down the booze issue, we don’t deserve to exist as a party. We don’t deserve to retain the name.”

Earl Dodge wants the scoffers to remember something: “Even if people think we’re a bunch of nuts, no one in the party has ever stood to make a nickel if what they were working for succeeded.” It is this adherence to principle and ingenuous faith in American democracy that makes the Prohibitionists admirable, even to a beer-drinking libertarian. Dodge recalls a story that the wife of a one-time vice presidential candidate told at a convention long ago. “Her uncle grew peaches during a hard time in Kansas. The men were taking the peaches away in the truck, jostling the baskets, and he said, ‘Don’t do that—you’ll bruise the peaches.’ ‘Don’t worry about that,’ they said. ‘They’re going to be crushed for brandy anyway.’ He said, ‘Not my peaches,’ and made them unload them. They sat there and rotted. He took the loss. You had that attitude once in this country: Principle was important. Today people are primarily interested in their retirement benefits and the stock market. There’s no other explanation for someone as despicable as Slick Willie being in office.”

Earl Dodge “has quite literally given his life to our Party,” salutes fellow Prohibitionist James Hedges. He knows that he will never be president. But he thinks he is right, and whether he is or not, his conscience is clear.



P R E S E R V E D E M O C R A C Y :

Rein in the Lawyers



B Y S C O T T W A L T E R

Another age of robber barons is upon us. But today's plutocrats aren't big businessmen, they're lawyers.

The legal profession has long been plagued with ambulance chasers. In recent years, though, courtroom exploiters of ill-fortune have grown far richer and intruded much further into American society. And what's most disturbing, they have begun to grab dangerous amounts of political power for themselves. Cases like the famous soaking of McDonald's because it sold a woman hot coffee are trifles compared to what trial lawyers are cooking up in their newest politically charged lawsuits against entire industries.

For centuries, common law made it difficult to bring nuisance suits in court. People in the legal profession understood what Abraham Lincoln, himself a successful lawyer, had warned: "Never stir up litigation. A worse man can scarcely be found than one who does this." Common sense said messy lawsuits should be reserved for clear and outrageous wrongs, not used routinely.

About a generation ago, however, a new brand of activist lawyers set out to tear down traditional obstacles to litigation. Claiming they wanted to help little guys who had bought defective products or perhaps suffered some bad doctoring, these litigators forced changes in court rules that made it much easier to sue—and to win money in the process.

Money-minded attorneys found that stirring up trouble paid quite well, and they started chasing more than just ambulances. In the beginning they made their fortunes by gambling on individual plaintiffs whose suits they brought on a contingency basis ("I'll sue the bastards for you, and if we lose you owe nothing; if we win, I'll take a third or half"). Then they graduated to class-action lawsuits, where they could claim to represent thousands of supposed victims (many of whom never even knew that the lawsuit undertaken in their name existed) and try to shake down whole industries.

One of the first of these class-action wars was waged against companies that made asbestos products. At first, it

seemed like the lawyers had a reasonable case: Some asbestos manufacturers had recklessly endangered workers and customers, and they deserved to pay for harms committed. But, notes legal analyst Stuart Taylor, greedy lawyers turned the litigation into a "monster" which bankrupted 15 American companies, some of whom "had done little or nothing wrong." Courts were clogged with claims for people who were not sick, and unlikely ever to become sick. Scientific research eventually discounted many of the claimed dangers of asbestos, but the data arrived after many companies had already been destroyed. Worst of all, some genuinely sick people were unable to receive proper compensation, partly because of the billions of dollars being sucked up by a handful of attorneys.

After ravaging the asbestos industry, the legal pirates turned to breast-implant makers, high-tech companies with volatile stock prices, auto makers, credit card issuers, tobacco companies, gun manufacturers, and, most recently, HMOs, biotech companies, computer makers, pharmaceutical firms, and any firm deemed responsible for a Y2K disruption. In the case of breast implants, one company was bankrupted and the industry as a whole forked over \$7 billion—a third of which went into lawyers' wallets—even though years of research demonstrate that the implants never caused the diseases claimed. In a more recent class-action case, Texas lawyer Wayne Reaud shook down Toshiba in the name of two laptop-computer owners who charged that their machines just might—though they never actually had—lose data when transferring it to a floppy disk. Fearful of protracted litigation that would give it a bad name, Toshiba charged \$1 billion against its 1999 earnings to cover payments to consumers, and promised to deliver \$147.5 million into Reaud's pocket.

Faced with the threat of such class-action lawsuits dragging out over years, it's no surprise that some companies decide to collude with the legal blackmailers menacing them. And so companies now often huddle with hostile lawyers and agree to send customers "coupons" good for small discounts or refunds. The lawyers, by contrast, are given fat checks. The companies