

New York Prohibitionist



Think NY Vote Dry

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A Vision for the Future

In these trying times, the Prohibition Party of New York continues its work to advocate for positive policies and advance social reform. We offer a vision for a better future for New York. A vision for a new approach to governance focused on moral principle, public service, and advancing the public wellbeing. A vision of a state filled with healthy, prospering communities, and greater opportunity for all New Yorkers. If you are interested in helping to make a positive impact on your state and your community, consider joining the Prohibition Party of New York.

"Always vote for principle, though you may vote alone, and you may cherish the sweetest reflection that your vote is never lost." John Quincy Adams

State and National Party News

The Prohibition Party continues its work on the state and national level. On the national level, the party has been working on preparations for the 2024 presidential campaign. This has included public messaging efforts and preparations to be able to run social media ads for the campaign. On the state level, we have continued to work on issue advocacy, networking, and informing New Yorkers.

Hochul Pushes Through More Pro-Alcohol Laws

Governor Hochul and members of the state legislature have moved to push through several pro-alcohol bills in October, outside of the regular legislative session. These bills work to weaken state restrictions on alcohol sales, to the detriment of public health and wellbeing, and were passed with apparently no public notice that the legislature was going to convene after the regular session to consider these bills.

The list of bills passed include Bills S5731/A06941, S2854/A07305, S6443/A06134, S3364A/A02902, S3567A/A06050A, and S6993A/A07688. Bill S5731/A06941 allows for the sale of beer, mead, braggot, and alcoholic cider on Sundays. Bill S2854/A07305 expands the hours that liquor and wine stores can sell alcohol on Sundays to 10am-10pm. Bill S6443/A06134 increases the validity of brewer's licenses from one year to three years. Bill S3364A/A02902 allows businesses to keep and dispense alcoholic beverages in pressurized dispensing machines. Bill S3567A/A06050A permits wine and spirit sellers to sell or gift complementary items associated with wine or spirits. Bill S5731/A06941 adds parcels of land to the list of premises that are exempt from provisions that restrict alcohol manufacturers and wholesalers from sharing an interest in a liquor license.

The passage of these bills will detrimentally affect the health and wellbeing of New Yorkers. Increasing the commercial availability of alcohol works to increase the damaging effects of alcohol on people and society. Research has shown that expanding the days and hours that alcohol is available for sale enables increased rates of drinking and increases several forms of alcohol-related harms. This can include increased rates alcohol-related injuries, emergency room visits, drunk driving, and motor vehicle collisions. It can also lead to increased rates of crime associated with people in an intoxicated state, including increased rates of fighting, physical assaults, sexual assaults, robbery, and child abuse. In addition, it can produce increased social and economic costs on local communities, such as increased costs of law enforcement, decreased quality of life in areas near bars and liquor stores, and increased tax burdens on other local businesses. By extending the longevity of brewer's licenses, the state is reducing the



frequency that these brewers are subject to some aspects of regulatory oversight and the frequency that they have to demonstrate compliance with state regulations in order to maintain their licenses. By expanding exemptions to the laws restricting who can own an interest in a liquor license, they are further enabling alcohol companies to expand their influence and undermine provisions designed to guard against the franchising of liquor stores. Overall, these changes to state alcohol laws will have a detrimental effect on public health and safety, will weaken state oversight of the alcohol industry, and produce increased social, medical, and economic damages that the public will have to pay the costs of.

Furthermore, the actions of Governor Hochul and members of the state legislature are additionally objectionable given the lack of transparency they had when moving to pass these bills. After failing to pass these pro-alcohol bills during the regular legislative session, legislators decided to convene afterwards to quietly pass these bills. As far as can be seen, the state legislatures did not provide any public notice that they were convening outside of the regular session to consider these bills. As a result, activists and public health advocates in New York state were given less of an opportunity to communicate their objections to these bills prior to state legislators voting on them. Thus, making it easier for pro-alcohol legislators to push through their regressive policy proposals, while

insulating themselves from the input of the state's citizens. The public notice wasn't given until after the bills' passage, when Governor Hochul's office put out a public announcement celebrating the passage of these pro-alcohol bills.

The events which have unfolded serve to demonstrate the need for activists in New York to increase advocacy efforts, develop stronger organization, increase outreach to state legislators, and increase efforts to cultivate public support for policies that will reduce the negative impact of alcohol in our state. Additionally, it serves to highlight the need for greater transparency in our state government. Especially, for what the state legislators are doing outside of the regular legislative session.

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Inverted Priorities

In a time when deaths from alcohol have skyrocketed in both New York and nationwide, Governor Hochul and the state legislature have not only failed to take action, but have actively worked to advance policies that will make alcohol problems in the state worse. Public health experts throughout the world have asserted that the commercial availability of alcohol should be reduced, as part of comprehensive efforts to address alcohol as a public health problem. Instead of alleviating the problem, Governor Hochul and the state legislature have pushed forward several bills to weaken restrictions on alcohol sales, expand the commercial availability of alcohol, and weaken state regulatory oversight of alcohol retailers. At the same time, the state legislature has failed to advance bills to improve support for education and prevention programs for alcohol and other drugs, and to take stronger actions against drunk driving. These misguided policy decisions will serve to foster increased alcohol-related illnesses, injuries, domestic violence, crime, and death, as well as increased costs from the social medical, and economic damages caused by alcohol. The lives, health, and wellbeing of New Yorkers should be given

priority in our state government. We must make it clear to our state officials that they should work to help reduce the problem of alcohol in our state, instead of making it worse.

"If you don't like the road you're walking, start paving another one." Dolly Parton

FDA moves forward on flavored tobacco ban

The FDA is finally moving forward with a proposed ban on the sale of menthol cigarettes and flavored cigars. The FDA has finished designing its proposed rules and has sent them to the Office of Management and Budget for review, to complete the final step of the review process. This process may take a few months to complete, but if all goes well, then the FDA could then begin taking steps towards implementing these bans. The length of the implementation process could vary depending on how the FDA plans on proceeding with implementation and to what extent challenges by opponents of these policies may be able to disrupt or delay implementation efforts. Though, once these rules have been implemented, they can help to alleviate aspects of the tobacco problem in our country.

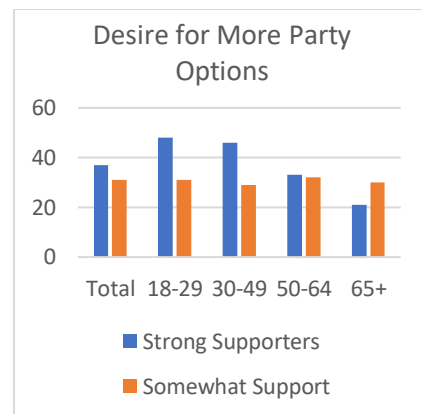
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Polls Indicate Support for Third Party Options on the Rise

Recent polling has indicated increased support among voters for having more third-party options available on the ballot. A recent Gallup poll found that 63% of respondents agreed that the third-party option was needed. This is the highest percentage of favor that Gallup has found since they started polling on the question in 2003. This included 75% support among independent voters, 58% among Republican-leaning voters, and 46% of Democratic-leaning voters.

In October, Pew Research released the results of a poll, which asked voters how much they wished there were political parties available to choose from. It found that 68% of respondents were supportive of having more options on the ballot: with

37% strongly wanted and 31% somewhat wanted more options. The level of support for having more options was highest among younger voters. While 51% of those 65 and up supported having more options on the ballot, support rose to 79% among voters 18-29. Among those voters age 18-29, 48% strongly wanted more options on the ballot, while 31% somewhat wished more options. It was found that 75% of voters age 30-49 (46% strongly and 29% somewhat) and 65% of voters age 50-64 (33% strongly and 32% somewhat) wished for more options.



Additionally, younger voters were more inclined to think that having more party options beyond the two major parties would help with solving the nation's problems. 39% of respondents age 18-29 believed that having more party options would make it easier to solve the country's problems, compared to 17% who thought it would make it harder. Among voters age 30-49, 32% believed that more party options would make it easier to solve the country's problems, compared to 21% who thought it would be harder.

Looking at the partisan inclinations of respondents, it was found that support for having more options on the ballot was stronger among voters that did not have a strong partisan alignment with the two major parties and among younger voters within the two major parties. It was found that independent voters that leaned toward voting for one of the major parties were more inclined to want more options than voters who were members of one of the major parties. Support for more options was also stronger among Republicans and Democrats younger than 50. Republican respondents younger than 50 were almost twice as likely than those

50 and older to strongly wish for more party options (42% to 23%) and more roughly twice as likely to believe that having more options would make it easier to solve the nation's problems (28% to 14%). Democratic respondents younger than 50 were significantly more likely than those 50 and older to strongly wish for more party options (51% to 31%) and more than twice as likely to believe that having more options would make it easier to solve the nation's problems (41% to 20%).

These two polls help to demonstrate that there is a widespread desire among voters to have more options available on the ballot. The Pew Research poll also expresses that this support for more third-party options is especially strong among younger voters. While many American voters want to have more options on the ballot, so that they can better express their will in our democratic process, there are some significant barriers to having more options. In many states, politicians from the two major parties have enacted restrictive ballot access laws. These laws make significantly difficult, if not impossible, alternative party and independent candidates to get on the ballot for office. As a result, far fewer parties/candidates are able to get on the ballot for an election and those that do often have to spend significant portions of their money, resources, and manpower just so that voters even have the option to vote for them on the ballot. By contrast, the two major parties and their candidates often either have automatic ballot access or have petitioning requirements that are relatively easier for them to achieve.

Prohibition Party National Chairman Zack Kusnir has provided us with some comments regarding his thoughts on the matter. Kusnir stated,

"I strongly advocate for a broader representation of third-party options on voting ballots, and recent polling echoes this sentiment. The limited state of ballot access for today's third parties does not align with the democratic values that our country was founded upon.

The data from a recent Gallup poll revealed a remarkable 63% consensus among respondents, marking the highest

support for third-party options since their polling began in 2003. Notably, this enthusiasm was not confined to independents alone; it encompassed 75% of independent voters, signifying a growing desire for diversity in choices. The Pew Research poll reinforced this, reporting that a substantial 68% of voters wished for additional parties on the ballot, with 79% of voters aged 18-29 voicing strong support for more options. Younger voters, in particular, believe that the inclusion of more parties beyond the dominant two would facilitate solving the country's issues, with 39% of 18-29-year-olds expressing this view.

This surge in support for diversifying ballot options isn't merely a fleeting trend. It aligns with the broader pattern seen across demographics. Both independent-leaning voters and those under 50 from the major parties exhibited a stronger inclination towards desiring more choices on the ballot. Notably, Republicans and Democrats under 50 were significantly more passionate in their desire for additional parties, with a majority expressing a strong wish for more options and a belief that it would aid in addressing the nation's challenges. The divide in opinion between age groups within the parties underlines the growing consensus for expanded options, particularly among the younger factions.

These polls paint a clear picture: there's a resounding call from voters for increased third-party representation on the ballot. This isn't just a passing preference; it's a growing sentiment, especially potent among the younger electorate, signifying a significant shift in voter expectations and desires for a more diverse political landscape."

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Activists Seek to Ban Sale of Menthol Tobacco in Buffalo

Activists in Buffalo are seeking to convince the Buffalo Common Council to enact a citywide ban on the sale of tobacco products. In October, a group of activists and concerned residents attended a meeting of the Buffalo Common Council to advocate against the sale of menthol tobacco and vape products in the city. They contended that the city should enact policies to ban the sale of menthol and other forms of flavored tobacco in the community.

Stan Martin, a local businessman and tobacco control activist, spoke in favor of a local ban on menthol and other flavored tobacco. He explained that menthol tobacco has been used by the tobacco industry to help bring in more new smokers.

"One of the things that's important is, based upon the tobacco industry documents, menthol is the flavor that attracts and nicotine addicts. Menthol, itself, sweetens to poison, as we like to say in tobacco control," Martin stated.

Martin had also brought up that menthol tobacco has been especially damaging to the African American community, which comprise over a third of Buffalo's population. He pointed out that tobacco kills 45,000 African Americans per year nationwide and that 85% of black smokers used menthol tobacco products.

Martin made a case for establishing restrictions on the sale of menthol and other flavored tobacco as part of a broader effort to progressively reduce the presence of the tobacco industry and the damaging effects of its products. Martin stated,

"Moving forward, by reducing the proximity and the amount of tobacco retailers that sell tobacco, tobacco products near our schools, near our playgrounds, where we live, work, play, and even pray and learn, is essential to protect the next generation of youth from becoming replacement smokers... I think ordinance, in that regard, that really address all flavors of tobacco, including menthol tobacco, is a step in the right direction."

Martin has also made comments arguing in favor of the potential effectiveness of a proposed local ban against claims made by opponents. He stated that,

“When you look at where menthol ban has already been implemented – in Canada, the European Union, Massachusetts, and California – there’s no evidence that supports that there’s an increase, in terms of an illicit market, things of that nature... “We’re focusing on the manufacturing, at the retail sale, of menthol tobacco. It does not focus on the individual possession of menthol tobacco or tobacco products. That is a tactic that the tobacco industry utilizes as one of their talking points. So, we definitely have the information, the research, the science, and the data to support our claims.”

Rev. George Nicholas, CEO of the Buffalo Center for Health Equity, had spoken in favor of a local ban. He stated that it’s “a logical conclusion for civilized societies to ban the sale and distribution of menthol cigarettes.” He also stated that,

“When you think of the relationship of smoking, diabetes, and hypertension and other chronic diseases, and a community that struggles to have access to healthy food... you think about how menthol has been targeted towards Black people in terms of advertising and how menthol is easier to get addicted to... It’s all documented.”

The group of anti-tobacco activists who spoke at the city council meeting have worked with the Public Health Law Center to design a draft for a proposed ordinance that would prohibit the sale of menthol tobacco products in the city. Activist Stan Martin has stated that they are hoping to convince the city government to adopt the ordinance by June 30th of next year. This effort has already begun to attract some support among members of the city council. University District Councilmember Rasheed Wyatt has reportedly agreed to sponsor the effort and “work with local groups to send a strong message to our government.” Lovejoy District Councilmember Bryan Bollman and Fillmore District Councilmember Mitchell Nowakowski have been in communication with anti-tobacco activists in the city and

are reportedly open to considering the proposed ban. Given that the Buffalo Common Council has nine members, the level of interest expressed so far by council members appears promising.

Though with this matter, there are some questions regarding the city’s legal ability to enact a ban on menthol tobacco products. Some city officials have questioned whether the city’s powers to regulate tobacco outlets would extend to being able to enact a local ban on menthol tobacco products. It’s recognized that the city has the power to enact local laws regulating the time, place, and manner that businesses may be granted or denied smoke shop licenses. But there have been some questions about whether current state law and city government powers would include the ability to enact local bans on certain forms of tobacco products. The activists who have designed the proposed ordinance with the aid of the Public Health Law Center contend that the city does have the legal ability to enact such a ban. Niagara District Councilmember David Rivera has stated that they would consult with the city’s law department for answers. Though, if it is confirmed that the city does have the power to enact a city-wide menthol ban, activists will also need to work to demonstrate public support and convince members of the Buffalo Common Council to ban the ordinance.

Activists are already working to build support for the proposed ban. They have worked to hold meetings with council members and engage with community groups in Buffalo. Stan Martin states that they are working to demonstrate the significant support already present among community members for enacting this policy. He stated

“We certainly have been able to engage faith leaders from both sides of the aisle, and I think it’s important we, as citizens of this community, can be able to share and educate our elected officials on how this is not about race, this is not about policing, this is really about saving lives... I think just having these continued conversations will certainly be important, in terms of moving in the right direction.”

This effort will continue throughout the coming months, as activists seek to

convince the Buffalo Common Council to pass a local ban on menthol tobacco products in the coming year. The more that members of the Buffalo community speak up on the matter and encourage their elected officials to take action, the greater the likelihood that this effort may succeed.

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City of Syracuse Passes New Restrictions on Tobacco Sales

The City of Syracuse has taken action to further restrict the sale of tobacco products in the city. In September, a local law was passed by the city council and signed by Mayor Ben Walsh, establishing local oversight and regulation on the licensing of tobacco retail outlets. The new law would require retail outlets that sell tobacco and/or vaping products to have a city-issued retail tobacco license, in addition to a state retail tobacco license. These outlets would be required to apply for and renew their city-issued license each year in order to continue selling tobacco products. The maximum number of city-issued licenses will be capped at the number of outlets with state-issued tobacco licenses that are present on December 30th. The law would also work to reduce tobacco outlets over time. In order for any new outlets to gain a license after that point, two of the existing outlets would either need to have their license expire or have gotten their license revoked for violations. At the time of the law’s passage, there were around 200 tobacco outlets in the city. Existing tobacco outlets would not be transferrable if an outlet is sold to a new owner; with the exception of licenses for gas station convenience stores. Additionally, retail tobacco outlets will not be allowed within 750 feet of a school, public park, or another tobacco outlet.

The law would also create a program within the city’s department of code enforcement to oversee the city’s licensing program. They would have the ability to inspect outlets to ensure compliance with regulations, enforce rules against sales of tobacco products to children, and potentially take action for

violations. Fines for violations could be up to \$3,500/per day for first violations and up to \$10,000/day for third or more violations. Though severe and/or repeated violations of rules could result in an outlet's city license getting revoked.

The passage of this law should help Syracuse to limit and gradually reduce the presence of the tobacco industry in the city. Hopefully, the city will maintain and build upon this policy effort to progressively shrink the tobacco industry's destructive influence within the city.

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New York Prohibition Party History



Pictured: Joseph Brown, Rev. John Hector, and Charles R. Jones.

A Look Back in Time: An Encounter For the Black Knight

Interesting things can be found when doing historical research. During our research into the history of the Prohibition Party in New York State, we came across an interesting article, written in the *Whitesville News* in 1904.

The article read as follows:

Color Line in Olean: Restaurant Keeper refused to Feed "The Black Knight" and His Party

Olean, May 1. Rev. John H. Hector, colored, known as the Black Knight, had an unpleasant experience here yesterday, when he went into a restaurant and was refused dinner by the keeper. In his party were his wife and Madame Abbie W. Lyons, the former Fisk Jubilee singer, and C.R. Jones, white, the manager and chairman of the Prohibition Party in Pennsylvania. The party were on their way to Bradford for a public meeting.

Mr. Benson, the owner of the restaurant, told the colored people that he did not feed colored people and asked them to leave. They did not go as fast as he thought they should and he pulled Jones from the table.

At this the Black Knight arose and advancing towards the keeper of the restaurant said: "Young man, I fought for your country before you were born and I will again." Just then, the other members of his party laid hands on him, or there likely would have been a mix up.

The Prohibitionist speaker afterwards said that it would do that young man a lot of good to have a colored man give him a thrashing. The party were on their way from Shingle House, Pa., where they were entertained at the home of the first people in town, to Bradford, where the conducted meetings Saturday and Sunday.

Rev. John Henry Hector was a minister, public speaker, and temperance activist. He was born in 1845, in Windsor, Canada and immigrated to the United States as a teenager. During the Civil War, 11th Regiment of the U.S. Colored Heavy Artillery Unit. After the war, he became a minister, and eventually made himself home in York, Pennsylvania. In the 1880's, he began touring the United States, giving speeches on his experiences in the Civil War, and delivered lectures promoting temperance. He would eventually expand his speaking tours to include England and Ireland. He would spend his life preaching, lecturing, and promoting temperance, until his death in 1914.

Rev. Hector was one of many African Americans in 19th and early 20th centuries that supported and campaigned for temperance and prohibition. The Prohibition Party was founded by moral reform activists, many of whom had been former abolitionists, and the continued forward with advocating for the civil rights and legal equality of African Americans. For instance, the 1888 platform of the Prohibition Party declared, "That we hold that men are born free and equal, and should be made secure in all their civil and political rights." In 1895, the Prohibition Party nominated Anna Woodbey, the first African American Woman candidate for office in the United States, for the Nebraska University Board of Regents.

Given this context, it's unsurprising that Rev. Hector was C.R. Jones (the chairman of the Pennsylvania Prohibition Party at the time), were hanging out with each other before a temperance meeting. Given the proximity of Olean, N.Y. to Bradford, P.A., they had ended up stopping in Olean.

In this incident, we see that Rev. Hector and his associates were conducting lives and activism, when they were faced with discrimination and mistreatment due to racial prejudice. Rev. Hector, C.R. Jones, and their associates stood for temperance and equality. While Benson's actions demonstrated an instance of the racial prejudice and discrimination which plagued the United States at the time.

While our society has progressed in various ways since this time, there are problems to

address and progress to be made. The alcohol industry profits off the systemic poisoning and killing of people. While racism doesn't hold the same institutional power it once had, elements of prejudice and inequality still interfere with the ability of all Americans to live as equals in a spirit of universal humanity. It will take the continued efforts of those who stand for progress to help move our society to a more moral, just, equal state.

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"Every great dream begins with a dreamer. Always remember, you have within you the strength, the patience, and the passion to reach for the stars to change the world." Harriet Tubman

Gandhi the Prohibitionist

Mahatma Gandhi was a leader of India's Independence Movement in the 20th century, who is remembered for a legacy of non-violent activism, civil rights, and national freedom. A less commonly known aspect of his life was that Gandhi was also a prohibitionist. Gandhi was involved with the temperance movement in India. He recognized both the harm that alcohol did to people in India, and how money from the alcohol industry helped to fund the British Imperial regime that ruled over India. Gandhi supported temperance and prohibitionist policies as a means of helping the people of India. When India gained its independence, Gandhi tried to get the newly independent government to establish prohibition. While there was significant support for this, there was enough opposition to prevent this. So instead a provision was placed in the national constitution to allow states in India to establish prohibition, as a step towards eventually achieving national prohibition. Today, over 160,000 million people India live in states or territories with prohibition laws, and activists throughout the country are working to try to establish prohibition in their states.

There is a good account of Gandhi's prohibition activism in the article, "Poverty and Purification: The Politics of Gandhi's Campaign for Prohibition", by David M. Fahey and Padma Manianin the fall 2005 issue of *The Historian*, which can be viewed by this link:
https://www.jstor.org/stable/24453150?seq=2#metadata_info_tab_contents

"Great things happen to those who don't stop believing, trying, learning, and being grateful." Roy T. Bennett