

# **AMERICAN MOONSHINE**

## The History of Illegal Liquor in the American South

Burt Johnson

Moonshining, or the production of illicit alcohol, has always been more common in the rural areas of the mountain regions of the mid-Atlantic and Southeastern states. Private alcohol stills were part of an industry that predated the U.S. Constitution. Various Indian tribes had been producing liquor from native plants throughout North America long before contact with European settlers. The settlers brought both their taste for homemade spirits and the skills to produce them. Regulations followed soon after. In 1633, Massachusetts Colony began requiring a permit to sell liquor. A variety of British laws and taxes governing the production and sale of liquor in the colonies followed. Colonial merchants disliked the regulations and grumbles turned to protests. Many still operators took arms against their colonial masters in the Revolutionary War. George Washington and Thomas Jefferson operated their own private stills.<sup>1</sup>

However, the new government of the United States levied similar taxes upon producers of liquor for the purposes of paying off war debts and exercising federal power over the citizenry. The taxes proved a test of power indeed, as liquor still operators and small farmers rebelled against the new government. Rationales for the rebellion ranged from free enterprise principles to economic necessity for small distillers and grain producers. The new government under George Washington dispatched the militia, which quickly crushed the so-called Whiskey Rebellion.

In the early 19<sup>th</sup> century, some states began to pass laws allowing for local governments to regulate or ban liquor if they wished. The temperance movement grabbed hold in many places at that time. Maine passed an outright ban on alcoholic beverages in 1846 and some other states passed similar laws over the next few years. Then, in 1862 Congress created a law that taxed all liquor produced in the U.S. and made illegal all untaxed and unregulated liquor. As part of Reconstruction of the South, the federal government enforced the liquor taxes by sending revenue agents to shut down illegal stills and arrest moonshiners. Such laws did not deter all moonshiners. The revenue agents quickly succeeded in shutting down large operations near cities and towns, but illegal liquor flowed in other areas including Appalachia and the rural South.<sup>2</sup>

It is clear from the above paragraphs that producing liquor, whether legal or illegal was not new to many Southern rural Americans. In fact, to many it was a critical part of their culture and the only skills some people had in order to make a living. These factors made revenue enforcement very difficult. The revenue agents had to cover a lot of territory, much of which was mountainous and fraught with the danger of armed resistance and ambush. The agents were eventually issued rifles and shootouts were not uncommon between revenue posses and moonshiners in the late 19<sup>th</sup> century. Both sides

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<sup>1</sup> Jess Carr *The Second Oldest Profession* (Englewood Cliffs, NJ: Prentice Hall, 1972), 12.

<sup>2</sup> Carr, 25-28.

became firmly entrenched. Many moonshiners were committed to keeping their industry free of government regulation and the government equated evasion of alcohol taxes with theft of government money.

Further complicating the enforcement of alcohol revenue laws was the connection between the laws and their enforcement and the Civil War. The mostly rural and white Southern moonshiners deeply resented liquor revenue enforcement and viewed it as an extension of Yankee tyranny. This, as well as the cultural importance of moonshining in the rural South, contributed to the actions of local political officials and law enforcement personnel who made little effort to stop moonshining and often resisted revenue enforcement.

By 1915, many localities had opted to prohibit the production and sale of alcoholic beverages altogether. In the South, this was part of two political and social movements: the first sought to end of the evils of alcohol and the second sought removal of the federal government from liquor revenue enforcement. Local bans succeeded in doing neither aim. Local law enforcement was no more equipped to deal with the wily, entrenched moonshiners and eventually called for federal help. Just like before, for every still destroyed, one more would take its place. Moonshiners had learned to be somewhat mobile and the production of illicit liquor rose and fell but never came close to ceasing.

This paradigm continued into the era of federal prohibition (1919-1933) and beyond. The only difference was that moonshiners profited immensely from the suddenly low supply of liquor during the Prohibition. The price they could ask for their product skyrocketed. Enterprising Americans ventured into the criminal world and produced, transported, and sold illicit liquor. In the South, the number of stills quadrupled and operations grew in size as a result of higher profits. The Southern distilling operations still operated generally like they had before prohibition.

Then came the infamous era of Southern moonshining that initiated the NASCAR Winston Cup Racing Series. Young men modified and used cars to run moonshine from the hills to distribution points. Many of these same young drivers became the early legendary stock car drivers that built NASCAR. They are romanticized and idolized in white Southern folklore.<sup>3</sup>

During World War Two a drop in the abundance of moonshine liquor occurred that was due to a wartime shortage of sugar and other distilling ingredients. Then in the 1950s and 1960s, technological advancements in moonshine distilling led to a large increase in production. The number of federally seized stills was dropping but the capacity of the seized stills was dramatically on the rise. An estimated 90 percent of the moonshine distilled in the United States was made in the South with Alabama and Georgia at the top of the list. One out of every five gallons of liquor produced in the U.S. at that time was illegal moonshine. By 1980, most of the larger operations had been shut down due to dedicated enforcement and the extensive use of infrared cameras on airplanes to detect stills at night.<sup>4</sup>

The practice of moonshining has remained to the present day, adding some sophistication, but the original formula of rural Southern traditions remains. Distilling skills have been passed along through generations as has been the thirst for moonshine

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<sup>3</sup> Mark D. Howell, *From Moonshine to Madison Avenue* (Bowling Green, OH: Bowling Green State University Popular Press, 1997), 117.

<sup>4</sup> Carr, 132. Carr 138. Oliver Libaw ABCNews.com. ABCNEWS Internet Ventures, 2002.

liquor. The enforcement of liquor tax laws also remains largely the same. Agents still depend on their sense of smell and the use of informants. Despite relentless pursuit by these agents and thousands of arrests, moonshiners continue to produce illegal liquor.

For more on the current status of moonshining read this ABC News article, <http://abcnews.go.com/sections/us/DailyNews/moonshine020409.html>.