

THE LIBERAL PARTY AND LICENSING

1895-1905

THE BRITISH LIBERAL PARTY
AND THE
LIQUOR LICENSING QUESTION
1895-1905

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Abstract

This work attempts first to explain why by 1895 liquor licensing was regarded as a major political issue in Britain. The nature and extent of contemporary concern with the drink problem is analyzed, followed by a brief discussion of how the two major parties had polarized on the licensing issue by 1895, with the Conservatives being regarded as the party of the licensed trade interest and the Liberals the party of the temperance movement.

Then this work examines the Liberal Party's attitude to the licensing question between 1895 and 1905. The decisive defeat of the party in 1895 was followed by a reassessment of the party's policies and purposes. The Liberal commitment to a semi-prohibitionist platform was held by many to have been a major cause of the defeat. Late in 1897 there began a campaign, led by Herbert Gladstone, to free the party from this commitment. A Royal Commission on the liquor licensing laws reported in 1899. Under the guise of adopting the Commission's Minority Report, Herbert Gladstone and the Liberal leadership laboriously constructed for their party a far more flexible licensing policy. Despite protests from important sections of the temperance movement, they managed to hold to the new policy until 1906 and the great Liberal election victory of that year.

Among the material consulted were manuscript collections, contemporary works on the drink problem and the licensing question, and the evidence presented before the 1896-99 Royal Commission on the Liquor Licensing Laws.

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Abbreviations

In addition to standard shortened forms the following abbreviations have been used in references. They relate to material issued by the 1896-99 Royal Commission on the Liquor Licensing Laws.

<u>LCR</u> , I	Vol. I. "Minutes of Evidence with Appendices and Index" <u>Ec.</u> 83561, <u>Parl. Papers</u> , 1897, XXXIV.
<u>LCR</u> , II	Vol. II. "Minutes of Evidence with Appendices and Index" <u>Ec.</u> 85231, <u>Parl. Papers</u> , 1897, XXXV.
<u>LCR</u> , III	Vol. III. "Minutes of Evidence with Appendices and Index" <u>Ec.</u> 86941, <u>Parl. Papers</u> , 1898, XXXVI.
<u>LCR</u> , IV	Vol. IV. "Return of Clubs in Great Britain and Ireland, compiled from information supplied by the Police Authorities" <u>Ec.</u> 86951, <u>Parl. Papers</u> , 1898, XXXVII.
<u>LCR</u> , V.	Vol. V. "Statistics relating to the number of licensed premises, & c, in Great Britain and Ireland, with a comparative statement of the Licensing Laws in the three Kingdoms" <u>Ec.</u> 86961, <u>Parl. Papers</u> , 1898, XXXVII.
<u>LCR</u> , VIII	Vol. VIII. "Minutes of Evidence with Appendices and Index" <u>Ec.</u> 90751, <u>Parl. Papers</u> , 1899, XXXIV.
<u>LCR</u> , Final Report	"Royal Commission on the Liquor Licensing Laws, 1896-99. Final Report" <u>Ec.</u> 93791, <u>Parl. Papers</u> , 1899, XXXV.

A Note on Form

The spelling of words generally follows British English usage, with two main exceptions. The endings -ize and -ization are generally preferred to -ise and -isation, and for purposes of convenience I have spelled licenses throughout with an 's' instead of the British 'c'.

In each chapter the first reference to a work gives the author, full title, the place of publication if other than London, and the date of publication. Further references to the work in the same chapter are greatly abbreviated.

In the bibliography the place of publication is London unless otherwise specified, and the publisher's name is given only for works published since 1910.

Since the greater part of this thesis was in its present form by early 1971, I have felt it advisable to refer in the footnotes and the bibliography only to works published up to and including 1970.

INTRODUCTION

What contemporaries referred to as "the drink problem" was regarded as one of the major social problems in late nineteenth and early twentieth century Britain. Concern about the effect of drink upon society was perhaps greater and more widespread in the ten years after 1895 than it had ever been. It is not easy to explain why. In many ways the impact of drink upon the nation appears to have diminished in the last three decades of the nineteenth century. The greater concern seems to have been brought about by changing values and priorities rather than by any intensification of the problem itself.

Most social problems are also political questions. In late nineteenth century Britain such phrases as "the drink problem" and "the licensing question" were often used virtually synonymously. Since earliest times the state had assumed a special responsibility to regulate the sale of alcoholic drink. The result of centuries of state activity in this sphere was the liquor licensing system, the licensing laws. Since the source of law was Parliament, those who wished to change the licensing system had necessarily to look to Parliament and to one or both of the major political parties. The drink problem was society's problem, but by 1895 the licensing question was a political issue.

It was furthermore a political issue of importance. Issues long dead are easily forgotten. Those of the late nineteenth century which catch the eye are those which survived well into the twentieth century: imperialism, social welfare, tariff reform. Those which faded relatively quickly can too readily be overlooked. At the beginning of the present century British politicians acted on the belief that the attitude they took to the licensing question could win or lose important votes and perhaps even determine which party gained or held power.

By 1895 the Liberal Party was regarded as the party of the temperance movement, and in particular of that movement's radical wing. While the whole temperance movement addressed itself to the drink problem and therefore usually to the licensing system as well, the advocates of radical temperance reform -- the prohibitionists -- looked exclusively to political action for a solution. Indeed the Secretary of the leading prohibitionist society, the United Kingdom Alliance, claimed in 1898 that his society was not a temperance organization at all, but a political one.^I Yet at the same time as the Liberals were seen as the temperance party they still drew important support from sections of the licensed trade. Should the politicians of the time have been in danger of forgetting that the licensing question was a political issue, there were ever-present pressure groups to remind them of the fact.

^IEvidence of James Whyte, 14 June, 1898, qu. 67,467, LCR, VIII, 499.

The radical wing of the temperance movement saw itself as firmly within the liberal-progressive tradition. Earlier in the nineteenth century the Liberals had been both the progressive party and the party of the business interest. The enemies of mid-Victorian liberal-progressivism had been privileged groups and established institutions: the landed gentry, the Anglican Church, the House of Lords. Frequently these were also the targets of the business community. But at some stage the interests of business and progressivism diverged. This occurred on the licensing issue perhaps earlier than on any other. The licensed trade -- one of the nation's major industries -- was predominantly Conservative by 1895, and therefore allied with liberalism's traditional enemies. The veteran prohibitionist leader, Sir Wilfred Lawson, observed cynically that in the 1895 General Election "three great interests, the Church, the Union and the House of Lords," were aided by "the great liquor power".²

Lawson, like most prohibitionists, welcomed a struggle to the death with the licensed trade. For other Liberals, however, the issue was less straightforward. By 1895 the Liberal Party was in a state of crisis and ill-equipped for moral crusades which aroused powerful enemies. The party had split over Home Rule in 1886, had been out of power until 1892, and held office only precariously from 1892 until 1895. Gladstone, the great leader for almost thirty years, retired in 1894, and in the following year the party was decisively beaten at the

²Letter to The Times, 11 February, 1896.

polls. The question confronting the Liberals after that defeat was what kind of a party they wanted to be. They could remain what they had apparently become: a loose coalition of reformers, what their opponents called a collection of faddists, with each group's particular fad embodied in the party's Newcastle Programme. Alternatively they could try to transform themselves into what the Conservatives had apparently already succeeded in becoming: a consensus party with a comparatively vague platform but with a tight hold on the reins of power.

CHAPTER ONE

THE DRINK PROBLEM

Early in 1896 Lord Salisbury's Third Ministry appointed a Royal Commission to investigate the nation's liquor licensing system. Its terms of reference required it to "enquire into the Operation and Administration of the Laws relating to the Sale of Intoxicating Liquors, and to examine and report upon the proposals that may be made for amending the aforesaid laws in the public interest, due regard being had to the rights of individuals."¹ This Commission--generally known as the Peel Commission after its Chairman, Lord Peel--was set a formidable task, and it was to be more than three years before its work was completed. Its appointment reflected the current level of concern with what was frequently referred to as "the drink problem." This concern was increased rather than allayed by the results of the Commission's enquiries and by its eventual findings: even the more sanguine of the two final reports concluded that "a gigantic evil remains to be remedied."² The last years of the nineteenth century and the first years of the twentieth saw a vast outpouring of literature devoted to the allied themes of the licensing laws, the liquor trade and

¹LCR, Final Report, 4.

²Ibid., 12.

the temperance movement. The debate was carried on in newspapers, books, articles and pamphlets, at meetings, in conferences, on public platforms and in Parliament. Probably at no other period of English history was the public mind and the national conscience so concerned with "the drink problem."

It is often very difficult to explain why a particular social problem heightens its grip on the public imagination at a particular time. The obvious first step is to investigate whether the increased concern reflects an intensification of the problem itself. But it may be that no substantial evidence can be found to show that the problem in absolute terms is becoming more serious. In any case, other possible answers should be considered. Heightened public concern may be a result of heightened public awareness. It may reflect a change in standards, in the terms by which men judge the nature and the value of their own society. It may be that the context in which the problem is seen, previously taken largely for granted, is coming more and more to be questioned. Perhaps changing circumstances bring different aspects of the problem to the fore. Heightened public awareness may itself be explicable in terms of the success of the efforts of a particular reforming movement or pressure group. Alternatively it may come as a reaction to reforming pressure. Different proposals for solving the problem may have been advocated by different political groupings, with the result that the social problem itself becomes part of a wider framework of political controversy.

Any investigation of the drink problem in late nineteenth century England must start by considering the available statistical evidence. But this evidence must be approached with great care. In 1940, G. B. Wilson published his valuable Alcohol and the Nation, an annotated collation of statistical data relating to the impact of liquor on British society since the beginning of the nineteenth century. His work opened with a warning:

The Drink Problem is one of great complexity in which the investigator who relies solely on statistical evidence and ignores the human factor may find himself committed to conclusions which are contrary to common experience. Any such investigation must, in certain important respects, be based on inadequate statistical data, and all conclusions must be stated with caution.³

Writing specifically of the period between 1815 and 1872, Brian Harrison has echoed and elaborated the warning given in this last sentence:

There is a mass of statistics on the temperance question; most of these are valueless as an indication of changes in drinking habits because they deal only with drink passing through legal channels, at a time of changing fiscal policy and varying police enforcement. . . . Consumption statistics are valuable in this period not so much for their own sake as for the reactions they provoked.⁴

The picture for the four decades after 1872 is not much brighter. The amount of drink which failed to pass through legal channels may reasonably be presumed to have been smaller

³George B. Wilson, Alcohol and the Nation (1940), p. xi.

⁴Brian Harrison, "Drink and Sobriety in England, 1815-72: A Critical Bibliography," International Review of Social History, XII (1967), 207.

than before. But fiscal policy continued to change, and it can hardly be doubted that police enforcement continued to vary from district to district, and probably from year to year.

The frequent unreliability of the statistical evidence is one problem. Its incompleteness is another. When Noel Buxton and Walter Hoare set out to examine various facets of the drink question in the first year of the twentieth century, they found that their most immediate problem was an overabundance of controversial literature combined with a dearth of reliable information. "Probably no single institution was ever so much spoken against, or so little spoken about" was their verdict on the public house.⁵ They concluded that, despite the mass of material of various kinds available on the drink problem, with very few exceptions "it is to Blue Books alone that we must turn for any attempt at a real study of the subject; and even there it is disappointing to find whole subjects of enquiry omitted, and especially the nature of drinking habits, and of the public-house itself."⁶

In the late nineteenth century the governmental and administrative processes which were recorded in the Blue Books furnished regular statistical information about drink in three main areas. The retailing of drink was subject to licensing;

⁵Noel Buxton and Walter Hoare, "Temperance Reform," in The Heart of the Empire: Discussions of Modern City Life in England (1901), p. 171.

⁶Ibid., p. 166.

drink itself was subject to customs and excise duties; and drunkenness in certain circumstances was subject to prosecution and conviction.

Everyone who retailed drink directly to the public at large had to have a license to do so. Licenses were taken out by individual persons in respect of particular premises. In most cases a certificate from the local licensing justices was necessary before a license could be obtained, but the licenses themselves were issued by the excise authorities. The licensing system as a whole was complex almost beyond belief,⁷ but one fundamental distinction was clear-cut. The numerous different categories of retail liquor license resolved themselves into two basic types: "on" and "off." Anyone wishing to sell drink which was to be consumed on the premises had to have at least one of the different categories of on-license. The retailing of drink for consumption off the premises required one or more of the numerous varieties of off-license. The relative amounts of drink sold under on- or off-licenses cannot be known, if for no other reason than because very frequently the same establishment conducted both on and off trades. But contemporaries were almost certainly correct in believing that as a whole far more drink was consumed on than off the premises and that this was overwhelmingly so in the case of beer. It was the houses with on-licenses which

⁷See below, Chapter Two.

were traditionally viewed as the chief sources of temptation and enemies of temperance, and they were far more numerous than premises retailing only for consumption off the premises. Of the 131,434 premises licensed in England and Wales in the year ended 31 March, 1896, only 28,266 held off-licenses exclusively.⁸

The great majority of on-licenses in England and Wales were held for licensed houses. On-licenses could also be held for hotels, restaurants, theatres and even passenger boats, but compared to the number of licensed houses those premises so licensed in the late nineteenth century were relatively few. Licensed houses were of two main types, corresponding to the two most important types of on-license: public houses and beerhouses. Public houses after 1881 all had full on-licenses (publicans' licenses), which entitled them to sell beer, wines and spirits for consumption on and off the premises. Beerhouses could not be licensed to sell spirits, but beerhouse licensees could hold additional licenses to sell wine, perry and sweets along with their beer and cider.⁹ A beerhouse license did not automatically permit off-sales, for which separate off-licenses were necessary.

Almost everyone who was concerned about the late nineteenth century drink problem placed considerable emphasis on

⁸LCR, III, 595.

⁹"Sweets" included British wines and such drinks as mead.

the number of public houses and beerhouses present in the country. Whether or not they were decreasing, and if so at what rate, were regarded in the context of the drink problem as questions of prime importance. Yet until well into the twentieth century no regular official records were compiled of the total number of licensed houses, a fact which bears out the words of Buxton and Hoare about the Blue Books' disappointing omissions. When the Peel Commission wanted to know exactly how many licensed premises there were when it began its enquiry a return had to be specially prepared by the Accountant-General.¹⁰ According to this return the number of premises in England and Wales with on-licenses in the year ended 31 March, 1896, was 103,168, made up as follows:¹¹

Publicans' licenses (including theatres, hotels, restaurants and 227 passenger boats)	67,110
Beer retailers (beerhouses)	30,248
Beer and Wine retailers	4,876
Wine and Sweet retailers	934

In 1895-96 there was thus on average one on-licensed premise to every 294 persons in England and Wales.¹²

¹⁰"Return showing the Number of Premises Licensed . . . in the Year ended 31st March 1896," LCR, III, 592-95, Appendix XI.

¹¹Source: Ibid.

¹²Based on the estimated mid-year population of England and Wales in 1895 of 30,451,000; B. R. Mitchell and Phyllis Deane, Abstract of British Historical Statistics (Cambridge, 1962), p. 9.

Because the return prepared for the Peel Commission was exceptional it is difficult to make comparisons of the numbers of public houses and beerhouses and of the total numbers of on-licensed premises at different times during the last decades of the nineteenth century. These numbers have to be inferred from records kept for other purposes. The Inland Revenue recorded how many retail liquor licenses were issued from year to year in the various categories in an annual "Detail of Licenses of Dealers in and Retailers of Exciseable Liquors used as Beverage." A comparison may be made between the numbers issued in each of the two main types of on-license in the years ended 31 March, 1872, and 31 March, 1902:¹³

<u>Year</u>	<u>Publicans' Licenses</u>	<u>Beerhouse Licenses</u>
1871-72	69,028	41,511
1901-02	67,071	29,020

Certain reservations must be attached to the interpretation of these figures. During the period under consideration there were administrative modifications made to the publicans' license which may make the earlier figure given for it rather too low. Of more importance is the fact that the number of licenses issued is for various reasons unlikely to have corresponded exactly with the number of premises licensed in

¹³Source: Fifteenth Report of the Commissioners of Inland Revenue for Inland Revenue for the Year Ending 31 March 1872 [C. 646], Parl. Papers, 1872, XVIII, 333; Forty-Fifth Report of the Commissioners of Inland Revenue for the Year Ended 31 March 1902 [Cd. 1216], Parl. Papers, 1902, XXII, 412-15.

either category. Nevertheless the figures in the comparison probably do not mislead when they suggest that by the beginning of the twentieth century there were somewhat fewer public houses and substantially fewer beerhouses in England and Wales than thirty years before.

The Annual Returns for Brewers' Licenses include the number of licensed victuallers and of persons licensed to sell beer to be drunk on the premises. In G. B. Wilson's opinion the combined totals probably approximate to the number of on-licensed premises in England and Wales in successive years.¹⁴ The combined totals for the following years ended 31 September were:¹⁵

1871-72	111,661
1881-82	106,524
1891-92	104,572
1901-02	102,697

The total arrived at in the return compiled for the Peel Commission may be inserted between the last two of these to show the total number of premises with on-licenses in England and Wales over the following periods:

1 Oct. 1891 - 30 Sept. 1892	104,572
1 Apr. 1895 - 31 Mar. 1896	103,168
1 Oct. 1901 - 30 Sept. 1902	102,697

¹⁴Wilson, Alcohol, p. 236.

¹⁵Source: "Accounts of the Number of Persons . . . Licensed as Brewers, Victuallers . . .," Parl. Papers, 1873, LXI, 7-9; 1882, LXIV, 7-13; 1893-94, LXXXI, 65-67; 1903, LXIV, 87-94.

It should be remembered that the first and third of these totals represent only estimates. But it seems that some general conclusions may be safely drawn. By 1895-96 the total number of on-licensed premises in England and Wales was less than it had been a quarter of a century previously, probably by somewhere in the region of seven or eight per cent. By 1895-96 the rate of decrease may have been less than in some previous periods, but the total number of premises with on-licenses was still falling.

At the same time as the number of licensed houses was falling the population was rising, so that in the last decades of the nineteenth century the overall ratio of houses to people declined significantly. On the assumption that the combined totals of victuallers and beer on-sellers approximately equalled the numbers of on-licensed premises, the following comparison may be made to show the average number of persons to each on-licensed premise in England and Wales at ten year intervals between 1871-72 and 1901-02:¹⁶

1871-72	203
1881-82	244
1891-92	278
1901-02	317

Figures very similar to these were put forward at the time. In 1904 the Home Secretary, Aretas Akers-Douglas, stated in the

¹⁶Source: Ibid., and the census returns of the population in England and Wales in 1871, 1881, 1891 and 1901 given in Mitchell and Deane, Abstract, p. 12.

Commons that the ratio of persons to licensed houses had been 242:1 in 1881, 279:1 in 1891, and 322:1 in 1901.¹⁷ The changes in the ratio are more pronounced still if the number of houses is related not to the population as a whole but to that section of it which was over the age of fourteen.¹⁸

The question which naturally arises is what effect this very clear trend had on the nation's drinking habits. The licensing justices, who had varying powers of discretion over the different categories of licenses, were frequently urged to consolidate and extend still further the reduction in the number of licensed houses.¹⁹ Many of the most responsible sections of temperance opinion regarded a continuing reduction as one of the most valuable contributions that could be made to an amelioration of the drink problem. There were several reasons for this belief. It was argued, for example, that the fewer licensed premises there were the easier it would be for police and magistrates alike to keep a closer check on those that remained. But advocates of reduction usually also based their case on the assumption that a close connection existed between the number of licensed houses and the amount of drink

¹⁷20 April, 1904, Parl. Debates, 4th series, CXXXIII, c. 697.

¹⁸The percentage of the total population of England and Wales which was aged fifteen years and over rose from 63.54 in 1881 to 64.93 in 1891 and to 67.58 in 1901; based on the census returns for those years given in Mitchell and Deane, Abstract, p. 12.

¹⁹For the varying powers of discretion of the licensing justices see below, Chapter Two.

consumed. Reduce the number of licensed houses, ran the argument, and levels of consumption would also fall.

This assumption was to be broadly accepted by all but two of the twenty-four members of the Peel Commission, but its validity is open to question. Various attempts were made to establish the proposition that the number of outlets at least partly determined consumption by demonstrating a correlation in particular areas between the ratio of licensed houses to population and the incidence of drunkenness. But these attempts could be attacked on at least two grounds: that drunkenness statistics were not a reliable guide to the actual incidence of drunkenness, and that in any case the proofs depended on which areas were selected in the first place, since the use of other parts of the country as a basis for the calculations could be shown to lead to diametrically opposite conclusions. The proposition must be regarded as not proven. Certainly for any given population there is likely to be a minimum number of licensed houses below which sheer difficulties of access should result in a drop in the total number of occasions on which a visit to one of the houses is made. But in 1895-96 there were still less than three hundred persons on average to every licensed house, and in a nation so densely populated as England it is unlikely that such a minimum number was anywhere in sight. If a house was closed its customers would generally be able to move on to one nearby with very little additional effort. Only in the remoter rural areas

might there be the deterrence of real inconvenience, and the drink problem was generally considered to be overwhelmingly an urban one.

Mere numbers of houses give no indication as to their size or capacity. By the late 1890s "fully three-quarters" of the premises with on-licenses were controlled in one way or another by breweries.²⁰ When faced with the prospect of having to close one or more of its houses, a brewery would naturally try to ensure that the least profitable went first. Beerhouses were in general far less substantial than public houses, and the apparent disparity in their reduction rates suggests that it was the smallest premises that suffered most as numbers fell. Loss of capacity could be compensated for, as well as minimized. When a house was closed a brewery frequently would then increase the capacity of its remaining houses in the same area. Joseph Rowntree and Arthur Sherwell, who at the end of the nineteenth century conducted one of the fullest and most objective private enquiries into the drink problem, were convinced that the reduction that had taken place in the numbers of public houses and beerhouses had been "more than out-balanced by the reconstruction and enlargement of those that remain."²¹

²⁰LCR, Final Report, 19.

²¹Joseph Rowntree and Arthur Sherwell, The Temperance Problem and Social Reform (7th ed., 1901), p. 80. First published in April, 1899, this work went through six editions in the first eight months and three more within the next two years. Altogether some ninety thousand copies were sold;

Any attempt to assess drinking habits in terms of the number of public houses and beerhouses is further complicated by the fact that premises with on-licenses were not the only places where drink could be bought, even though numerically they were by far the most important. Liquor could also be purchased, though not drunk, at premises licensed solely for off-sales, and could be both bought and consumed in private clubs. Over several of the various types of off-license the nineteenth century licensing justices had far fewer powers of discretion than they had over public houses, while over clubs they had no licensing discretion at all. In the last decades of the nineteenth century a numerical increase in both these alternative sources of supply accompanied the reduction in the number of premises with on-licenses.

It is impossible to make exact comparisons over time of the number of premises in England and Wales licensed exclusively for off-sales. The authority on licensing statistics, G. B. Wilson, goes no further than saying that "the number has varied from time to time and now [1940] stands at about 22,000."²² Such caution is fully justified. The number of licenses issued from year to year in the various categories of all-license is known, but the combined total ex-

Anne Vernon, A Quaker Business Man: The Life of Joseph Rowntree, 1836-1925 (1958), p. 134. All references to The Temperance Problem and Social Reform are to the revised and enlarged seventh edition.

²²Wilson, Alcohol, p. 236.

ceeded the total number of premises licensed exclusively for off-sales, and by an unknown margin. Several categories of off-license could be held jointly with on-licenses, and even those premises which sold only for off-consumption frequently held two or more of the various categories of off-license. The total number of possible combinations rose perhaps into three figures. According to the special return prepared for the Peel Commission, premises in England and Wales in 1895-96 which held off-licenses only were licensed in no less than 78 different ways.²³ Nevertheless, in the last decades of the nineteenth century the number of off-licenses issued in several of the leading categories increased by such a margin that it is safe to conclude that a considerable expansion in the number of premises was also taking place. Between 1871-72 and 1901-02, for example, the number of licenses issued in England and Wales for the off-sale of wine rose from 2,359 to 6,932, while the dealers' additional retail spirit license rose over the same period from 3,841 to 10,402.²⁴ It is likely that the great majority of these newly issued licenses went to premises which had not previously been licensed either for on- or off-sales.

The Peel Commission found that 5,955 new off-licenses had been issued between 1886 and 1896, of which it was significant that the categories over which the licensing justices

²³LCR, III, 594-95.

²⁴Parl. Papers, 1872, XVIII, 333; 1902, XXII, 412-15.

did not have full discretion accounted for 4,187. In the same period only 1,930 new on-licenses had been granted.²⁵ The discrepancy between on- and off-licenses is clear, but should be seen in perspective. Most of the new off-licenses were in categories either first established or greatly modified by Gladstone in the early 1860s, such as the licenses which shopkeepers could take out for the off-sale of wine. Thus to some extent the greater rate at which new off-licenses were issued in the late nineteenth century as compared with on-licenses merely reflected their more recent origin. Even by 1895-96 there were no more than 28,266 premises in England and Wales licensed exclusively for off-sales, whereas there were 103,168 premises with on-licenses.²⁶

Between 1871-72 and 1895-96 the number of on-licensed premises probably dropped by some eight and a half thousand. It is likely that the increase in the number of off-licensed premises exceeded this figure and that the total number of licensed premises in the country therefore increased. But it is clear that any increase taking place in the combined number of on- and off-licensed premises was at a slower rate than the overall increase in population.²⁷ Naturally the changing

²⁵LCR, V, 239.

²⁶LCR, III, 595.

²⁷See below, footnote 39, where it is shown that relative to the total population there were more on-licensed premises alone in England and Wales in 1871-72 than in 1895-96 there were on-licensed premises, off-licensed premises and clubs serving alcohol combined.

ratio was not constant right across the country, but localities where the ratio of inhabitants to total licensed premises actually decreased were exceptional. The Peel Commission compared the 1896 ratio of population to all the licensed premises in the 917 licensing districts into which England and Wales were divided with that prevailing ten years earlier. It was found that between 1886 and 1896 the average number of persons to each licensed premise had remained the same (within twenty either way) in 521 districts. The ratio had decreased in 60 districts, but in no less than 336 it had increased.²⁸ In London and the boroughs the preponderance of increase over decrease was especially marked, as the following break-down of the total figures shows:²⁹

<u>Type of Licensing District</u>	<u>Increase</u>	<u>No Change</u>	<u>Decrease</u>
London	10	5	2
Boroughs	107	111	4
Petty Sessional Divisions	219	405	54

The continued drift of population away from the rural parts of the country into the towns probably accounts for the discrepancy between London and the borough districts on the one hand and the petty sessional divisions on the other. The three types of licensing district might differ in their apparent rate of progress, but on balance all were headed in the same

²⁸LCR, V, 241.

²⁹Source: Ibid.

direction, and the general trend across the country as a whole was plain.

Those who placed emphasis on the ratio of population to licensed premises could therefore hardly complain that the overall situation was deteriorating. They could, however, maintain that it was not being improved anywhere near swiftly enough. There were other grounds for unease. It could reasonably be argued that an overall improvement masked continued wide disparities from locality to locality. A comparison of the 1896 situation in four of England and Wales' 917 licensing districts shows the extent of the variations which could still exist:³⁰

	<u>Petty Sessional Divisions</u>		<u>Boroughs</u>	
	<u>Monmouthshire</u>	<u>Hurstingstone</u> (Hunts.)	<u>Nelson</u> (Lancs.)	<u>St. Ives</u> (Hunts.)
Acreage	12,947	36,586	3,185	2,141
Population	6,226	8,146	30,000	3,005
On-Licensed Premises	1	116	15	42
Off-Licensed Premises	0	4	11	3
Acres Per Licensed Prem.	12,947	304	122	48
Persons Per Licensed Prem.	6,226	67	1,153	66

³⁰Source: Ibid., 248-314, Table I. The Monmouthshire petty sessional division comprised the whole of the county which was not included within the two boroughs of Newport and Monmouth.

Another point made was that calculations based on the number of licensed premises did not take clubs into account. Clubs were of different types and served various purposes. Among those to be found within the Metropolitan Police's "C" Division in 1896 were: "Boodles," of 28 St. James St., established 134 years, with 400 members and an annual subscription fee of eleven guineas; "The Pioneer," of 22 Bruton St., established four years, with 570 members, a "ladies' temperance club"; and "The New Roma," of 2 Little Dean St., established two weeks, with 70 members each paying twelve shillings a year, and described by the police as "used by prostitutes and foreigners."³¹ One attribute, however, was shared by all clubs in the nineteenth century. If and when they served drinks to their members they were, as far as the law was concerned, engaging in a distribution rather than a sale, and the transaction was thus one over which the licensing authority had no discretion. Clubs like "The Pioneer" were in a minority. With the help of the police, the Peel Commission discovered over four thousand clubs in England and Wales in 1896, only about six hundred of which did not serve liquor.³²

Until the Peel Commission began gathering information

³¹LCR, IV, 6-11.

³²Ibid., 188. Some of the police returns on which these figures are based entirely omitted clubs not serving liquor. Six hundred is thus a minimum figure for the number of clubs of this type. But their actual total was probably still well below that of the number of clubs where liquor was served.

on the subject no serious attempt had been made to find out how many clubs there were in the country serving liquor, though it was widely thought that their numbers were increasing rapidly. The investigations of the Commission confirmed this belief. It was found that between 1887 and 1896 the number of clubs in England and Wales serving drinks had almost doubled, rising from 1,982 to 3,655.³³ As the Secretary to the Commission, Sidney Peel, pointed out, "the apparent increase is somewhat greater than the real," because the figures did not take into account those clubs which had ceased to function during the period under consideration.³⁴ The general situation was nevertheless clear. At a time when the number of premises with on-licenses was being steadily if slowly reduced, the number of private clubs where drinks could be obtained and consumed on the premises had grown considerably.

Temperance workers who deplored this growth found themselves with unusual allies, for the serving of liquor in clubs also came under attack from the licensed trade. Publicans and beerhouse keepers, in particular, saw clubs not only as competitors for their trade but as competitors who had the unfair advantage of not being fettered by the licensing laws. But the fears expressed by both temperance workers and licensees were probably exaggerated. In numbers alone, the fewer than four thousand clubs serving alcohol were not a very

³³Ibid., 188-89.

³⁴Ibid., 3.

significant addition to the more than one hundred thousand public houses and beerhouses in England and Wales in 1896. Club membership in that year was calculated at 246,523 in London, 595,450 in the rest of England, and 39,165 in Wales.³⁵ But that of course did not mean that 981,138 people in England and Wales--about one adult in seventeen--habitually drank in clubs. The totals counted twice, or several times, those who belonged to two or more clubs. Many kinds of clubs usually have a large proportion of purely nominal members, and even those who regularly visited the club premises could naturally have done so without once taking a drink. Doubtless there were some clubs which were almost exclusively geared to drinking or whose financial survival depended almost entirely on takings at the bar. The Report and Statement of Accounts of the Wolverton Central Working Men's Club for the first half of 1909 reveals that over the six month period the club had a total income from all sources of £1,530, of which £1,304 was from bar receipts, with the net profit made from the bar amounting to more than £400.³⁶ But the fact that these accounts found their way into the hands of Bonar Law suggests that the Wolverton club may not have been wholly typical.³⁷

³⁵Ibid., 189.

³⁶Beaverbrook Library, Bonar Law Papers, 20/13.

³⁷The balance sheet, "secured with some difficulty," had apparently been forwarded as part of one of the campaigns sponsored by the licensed trade to have closer controls imposed upon clubs; see Andrew Danqueray to [R.K.?] Causton, 9 September, 1909, Bonar Law Papers, 18/5/101.

The total amount spent on liquor in clubs in the late nineteenth century is now known, but it was almost certainly very small when compared with that spent in licensed premises. In 1935 no more than 7 per cent of the total expenditure on drink in England and Wales was in clubs, and by that date there were four times as many clubs serving liquor as there had been in 1896.³⁸ A reasonable guess might be that in the mid-1890s some 2 per cent of the national expenditure on drink was paid over in clubs.

Despite some serious gaps in the available evidence, a reasonably clear outline does emerge of the late nineteenth century situation as regards total numbers of liquor outlets. Though by the mid-1890s there were almost certainly substantially more off-licensed premises and clubs serving drinks than there had been a quarter of a century before, there were fewer premises with on-licenses. Probably the decline in on-licenses had been outweighed by the increase in off-licenses and clubs as far as numbers were concerned, though this cannot be known with certainty. On the other hand there seems no doubt at all that on a per capita basis there were significantly fewer total liquor outlets in the mid-1890s than there had been a generation previously. There were more on-licensed premises alone in England and Wales per head of the population in 1871-72 than there were liquor outlets of all

³⁸Wilson, Alcohol, p. 143; Home Office. Licensing Statistics for 1935 [Cmd. 5304], Parl. Papers, 1936-37, XXVI, 1094.

kinds--on- and off-licensed premises and clubs serving drinks --in 1895-96.³⁹ England and Wales were nevertheless still amply provided with liquor outlets in 1895-96, with on average one on-licensed premise to every 294 persons, and with many areas where licensed premises were considerably more concentrated in relation to population than the national average.⁴⁰ Premises with on-licenses remained numerically by far the most important type of outlet, but were being supplemented by increasing numbers of off-licensed premises and clubs serving alcohol. Few people in England and Wales at the end of the nineteenth century can have been inhibited from drinking by the lack of convenient facilities. Yet because qualitatively different services were provided by on- and off-licensed premises and clubs, because allowance cannot be made for the probable increases in the capacity of individual premises, and because the alleged correlation between numbers of outlets and levels of consumption remains debatable, it is clearly impossible to come to any firm conclusions about the nation's drinking habits solely on the basis of the number of outlets in existence at a particular time.

³⁹1871-72: one on-licensed premise to approximately every 203 persons in England and Wales; 1895-96: 103,168 on-licensed premises, 28,266 off-licensed premises and 3,655 clubs serving alcohol in England and Wales, a total of 135,089 liquor outlets, one to every 225 persons.

⁴⁰Within forty years the number of on-licensed premises in England and Wales was slightly less than three-quarters of the 1895-96 total, and by 1935 there was only one to every 541 persons, Parl. Papers, 1936-37, XXVI, 1094.

Statistics providing direct information about levels of consumption might seem to provide a more profitable line of enquiry. But considerable difficulties attend their use. In the first place the available statistics relate not to the consumption but to the legal production and importation of drink. At times the authorities may have seemed surprisingly unconcerned about discovering the total number of licensed premises in the country, but an individual public house could hardly escape their notice. Bottles and even casks and barrels of beer, wine and spirits could, and presumably did. It seems likely that the amount of liquor that by-passed the legal channels--either as a result of clandestine domestic production or by being smuggled in from abroad--had become relatively small and perhaps insignificant by the end of the nineteenth century, but exactly how large that amount still remained can obviously never be known.

The amount of alcoholic liquor which escaped detection by the revenue authorities is not the chief problem. Some of the difficulties involved in building up consumption statistics from production figures may be illustrated by considering beer as a particular case. There is no doubt that in late nineteenth century Britain beer was far and away the most important single source of alcohol. Wilson provides the following comparison of the percentage of absolute alcohol consumed in spirits, beer and wine in the United Kingdom over

quinquennial periods from 1870 to 1899:⁴¹

<u>Years</u>	<u>Spirits</u>	<u>Beer</u>	<u>Wine</u>
1870-74	27.1	68.6	4.3
1875-79	27.1	68.9	4.0
1880-84	26.8	69.4	3.8
1885-89	25.4	70.1	3.5
1890-94	25.8	70.8	3.4
1895-99	25.4	71.2	3.4

These percentages exclude some of the less common drinks, such as cider, as well as the more bizarre forms in which alcohol could be taken, such as methylated spirits. In addition the figures are themselves subject to the reservations about consumption statistics being outlined here, and Wilson himself points out that they represent only "a rough estimate."⁴² It is possible that the proportional rise in consumption of alcohol in beer as compared with that in wine and spirits was of a greater or less extent than the figures suggest, and conceivable--though unlikely--that there was no proportional rise at all. But it is most improbable that the estimate is so wildly erroneous as to invalidate the conclusion that in the late nineteenth century some two-thirds of the United Kingdom's total consumption of alcohol was in the form of beer.

⁴¹Source: Wilson, Alcohol, p. 288.

⁴²Ibid., p. 287.

Many wines and some spirits are not drunk until several years after they have been produced or imported. The nature of late nineteenth century British beer was such that it is safe to assume that the overwhelming bulk of it was consumed within a few weeks of being brewed. The amount of alcohol taken in the form of beer clearly depended on two variables: the amount and the alcoholic strength of the beer consumed. Until 1880 the figures for beer production are "very unsatisfactory," partly because of the unknown number of private brewers, but also because it was not until that year that Gladstone transferred the tax from malt to the beer itself.⁴³ Even after 1880, when production figures became more reliable, the strength of beer remained a variable which it is possible only to estimate. The alcoholic content of beer is determined within close limits by the difference in the specific gravity of the wort before and after fermentation. The duty on beer after 1880 was assessed on a uniform pre-fermentation gravity, which was lowered from time to time. Exactly how closely the average strength of beers brewed corresponded to that postulated for taxation purposes is not known, since there are no official records of average original gravities prior to 1900.⁴⁴ Considerations like these do not mean that no significance at all can be attached to figures for late nineteenth century beer consumption. Careful and well-informed statistics, such

⁴³Ibid., pp. 50-57.

⁴⁴Ibid., p. 58.

as those provided by G. B. Wilson, are extremely valuable. But reasonable allowances have to be made for margins of error, and it is unwise to place too great an emphasis on relatively small variations from one year to the next.

A difficulty of a different kind arises from the fact that only with spirits is it possible to know with some accuracy the relative proportions consumed in England and Wales, Scotland and Ireland. The figures for the production of beer in the three areas are known, but bear no necessary relation to consumption. Scotland and Ireland were without doubt net exporters of beer to England, though by unknown margins. Unlike statistics for retail liquor licenses and licensed premises, therefore, statistics relating to overall consumption of alcohol cannot be given for England and Wales alone, and have necessarily to be given for the United Kingdom as a whole. There were differences in drinking habits between Scotland and Ireland on the one hand and England and Wales on the other. Per capita consumption of spirits was higher in the first two, for example, while that of wine was probably lower. However, it is unlikely that the picture as far as England and Wales are concerned is seriously distorted by the inclusion of Scottish and Irish consumption in the overall figures. England and Wales had more than 72 per cent of the United Kingdom's population in 1871, and very nearly 80 per cent in 1901.⁴⁵

⁴⁵Based on the census return figures for those years given in Mitchell and Deane, Abstract, pp. 9-12.

The Peel Commission appears to have been understandably wary about putting forward its own collations of data relating to alcoholic consumption. The Commission was, however, presented with a compilation drawn up by one of the leading temperance organizations, and this was printed as an appendix. Based on the Inland Revenue returns, it compared the average amount of alcohol, stated in its equivalent in proof spirits, consumed yearly per head of the United Kingdom population over ten year periods between 1838 and 1897:⁴⁶

<u>Years</u>	<u>Gallons</u>
1838-47	3.561
1848-57	3.626
1858-67	3.728
1869-77	4.617
1878-87	4.001
1888-97	4.026

The first three and the last three of the ten year periods were then averaged out separately. On this basis it seemed to be demonstrated that whereas the average annual consumption per head between 1838 and 1867 had been 3.638 gallons, it had jumped to 4.214 gallons in the more recent period between 1868 and 1897.⁴⁷

The longer term comparison is of little value. The further back in time the figures go the less reliable they

⁴⁶Source: LCR, VIII, 744, Appendix IV (i).

⁴⁷Ibid.

become, and those for the earlier decades may well be serious underestimates. On the other hand the later figures probably give a reasonably accurate impression of changes in levels of consumption, at least insofar as they point to a significant decline in the 1880s from the levels of the 1870s, followed in the 1890s by a slight rise. This trend appears to have shown itself right across the range of alcoholic drinks. The following comparison is of the United Kingdom's average annual per capita consumption of spirits, wine and beer over five year periods between 1870 and 1899:⁴⁸

Years	Spirits in Proof Gallons	Wine in Gallons	Beer in Standard Gallons
1870-74	1.14	0.52	31.1
1875-79	1.21	0.50	33.2
1880-84	1.05	0.42	29.2
1885-89	0.94	0.37	28.4
1890-94	1.00	0.38	28.8
1895-99	1.03	0.40	31.2

According to these figures, the most reliable available, per capita consumption of beer, wine and spirits was starting to increase again in the 1890s, but the levels for each type of drink were still appreciably less than those registered in the 1875-79 period.

⁴⁸Source: Wilson, Alcohol, p. 235, Appendix F, Table 2. The figures given here may profitably be compared with their equivalents for the period 1930-35, which were: Spirits 0.27, Wine 0.30, Beer 13.3.

Informed contemporaries were aware that per capita consumption of alcohol in the last years of the nineteenth century appeared to be significantly less than it had been twenty or twenty-five years previously. But they were not always as heartened by this as might be expected. Rowntree and Sherwell believed that it was no coincidence that the decline from the peak levels of the 1870s accompanied "the subsidence of the commercial 'boom'" and feared that the national intake of alcohol had begun another upward swing.⁴⁹ At the end of the nineteenth century they put together the following information to show the United Kingdom's recent per capita consumption in gallons of spirits, beer and wine:⁵⁰

<u>Years</u>	<u>Spirits</u>	<u>Wine</u>	<u>Beer</u>
1890-94 (annual average)	1.01	0.38	29.8
1895	0.95	0.37	29.7
1896	1.00	0.40	30.7
1897	1.02	0.39	31.4
1898	1.03	0.41	31.9

The recent trend was not encouraging. If it could be believed that the apparent decline in per capita consumption in the 1880s reflected a deep-seated change in the nation's drinking habits, then the future might be approached with some confidence. But if instead the decline had resulted primarily from

⁴⁹Rowntree and Sherwell, Temperance Problem, p. 4.

⁵⁰Source: Ibid., pp. 607-09.

a general faltering in the nation's commercial progress, any economic resurgence might well serve to raise consumption levels to new heights.

The genuine nature of such fears cannot be doubted, but the fears themselves must still be seen in perspective. If the drink problem is assessed solely in terms of the level of alcoholic consumption per head of the population, every indication is that it was still less serious in the last few years of the nineteenth century than it had been a generation previously. However, the wider implications of even straightforward trends in per capita consumption are by no means clear-cut. It is conceivable that the problems arising from the sale and consumption of alcoholic drinks could have been intensifying even during periods when per capita consumption was decreasing. Neither the number nor the severity of the various individual and social problems associated with excessive drinking fluctuates necessarily and inevitably in direct proportion to the average alcoholic intake of the population, even though sections of temperance opinion frequently appeared to assume that they did. Hilaire Belloc derided the idea that there was a direct relationship between per capita consumption and levels of drunkenness as one of "the absurdities which fanaticism has produced."⁵¹ Habits and customs may well be decisive factors. An extended drinking session on the evening

⁵¹H. Belloc, "On Licensing," English Review, II (1909), 604.

of pay-day might produce greater private and public distress than would an intake of liquor greater in total quantity but more evenly spread. Again, if a man habitually drinks eleven pints of beer in an evening and his two neighbours drink none, it goes without saying that they will drink less per capita than three other men who habitually consume four beers each. But it would be unwise to conclude that the first group would be the one to provide society with the fewer problems.

It is therefore clearly of prime importance to know the proportion of non-drinkers in any given population. Non-drinkers, presumably, would be either children under a certain age or adult abstainers. The proportion of the late nineteenth century population falling in particular age groups is known, though it is far from certain that the usual age at which drinking began remained constant.⁵² There are no reliable figures of the number of abstainers in the country at a given time, though numerous estimates were made. James Whyte, giving evidence before the Peel Commission in 1898 in his capacity as Secretary of a leading temperance society, the United Kingdom Alliance, said that he had made very careful efforts to reach "something like a fair estimate" of the number of total abstainers in the United Kingdom and that he

⁵²In 1886 the sale of intoxicating liquor to a child under thirteen for consumption by that child was prohibited (49 & 50 Vict. c. 56). The measure was evidently difficult to enforce, but may have lessened drinking by the very young.

reckoned it to be "about eight million."⁵³ But there is very little indication of how he made this calculation, and what little there is does not inspire confidence in the value of his final result: he included, for example, "children in Bands of Hope, and children who belong to families that are teetotallers, and so forth."⁵⁴ Rowntree and Sherwell sensibly excluded children altogether when in the following year they estimated the number of teetotallers and "practical abstainers" fifteen years and over in the United Kingdom as "at least three million," but again the grounds for this conclusion were not made clear.⁵⁵ It is possible that by the end of the nineteenth century the efforts of the various temperance organizations may have increased the proportion of the adult male population which abstained as compared with the previous generation. But whether this was so, whether if it was so it was offset by an increasing tendency of women to drink, indeed whether there was an increasing tendency of women to drink,

⁵³14 June, 1898, qu. 67,843, LCR, VIII, 508.

⁵⁴Ibid.

⁵⁵Temperance Problem, p. 5. Rowntree and Sherwell went on to make the following calculations. They (a) excluded their estimated minimum number of non-drinkers fifteen years and over, (b) excluded children under the age of fifteen, (c) assumed that men drinkers consumed on average twice as much as women drinkers. On this basis they concluded that in 1899 the average female drinker had taken in 2.61 gallons of absolute alcohol in twelve months and the average male drinker 5.22 gallons, "a quantity that is clearly greatly excessive"; ibid., pp. 5-7.

are questions which cannot be decided with any certainty.⁵⁶ Even though by the end of the century less alcohol was apparently being consumed per head of the population than twenty years before, some possibility therefore still remains that proportionately fewer people were sharing the total consumption and that those who were drinking were drinking more.

Drunkenness is one of the most immediately obvious symptoms of excessive drinking. The following table, based on the Criminal Statistics, compares the average annual totals and per capita rates of both proceedings and convictions for drunkenness in England and Wales over five year periods between 1870 and 1899:⁵⁷

<u>Years</u>	<u>Proceedings</u>		<u>Convictions</u>	
	<u>Annual Totals</u>	<u>Rate Per 10,000</u>	<u>Average Annual Totals</u>	<u>Rate Per 10,000</u>
1870-74	158,794	68.73	138,589	59.98
1875-79	196,544	79.56	176,686	71.52
1880-84	185,643	70.51	165,266	62.77
1885-89	170,366	61.21	152,585	54.82
1890-94	179,736	61.08	159,601	54.23
1895-99	193,361	62.05	169,206	54.30

After a peak in the latter half of the 1870s there was evi-

⁵⁶Rowntree and Sherwell were themselves unable to come to any firm conclusion on "the most controverted question as to whether intemperance is increasing among women"; ibid., pp. 85-87.

⁵⁷Source: Wilson, Alcohol, pp. 430-31, Appendix F, Table 34.

dently a clear decline in both proceedings and convictions for drunkenness in England and Wales, a decline not only relative to the increasing population but in absolute terms as well. This decline continued until the first half of the 1890s, by which time the total number of proceedings and convictions had risen as compared with the previous five year period. By the second half of the 1890s this rise was sufficient to bring about a slight increase in the per capita rates as well. Nevertheless, even by the period 1895-99 the average annual totals for both proceedings and convictions were still lower than they had been in the period 1875-79. As a result a marked difference remained between the two periods as far as their respective per capita rates were concerned. Over the five year period 1895-99 the incidence of proceedings for drunkenness in England and Wales was only 78 per cent of what it had been in 1875-79, that of convictions for drunkenness only 76 per cent.

It will be noticed that the figures for proceedings and convictions for drunkenness per head of the population in the last three decades of the nineteenth century show a trend similar to that indicated for per capita consumption of alcohol. In both cases the peak levels of the 1870s are followed by a significant decline. In both cases there is an indication of a levelling off of that decline and of an upward movement before the end of the century. In neither case is the upward movement sufficient to restore the rate to the peak

registered in the 1870s. This general similarity may not have been merely coincidence. However, considerable caution should be exercised in inferring changes in drinking habits from a rise or fall in the incidence of proceedings or convictions for drunkenness. Drunkenness was, and is, a difficult state to define precisely. Some people appear to become drunk much more readily than others. Even in the same individual drunkenness will not necessarily occur after a consistent amount of alcohol has been consumed, but will depend on the speed with which it is drunk and on such variables as the amount of food present in the stomach. A declining incidence of drunkenness thus may possibly come about, not because drinking habits have changed, but because the population is generally better fed. Even if it is assumed that nineteenth century changes in the incidence of drunkenness reflected changing drinking habits, it remains far from certain that the numbers of proceedings and convictions are a reliable guide to the frequency with which drunkenness occurred. The law concerned itself only with public drunkenness. A man might regularly be drunk in his own home and never run foul of the authorities.

Public drunkenness in itself can of course be an important aspect of the problems caused by drink, irrespective of its relationship to drinking habits. But it is unlikely that even the levels of public drunkenness are faithfully represented by the numbers of proceedings and convictions.

The powers of the police were limited even over drunkenness in a public place. Until the Licensing Act of 1902 took effect there was no power of arrest for "simple drunkenness."⁵⁸ Before then a person considered drunk and incapable but who did not add to his offence--usually by being "disorderly"--was liable only to a summons. Far more important, the extent to which the police enforced their existing powers evidently varied greatly. Joseph Chamberlain in 1877 expressed his belief that no relationship whatsoever existed between the statistics for drunkenness arrests in particular areas and the actual incidence of drunkenness, and added: "if tomorrow it were necessary for any purpose, I could undertake to have the statistics for Birmingham made ten times as bad as they were before; just one turn of the screw would bring in ten times the number."⁵⁹ Acceptance of Chamberlain's assessment leads to the possibility that a fairly close causal connection may have existed between consumption rates and those of proceedings and convictions for drunkenness, though not the obvious one. It may have been that the authorities, either

⁵⁸The 1902 Act also added new offences, such as that of being drunk in charge of a child under seven years of age. These and subsequent changes in the law make comparison of the nineteenth century drunkenness statistics with those for later years of particularly limited value. Those for 1935 may be noted: 50,032 proceedings in England and Wales; 42,159 convictions; a conviction rate per 10,000 of the population of 10.37; Parl. Papers, 1936-37, XXVI, 1095.

⁵⁹Quoted in Harrison, "Drink and Sobriety," 208. See ibid., 208-09 for a shrewd criticism of the value of drunkenness statistics which cites further examples of contemporary opinion on the subject.

themselves alarmed or as a result of public pressure, tended to clamp down more harshly on public drunkenness at times when statistics showed alcoholic consumption to be on the increase.

A large proportion of the total convictions for drunkenness was of persistent offenders, an unknown number of whom must have been chronic alcoholics. Generalisations about the extent of alcoholism in late nineteenth century England are very difficult, since even otherwise well informed contemporaries were themselves often unaware of the nature of the problem. Scientific appreciation of the distinctive features of chronic alcoholism did not become general until the second half of the nineteenth century, and changes in public and governmental attitudes followed slowly.⁶⁰ In the 1870s alcoholics were thought of by the authorities as "habitual drunkards," and it was not until the late 1880s that this description began to be superseded by the term "inebriates," reflecting the gradual replacement "of a criminal expression by a medical concept."⁶¹ Information about late nineteenth century alcoholism would have been less incomplete had the Habitual Drunkards Act of 1879 (42 & 43 Vict. c. 19) taken the form in which the measure was initially put forward. The Act did establish "retreats," where advanced medical opinion

⁶⁰Roy MacLeod, "'The Edge of Hope': Social Policy and Chronic Alcoholism, 1870-1900," Journal of the History of the History of Medicine and Allied Sciences, XXII (1967), 217.

⁶¹Ibid., 231.

hoped cures might be effected, but compulsory commitment to these retreats was excluded on the grounds that "opinion in the country was not ripe."⁶² Until almost the end of the century, therefore, only the very few who entered of their own volition passed through the retreats, a sample of the nation's alcoholics atypical by its very nature. Not until 1899 were magistrates given discretionary powers under an Act of the previous year (61 & 62 Vict. c. 60) for the compulsory commitment to retreats and government reformatories of persons repeatedly convicted of being drunk and disorderly and of indictable offenders who had acted under the influence of drink.⁶³

The general problems which surround any attempt to assess the late nineteenth century drink problem in terms of the available official statistics should now be clear. The evidence is of varying degrees of reliability and points far less directly to some conclusions than to others. In the last years of the nineteenth century an informed observer of the nation's drinking habits could feel fairly certain about several points. Compared with twenty or twenty-five years previously, the people of England and Wales had fewer public houses and beerhouses to go to. Taking into account the increase in population, they had fewer total liquor outlets be-

⁶²Inebriates Acts Reports, 1899 [Cd. 445], Parl. Papers, 1899, X, 738-39.

⁶³Ibid., 739-40.

tween them. Although by the standards of forty and more years later recorded consumption was still very high, they were almost certainly drinking less per head, and they were less frequently proceeded against and convicted for drunkenness. Equally certain was that although public houses and beer-houses had decreased, their numbers were still high, and they were still concentrated particularly heavily in some areas. Off-licensed premises and clubs serving alcohol were increasing in number. In recent years per capita consumption had apparently once again started to rise, as had the number of cases of drunkenness coming before the courts. Both were ~~still apparently below the levels reached in the 1870s, but~~ it was far from clear that either necessarily provided an unambiguous index of the amount of harm which drink caused society as a whole.

The drink problem could not--and can not--be evaluated exclusively in terms of the available official statistics. The future pattern of drinking habits remained unpredictable, and even about the past and the present there were large areas of uncertainty. No one knew precisely what impact drink was having on the nation. In his evidence before the Peel Commission James Whyte admitted that the statistical evidence seemed to show that "open, riotous drinking is much less common than it used to be," but added: "I think that quiet soaking drinking, the sort of drinking that makes men not exactly incapable of doing their business, but injures them as business men in

every way and shortens their lives very much, is much more common than it used to be."⁶⁴ The final report signed by the majority of the members of the Peel Commission was wholly unsympathetic to the prohibitionist cause which James Whyte represented, but echoed his doubts that the situation had in fact improved to the extent that the drunkenness statistics suggested. The report acknowledged that "most persons who have studied the question are of the opinion that actual drunkenness has materially diminished in all classes of society in the last 25 or 30 years," but still cautiously concluded that ". . . superfluous drinking falling short of actual drunkenness has probably increased."⁶⁵

Because the official statistics were not conclusive, many contemporaries preferred to rely on the evidence of their own experience, and it was difficult to refute those whose experience told them that the drink problem remained as serious as ever. Temperance workers were often prepared to use statistics when the figures were helpful to their cause while remaining sceptical of those which appeared to point in the opposite direction. Several of them painted the current picture of the impact of drink far blacker than it could possibly have been; for many of them, after all, the temperance movement was a moral crusade or it was nothing. But it was possible to believe quite sincerely that the past few decades had seen no

⁶⁴14 June, 1898, qu. 67,291, LCR, VIII, 493-94.

⁶⁵LCR, Final Report, 12.

overall and significant amelioration of the drink problem. Even many of those who were not necessarily convinced that there had been no improvement at all nevertheless felt that to be able to claim only partial and marginal improvements after work extended over decades amounted to much the same thing. Sir Wilfred Lawson, President of the United Kingdom Alliance, epitomised feelings of this kind when at the end of the century he wrote:

Everybody (now) admits that drinking is the master-curse of the day. We have been told until we are sick that education will cure it; that religious teaching will cure it; that good homes will cure it; that counter-attractions will cure it; and the years have gone by with all these influences at work, and the scandal, the same and the horror of the thing remain--I will not say unmitigated, but certainly in full blast--a national crime and a national disgrace of the first magnitude.⁶⁶

More than anything else, perhaps, it was this sense of outraged frustration, a feeling that enough time had already been lost, which as the nineteenth century drew to its close caused temperance reformers like Lawson ever more vehemently to denounce drink as a blight upon society.

Stalwart temperance men had been emphasizing the disastrous social consequences of drink for decades. They were unlikely to attract significantly greater attention merely by shouting more loudly. Lawson was deluding himself if he indeed believed that drink had gained universal recognition as the fundamental problem of the time. Yet there are elements

⁶⁶George W. E. Russell (ed.), Sir Wilfred Lawson: A Memoir (1909), p. 73.

of truth in his exaggeration. By the end of the century there was far greater concern than in previous decades with the range of social problems long associated with drink. To account for this intensification of social awareness is far from easy, but it appears beyond dispute that in the last years of the nineteenth century the implications for society as a whole of the nation's ever-increasing industrialization and urbanization were being brought home to informed opinion in an unprecedented fashion. More and more it began to be appreciated that an urban society had grown up in Britain different in kind from any that had preceded it. "Vast herds of human beings," wrote one observer, "are penned into small areas from which nature is excluded, and there live, breed and die. . . . The cities which we have today are different, not merely in degree but in character, from the large towns of former years."⁶⁷ Men such as Charles Booth and Seebohm Rowntree went forth into this new society to report upon and to publicize its problems. Gradually the nature and extent of these problems--of poverty, crime and overcrowding, of inadequate diet, housing and education--were laid bare for all who cared to look. As the symptoms became increasingly apparent, the next steps were to identify the causes and to prescribe the cure. By the end of the nineteenth century the drink problem was being both subsumed in and elevated by the condition of England question.

⁶⁷Preface to The Heart of the Empire, p. v.

In some cases the setting of new standards in turn presented the drink problem in a fresh aspect. Until attendance at school to a certain age was made compulsory, enquirers were unlikely to concern themselves with the reasons for non-attendance. The Committee of the National Temperance League conferred in 1892 with several representatives of the School Attendance Officers' National Association, who were agreed that intemperance on the part of parents was the leading single cause of irregular school attendance.⁶⁸ Concern was chiefly directed, however, towards the range of undesirable social consequences with which excessive drinking and drunkenness had traditionally been associated. The assumption of a close connection between drink and crime, for example, had been long and widely held, yet the apparent extent of the impact of the one upon the other now elicited fresh expressions of alarmed surprise. In 1892 the future Lord Chief Justice Coleridge announced at Liverpool Assizes that "at a moderate estimate, something like nineteen-twentieths of the crime that has to be tried in courts is due to drink."⁶⁹ Sir William Harcourt told the West Monmouth electorate at Ebbw Vale in 1895 that his experience at the Home Office, with its "unhappy view of all the misery and crime in the country," had convinced him

⁶⁸William Gourlay, "National Temperance." A Jubilee Biograph of the National Temperance League (1906), p. 337.

⁶⁹LCR, VIII, 748.

that of all the sources of crime there was none more fertile and none more certain than was found in excessive drinking. It destroyed the home, it led to every species of evil, and ultimately he had no hesitation in saying, as one who had for several years had the ultimate responsibility of determining whether men should be sent to dreadful death on the gallows, that of ten men who found their way to the gallows, eight owed it to excessive drink.⁷⁰

Harcourt, a Liberal, was well known for his strong temperance sympathies, but a Tory Home Secretary found the office similarly enlightening a few years later. "For my own part," C. T. Ritchie told the House of Commons in 1902, "I am amazed to see what a large number of the crimes of violence which have come before me since I have been at the Home Office may be attributed to drunkenness. I do not think I am going beyond the mark when I say that nine-tenths of them have in the main been caused by drink."⁷¹

Drink was believed to stimulate criminal activity in several different ways. The very places in which men gathered to consume drink were regarded as important influences: public houses were seen as the natural haunts of thieves, prostitutes and gamblers.⁷² Those who were addicted to drink, it was argued, would frequently turn to crime to find the money to

⁷⁰A. G. Gardiner, The Life of Sir William Harcourt (1923), II, 372.

⁷¹30 January, 1902, Parl. Debates, 4th series, CI, c. 1434.

⁷²For an attack on the role of the public house in promoting gambling see D. C. Pedder, "The Tipster and his Trade," Monthly Review, XII (September, 1903), 66-77.

ensure a continued supply. The temptation to do this would be all the stronger because excessive drinking in turn resulted in a progressive degradation of the moral sense, until ultimately the stage could be reached at which an individual could hardly be held responsible for his own actions. According to the Inebriates Acts Reports for 1899:

The confirmed drunkard is the subject of an uncontrollable impulse--a moral insanity--and is incapable, unaided, of leading a sober, decent life. He becomes a useless member of society, he brings disgrace and ruin upon all dependent upon him, he adds to the burden of the ratepayer by increasing pauperism, lunacy and disease, and at the same time constitutes a standing menace to society by reason of his tendency to crime.⁷³

Even "superfluous drinking" which fell well short of this stage was held to be a grave threat to society, being part of the growing habit of "needless indulgence in luxuries of all kinds."⁷⁴ Those who impoverished themselves by spending on drink what they should have saved for necessities might be tempted to resort to crime in order to make up the difference.

The nature of the connection between drink and poverty was disputed. Though many acknowledged the relationship to be a complex one, there also existed two diametrically opposed interpretations of it. On the one hand many temperance workers, especially those with prohibitionist sympathies, tended to see drink as the fundamental cause of poverty and therefore of most other social problems. If the drink temptation could be removed, they argued, money would be spent to

⁷³Parl. Papers, 1900, X, 738.

⁷⁴LCR, Final Report, 12.

worthier effect, and many social problems could then well solve themselves. Sir Wilfred Lawson's remedy for the inadequate housing and overcrowding of the working-classes was a simple one: "Keep out the Liquor Traffic, and we needn't trouble ourselves very much more over the matter."⁷⁵ In the last decades of the nineteenth century the number of temperance workers holding to such an extreme viewpoint appears to have been small, but most temperance reformers probably still believed that a large proportion of poverty could be attributed directly to drink. The National Temperance League was among the least dogmatic of temperance organizations, yet a conference it held in 1888 with workhouse masters and relieving officers from the metropolitan poor law unions concluded that somewhere between one-half and three-quarters of all poverty could be traced to drink.⁷⁶ Opposed to this viewpoint was the argument that far from drink causing poverty, poverty in effect caused drink. Men were driven to excessive drinking as a form of escape from the wretchedness of their surroundings. Though this environmentalist interpretation had been voiced at least since Robert Owen, it had remained very much a minority view. With the spread of socialist ideas towards the end of the century it started to gather more support.

It was not only socialist thinkers who contested the belief that most poverty could be explained in terms of drink.

⁷⁵Russell, Lawson, p. 108.

⁷⁶Gourlay, "National Temperance," p. 337.

Charles Booth's analysis of the causes of poverty in the east end of London in the late 1880s led him to conclude that the effect of drink as a principal cause of poverty had been greatly exaggerated. He studied "4,000 cases of the poor and very poor known to selected School Board visitors."⁷⁷ Of 1,600 cases of the very poor (Booth's classes A and B) he found that poverty was directly related to "questions of employment" in 43 per cent of the cases, but to drinking habits in only 14 per cent. With the 2,400 cases classified as poor (Booth's classes C and D) the disparity between employment factors and those of drink was found to be still more marked: ~~68 per cent and 13 per cent respectively.~~⁷⁸

Charles Booth has been described as "the first person to attempt to assess the realities of the Evil of Drink."⁷⁹ His early findings were generally confirmed by his subsequent more detailed work. But it would be wrong to believe that by the 1890s no informed and objective observer could continue to believe that drink contributed greatly to causing poverty. As Rowntree and Sherwell later pointed out, other surveys conducted on similar lines to Booth's had traced a much higher proportion of poverty to drinking habits, and there was some room for doubt about the validity of the distinction Booth

⁷⁷Charles Booth, Life and Labour (1889), I, 146.

⁷⁸Ibid., 146-47.

⁷⁹T. S. and M. B. Simey, Charles Booth, Social Scientist (1960), p. 181.

had tried to draw between proximate and contributory causes of poverty.⁸⁰

Writing near the end of the century, Rowntree and Sherwell put forward their own opinion that although "an intimate connection between intemperance and pauperism" undoubtedly existed, "the extent and directness of the connection" was "still matter for conjecture."⁸¹ New light was soon thrown on the problem by Joseph Rowntree's son, Seebohm. Joseph Rowntree and Arthur Sherwell had estimated the total expenditure in the United Kingdom on drink in 1899 at more than £162 million, nearly one and a half times the national revenue, and calculated that the average working-class family probably spent about six shillings a week on drink.⁸² Seebohm Rowntree used this figure in his Poverty, A Study of Town Life, first published in 1901. On the basis of his investigations in York he concluded that a weekly expenditure of six shillings on drink would absorb more than one-sixth of the average income of working-class families in that town.⁸³ He found that 10 per cent of all the families in York had incomes insufficient to provide the bare necessities of physical efficiency. Even had they spent no money at all on drink, they would still

⁸⁰Temperance Problem, p. 639.

⁸¹Ibid., p. 636.

⁸²Ibid., pp. 7, 20.

⁸³Poverty, A Study of Town Life (2nd ed., 1902), p. 142.

have fallen below Seebohm Rowntree's definition of the poverty line. In fact they were generally found to spend considerably less on drink than the 18 per cent of families classified by Rowntree as being in secondary poverty: those whose incomes should have been sufficient to provide the minimum requirements for the maintenance of physical efficiency but who in practice failed to receive them. Rowntree's conclusions about drinking habits as a factor in secondary poverty were cautious. It was clear that "the money for drink can only be found in the great majority of cases, by foregoing some other expenditure which is necessary for maintaining the family in a state of physical efficiency."⁸⁴ To this extent it could be argued that drink at least contributed to dragging families down below the poverty line. But where there was inadequate housing and overcrowding, Rowntree found the great bulk of it to be due to "sheer inability on the part of the tenants to pay rent enough to secure adequate accommodation," though even here he was careful to stress that "undoubtedly in a certain number of cases overcrowding is due to wasteful expenditure of household income upon drink and gambling."⁸⁵

Seebohm Rowntree's immediate concern had been to investigate the nature and extent of poverty rather than to make a direct study of the temperance question. The publication of his Poverty in 1901 has nevertheless been seen as marking an

⁸⁴Ibid., p. 58.

⁸⁵Ibid., pp. 58, 178.

important stage in the development of attitudes to the drink problem: "Religious reformers who had been inclined to attribute all social evils to lack of temperance were emboldened to think again."⁸⁶ By no means all of those who may have had second thoughts went on to change their minds. Revelations about the extent of the nation's poverty served only to rouse some of the more extreme opponents of drink to further denunciations of excessive indulgence. "Such is our insensate folly," proclaimed an official publication of the United Kingdom Alliance, "that although one in thirteen of our population dies in a workhouse, although one in every three persons who reach 65 years of age becomes at one time or other a pauper, although one-third of us are seldom a week's march ahead of destitution and, normally, have not enough to eat, we spend 189 million pounds sterling yearly in intoxicating drinks."⁸⁷ Yet by the beginning of the twentieth century some change could be detected in attitudes to the drink problem as compared with earlier decades. There were two main aspects to this change. In the first place there was a more ready acceptance of the fact that a man and his family could suffer from poverty without necessarily owing their position to excessive expenditure on drink. Secondly

⁸⁶Asa Briggs, Social Thought and Social Action: A Study of the Work of Seebohm Rowntree, 1871-1954 (1961), p.30.

⁸⁷James Whyte, The United Kingdom Alliance Vindicated (Manchester, 1902), p. 33.

there was less tendency to emphasize individual moral weakness as the cause of excessive drinking. Attitudinal changes of this type are notoriously difficult to assess and probably impossible to quantify. But there does appear to have been a readier acknowledgement among informed opinion at least that even where poverty could be attributed to expenditure on drink, the drinking in turn might frequently be traced to inadequate diet, housing and general surroundings. "The poor often drink to get the effects of a good meal," Dr. Robert Jones told the 1904 Inter-Departmental Committee on Physical Deterioration. "They mistake the feeling of stimulation after alcohol for the feeling of nutrition."⁸⁸ In putting forward his own opinion that "the publican stepped in where the community failed," Arthur Sherwell quoted a judge who had announced, "I understand why people get drunk; it is the quickest way out of Manchester."⁸⁹

A distinction should be made between the long-term and the short-term effects of these gradual changes in the climate of opinion. It seems likely that in the long run an increased emphasis on community rather than individual responsibility for the drink problem was one of the many causes contributing to the later decline in strength of the temperance

⁸⁸Qu. 10,814 in Report of the Inter-Departmental Committee on Physical Deterioration, Vol. II [Cd. 2210], Parl. Papers, 1904, XXXII, 545.

⁸⁹Arthur Sherwell, Counter-Attractions to the Public House, Temperance Legislation League Pamphlet B series No. 3 (n.d. 1911?), pp. 3-4.

movement in Britain. The short-term impact was different: greater awareness of the nation's social problems resulted in the drink problem's attracting the attention of a wider public than before. Many who had been unattracted by or openly antagonistic to the temperance movement's apparent emphasis on individual moral responsibility now interested themselves in the drink problem, at least insofar as it related to general questions of social reform. Many temperance workers, including some prohibitionists, welcomed the new emphasis on the social context of the drink problem and looked forward to social reformers and temperance workers advancing their causes with a united strength. Writing in 1899 Canon Hicks, one of Lawson's Vice-Presidents in the United Kingdom Alliance, expressed his regret that in the past misunderstandings on both sides had frequently resulted in an estrangement of "socialist leaders and academical professors" from the temperance movement:

Partly this was because the earlier temperance advocates . . . pictured temperance as the one cure of all social evils, rather than as the indispensable condition of all social reform. Partly also these pioneers, because they laid much stress on thrift, self-reliance and the virtues of the ethically strong, gave the impression of being the devotees of individualism, and thus awoke the antagonism of the collectivist.⁹⁰

Hicks argued that this antagonism had arisen unnecessarily. Far from seeking to promote individualism, the prohibitionist

⁹⁰E. L. Hicks, "The Present Phase of the Temperance Question," Contemporary Review, LXXVI (July, 1899), 51.

movement on the contrary had been "the first and early bloom of English collectivism." Temperance reformers, for their part, were now in Hicks's opinion coming to see clearly that temperance reform was only one part, though an essential part, of the great problem of social amelioration.⁹¹

Hicks's expectation of a future lack of friction between temperance and social reformers ignored certain realities. There remained important differences between the attitudes of men like Lawson on the one hand and those Hicks referred to as collectivists on the other, differences which were inevitable between those who saw excessive drinking as the leading cause of social distress and those who regarded it as one among many symptoms of fundamental faults in the structure of society.⁹² Yet there were many aspects of the late nineteenth century drink problem which both sets of opinion could unite in deploring. One of the most important of these was the extent of the power and influence exercised by the liquor trade, representing as it did an important segment of the nation's business element. Estimates of the trade's total annual turnover vary, but it seems likely that throughout the 1890s at least £150 million was spent each year on drink in the United Kingdom.⁹³ The production, distribu-

⁹¹Ibid., 52.

⁹²The most obvious result of these differences was the prohibition-public control clash; see below, Chapter Four.

⁹³Wilson, Alcohol, p. 225.

tion and sale of drink was an important source of employment. The trade's own estimate of "about two million" as "the number of persons employed in and dependent upon the liquor trade in its almost innumerable ramifications" is based on a definition so imprecise as to have little meaning, but there can hardly have been less than a quarter of a million people directly involved.⁹⁴ Taxes, duties and license fees raised more than £41 million from the liquor trade in the year 1899-1900, a total which represented 69 per cent of all revenues from the Customs and Excise and more than 38 per cent of the total national revenue from taxation.⁹⁵

In the last fifteen years of the nineteenth century the liquor trade was consolidating rapidly. In the brewing industry in particular, large companies were absorbing small firms.⁹⁶ This process was confined neither to Britain nor to the liquor trade: in the United States also the number of breweries fell significantly during this time, from 2,741 in 1880 to 1,866 in 1896, reflecting, as a contemporary observer noted, "a tendency in modern trading for the small concerns to disappear, while the large ones do a bigger and bigger business."⁹⁷ But the increased concentration of power in the

⁹⁴Ibid., pp. 202-05; Brewers' Almanack for 1895, p. 293.

⁹⁵Wilson, Alcohol, p. 197.

⁹⁶See below, Chapter Three.

⁹⁷Christabel Osborn, "Economic Aspects of the Liquor Problem," Economic Journal, VIII (December, 1898), 572.

licensed trade could be regarded as an especially ominous development, since this was the trade which perhaps more than any other laid itself open to the charge that its profits depended upon the exploitation of human frailty. The licensed trade made no secret of its determination to defend what it regarded as its legitimate interests, and temperance workers in general looked on its strength with a mixture of awe and repulsion. According to one of them, a dedicated prohibitionist:

A colossal drink-trust is constituted out of concentrated and consolidated capital. The direction of the drink-trust falls into fewer and fewer hands. It is well-organized for political defence. It enters into politics with well-equipped forces. ~~It influences or controls a~~ large part of the press either by proprietorship or by means of its liquor advertisements. It pays the liquor trade handsomely to assess itself for campaign funds, recouping itself, if its side wins a General Election, by the rise in the value of its brewery shares. Its tied houses throughout the country serve it not only as branch shops for the sale of drink, but as electioneering committee-rooms. It acts steadily on its sinister watchword "Our Trade, our Politics."⁹⁸

This was an extreme statement of the case, but Rowntree and Sherwell probably reflected accurately the concern of a great many of their contemporaries when they devoted the whole of the second chapter of The Temperance Problem and Social Reform to stressing this aspect of the drink problem. A few years later the leader of the Liberal Opposition in the Commons alleged that the licensed trade had "almost become a new

⁹⁸ Charles Roberts, Time Limit and Local Option (1908), p. 161.

estate of the realm."⁹⁹

It was feared not only that the economic and political power of the liquor trade had become dangerously great, but that the trade further made use of illegitimate methods to achieve its ends. "The subtle influence of money and alcohol in combination is ever insidiously at work," claimed Charles Roberts.¹⁰⁰ Drink had long been associated with corruption, and it would be foolish to deny that some of the more fanatical temperance men verged on hysteria in their attempts to ascribe underhand conspiracies of all kinds to what Lawson called "the richest monopoly in the world."¹⁰¹ But it is clear that drink continued to oil at least some of the wheels of political life long after the passing of the Ballot Act of 1872 and the Corrupt Practices Act of 1883. Tankerville Chamberlayne, a Conservative candidate at Southampton in the 1895 General Election, elected but subsequently unseated, had led his carriage in a procession through the town during the campaign, followed by carts bearing "symbols of drink" and several obviously drunk people.¹⁰² Walter King, landlord of "The Duke of York" in Worcester, admitted to bribing seven or eight men to vote Conservative in the 1906 General Election,

⁹⁹Sir Henry Campbell-Bannerman, 20 April, 1904, Parl. Debates, 4th series, CXXXIII, c. 731.

¹⁰⁰Roberts, Time Limit, p. 160.

¹⁰¹Russell, Lawson, p. 74.

¹⁰²Cornelius O'leary, The Elimination of Corrupt Practices in British Elections, 1868-1911 (Oxford, 1962), p. 196.

and several other Worcester publicans were found to have bribed or treated the electorate.¹⁰³ The Royal Commission on the 1906 Worcester Election concluded that since at least 1883 the town had contained "a class of voters numbering approximately five hundred, and consisting mainly of the needy and loafing class, but including a considerable number of men in regular employment, who are prepared to sell their votes for drink or money."¹⁰⁴ Local as well as national government provided its corruption scandals involving the licensed trade. The Peel Commission itself found alarming evidence of the apparent ease with which local brewers had controlled the Watch Committee and police in the town of Wigan.¹⁰⁵ By the end of the century such situations were almost certainly rarer than they had once been, but this in itself made their revelation all the more disturbing.

In Britain in the last years of the nineteenth century and the first years of the twentieth there were two issues of outstanding importance: the condition of England question and the imperial question. The first related to the problem of social amelioration in the most industrialized and urbanized

¹⁰³Minutes of Evidence taken before the Royal Commission on the Worcester Election [Cd. 3269], Parl. Papers, 1906, XCV, 595.

¹⁰⁴Report of the Royal Commission appointed to enquire into the existence of Corrupt Practices at the last Election for the City of Worcester [Cd. 3268], Parl. Papers, 1906, XCV, 481. The total of votes cast in the 1906 Election was 7,633.

¹⁰⁵See below, Chapter Six.

society that the world had yet seen. The second may be seen in terms of a growing anxiety about the future of Britain in a world where larger nations such as the United States and Germany were now challenging Britain's previously undisputed industrial supremacy. The two issues were frequently closely associated,¹⁰⁶ and in many ways the drink problem was seen to be bound up almost as closely with the second as with the first. The nature of the impact of drink upon society took on a new significance when the position in the world of that society seemed itself to be under threat.

Drink was now seen in the context of Britain's ability to compete commercially. It was argued that excessive drinking on the part of the British worker lessened productive efficiency and made British goods less competitive in world markets. Rowntree and Sherwell observed that within the past thirty years Germany, Belgium and even Russia had transformed themselves economically, as had Britain's "most formidable competitors . . . our kinsmen across the Atlantic," and noted that per capita consumption in the United States was apparently barely half that in the United Kingdom.¹⁰⁷ They warned that "either we must grapple with the forces that undermine our national strength and weaken industrial efficiency, or be

¹⁰⁶Their inter-relationship in the thought of the period has been studied by Bernard Semmel in his Imperialism and Social Reform: English Social-Imperialist Thought, 1895-1914 (1960).

¹⁰⁷Temperance Problem, pp. 48, 70.

content to fall behind in the struggle for commercial supremacy."¹⁰⁸ No doubt some of the many similar warnings being issued were from motives of self-interest. The spectre of the more efficient foreign worker has frequently been used by those seeking to instil greater industrial discipline into their own labour force. But it would be a harsh judgment that ascribed to this cause all the laments about the effect of alcohol on British productive efficiency. It was no arch-capitalist but the young Liberal with a well developed social conscience, Charles Masterman, who wrote in 1900: "It is not for nothing that in America, which even now is seizing our place as the leader in the world's manufactures, the consumption of alcohol per head is less than half that found in England."¹⁰⁹

¹⁰⁸Ibid., p. 51.

¹⁰⁹C. F. G. Masterman, "Realities at Home," in Heart of the Empire, p. 25. Numerous attempts were made to compare the United Kingdom's consumption of alcohol with that of other nations. Since there is no reason to believe that the reservations which apply to the figures given for consumption in the United Kingdom do not also apply to those for other countries, these comparisons are of limited value. The following inspires more confidence than most, for the very reason that no attempt was made to refine its conclusions beyond approximate totals. It is based on the report issued by the Fifth International Congress against the Abuse of Alcoholic Liquors, which met at Basle in 1895, and compares annual per capita consumption in litres of all forms of alcohol at 100 per cent: 2 Finland, Canada, Norway; 3-4 Russia; 4-5 Sweden, U.S., Australasia; 7-8 Italy; 8-9 Germany, U.K.; 10-11 Denmark, Belgium; 15 France; A. Th. Kiaer, "The Norwegian System of Regulating the Liquor Traffic," Economic Journal, IX (March, 1899), 114.

Politically the most important result of the growing apprehension about Britain's future role in the world was a strengthening of enthusiasm for the concept of empire. This in turn gave an added dimension to the drink problem. In 1902 Charles Tritton, a Conservative, told the House of Commons:

I am an advocate for a sober nation. I know what a sober nation means. It means less sin and sorrow, less crime and cruelty, less pain and poverty, less ruin and wreckage. It means happier hearths and homes, and it means a people more fitted to cope successfully with those imperial responsibilities which, whether we like them or not, are slowly but surely falling upon this Empire.¹¹⁰

Very similar sentiments were put forward by Herbert Roberts, a Liberal:

We hear a great deal in these days about "Empire." There is one thing we should all agree upon with regard to that idea and ideal--an idea and ideal to which I, for one, am most favourable--and that is that true empire can rest permanently only upon superiority of race. If we are to maintain our position, is it not perfectly clear that something will have to be done to arrest the blight of the evil of drunkenness in the country?¹¹¹

Both speakers were echoing the words of Lord Rosebery. Two months earlier the leader of the Liberal-Imperialists had argued that true imperialism "relates not to territory alone, but to race as well" and that "a drink-sodden population . . . is not the true basis of a prosperous Empire."¹¹²

Along with the concept of efficiency, this idea of an

¹¹⁰7 April, 1902, Parl. Debates, 4th series, CV, c. 1167.

¹¹¹Ibid., c. 1214.

¹¹²Quoted in Semmel, Imperialism, p. 63.

imperial race linked imperialism with the condition of England question and thus with the drink problem. At the turn of the century the humiliations of the Boer War raised demands for urgent measures to improve the physical quality of the race. Arnold White noted that of the 11,000 men in the Manchester district who volunteered for military service between October, 1899, and July, 1900, 8,000 were rejected as physically below standard. "There is no cause for wonder," he argued, "that the physical condition of the town population of these islands is one that warrants the gravest alarm. If we continue for another twenty years as we are going on at the present time, there is little doubt that the delicacies and infirmity of the race will then prove unequal to the maintenance of a great and growing Empire."¹¹³ White's cries of alarm were soon taken up by others, among them G. F. Shee, a supporter of Imperial Federation. Recalling Rosebery's dictum that "It is no use having an Empire without an Imperial race," Shee maintained that the physical condition of the people "is and has been for some time past deteriorating," mainly as a result of the increasing proportion of the population living in large towns and of the "unnatural and, in part, vicious pleasures" afforded there to the tired worker.¹¹⁴ Shee called

¹¹³Arnold White, Efficiency and Empire (1901), pp. 102-05. White's aphoristic prescriptions for remedial action ranged from "Sterilise the unfit" to "Cease to raise drink-sellers to the peerage"; ibid., pp. 314-15.

¹¹⁴George F. Shee, "The Deterioration in the National Physique," Nineteenth Century, LIII (May, 1903), 797-98.

for action that would "arrest the physical deterioration of our population and enable us to maintain that vigour and strength without which we can not hope to maintain our commercial prosperity among the energetic and virile nations which are now competing with us in the markets of the world."¹¹⁵

The Balfour administration eventually bowed to such pressures, and in September, 1903, reluctantly appointed an Inter-Departmental Committee specifically charged to enquire into the allegations of physical deterioration.¹¹⁶ The Committee's report, published in the following summer, pointed out that "there are no sufficient data at present obtainable for a comparative estimate of the health and physique of the people," but went on to consider "the causes and condition of such physical deterioration as is no doubt present in considerable classes of the community."¹¹⁷ The report made clear the Committee's opinion that physical unfitness among the nation's working class was an extremely serious problem, the result of poverty, overcrowding and the generally unhealthy effects of life in the modern urban environment. The contri-

¹¹⁵Ibid., 805.

¹¹⁶The background to this decision is discussed in Bentley B. Gilbert, "Health and Politics: The British Physical Deterioration Report of 1904," Bulletin of the History of Medicine, XXXIX (1965), 144-48.

¹¹⁷Report of the Inter-Departmental Committee on Physical Deterioration, Vol. I [Cd. 2175], Parl. Papers, 1904, XXXII, 19.

bution of drink was singled out for special mention: "As a result of the evidence laid before them, the Committee are convinced that the abuse of alcoholic stimulants is a most potent and deadly agent of physical deterioration."¹¹⁸

The report laid particular emphasis on the problem of female intemperance. This was an issue which had been causing growing concern for some years past.¹¹⁹ Buxton and Hoare, who claimed to have collected opinions from "the agents of religious and philanthropic societies working among the poor, from clubs, inebriate homes, temperance workers, and (where possible) from working men and publicans themselves," found their informants unanimous in the belief that premises with grocers' licenses contributed greatly to excessive drinking among women, and the number of premises of this type was increasing.¹²⁰ Whether or not female drinking was on the increase is impossible to say, and at times a justifiable scepticism was expressed on this point.¹²¹ But the Committee's report added its authority to the growing fears, concluding that "the tendency of the evidence was to

¹¹⁸Ibid., 38.

¹¹⁹See for example the evidence of H. M. Riley, 4 August, 1897, qus. 42,394-600, LCR, III, 536-42; Viscount Peel, Female Intemperance: Is It Increasing? (1901); T. Barlow, The Prevailing Intemperance Among Women (1902).

¹²⁰Buxton and Hoare, "Temperance Reform," in Heart of the Empire, pp. 167, 193.

¹²¹See Sir Robert Hunter, "The Present Position of the Licensing Question," Nineteenth Century, LIII (April, 1903), 697.

show that the drinking habits among the women of the working classes are certainly growing, with consequences extremely prejudicial to the care of off-spring, not to speak of the possibility of children being born permanently disabled."¹²² The implications for the future of the imperial race were alarming. Dr. Ridge, the Medical Officer of Health for Enfield, told the Committee that in previous centuries there had been many instances of drunken nations whose vitality had apparently not been greatly impaired. He attributed this to the fact that the women, the mothers of the race, had remained sober. "But," he added, "if the mother as well as the father are given to drink, the progeny will deteriorate in every way, and the future of the race is imperilled."¹²³

It is clear that the drink problem was seen as a leading issue in late nineteenth and early twentieth century Britain, and it is possible to suggest several reasons to account for this. To attempt to assess the problem merely in terms of the most obvious statistical indices was insufficient, and remains so. Between the 1870s and the end of the century both the number of retail liquor outlets and the total consumption of alcohol apparently increased less rapidly than did the population. In addition the incidence of public drunkenness may well have declined, though this is much less cer-

¹²²Vol. I [Cd. 2175], Parl. Papers, 1904, XXXII, 37.

¹²³Vol. III [Cd. 2186], Appendix XVI (12), Parl. Papers, 1904, XXXII, 729.

tain. But liquor consumption in the 1870s had reached levels compared with which the subsequent fall was of relatively doubtful significance, and it was in any case difficult to point to positive reasons for believing that the fall would necessarily continue. Indeed it could be argued that the evidently increased power of the liquor trade would make future improvements in the situation even more difficult of attainment than before. Attitudinal changes are of great importance, and despite the difficulties involved in their evaluation must not be left out of account. The indications are that by the end of the century the drink problem was more widely coming to be seen in terms of its relationship with the broader and indeed central issues of social amelioration and of Britain's position in an increasingly competitive world. Finally, one development which contributed to the extent of the attention directed to the drink problem has yet to be considered. By the 1890s the liquor licensing system itself had become the subject of sustained political dispute.

CHAPTER TWO

THE LICENSING LAWS TO 1895

. . . I proposed to myself to make a statement of the law which should be at once clearly intelligible, brief, comprehensive, and accurate. I found, however, that in the present state of the law, such a combination was extremely difficult of attainment.¹

The main attempt to deal with the drink problem at the national level was represented by the liquor licensing laws. Liquor and the law had been intertwined for centuries. Down the years only taxation had been the subject of more legislative effort. As is usually the case, continual additions, modifications and amendments had complicated rather than simplified the law. Whatever might be alleged in some temperance quarters, the rolling English drunkard had not himself created the measures designed to regulate his drinking; the licensing laws nevertheless frequently appeared to be taking the Beachy Head road to Birmingham. A recent historian has spoken appropriately of the "jungle-like obscurity of the British laws on drink" as they existed at the beginning of the twentieth century.² Contemporaries, it is true, were

¹Sidney Peel, Secretary to the 1896-99 Royal Commission on the Liquor Licensing Laws, in his "Memorandum" preceding "A Comparative Statement of the Laws Relating to the Sale of Intoxicating Liquors in England and Wales, Scotland and Ireland," LCR, V, 207.

²Robert Blake, The Conservative Party from Peel to Churchill (1970), p. 174.

not entirely without road maps or jungle guides. They could consult the successive and increasingly bulky editions of Paterson's Licensing Acts. Alternatively they could seek help from the Licensing Laws Information Bureau, based in Nottingham. But the fact remains that when the Royal Commission began its enquiries into the operation and administration of the liquor licensing laws in 1896 it was confronted by a body of law whose complexity was such as to be admitted even by lawyers. It is therefore easy to sympathize with Sidney Peel's predicament.

However intelligible and accurate it might be, no summary of the development of the liquor licensing laws to the end of the nineteenth century is likely to be both brief and comprehensive.³ But an understanding of at least the

³The summary in this chapter is based primarily on the following: Report of the Royal Commission on Licensing (England and Wales), 1929-31 [Cmd. 3988], esp. Appendix Two, "Notes on the History of Licensing Regulation," Parl. Papers, 1931-32, XI, 839-59; Report of the Royal Commission on the Liquor Licensing Laws, 1896-99, esp. "A Comparative Statement of the Laws Relating to the Sale of Intoxicating Liquors in England and Wales, Scotland and Ireland," LCR, V, 208-31, and E. Bonham Carter, "An Account of the Laws Regulating the Sale by Retail of Intoxicating Liquors in England Down to the Year 1828," LCR, III, 598-602; Paterson's Licensing Acts (ed. W. W. MacKenzie, 16th ed., 1905); S. and B. Webb, History of Liquor Licensing in England (1903); G. B. Wilson, Alcohol and the Nation (1940), esp. ch. 10.

Valuable as a survey from a more specifically juristic standpoint is an unsigned and unpublished treatise in the Lloyd George Papers, A/3/2/6. But since this untitled work is avowedly controversial (having been written to argue a specific point in connection with the 1897 licensing case Att. Gen. v Mayor & c of Tynemouth), it must be used with care.

main stages in this development is essential to a study of the political implications of the licensing question. In the area of licensing and politics past decisions affected later thought and action perhaps even more than usual. Many of those most deeply concerned by the drink problem regarded the existing licensing system as the main obstacle in the way of any improvement. Yet as a result of the centuries of licensing legislation--and of that since 1830 in particular--there had grown up many powerful claims to long-standing rights and vested interests. These claims were to prove a formidable barrier to those who sought to reform the liquor licensing system as they found it in the late nineteenth and early twentieth centuries.

The origins of the system were remote. Regulation of the sale of intoxicating liquor was older than Parliament itself, having been imposed in the early middle ages by local bodies, such as municipalities and manorial courts. The first parliamentary regulations, such as the Assize of Bread and Ale of 1266, which made stipulations concerning both the purity and the price of ale, were apparently designed chiefly to help preserve public order by removing various grounds of complaint and pretexts for riot.

In Tudor times the maintenance of public order directly asserted itself as the motive prompting liquor legislation and moulding its form. In line with so much that was typical of Tudor administration the new powers and responsibilities

devolved upon the local magistrates. By an Act of 1494 (11 Hen. VII, c. 2) two Justices of the Peace were empowered to "reject or put away" the common selling of ale where they might think convenient and to take sureties of alehouse keepers for their good behaviour. These provisions were confirmed and extended eight years later.

In 1552 the statute was enacted (5 & 6 Edw. VI, c. 25) which was to provide the foundation of the licensing system for almost three centuries and whose influence was to be felt even longer. Under its provisions the local justices were confirmed in their powers to "remove, discharge and put away" the common selling of ale and beer where they considered it expedient. In addition they were "in open sessions" to license alehouse keepers. The latter were required to enter into a bond or recognizance for such conditions as the maintenance of good order and the prohibiting on their premises of unlawful games. No one was to keep an alehouse unless so licensed in the sessions or by two justices.

Although extensions had to be made, especially in the eighteenth century, to meet the problems raised by the popularity of spirits, and although from about the reign of George II an increasing preoccupation with the raising of revenue from the trade in drink began to parallel the concern with public order, the licensing system remained unchanged in its essentials until the late 1820s. There were modifications during this time, however, among which that of 1729 (2 Geo.

II, c. 28, sections 10 & 11) was perhaps the most significant. The Act of this year stipulated for the first time that the license was to be reapplied for annually, and it provided for a general meeting of the justices where licenses were to be granted in open session. Apparently underlying this provision was the intention that the justices should be given the fullest possible opportunity of learning whether an alehouse was wanted in a particular neighbourhood and of enquiring into the character of the applicant.

It was, however, partly a general opposition to the latitude of the local magistrates' discretion in these matters which led to the important legislation of 1828. The Alehouse Act of this year(9 Geo. IV, c 61) repealed every licensing act since 1552. The 1828 Act made several inroads into the justices' powers, though for the most part they were more apparent than real. The justices were no longer to be able to suppress alehouses at any time, a power little used in recent years. They could not in future require recognizances; instead the granted license was to be endorsed with conditions and the licensee would become liable to its loss if, for example, he practised adulteration or permitted gaming or repeated drunkenness. The most significant qualification to the justices' control was that henceforth a right of appeal to Quarter Sessions was to be allowed against a refusal to grant or re-grant a license.

In its other provisions the Alehouse Act maintained

and even reinforced the licensing powers of the magistrates. Their control over the retail sale of all intoxicating liquors, whether for consumption on or off the licensed premises, was emphasised by the definite stipulation in the Act that licenses were granted for one year and one year only. Special annual sessions (which came to be known as brewster sessions) were to be held for the hearing of applications for the granting and renewing of licenses.

Just two years later, however, Wellington's Ministry in effect provided the means to by-pass this control exercised by the magistrates. The Beerhouse Act of 1830 (11 Geo. IV, 1 Will. IV, c. 64) followed from a report by a Select Committee of the Commons on the sale of beer and was prompted by a variety of motives. Chief among its aims was to check the growing consumption of spirits by encouraging the sale of beer. But it was also intended to counteract the spread of the so-called "tied-house system"--by which the brewers, by a number of different methods, were gaining increasing control over their retail outlets--and the Act was in general opposed by the brewing interest. The Act's provisions were quaintly described in its preamble as being "expedient for the better supplying of the public with beer in England." In effect they restored the law affecting the retail sale of beer only to pre-1494 conditions. Any householder assessed to the poor rates might open his premises as a beershop on payment of two guineas to the local excise

officer. There would be no need to obtain the justices' certificate which in other cases was still necessary before a license could be issued. The conditions on which the license was issued were the same as those in force for a full license. Only in the restrictions placed on hours of opening were the beerhouses to be more confined. While the 1828 Act had placed no week-day opening restrictions on ale-houses, the new beerhouses were to be closed between 10 p.m. and 4 a.m.

In the next thirty years new licenses were occasionally introduced on the principles of the 1830 legislation, as in a measure of 1848 whereby spirit dealers were empowered to take out a license for the off-sale of foreign liqueurs. In general, though, the experiment of "free trade in beer" was hardly regarded as having been successful. The resulting applications for the new kind of license were far in excess of what had been anticipated. Within six months of the Act's passing over 24,000 beerhouses had been established and by 1838 the number had risen to close to 46,000. The troubles caused by this sudden increase in the number of houses supplying beer, so many of which were situated in the poorest areas of industrial towns, played a major part in stimulating the total abstinence movement of the 1830s, led by such men as Joseph Livesey.⁴ Nor could the results of

⁴Henry Carter, The English Temperance Movement, 1830-1899 (1933), provides a sympathetic account of Livesey's work and influence.

the Act be shown to have had any significant effect either on the drinking of spirits or on the tied-house system.

Many aspects of its operation were tightened up by subsequent legislative amendment particularly in the five or six years following the 1834 enquiry into its results headed by J. S. Buckingham.

It therefore came as something of a surprise when Gladstone, as Chancellor of the Exchequer, in the early 1860s introduced several new forms of licenses on lines very similar to those of 1830. The first were established by an Act of 1860 (23 & 24 Vict., c. 27). In the first place, excise licenses could be taken out by refreshment houses not being alehouses or beerhouses, and holders of such licenses to a certain annual value could sell foreign wines on their premises. Secondly, a shopkeeper might take out a license for the off-sale of wine. Because so many of this second type were taken out by grocers, they became known as "grocers'" licenses and, as will be seen, were to become a subject of particular controversy. Neither category of license was made completely free of magisterial discretion. They were to be granted by the excise authorities but subject to a veto by the justices which in turn had to be based on certain statutory conditions as to the applicant's character and the nature of the proposed premises. In licensing history 1860 thus saw a compromise between the principles of 1828 and those of 1830, between full magister-

ial control and "free trade."

The legislation of 1860 related to wines and was bound up with the Cobden treaty of that year with France. But in the next two years both spirits and beer were dealt with along the same lines. In 1861 licensed dealers in spirits were permitted to take out an additional license for off-sales, while in 1863 a similar privilege was extended to those who possessed on-licenses for beer. All of these measures met with considerable opposition from the flourishing temperance movement.

Despite Gladstone's partial rejection of magisterial control in the early 1860s, it was during his First Ministry that the period of "free trade in beer" came to an end. In 1869 the Home Secretary, H. A. Bruce, accepted a Private Member's Bill which reached the statute book as the Wine and Beerhouse Act. Henceforth the justices were to have full discretion over the granting of all new beer, wine or cider "on-licenses." Over those licenses already granted under the terms of the 1830 Beerhouse Act, however, the justices were given only a partial control, along the lines of Gladstone's earlier legislation. They were empowered to veto the re-granting of these licenses, but their objection had to be on one or more of four statutory grounds. One of these grounds related to the premises for which application had been made; the license could be refused if they had previously had a disorderly character. The other three grounds

were concerned with the applicant himself. A refusal was permitted if he did not produce satisfactory evidence of good character, if he had previously had to forfeit a license, or if he was in any way not duly qualified by law to hold one. The same qualifications to full magisterial discretion were to operate with regard to new licenses (those applied for subsequent to the 1869 Act) for the sale of beer and wine for consumption off the premises.

The off-licenses for the sale of beer were to lose this statutory privilege in 1882 (45 & 46 Vict., c. 34), when they were placed wholly under magisterial discretion and thus became comparable in legal status to the full on-licenses established by the 1828 Act and the post-1869 beer-houses. But off-licenses for wine and the ante-1869 beer-houses and winehouses were still only partially under the control of the justices when the Royal Commission began its enquiry in 1896, as were the various categories of license established in 1860 and 1861.

The Wine and Beerhouse Act of 1869 had been specifically intended merely as a preparatory measure to a more general re-structuring, and it encountered little opposition. When two years later the wider proposals were introduced, the reaction was very different. The 1871 Bill of the Home Secretary, Bruce, was designed to bring about a radical revision of the existing licensing system. Under its provisions the numerous categories of licenses would be reduced to two.

Existing holders of licenses would be able to have them renewed for ten years at a small rent. During this period they might be forfeited after three convictions, but otherwise they were to be absolute property and freely transferable. At the end of this period, and every ten years subsequently, they were to cease and to be re-sold to the highest bidder, subject to the justices' approval of the applicant and the proposed premises. Similarly, after ten years and after each subsequent ten years, a three-fifths majority vote of the ratepayers could prevent the licensing justices in a district from granting licenses in excess of a certain number. This number was to be calculated on a ratio to population basis and was set at 1:1,000 in urban and 1:600 in rural areas.

These proposals were fiercely denounced by the liquor trade. They were viewed with comparative neutrality by the temperance organizations and especially by the United Kingdom Alliance, even though spokesmen for the Alliance were subsequently to deny strenuously that its attitude had in any way prejudiced the Bill's chances of success. Eventually the Bill had to be withdrawn. Yet its very introduction represented a decisive turning-point in the history of licensing legislation. For the first time a government sponsored measure had provided for a statutory length of time after which all licenses would automatically revert to the Licensing Authority, for local option to prevent the number of licenses

from exceeding certain limits and, though less directly, for the possibility of a wholesale reduction in the over-all number of licenses. Henceforth, "reduction," "time-limit" and "local option" were to be central issues in the general debate on the licensing laws.

Following the failure of the Bill of 1871 there was no over-all revision of the licensing system for over thirty years. There were, however, several significant modifications which it is important to notice. Their general tendency was to make stricter the conditions under which alcoholic beverages might be sold and they were concerned with such points as reform of the licensing procedure, hours of opening and Sunday closing.

Reform of licensing procedure was one of the main concerns of Bruce's measure of 1872. Indeed, its provisions, though far from being non-controversial, were markedly less sweeping than those of his Bill of the previous year. Grants of new licenses were required to be confirmed by a County Licensing Bench and appeals to quarter sessions against their refusal were abolished. Future objections to renewals of licenses were to be made only after notice and on oath. A register of licenses was to be maintained in each district. Six-day licenses were established, at a lower rate, for those not wishing to open on Sundays. The regulations concerning the forfeiture of licenses after repeated convictions were made more stringent, though these were to be modified two

years later under Disraeli's government.

The 1874 Licensing Act of the new Home Secretary, R. A. Cross, also modified the 1872 Act with regard to hours of opening. Until 1830 there had been no statutory restrictions on the hours during which licensed premises might open, the decision being left entirely in the hands of the magistrates in each licensing district. In the Act of 1830 it was laid down by Parliament that the newly-established beerhouses were to close from 10 p.m. until 4 a.m. on weekdays and on Sundays from 10 a.m. to 1 p.m. and from 3 p.m. to 5 p.m. Premises with full licenses were not affected by this measure. Later legislation gradually extended restrictions on all premises with on-licenses. The Metropolitan Police Act of 1839 (2 & 3 Vict., c. 47) prohibited any public house in the Metropolitan Police area from opening before 1 p.m. on Sundays and a similar condition was imposed on the rest of the country nine years later by the 1848 Alehouses and Beerhouses Act (11 & 12 Vict., c. 49). Weekday restrictions also came first to the London area where, by the 1864 Public House Closing Act (27 & 28 Vict., c. 64), opening was prohibited between the morning hours of one and four. Boroughs were empowered to adopt this measure and a similar Act in the following year (28 & 29 Vict., c. 77) included the rest of the country in these permissive provisions. The 1874 Act, slightly modifying the hours as defined in 1872 and finally abolishing the discretionary powers of the justices in this

respect, eventually laid down standard permitted hours of opening. For this purpose the licensing districts of England and Wales were classified in three groups. In Metropolitan London houses were to be open only between 5 a.m. and 12:30 a.m. from Monday to Friday, between 5 a.m. and midnight on Saturday and from 1 to 3 p.m. and from 6 to 11 p.m. on Sunday. In other urban areas the weekday hours were from 6 a.m. to 11 p.m. and those on Sunday from 12:30 to 2:30 p.m. and from 6 to 10 p.m. These hours also applied to rural districts with the exception that, in the latter, the weekday closing hour was set at 10 p.m. Apart from a later provision for Sunday closing in Wales these hours of opening were to remain in force until the First World War.

The course of licensing legislation in Scotland, and to a greater extent still in Ireland, was different in many respects from that in England and Wales, with which this study is principally concerned. This very difference meant that events in Scotland and Ireland were frequently regarded as an example to the rest of the United Kingdom or as a timely warning, depending on where the observer stood on licensing reform. One of the most important of such influences was in the matter of Sunday closing. Since the Forbes-Mackenzie Act of 1853 the sale of alcoholic beverages on Sundays had been prohibited in Scotland, except in hotels to travellers and lodgers. Sunday closing in Ireland came in 1878, with exceptions being allowed only in the case of the five towns of

Dublin, Belfast, Cork, Waterford and Limerick. With the principle thus established it was difficult for Gladstone's Second Ministry to ignore the increasing demands for its extension to Wales, especially since they were backed by 28 out of the 30 M.P.s for Welsh constituencies exclusive of Monmouthshire. The Sunday Closing (Wales) Act of 1881 (44 & 45 Vict., c. 61), which did not apply to Monmouthshire, prohibited all retail sale of alcoholic liquors on Sundays, except in certain cases to travellers. The wider implications of this move were considerable: "For the first time in history, the Imperial Parliament had sanctioned separate legislative treatment for Wales," and the Sunday Closing Act as a precedent subsequently became an important argument in the hands of those seeking Welsh Disestablishment.⁵

The 1881 Act was similarly urged as a valuable precedent by advocates of Sunday closing in England, particularly since this was one measure on which virtually all sections of the Temperance Movement were united. In 1880 the Commons had carried a resolution in favour of English Sunday closing by 153 to 119. From 1881 onwards it could be asked why England, alone of the countries in the United Kingdom, should be denied the benefits of such a measure. On occasions attempts were made to apply the principle to a particular part of England, as with the 1882 Bill for Sunday Closing in

⁵Kenneth O. Morgan, Wales in British Politics, 1868-1922 (Cardiff, 1963), pp. 42-44.

Cornwall. But it was far from certain that public opinion in England generally supported the idea. The discontent that in the mid-1850s had followed restrictions on Sunday opening hours and led to their being extended once again was not forgotten. The problem remained of defining a bona fide traveller and seeing that only he was served, and the Welsh and Scottish experience in this respect was not encouraging.⁶

The changes in the licensing system in the second half of the nineteenth century which were the most beneficial were at the same time the least spectacular. Grand, overall schemes of reform might fail, but there were continued and often successful attempts to combat various specific abuses in the retail sale of alcoholic drinks. This type of legislation was too frequent and too diffuse for each of its stages to be catalogued here, but a few examples may serve to illustrate the general trend.⁷ In 1862 debts incurred in the consumption of spirits on licensed premises were made no longer legally recoverable, and five years later this was extended to apply also to beer, cider and perry. Naturally this had the effect of discouraging publicans from supplying

⁶Norman Longmate, The Waterdrinkers (1968), pp. 158-71; Brian Harrison, "The Sunday Trading Riots of 1855," Historical Journal, VIII (1965).

⁷A more comprehensive survey of these measures may be found in Joseph Malins, "Liquor Legislation of the Past Half-Century," United Kingdom Alliance Annual Report for 1911, pp. 119-21.

drinks on credit to customers prepared to mortgage their future income for the purpose. It was, of course, still possible for a man to arrive at a public house with ready cash in the form of a fresh wage packet, and sometimes wages were even paid over on licensed premises. But legislation was soon introduced to increase a worker's chances of reaching home with his pay intact. A Coal Mines Regulation Act of 1872 prohibited payment of wages in or near drinkshops, and its provisions were subsequently extended to cover other types of work. The year 1879 saw the first general, though very tentative, attempt to provide for the Control of Habitual Drunkards. Possibly the most far-reaching restrictions, when many of the assumptions of the society of the time are borne in mind, were those concerned with the protection of children within the context of the family. An Act of 1886 made it an offence to sell liquor for the consumption of children under the age of thirteen, while the 1894 Act for the Prevention of Cruelty to Children included provisions for dealing with drunken parents.

It could be argued that measures like these were merely palliatives, but they were on the whole beneficial ones. They did relatively little, though, to counteract the widespread feeling that the nation's system of licensing regulation stood in need of a thorough overhaul. As the nineteenth century drew to its close this feeling increased. On a purely administrative level the extent of the system's

complexities was clearly indefensible. The main types of liquor license have already been outlined. These could be permutated in many ways, with the result that there were well over one hundred different categories of liquor license which could be applied for. In England and Wales alone licenses were issued in 117 separate categories in 1895-96, and in no less than thirty of these there was only a single license of each type issued.⁸ More serious were the anomalies which arose in the system of supervision. Central to this system, as they had been for at least four centuries, were the local justices. Yet the extent of their control over liquor outlets varied greatly, the result of a long history of licensing measures prompted by widely divergent motives and intentions. There was full magisterial discretion over the post-1869 beerhouse and winehouses, over the full on-licenses, and over the beer off-licenses. But over several other main types of license the magisterial discretion was qualified by various statutory limitations: the ante-1869 beerhouse and winehouse licenses, the range of shopkeepers' off-licenses (grocers' licenses), and the wholesale wine and the wholesale spirit dealers' retail licenses. To add to this there was a separate and growing category of establishments providing an outlet for liquor which lay entirely outside the magisterial discretion. According to the

⁸LCR, V, 591-95.

most reliable estimate private clubs serving alcohol, for which no license of any kind was required, increased in number in England and Wales in the ten years before 1896 from somewhat over a thousand to more than three thousand.⁹

These inconsistencies had arisen gradually, but they reflected a fundamental problem: the extent to which the licensed trade could and should be treated as a trade like any other trade. With the exception of the prohibitionists, it was generally recognized that drink would continue to be produced, retailed and consumed, and that those who made, sold and bought the product had a right to their activity. But few maintained that this right was absolute, even though there had been various experiments in free trade in drink. The licensing system was based on the explicit or implicit assumption that in the retailing of alcoholic drinks there was a public interest which was distinct from that of the producers, sellers and consumers, and which had to be represented and protected by the public authorities. This assumption raised two basic questions. The first concerned definition of the extent of the powers of the licensing authority. Over a licensed trade left in private hands the spectrum ran from absolute laissez-faire at the one extreme to outright prohibition at the other. Outside even this range lay the possibility of bringing the licensed trade

⁹LCR, IV, 189, and see above, Chapter One.

under some form of public management. The second point at issue concerned the nature and composition of the licensing authority itself. There was considerable room for debate here about how far an authority which guarded a distinct public interest should be representative of or responsible to the public. These were questions of vital interest to the licensed trade and to the temperance movement, and questions which Parliament, as final arbiter of the public interest, could not ignore.

The attitude of the licensed trade to the licensing system was a complex one not lending itself easily to generalisation. The Trade on the one hand not surprisingly saw its interests as the better served the more it was left alone to conduct its business as it thought best. In many ways, therefore, the regulations imposed by the licensing system were resented. Yet it was also true that the very structure of the licensed trade had been partly moulded by this system, so that the Trade had accumulated various interests in the maintenance of existing regulations. Since the eighteenth century, for example, breweries had been purchasing licensed houses as outlets for their products. The value of these houses would diminish if anyone were allowed to open up premises for the retail of drink without restriction. The situation was in some respects analogous to the way in which members of a profession, once having qualified, have an interest in seeing that standards of entry are not subse-

quently lowered. All those who were already licensed had good cause to oppose moves towards free trade in drink. It was partly for this reason that the interests of different sections of the licensed trade were far from identical. Brewers and distillers, publicans and licensed shopkeepers, certainly did not always see eye to eye. It was not only the obscurity of the licensing system that was jungle-like. In the liquor trade there was also density of growth and competition for survival. Shopkeepers holding so-called grocers' licenses were opposed to suggestions that their trade in liquor should be placed under the full magisterial discretion, as the full on-licenses were. Publicans, on the other hand, regarded it as unfair that so many of their shop-keeping competitors had off-licenses which were under only a qualified magisterial discretion. On this point they found themselves in uneasy agreement with the many temperance workers who saw the bringing of all licenses under the full discretion of the licensing authority as the obvious first step in licensing reform.

On the whole the Trade was prepared to accept the local justices as the licensing authority, though largely, it appears, out of fear of the possible alternatives. There was resentment at the fact that magistrates with interests in the licensed trade were debarred from sitting in brewster sessions, whereas magistrates who belonged to temperance societies were not. It was felt that a small group of magis-

trates with strong temperance leanings could disrupt the licensed trade in a particular district. The more localized the authority, the more the way in which licensing discretion was exercised would tend to vary from district to district. In the late nineteenth century the licensed trade was consolidating fast. Particularly in the brewing industry, small firms were being absorbed by large companies. Companies with a nation-wide market for their product desired uniformity of marketing practices, a uniformity which was more difficult to achieve when the attitude of the licensing authority could differ from one locality to the next. A further consideration was that the brewing trade consistently advocated that compensation should be given to holders of licenses which were not renewed on the grounds that they were redundant, and its projected compensation schemes would be unworkable unless they were operated by a more centralized licensing authority. Thus, for many reasons, the brewing trade in particular was uneasy about the licensing role of the local justices and strongly emphasized the desirability of a continued right of appeal to quarter sessions.¹⁰

Temperance workers for the most part were still more

¹⁰ See the evidence before the 1896-99 Royal Commission of witnesses from the licensed trade, especially: G. W. Kidd, ex-licensed victualler, 30 June, 1897, qu. 36,168; W. Godden, solicitor to the Country Brewers' Society, 7 July, 1897, qus. 37,406-II; J. G. Groves, brewer and Salford magistrate, 13 July, 1897, qus. 38,071, 39,184; and T. J. Down, brewer, 14 July, 1897, qus. 38,666-708; LCR, III, 331, 376, 398, 414.

dissatisfied with the licensing authority of the local magistrates, though for very different reasons. Nonconformity was strong in the temperance movement, and there was a traditional distrust of a magistracy so long associated with the Anglican gentry. While the Trade feared that brewster sessions could be dominated by temperance fanatics, many temperance workers themselves regarded the local justices as generally far too reluctant to offend the local brewer or publicans. Many licensing reformers favoured various means by which a more representative element could be introduced into the licensing authority. An authority composed of magistrates, it was argued, was not responsible to the people, in whose name and for whose benefit licensing regulation was avowedly imposed: in a democratic age brewster sessions were a paternalistic anachronism. The more radical temperance men followed the United Kingdom Alliance in urging that ultimate control should be exercised directly by the local inhabitants, with rate-payers being empowered to decide by vote against the presence of licensed premises in their district. Another section of licensing reform opinion wanted the magisterial authority over licensing eliminated for a different reason: the profit motive should be taken out of the liquor trade by having municipalities take over the retailing of drink.¹¹

¹¹See below, Chapter Four.

Prompting in part this last suggestion was a belief that a fundamental contradiction was at the root of the whole licensing problem. Sir William Houldsworth, a Conservative M.P. deeply interested in licensing reform and by no means a temperance fanatic, told the Manchester Statistical Society early in the new century that there was a basic anomaly in the existing system. The State first gave a man in the licensed trade what amounted to a valuable monopoly and then tried to curb his exercise of it by legislation. In his opinion: "The problem of reconciling any licensing system, which was to control and restrict the sale of liquor, with the legitimate, natural and unconquerable aim of those engaged in the trade to encourage and extend it, was beyond the wit of man to solve."¹² Not every licensing reformer was as pessimistic. But few disputed that, legitimate or not, unconquerable or not, the natural aim of those engaged in the licensed trade was a vital consideration. Reform of the licensing system was not simply a matter of agreeing on the best way to revise the law and improve its administration so as to meet a particular social problem--if such a process is ever simple. Interests were involved, in this case powerful ones. The Trade was far from satisfied with the licensing system under which it had to operate. But, with so much of its status defined by statute, it naturally felt itself

¹²Quoted in Hesketh Everard, "Public House Trust Companies," Economic Journal, XII (September, 1902), 334.

threatened by many of the proposals put forward for reforming the licensing laws and sought to anticipate the threat. Licensing reformers knew that just as the laws had been made in Parliament so it was only through the parliamentary process that they could be revised. The drink problem was indeed first and foremost a social problem. But in the last thirty years of the nineteenth century the debate as to how it should best be tackled led inevitably into Parliament, and the licensing question became an issue in party politics and in the political life of the nation.

CHAPTER THREE

LIBERAL AND CONSERVATIVE POLICIES, 1871-95:

LOCAL OPTION VERSUS COMPENSATION

At the end of the nineteenth century Joseph Rowntree and Arthur Sherwell, in a chapter entitled "The Social and Political Menace," warned their readers of the licensed trade's growing efforts to control municipal and state legislation and of "the degradation of public life which must follow."¹ Coming as they did from two normally moderate and judicious authors, these words give some idea of how closely by this time licensing issues were thought to be involved with politics. In the last three decades of the nineteenth century a polarization had taken place. The best organized sections of the temperance movement discarded their previously cultivated political neutrality and looked increasingly to the Liberal Party for the realisation of their programmes of reform. By a parallel process the bulk of the licensed trade aligned itself with the Conservative Party. These shifts were accompanied by an increasing divergence between the positions taken on the licensing question by the two major parties.

¹Joseph Rowntree and Arthur Sherwell, The Temperance Problem and Social Reform (7th ed., 1900), p. 94.

When this process is discussed two basic points should be remembered. It is important not to see the alignments in false perspective. Just as the Conservative Party existed for a great many more reasons than to defend the licensed trade, so there was much more to Liberalism than temperance reform. Secondly, the extent of the polarization, considerable though it was, should not be exaggerated. It was always possible to be, as Sir William Houldsworth was, both a Conservative and a dedicated temperance reformer. It was never impossible--though it was perhaps more difficult--to be both a Liberal and a member of the Trade. These are important reservations. They are nevertheless qualifications to a general rule. By 1895 the respective positions taken on the drink problem and licensing reform by the conservative and Liberal parties so diverged that the liquor licensing question had become a real and a divisive issue in British politics.

For the origins of this situation it is necessary to go back to Bruce's Licensing Bill of 1871. This attempted legislation of Gladstone's First Ministry was described by Sir Robert Ensor in his volume of the Oxford History of England as "one of the source points in the history of parties."² Until 1871, in Ensor's opinion, the licensed trade, like other industrial interests, had tended to be

²R. C. K. Ensor, England, 1870-1914 (Oxford, 1936), p. 21.

Liberal in its politics, but Bruce's Bill offended "the publicans and the liquor trade generally," driving them over to the Conservative side. Neither Anglicanism nor the ideas produced by the fertile mind of Disraeli had provided the Conservative Party with an adequate material base. But from 1871 onwards the liquor trade supplied "money, workers, and support of every kind" to make good this lack. In the 1880s this became especially important, for the development of political machines greatly increased the need for large funds at party headquarters.

But for the money derived from brewers and distillers, it is very doubtful whether the Conservatives could have met it. Party funds being secret, nothing about them can be affirmed certainly; but nobody will dispute that during the forty years before 1914 a very large conservative income derived from this source.

These facts, Ensor concluded, "provide no small part of the explanation why conservatism was so much more successful in the forty years after 1871 than in the forty years before that date."³

As he himself pointed out, Ensor's judgments dealt with issues that had hitherto been little discussed, but they have since proved deservedly stimulating.⁴ They should

³Ensor, England, pp. 21-22.

⁴For an investigation of the political impact of the licensed trade which makes important use of the various Trade journals, and which acknowledges Ensor's statements as its starting point, see the unpublished Harvard Ph. D. thesis, Basil Long Crapster, "'Our Trade, Our Politics': A Study of the Political Activity of the British Liquor Industry, 1868-1910" (1949).

now be viewed with some caution. Professor Hanham's researches have led him to dispute Gladstone's hasty conclusion that in the 1874 General Election the Liberals were "borne down in a torrent of gin and beer."⁵ In Hanham's opinion Ensor's general thesis about the financial importance of the liquor trade to the Conservatives after 1871 must be entirely rejected. The Tories had not been short of money before 1871, and even by 1895 the landed interest was still prosperous enough to furnish "the great majority" of Conservative party funds.⁶

Undoubtedly it would be wrong to view events in terms of a licensed trade basically Liberal before 1871 becoming overwhelmingly Conservative shortly after that date. In general it would seem more appropriate to place the time when the Liberals started to lose their paramount position as the party of the business interest somewhere in Gladstone's Second Ministry rather than in his First. More specifically, neither the speed nor the completeness with which the Trade aligned itself with the Conservatives after 1871 should be exaggerated. Twenty-five years after the 1874 election Liberals connected with the licensed trade still had an important voice within their party.⁷ By 1907 the temperance

⁵H. J. Hanham, Elections and Party Management: Politics in the Time of Disraeli and Gladstone (1959), pp. 223-25.

⁶Ibid., p. 225.

⁷See below, Chapter Seven.

worker John Newton looked back on Bruce's Bill as the point when the "exodus of brewers and Liberal liquor men from the Liberal Party began," but his satisfaction at this development was qualified by the fact that the exodus, though considerable, was "unhappily not yet quite complete."⁸ Even after the Liberals had committed themselves to the Licensing Bill of 1908 and to the 1909 Budget, the Temperance Legislation League could still say of the Trade's political influence: "While political circumstances, allied with self-interest, have caused this influence to be exercised almost exclusively in the interests of one political party, it certainly makes itself felt in the counsels and policy of the Liberal party also."⁹ It is true that temperance organizations frequently exaggerated the extent to which the Trade influenced both political parties. But the Temperance Legislation League was less prone than most to discover the licensed trade under every political bush.

It is interesting that Newton saw 1871 as the turning point. Very possibly it was, though not necessarily for the reasons put forward by Ensor. As Hanham has shown, where licensed victuallers were organized in the 1874 election they opposed not Liberal candidates as such but candidates who were strong advocates of temperance policies and of Local

⁸John Newton, W. S. Caine, M. P. (1907), p. 31.

⁹The Power of the Liquor Trade; Temperance Legislation League Pamphlet, B. Series, No. 4 (1911).

Option in particular.¹⁰ As much as anything else, what drove important sections of the Trade into the Conservative camp was the increasing link they discerned between the Liberal Party and the more radical temperance organizations. And it was in the years between 1871 and 1874 that the leadership of the most influential of these organizations, the United Kingdom Alliance, came to accept that the correct course to follow was to infiltrate the Liberal Party, a decision that was the first step on the road that was to lead to the Alliance by 1891 being officially recognized as an auxiliary of the Liberal Party.¹¹ In the 1860s there had not been a gross disparity between the support given by M.P.s from the two major parties to measures aimed at securing Local Option. But in 1880 only one Conservative supported the proposal as against 145 Liberals.¹² Bruce's Bill should perhaps still be regarded as an important stage in the political history of the licensing question, if only because for the first time a government measure raised the two central issues which were to dominate the licensing controversy's parliamentary side until at least the end of the century: Compensation and Local Option. Within twenty years the Conservatives were to commit themselves to the first, the

¹⁰Hanham, Elections, pp. 224-25.

¹¹Ibid., pp. 122-23.

¹²Ibid.; Henry Carter, The English Temperance Movement, 1830-1899 (1933), p. 200.

Liberals to the second.

The projected provisions for a highly qualified form of Local Option embodied in Bruce's unsuccessful measure of 1871 have already been outlined.¹³ Local Option was variously described. It was also known as Local Control, Direct Veto, Local Veto, or simply as the Veto. Although sometimes the terms Local Option and Local Veto were used to refer to slightly different concepts, by the great majority of contemporaries the various labels were used interchangeably, and it would be confusing to attempt to differentiate between them except occasionally when the point is of importance. The essential idea remained both simple and constant. It should be made possible for the inhabitants of a locality to veto the granting or the re-granting of liquor licenses to premises in their area.¹⁴ Normally proposals for Local Option assumed that the inhabitants would be the ratepayers, that the locality would be the licensing district, and that a poll could be demanded every three years, while the proportion of the poll envisaged as necessary to effect a change ranged from a simple to a two-thirds majority. Schemes for Local Option were sometimes designed to allow the voters a choice between a specified reduction and outright removal of licensed premises, and on occasions included the possibility

¹³See above, Chapter Two.

¹⁴The theoretical justifications put forward for this concept are discussed below, in Chapter Four.

of adopting alternative proposals. But what some people called Local Option was usually exactly the same thing that others spoke of as the Veto: the idea was essentially prohibitionist. Certainly it was never intended that voters would be given the option to decide to have more rather than less licensed houses in their district. Euphemism pervaded the licensing controversy, and many licensing reformers described themselves as temperance advocates when in outlook and intention they were clearly prohibitionists.

In a political context the great importance of Local Option was that it could not be effected without a fundamental revision of the licensing system. Thus the attention of those who advocated it as the solution to the drink problem had necessarily to be directed towards Parliament. Many temperance workers were, of course, already active politically at a local level, and mostly in the Liberal cause. But those sections of temperance opinion which put their faith in voluntary total abstinence--the successors of Livesey's "moral suasion" movement--could put many of their temperance principles into practice without recourse to Westminster. For those who favoured the more radical alternative there was no such possibility. The founding in 1853, by Nathaniel Card and others, of the United Kingdom Alliance, with its declared purpose to "procure the total and immediate suppression" of the liquor traffic, had provided them with an organization whereby their attempts to influence the legislature

could be co-ordinated.¹⁵ Very soon in its development the Alliance concluded that its aim would best be furthered by concentrating on obtaining from Parliament a measure providing for Local Option. In 1862 Wilfred Lawson, Liberal M.P. for Carlisle and a member of the Alliance's executive committee, moved a resolution in the Commons in favour of Local Permissive Prohibition. Two years later he introduced the first Permissive Bill. It was defeated by 292 to 35. "In those days," Lawson later wrote, ". . . the Public House was looked upon as about as sacred as the Church, and the idea of doing anything which might eliminate it from our national and social life was looked upon with horror."¹⁶ Entirely undeterred, he continued to raise the Local Option issue, in the form of either a resolution or a Bill, virtually every year, and a pattern was established which was to influence the Liberal Party for the next half century.

In the early 1860s Lawson acted without party backing. Indeed radical temperance opinion at first emphasized the desirability of political neutrality. In the General Election of 1874 the Birmingham Auxiliary of the Alliance, headed by George Cadbury and Joseph Malins, resolved to run their

¹⁵For the U.K.A. before 1872 see its official history, M. H. C. Hayler, The Vision of a Century, 1853-1953: The United Kingdom Alliance in Historical Retrospect (1953); and Brian Harrison, "The British Prohibitionists, 1853-1872: A Biographical Analysis," International Review of Social History XV (1970), 375-467.

¹⁶G. W. E. Russell (ed.), Sir Wilfred Lawson: A Memoir (1909), p. 61.

own candidate against G. F. Muntz, a Liberal who in the previous Parliament had voted against Lawson's Bill. Only the intervention of "prominent Birmingham Liberals" dissuaded them from this course.¹⁷ But it was becoming increasingly obvious that the only real chance of implementing Local Option policies lay in co-operation with the Liberal Party. Much was expected from the Liberals' return to power in 1880. Lawson's resolution in favour of Local Option was passed by increasing majorities in 1881, 1882 and 1883. In this last year the Prime Minister himself spoke for it. But in no year did Gladstone's Second Ministry attempt to bring in Local Option legislation, an omission it attributed to the pressures of the Irish question. After this same Irish question had split the Liberals and brought the Conservatives back into power it became clear that the chance had been lost. Accordingly a concerted attempt was begun to bring about the firm inclusion of Local Option in the Liberal programme in time for the next General Election. In the meantime the Conservatives used their opportunity to make two attempts at redesigning the licensing system from the other side.

Since the 1869 Act the total number of licensed houses in the country had been slowly but steadily declining.¹⁸

¹⁷Joseph Malins, The Life of Joseph Malins (Birmingham, 1932), p. 43.

¹⁸See above, Chapter One.

The Conservatives and the licensed trade itself for the most part accepted that there were still too many and agreed with the Liberals and the temperance movement in welcoming this trend. They were nevertheless alarmed by the demands being made among the Liberal ranks for a wholesale further reduction of licenses and for Local Option. There was a great deal at stake. The closure of a licensed house meant much more than the loss of the potential profits from its future sales. To appreciate this it is necessary to understand something of "monopoly value" and the "tied-house system."

The so-called monopoly value of a license accrued from the simple fact that the demand for licensed premises outran the supply. Houses which were already licensed changed hands at a price substantially greater than the material value of the premises and the fittings. For a house to lose its license thus entailed the loss of the difference. The tied-house system arose from breweries buying up licensed houses so as to gain control of outlets for the retailing of their products. The origins of the system went back to the eighteenth century. But the fact that the number of outlets was now continually declining meant that breweries were becoming ever more anxious to gain control of those that remained. The brewing trade had been consolidating for some time. Between 1871 and 1886 the number of licenses issued to common brewers in England and Wales fell

from 31,562 to 13,120.¹⁹ In the second half of the 1880s a great many of the largest breweries began to go public. In 1886 Baring's made the £6 million Guinness offer, and Guinness was followed within a few months by Ind Coope, Allsopp's and several others.²⁰ In 1887-88 some £23 million was invested by the public in brewery shares.²¹ In 1893 the Trade's own estimate of the capital value of the breweries, distilleries and licensed houses in the United Kingdom was £185 million; a year later it was £209 million.²² The Stock

¹⁹G. B. Wilson, Alcohol and the Nation (1940), Appendix F, Table 23, pp. 387-88. The decline was still more marked than this straight comparison suggests, because in 1871 an additional 804 special licenses were issued to brewers using sugar, a separate category of license which ceased to exist when Gladstone's 1880 Budget removed restrictions on brewing materials, ibid. Wilson considers the records of beer production before 1880 "very unsatisfactory," ibid., p. 55. But it seems improbable that total output was less in 1886 than it had been in 1871, ibid., Appendix F, Table 14, pp. 369-70. The smaller brewers were being eliminated. There were 26,506 breweries in the United Kingdom producing less than a thousand barrels a year in 1870, 16,770 in 1880, and only 9,986 by 1890. In the same period the number of breweries producing more than twenty thousand barrels rose from 154 in 1870 to 230 in 1880, and was 293 by 1890, ibid., p. 49.

²⁰John Vaizey, The Brewing Industry, 1886-1951 (1960), pp. 9-12.

²¹Wilson, Alcohol, pp. 85-87.

²²Brewers' Almanack for 1894, pp. 211-12, ibid. for 1895, pp. 293-94. There seems no way of checking such totals. During the First World War E. W. Younger sent Lloyd George a long list of estimates made at various dates between 1871 and 1912 of the amount of capital invested in the Trade. "You will observe," he wrote in the covering letter, "that they vary tremendously in amounts, and that probably none of them are really reliable . . . nor do I know of any means by which a reasonably accurate result could be arrived at." 11 March, 1915, Beaverbrook Library, Lloyd George Papers, C/8/11/2. Of course, nationalisation of the liquor industry was in the air at the time, and it is possible that Younger was being disingenuous.

Exchange boom turned into a scramble between breweries for licensed property, and by 1890 an estimated 70% of on-licenses were "tied" in one way or another.²³ To the brewery companies bidding against each other to gain tied retail outlets, the monopoly value of their licenses represented a considerable, though not easily calculable, proportion of their total assets. Some years later Sir Thomas Whittaker, making "a moderate estimate" with which by and large the Trade did not violently disagree, put the market value of on-licenses in England and Wales at £125 million.²⁴ The bulk of this amount consisted of monopoly value, which would be entirely lost if the licenses to which it was attached failed to be renewed.

The Trade's concern for the security of its licensed premises was made the more acute because of a test case, shortly to be discussed, which was then working its way through successive Courts of Appeal, and which might very well confirm that the Licensing Justices had absolute discretion to refuse to renew any license, merely on the grounds that they considered the premises were not needed. In 1888 the National Trade Defence Fund was established. Designed to represent all sections of the licensed trade in the United Kingdom, its purposes were defined as follows:

²³Wilson, Alcohol, p. 85.

²⁴Brewing Trade Review, XVII (June, 1904), 260.

to watch at all times the general interests of the whole Trade in and out of Parliament; to secure by all legal means, regardless of party politics, the return to the House of Commons and other elected bodies of Candidates favourable to Trade interests; to federate existing societies; to decide upon the general policy of defence; and generally to do all things that the Committee shall deem to be for the interests of the Trade.²⁵

In the same year Salisbury's Second Ministry devised what it regarded as a formula for an acceptable solution. The licensing authority would be empowered to get rid of licenses it considered no longer necessary, but those who were dispossessed as a result would be compensated from a fund to be raised from the licensed trade itself.

The first attempt to put these ideas into practice came in 1888, as part of the Bill to establish County Councils. The President of the Local Government Board, C. T. Ritchie, proposed that each of the new Councils should become the licensing authority for its county, for each district of which it would appoint a licensing committee. These committees would have the power not only to close houses in their district on Sundays, Good Friday and Christmas Day, but also to refuse licenses to those houses they deemed to be redundant. The County Council, if it upheld the refusal, would then have to decide on and distribute the compensation to be awarded. The money for this purpose it was proposed to raise from the license duties, which would henceforth be paid to the County Council and which might be increased by up to one-

²⁵Brewers' Almanack for 1898, p. 270.

fifth.

These proposals were never put into effect. With the exception of the Church of England Temperance Society, all the leading temperance organizations were opposed in principle to the idea of compensation. In the Commons the opposition was led by two leading members of the United Kingdom Alliance, Sir Wilfred Lawson and W. S. Caine. Over two hundred amendments were tabled to the licensing clauses of the County Councils Bill and eventually Ritchie was forced to announce that, in view of the limited time remaining in the Session, the Government had decided not to proceed with them.²⁶

Two years later they tried again. In Goschen's Budget of 1890 proposals were outlined which would have involved the provision of £350,000 each year for the purchasing and extinguishing of redundant licenses. The money was to be drawn from increased taxes on beer and spirits rather than from increased license duties, though it was again proposed that the fund should be administered by the County Councils. There were no provisions for compulsory purchase of licenses, agreement on this point having to be reached with the license holder. In view of this it was hardly surprising that the proposals were attacked, both within the House and outside it, even more fiercely than those of 1888

²⁶Carter, English Temperance Movement, pp. 204-07.

and that, once again, the Government found it necessary to withdraw its measure.²⁷

After two such defeats in such a short space of time it might seem that, as a political issue, compensation was dead and should lie down accordingly. But the controversy could not easily be resolved, largely because each side could put forward a quite reasonable case. The opponents of compensation, basing their arguments on a strict interpretation of the Act of 1828, contended that it was absurd for anyone to expect recompense for the non-renewal of his license when he had in the first place no legal right to its renewal. The liquor trade and advocates of compensation countered this with the argument that, while the law on this point was at least ambiguous, in practice licenses were treated as though their renewal was a matter of course. The great weapon in their armoury here was that, for taxation purposes, the government itself acted as though this were the case. In 1890 the Department of Inland Revenue issued a Memorandum "setting forth the practice [of the Department] in dealing, for Death Duty purposes, with the various interests connected with the sale of intoxicating liquors." On the death of a Leaseholder-Publican, for example, "In the affidavit delivered by his executor of his assets he brings in the value of his lease and goodwill, generally combined . . . it is assumed that the license will continue to be

²⁷Ibid., pp. 208-12.

renewed. Without a licence there could be no goodwill."²⁸ Nor were appeals to precedents any more conclusive. When opponents of compensation pointed to the 1807 abolition of the slave trade, for which none had been provided, those who argued for it took their stand on the provisions of 1833 for the abolition of slavery itself and remained unmoved by the counter-argument that, because the courts had ruled that slaves were merchandise, the latter was not a fair analogy.

It was clear, nevertheless, that a great deal of the case for compensation would be removed if the 1828 Act were strictly interpreted and the magistrates did indeed have absolute discretion with regard to the re-granting of full on-licenses and the other types of licenses transferred to their jurisdiction by subsequent legislation. In that event, no more than an "expectation" of renewal could be pleaded, and any compensation that might come would have to be not so much accorded as a right as granted as a concession. Reassured by their Law Officers, the Conservative Government in 1888 and 1890 had acted on the assumption that this was not the case. But in 1891 the highest Appeal Court in the land decided otherwise. Miss Sharpe, whose license the local magistrates had refused to renew, was not upheld in her appeal by the House of Lords. She had claimed that the

²⁸"Inland Revenue (Death Duties). Public Houses," a Memorandum of 14 May, 1890, reprinted in 1908 as Commons Sessional Paper 176.

licensing justices were entitled neither to enquire into the needs of their district with regard to licensing nor to refuse to renew a license solely on the grounds that, in the light of their assessment of those needs, they judged the license to be redundant. In delivering the judgment Lord Halsbury reaffirmed that, while it must be exercised "judiciously," the discretion of licensing justices over granting and renewal was absolute.²⁹

There was, in fact, no great increase in the number of licenses refused in the years immediately following the Sharpe v Wakefield decision. The decision nevertheless brought home decisively to that majority of the Trade whose licenses were under the full magisterial discretion the extremely precarious nature of their position in the eyes of the law. Naturally this still further stimulated the Trade to band together for self-protection. Certainly it still saw its best remedy in some government-sponsored scheme for compensation. But Sharpe v Wakefield had vindicated the main claim upon which temperance reformers based their case for opposing any form of compensation. When this was seen in conjunction with the failure of the Conservative measures to provide for compensation of 1888 and 1890, the prospect looked bleak. The licensed trade began to look to more immediate safeguards. In 1891 the Licenses General Corpora-

²⁹C. J. Halsbury in Sharpe v Wakefield [1891], A.C. 173.

tion and Guarantee Fund started its operations. Within ten years licenses were insured with it to a total value exceeding £60 million.³⁰ Even before the Liberals returned to power in 1892 it seemed clear that the possibility of compensation on a statutory basis could be ruled out for the foreseeable future.

Furthermore, while there was a Liberal Government there was a renewed and this time considerably more powerful threat of Local Option to contend with. In the long run the influence of temperance opinion on the Liberal Party had been strengthened by the effects of the Home Rule split. At first a handful of temperance reformers, including W. S. Caine, had followed Chamberlain out of the party. When the National Radical Union was formed in June, 1886, with Chamberlain as its first President, Caine had exerted himself to secure the adoption of the principle of Local Option in its programme, and its inclusion had received Chamberlain's approval. But as the latter started his slow shift to the Conservatives this brief honeymoon began to dissolve, and by 1892 Caine was back among the Liberals.³¹ More important, though perhaps more gradual and less tangible, was the change that occurred in the nature and composition of the Liberal Party after the departure of so much of the old Whig element. There

³⁰Charles Roberts, Time Limit and Local Option (1908), p. 89.

³¹Newton, Caine, pp. 167-68.

followed an augmenting in Liberal counsels of provincial middle-class opinion, far more likely to look with favour on temperance objectives. Important now too was the ageing leader's preoccupation with the Irish question, for Gladstone's distrust of the effectiveness of legislation in promoting temperance had long been a stumbling block.

The fact that the Liberal Party and the temperance movement had united successfully in the fight to defeat the Conservative compensation proposals both strengthened the links between them and increased the respect accorded to temperance claims by the Liberal leadership. In 1889 the radical wing of the temperance movement achieved one of its most encouraging successes. The National Liberal Federation in that year included Local Option in its policy declaration. Its decision was publicly endorsed by John Morley, who argued that the government should trust the people in a matter in which they had shown themselves "interested almost beyond any other question in the whole field of social reform."³² In December of the following year Gladstone wrote to Morley suggesting that some broadening of Liberal policy was advisable. Morley drew up a list of various reforms which a wider programme might include, among them the "direct popular veto." The adoption of such a measure would, he urged, "undoubtedly

³²The Times, 10 December, 1889, quoted in D. A. Hamer, John Morley: Liberal Intellectual in Politics (Oxford, 1968), p. 244.

put heart into the Temperance people. They are, no doubt, on our side, as it is. But the Irish business will chill them, and they need to be stirred up by warm and active interest in their own question."³³

Within twelve months the temperance people were duly stirred up. Local Option was included in the Newcastle Programme alongside such other policies as reforms in the land laws and Disestablishment in Wales and Scotland. There was later some room for dispute about how binding the Newcastle Programme was on the Liberal Party. Robert Spence Watson, a President and subsequently the historian of the National Liberal Federation, later claimed that the Newcastle Programme had been neither more nor less important than the programme of the Council of the Federation had been in previous years, being "simply a series of resolutions stating what, in the view of the overwhelming majority of the Liberal Party, were the most important measures to be passed into law, when, and as the leaders of the Party saw the way to do it."³⁴ But it was generally assumed that the Newcastle Programme

³³Ibid., pp. 265-66.

³⁴Robert Spence Watson, The National Liberal Federation (1907), p. 131. Watson's own attitude to the Newcastle Programme fluctuated. In 1907 he maintained that "some harm has been done by zealous Party men taking the ideal programme for a creed every item of which must be adhered to by the true Liberal," ibid. But ten years earlier he had countered opposition to the Council of the N.L.F.'s 1897 Report by urging from his presidential chair that the Council hold firm to every item of the Newcastle Programme, The Times, 23 March, 1897.

had been given Gladstone's stamp of official approval.³⁵

The Liberals came into power in 1892 as the first administration with the announced intention of bringing in a measure that would provide for Local Option.

Two attempts were made to fulfill this pledge, and both were unsuccessful. Neither managed to pass even the Commons. The first came in 1893 when Sir William Harcourt, the Chancellor of the Exchequer, introduced his Liquor Traffic (Local Control) Bill. It was proposed that the Trade should be allowed three years' notice before its terms were to come into effect. After that period, a two-thirds majority vote of the rate-payers in any ward or parish would be able to prohibit the granting or renewing of every class of on-license in the district, except those of eating-houses, hotels and railway refreshment rooms. Whether or not there was to be Sunday closing could also be decided by the voters in each locality. This Bill, however, made no progress in the session and, two years later, Harcourt, since Gladstone's retirement the Liberal Leader in the Commons, introduced a second. The Bill of 1895 differed slightly from its predecessor in that provision was now made for the voters to decide to remove one-quarter of their local licenses if they did not wish to avail themselves of the full veto.³⁶ But,

³⁵Peter Stansky, Ambitions and Strategies: The Struggle for the Leadership of the Liberal Party in the 1890s (Oxford, 1964), p. xii.

³⁶Carter, English Temperance Movement, pp. 219-20.

like its predecessor, it did not advance beyond its introduction. Before it could proceed further, Lord Rosebery resigned, Lord Salisbury returned as Prime Minister, and in the July General Election the Liberals were decisively defeated.

CHAPTER FOUR

LICENSING AND POLITICS IN 1895

By the time of Lord Salisbury's return to power in 1895 the liquor licensing issue had become an important source of political controversy. On the licensing question, as on the Irish, the Conservatives admitted the existence of a basic problem and conceded that there might still remain room for improvement. But they were as opposed to any form of prohibition as they were to Home Rule, and they rejected any licensing policy which did not allow for compensation of existing license-holders. The Liberal Party, on the other hand, opposed compensation to the licensed trade in any form and had committed itself to the radical solution of Local Option. Within the past seven years the Conservatives had twice failed to pass measures providing for compensation, and the Liberals in turn had been unsuccessful in two attempts to enact a form of Local Option. Whether mutual failure would encourage efforts to reach a compromise remained to be seen. For the moment such a prospect seemed unlikely. At a time when the drink problem was widely regarded as a major issue, the liquor licensing policies of the two major parties appeared mutually exclusive.

Voting on licensing issues in the House of Commons

was by this time firmly established along party lines, with only a handful of exceptions on either side. One of the closest watches on how M.P.s spoke and voted on licensing questions was kept by the Brewers' Society, whose official annual publication classified each individual M.P. under one of three headings: favourable to the licensed trade, against the licensed trade, or doubtful. By the second half of 1896 sufficient time had elapsed for the Parliament elected in 1895 to be assessed in this way. Of the more than four hundred Conservative and Liberal Unionist M.P.s the Brewers' Almanack for 1897 found only nineteen whose attitude to the licensed trade it regarded as not positively favourable. Of these, ten were considered doubtful and nine against, divided as follows:¹

	<u>Doubtful</u>	<u>Against</u>
Conservatives	6	6
Liberal Unionists	3	4

Fifteen of the nineteen represented constituencies in Ireland. When these are excluded the following picture emerges of the attitude to the licensed trade of Conservative and Liberal Unionist M.P.s from constituencies in Great Britain:²

¹Source: Brewers' Almanack for 1897, pp. 38-49.

²Source: Ibid. The Liberal Unionists considered doubtful were Thomas Bolitho (Cornwall, St. Ives) and Sir Donald Currie (Perthshire West). The Liberal Unionist considered hostile was Cameron Corbett (Glasgow, Tradeston), later the first Baron Rowallan; the Conservative was Frederick Banbury (Camberwell, Peckham), later the first Baron Southam. Banbury's independent attitude is not surprising. He was a

	<u>Doubtful</u>	<u>Against</u>
Conservatives	0	1
Liberal Unionists	2	1

On the other side of the House the position was reversed. Among the one hundred and eighty or so Liberals the Brewers' Almanack found only eight whose attitude to the licensed trade it considered to have been not positively hostile. Three of these, each of them from Irish constituencies, were considered doubtful. Only five Liberals were regarded as having shown themselves favourable to trade interests, two of whom were themselves brewers.³

It is therefore not surprising that men with licensed trade connections who entered politics should have been increasingly attracted to the Conservative rather than the Liberal side. As early as 1892 Sir George Trevelyan claimed that "Toryism is now liquor, and liquor Toryism."⁴ In fact in the first half of the 1890s there was still not a great disparity between the number of M.P.s with trade interests who sat on either side of the House. In 1894 the Conserva-

self-appointed watch dog on all financial matters, and his entry in the Dictionary of National Biography recalls that "he generally opposed bills proposed by private members."

³The brewers were William McEwen (Edinburgh Central) and Sydney Evershed (Staffordshire, Burton). The other three were Robert Wallace (Edinburgh East), Courtenay Warner (Staffordshire, Lichfield), the victor in a recent by-election, and George Harwood (Bolton), who described himself as an Independent Liberal.

⁴In a letter to W. C. Caine, 23 October, 1892, quoted in John Newton, W. S. Caine, M.P. (1907), p. 260.

tive and Liberal parties were virtually equal in overall strength in the commons, with some two hundred and seventy members each, while the Liberal Unionists had slightly less than fifty. Exclusive of the Irish Nationalists there were thirty M.P.s with licensed trade connections. Seventeen of them were Conservatives, two were Liberal Unionists, and eleven were Liberals.⁵ After the General Election of 1895, however, the disparity became more clearly marked, even when allowance is made for the fact that the total Conservative representation in the Commons was then nearly double that of the Liberals. In 1896 there were twenty-three Conservative M.P.s connected with the licensed trade, one Liberal Unionist,

⁵Divided as follows:

	<u>Conservatives</u>	<u>Liberal Unionists</u>	<u>Liberals</u>
Brewing	14	2	9
Malting	0	0	1
Distilling	2	0	0
Wine Trade	0	0	1
Other	1	0	0
	—	—	—
Total	17	2	11

Source: Brewers' Almanack for 1895, p. 47, Dod's Parliamentary Companion for 1894, ibid., for 1895. Although it claimed to be listing M.P.s "known or believed to be connected with the Trade," the Brewers' Almanack used what was evidently a rather strict definition of what constituted a licensed trade connection. It excluded, for example, Samuel Whitbread's eldest son.

and only six Liberals.⁶

The increasing number of Conservative M.P.s who were connected with the licensed trade provided useful ammunition for those who followed Sir George Trevelyan in discerning an unholy alliance between liquor and Toryism. No doubt many of the charges which were made along these lines were exaggerated. As J. P. Cornford has recently pointed out: "It appears frequently to be forgotten that the parliamentary system is and was a representative one and that M.P.s often press the interests of their constituents with far more vigour and persistence than their own."⁷ The influential Liverpool brewer and Conservative organizer, Archibald Salvidge, according to his son, was "always puzzled" by the constant accusations that his real aim in politics was the furtherance of brewing

⁶Divided as follows:

	<u>Conservatives</u>	<u>Liberal Unionists</u>	<u>Liberals</u>
Brewing	18	1	3
Malting	0	0	1
Distilling	2	0	1
Wine Trade	1	0	0
Other	2	0	1
	—	—	—
Total	23	1	6

Source: Brewers' Almanack for 1897, p. 49.

⁷J. P. Cornford, "The Parliamentary Foundations of the 'Hotel Cecil,'" in Robert Robson (ed.), Ideas and Institutions of Victorian Britain (1967), pp. 272-73.

interests.⁸ It is at least as plausible to argue that existing Conservative policy on the licensing question attracted aspiring politicians who happened to have trade connections as it is to assert that members of the Trade consciously infiltrated the Conservative Party in order to influence its policy in the direction the Trade desired. Yet the fact remains that the licensed trade as a whole made no secret of its resolve to defend its interests by political means and that it became increasingly clear that such pressure as could be applied could far more readily be directed through the Conservative (or Unionist) Party than through the Liberals. In 1896, for example, the membership of the Executive and General Committees of the National Trade Defence Association included five M.P.s, all of whom were Unionists.⁹

Since the already close links between the licensed trade and the Conservatives became still closer in the 1890s, many opponents of the liquor traffic feared that Salisbury's return to power in 1895 would be followed by new legislation in favour of the Trade. In the short term at least, these fears were to prove unfounded. Those who equated liquor with Toryism frequently, if understandably, failed to appreciate

⁸ Stanley Salvidge, Salvidge of Liverpool (1934), p. 58.

⁹ A. Money Wigram and H. Cosmo Bonsor were on the Executive Committee, Spencer Charrington and Sir Frederick Seager Hunt on the General, while John Gretton sat on both. E. N. Buxton, a Liberal, sat on the General Committee, but was no longer an M.P. in 1896.

that in its approach to the licensing question the Tory leadership had to take into account far more than just the expressed wishes of the licensed trade. In both Houses of Parliament there sat Conservatives who, like Sir Michael Hicks Beach, Chancellor of the Exchequer in Salisbury's Third Ministry, were known for their strong opinions about the need to promote temperance.¹⁰ By the late 1890s there was a growing restlessness among many Unionist back-benchers in the Commons, led by such respected men as Sir William Houldsworth and Sir John Kennaway, who believed that far too little was being done to combat the drink problem.¹¹ Among the leading advocates of temperance reform in the Lords were several members of the Episcopal Bench, in particular Frederick Temple, who was translated from London to Canterbury after Archbishop Benson's death in September, 1896. Opposition to a Conservative administration from the bishops was normally as rare as it was embarrassing, but episcopal feelings on the temperance question ran high, as was to be proved in May, 1900, when the Archbishop of Canterbury and twelve bishops voted

¹⁰A record of consistent support for the licensed trade was certainly never a necessary prerequisite for high office in the Conservative-Unionist Party. Joseph Chamberlain, Colonial Secretary in Salisbury's Third Ministry, had earlier been one of the foremost advocates of the idea that the retailing of drink should be taken out of private hands. Before he entered Parliament in 1908 the future Conservative Home Secretary, William Joynson-Hicks, had spent time as a travelling temperance lecturer.

¹¹See Houldsworth's speech on T. P. Whittaker's amendment to the Address, 19 February, 1901, Parl. Debates, 4th series, LXXXIX, c. 578.

against the government as a protest against its inaction with regard to licensing reform.¹²

In all probability the bishops who thus registered their dissatisfaction with Salisbury's reluctance to promote temperance legislation were not entirely representative of the Anglican Church as a whole. In the eyes of many temperance advocates the Established Church vied with the magistracy for the doubtful distinction of being the chief supporter of the licensed trade in the attempt to maintain the established licensing system. Lists were compiled of the number of Church of England clergymen who held shares in breweries, and the close connection which was alleged to exist between pub and church in rural areas came under particular attack.¹³ Criticism of what was held to be the Church of England's general inertia with regard to licensing questions came not only from non-Anglicans. At the 1901 Church Congress, E. Stafford Howard expressed himself "more and more amazed and indignant at the apparent indifference still shown by a great

¹²G. K. A. Bell, Randall Davidson, Archbishop of Canterbury (3rd ed., Oxford, 1952), pp. 324-25. H. W. Lucy's comment is apposite: "To have thirteen right reverend Fathers in God, including the Primate, walking into the division lobby against a Conservative Government is a spectacle rarely seen on earth." A Diary of the Unionist Parliament, 1895-1900 (1901), p. 354.

¹³"The fact is notorious," wrote one critic. "'The Trade' is an ally upon whose support the Church can count, and for whose goodwill she pays by her toleration of what is, par excellence, the Curse of Rural England." D. C. Pedder, "The Village Pub," Contemporary Review, XCIII (May, 1908), 554.

number of the clergy and by a large majority of the laity to the urgency of this Temperance question" and estimated that organized temperance work was being carried on only in about one parish in six.¹⁴ Nevertheless, by the end of the nineteenth century pro-temperance sentiment in the Anglican Church was probably stronger than it had ever been. After its reconstruction in the 1870s the Church of England Temperance Society had continued to flourish. By 1881 it boasted three thousand abstaining clergymen, and by 1898 claimed to have nearly seven thousand branches in England and Wales and between 150,000 and 200,000 subscribing adult members.¹⁵

The C.E.T.S. was by no means a radical temperance organization. It recognized non-abstainers as members on an equal basis with abstainers (a policy which earned it the disapproval of the generally moderate National Temperance League) and it repudiated prohibition as an answer to the drink problem. It had supported the unsuccessful Conservative compensation proposals of 1890 and, in the words of its Vice-Chairman, regarded the licensed trade as "legitimate in the

¹⁴Quoted in William Gourlay, "National Temperance": A Jubilee Biograph of the National Temperance League (1906), p. 377.

¹⁵Evidence of E. Stafford Howard, Vice-Chairman of the C.E.T.S., 7 June, 1898, qu. 65,954, LCR, VIII, 449, and of William Joynson Hicks, a member of the Central Executive Committee of the C.E.T.S., 8 June, 1898, qu. 66,617, ibid., 471. See also Francis Warre Cornish, The English Church in the Nineteenth Century (1910), II, 96-106.

sense that there is no wrong in people drinking alcohol in strict moderation, and in the sense that the trade is sanctioned by law."¹⁶ Yet at the same time the Society was far from content with the existing licensing system. As a general principle it desired "the reducing of temptations to drink, and the facilities for the sale of drink, to the smallest limits that public opinion will sanction."¹⁷ By the mid-1890s the Society had evolved a number of specific proposals based on this general principle. Chief among them were that all licenses should come under the full control of the licensing authority, that Sunday closing should be made the rule rather than the exception, and that the number of licensed premises should be reduced to the limits proportional to population outlined in Bruce's unsuccessful bill of 1871, with those license-holders suffering in the reduction process receiving compensation on the basis of a maximum time limit of five years.¹⁸ These proposals envisaged a licensing system considerably less favourable to the Trade than the current body of law, and it can therefore hardly have escaped the Tory leadership that there existed a significant segment of Anglican opinion which would be opposed to any attempt to amend the licensing laws in the further interests of the

¹⁶Qu. 65,955, LCR, VIII, 449.

¹⁷Ibid.

¹⁸Qus. 65,962-66,091, ibid., 449-54.

licensed trade.

It soon became apparent that the new government elected in 1895 had no desire to attempt any revision of the licensing laws, whether in the interests of the Trade or in one of the various directions advocated by Temperance organizations. Early hints from members of the government were amply confirmed in February, 1896, when both Salisbury and Arthur Balfour were present to receive a deputation organized by the C.E.T.S. Balfour told the deputation that, while he would "gladly welcome any information of an authentic kind" that might be made available about the present working of the licensing system, there was no hope of the government's taking up the issue of licensing reform in the forthcoming session.¹⁹ The Prime Minister was apparently more succinct, but equally unequivocal. "In view of all the experience that has passed," he announced, "the question is not one that attracts the Government."²⁰

Even at a time of increasing public concern with the drink problem the lack of attraction the issue of licensing reform held for the new government is readily understandable. "The experience that has passed" indicated to many that those administrations which ventured to take up the issue stood to gain little and to lose much. The Tories, pressured by the

¹⁹Brewers' Almanack for 1897, p. 65.

²⁰Ibid. See also below, Chapter Six.

Trade, had as the basis of their position that the chief answer to the problem lay in the continued reduction of the numbers of licensed premises, provided that the process was a gradual one and that a legal basis for the payment of adequate compensation was established. Twice in recent years they had tried to implement measures along these lines and twice they had failed, just as the Liberals, opposing any form of compensation, had twice introduced measures to give effect to a form of Local Option and twice seen them come to nothing.

"One administration after another has attempted to deal with the subject and has only come near to wrecking itself" was how a leading article in The Times summed up the political impact of the licensing question over the last three decades of the nineteenth century.²¹ To speak in terms of parties having come near to wrecking themselves on the issue was an exaggeration, but at the very least their successive failures had had a demoralizing effect on Conservatives and Liberals alike. The fact that the attempts at licensing reform were made in the first place had tended to unite political opponents in their anger, while the fact that the attempts failed had meant that the expectations of supporters had first been raised and then disappointed. The reluctance of Salisbury's Third Ministry to face again such a prospect was not surprising.

²¹The Times, 13 April, 1899.

Whether or not the Unionist government would remain aloof from the licensing question if a serious threat to the interests of the licensed trade should emerge was a different question. But in 1895 there seemed no likelihood of such a threat presenting itself in the immediate future. There were two possible ways in which the established status of the licensed trade could be effectively challenged. The first was if the licensing justices should choose to exercise strictly and comprehensively the very considerable discretionary powers over liquor licenses which Sharpe v Wakefield had confirmed them to possess. In the mid-1890s this possibility appeared remote. Complaints from the licensed trade about the magistrates' use of their powers were still few and comparatively mild; the most vehement criticism continued to come from radical temperance men who felt that the licensing justices used their discretionary powers far too sparingly. In the absence of a magisterial initiative, a serious threat to the Trade's position could only come in the form of a change in the licensing laws. As long as the Unionists were in power this possibility could be discounted, but there remained the fear that the next Liberal victory in a general election might bring back an administration still pledged, despite the failures of 1893 and 1895, to implement a form of Local Option. This fear was at least strong enough to ensure the continued existence of the National Conservative and Unionist Temperance Association, an organization specifically

designed to co-ordinate resistance at the electoral level to any move to replace the existing magisterial licensing authority by a form of local control. Originally formed at the time of the Conservative licensing proposals of 1890, the N.C.U.T.A. was overtly political in its stated objectives, chief among which were "To enable Unionist electors to support the cause of temperance reform, without at the same time supporting the revolutionary and confiscatory schemes of the Radical party" and "To afford guidance on the subject to electors, who have hitherto been deluded by extremists."²² In 1898 the membership of the N.C.U.T.A. included twelve peers and no less than sixty-three Unionist M.P.s, among them such prominent figures as Curzon, Walter Long, Henry Chaplin, Aretas Akers-Douglas and Arthur Balfour.²³

The attitude of the Unionist leadership to licensing reform in 1895 may be summarized as follows: in political terms the issue was not attractive, and future initiatives from the present government were not anticipated; at the same time it could not be forgotten that at some future date the electorate might return to power a government pledged to drastic reform of the licensing system. The effect of this last consideration was crucial. It meant that the temperance question was likely to remain an area of active controversy

²²Evidence of J. Lowry, Liverpool representative of the N.C.U.T.A., 15 June, 1898, qus. 68,243-46, LCR, VIII, 519.

²³Ibid., qus. 68,194-99, LCR, VIII, 518.

between the two major parties, that licensing would not easily be taken out of politics. It made extremely remote the possibility of any compromise solution. Individual Conservatives and Liberal Unionists might be increasingly conscious of a growing concern with the drink problem, but as long as the licensing question was seen primarily as a contest between the party supporting Local Option and the Party opposing it, the argument could effectively be made that the first duty of the government's followers was to present a united front against the "revolutionary and confiscatory schemes of the Radical party." Thus in 1895 the key element in the liquor licensing controversy was the commitment of the Liberal Party to Local Option.

* * *

Just as some temperance men clearly regarded the Conservatives as little more than the political arm of the licensed trade, so representatives of the Trade and of the Conservative Party frequently spoke as though the Liberals were prohibitionists almost to a man. This second picture was at least as much a caricature as the first, yet it could be presented with reasonable plausibility because of three basic facts. Supporters of Local Option regarded their ideas as being firmly within the liberal-progressive tradition; in the minds of many of its advocates the principle of Local Option was essentially prohibitionist in its implications; and the Liberal Party had committed itself to the

principle of Local Option.

Advocacy of Local Option was backed by arguments from first principles, which in turn were based upon particular assumptions about the nature and purpose of law and society. This emerges clearly from one of the fullest statements made of the case for Local Option, in Charles Roberts's Time Limit and Local Option, published in the middle of the controversy over the 1908 Licensing Bill. Roberts began by opposing the argument that it was impossible to make men sober by Act of Parliament. "Why," he asked, "should anyone hesitate to admit that Acts of Parliament have power to modify the characters of men and women? . . . The alteration in the environment which the mere despised Act of Parliament has power to ordain may enable stronger characters to grow in a better atmosphere. It is a strange doctrine . . . that Law has nothing to do with human character. At bottom, and in the final resort, what else is Law there for?"²⁴

Equally false in Roberts's view was the claim that curtailment of the liquor traffic amounted to state interference with individual liberty and should therefore be opposed by all true liberals. On the contrary, he argued, the state had a manifest right of intervention in this area which was justified on both practical and theoretical grounds. The right derived in practice from the long

²⁴Roberts, Time Limit, p. 2.

history of licensing legislation, which showed that from the earliest times it had been felt necessary to allow the state to assume a special responsibility in this sphere. It derived in theory from the evils which the liquor trade inflicted on the state as a whole and on individual citizens. Citing T. H. Green, Roberts argued that true liberalism recognized that there existed no rights to freedom in the sale and purchase of a particular commodity if the general result of allowing such freedom was to detract from freedom in the higher sense, "from the general power of men to make the best of themselves."²⁵

The next step in the statement of the case was to assert that the implementation of Local Option would in fact constitute a considerable practical extension of liberal and democratic principle. Opponents of local control often maintained that it was a class measure: the working man would be deprived of his beer, while the upper and middle sections of society would always have alternative sources of supply. Roberts countered this by the assertion that Local Option provided the most democratic way yet suggested of dealing with the drink problem, since the right to participate in the voting in each locality would certainly be accorded to all ratepayers, and would perhaps be extended even more widely; in any event, in almost all areas the

²⁵Ibid., pp. 123-26.

working-classes would form a majority of the electorate.²⁶ But Local Option would not only see democracy in action, it would be local democracy. The areas to be entrusted with their own discretionary powers over liquor licensing should be as small as was compatible with administrative efficiency, because those who were best acquainted with local circumstances were necessarily the best judges of their own interests. Furthermore, the very granting of local control over licensing would have a beneficial effect on the attitude of men towards the drink problem. No longer would they think of it as in some way inevitable but as something which was their direct responsibility.²⁷ Roberts's assumptions are clearly those of that nineteenth century "Liberal ideal" which saw local as well as national self-government as "a means for promoting civic virtue and individual morality."²⁸

While Local Option was regarded by its supporters as a measure in the true tradition of the great liberal reforms, it was also for many of them the first step on the road to total prohibition. Roberts himself was careful to point out that the theoretical arguments he advanced for Local Option also justified complete prohibition; indeed he stood for

²⁶Ibid., pp. 130-34.

²⁷Ibid., pp. 147-62.

²⁸H. J. Hanham, The Reformed Electoral System in Great Britain, 1832-1914 (1968), p. 10.

Parliament in 1899 as a Prohibitionist candidate.²⁹ Appearing as a witness on behalf of the United Kingdom Alliance, Samuel Pope told the Peel Commission in 1898 that he was a local veto man and a total prohibitionist and that he saw no conflict between the two.³⁰ The evidence of another witness before the Commission, Bailie Selkirk, illustrated clearly the prohibitionist assumptions which so frequently underlay support for Local Option. Selkirk represented the Scottish Permissive Bill Association, whose policy was "to co-operate with the United Kingdom Alliance in creating a public opinion in favour of what is now known as local veto."³¹ In the course of his testimony Selkirk argued that the Veto was necessary because there was no way of controlling the liquor traffic. This point was taken up by Commissioner Charles Walker, a member of the licensed trade, and the following exchange occurred:

When you say that the liquor traffic can not be controlled, what is the meaning of that statement? -- That in the nature of the case, in our opinion, you cannot satisfactorily control and regulate the sale of liquor.

Then does that imply that all the legislation for its control and regulation has failed? -- To the extent that it allows the liquor traffic to remain it fails. Control is better than free trade.

You say it can not be controlled? -- You can not control it satisfactorily.

You did not use the word "satisfactorily." You said the liquor traffic could not be controlled. On that I

²⁹Roberts, Time Limit, p. 127, and see below, Chapter Five.

³⁰19 July, 1898, qus. 73,789-91, LCR, VIII, 707.

³¹5 July, 1898, qu. 71,331, LCR, VIII, 626.

ask you what you mean. Are you of the opinion that all the laws that have been passed from time to time to regulate it have failed? -- Comparatively, have failed.

What do you consider is the cure for this? -- The prohibition of the liquor traffic.

The prohibition entirely? -- Entirely.

Prohibition of manufacture? -- Certainly.

Prohibition of importation? -- Certainly.

Prohibition of the use of liquor for any purpose whatever? -- I did not say that. The law deals with the sale.

But if the manufacture is prohibited, then there would be none to use or to sell? -- Perhaps not.³²

The great majority of supporters of Local Option, had they been confronted with Walker's questions, would in all probability have answered in very similar terms.

On the question of how quickly, if ever, the implementing of Local Option might lead to nation-wide prohibition, vetoist opinion was more divided. An argument commonly put forward by the measure's opponents was that the Veto would be used, if at all, only in rural areas, whereas the drink problem was overwhelmingly an urban one. Many vetoists rejected this argument entirely. Bailie Selkirk took great heart from an unofficial plebiscite which had been conducted among householders in Glasgow and its suburbs in 1887. More than one hundred thousand schedules had been returned, and of those who answered the question whether or not they favoured the prohibition of all licenses for the common sale of liquor 57,704 had been in favour, 19,411 against.³³ But the validity

³²Ibid., qus. 71,374-83, LCR, VIII, 627-28.

³³Qus. 71,335-45, ibid., 626. For the results of the plebiscite in full see ibid., 759, Appendix XI.

of such sampling was at best debatable, and it was universally acknowledged that vetoist sentiment was generally less strong in England than it was in either Scotland or Wales. Samuel Pope probably spoke for the majority of vetoists when he admitted that in desiring the immediate prohibition of the liquor traffic the United Kingdom Alliance was still ahead of public opinion.³⁴

The phrase used is significant. Pope went on to argue that important reforms were always the work of men who were ahead of the public opinion of their time.³⁵ Few prohibitionists were likely to be deterred by the existence of widespread opposition to their views; on the contrary, that such opposition existed could almost be taken as proof positive of the justice of the cause. Those who favoured Local Option as the first step towards full prohibition could find several grounds for believing that they were right to see the measure in those terms. Opponents of Local Option might argue that very few localities indeed would choose to use the Veto, but until the issue were put to the test this could not be known with certainty. Even if it were conceded that public opinion at present was generally opposed to the total elimination of retail liquor outlets, that attitude might very well change once men were given the direct responsibility of deciding such questions, with the consequent elevation of

³⁴Qu. 73,814, ibid., 708.

³⁵Qu. 73,955, ibid., 712.

individual moral sense which this would bring. Furthermore, there were numerous precedents for legislation which had started by being permissive--allowing local authorities to adopt certain courses of action if they so wished--but which had eventually come to be put into effect on a nation-wide and compulsory basis. The involvement of the Liberal Party with Local Option was an involvement also with a whole range of convictions and aspirations along such lines as these.

It is easier to analyse the thinking of the prohibitionists than it is to assess their strength and their relative weight within the temperance movement. Indeed, the strength and influence of the temperance movement as a whole cannot easily be evaluated. Rowntree and Sherwell may well have been right in their assertion that "No other social propaganda has called forth so much unselfish effort, or enlisted so numerous a body of supporters,"³⁶ but any attempt to arrive at even an approximation of the numbers actually called forth at any one time would face difficulties which are probably insuperable. The first of these lies in the very multiplicity of temperance organizations. To enumerate all of them would in itself be a formidable task. Among the leading societies organized along national or regional lines were the United Kingdom Alliance, the National Temperance League, the British Temperance League (with its headquarters

³⁶Temperance Problem and Social Reform, p. 1.

in Sheffield), the North of England Temperance League (Newcastle), the Scottish Temperance League, the Scottish Permissive Bill Association, the Public House Reform Association, the Central Sunday Closing Association and the Westminster Licensing Reform Committee. In addition there were the Good Templars, the Rechabite Order and the British Women's Temperance Association, each of which in the period between 1899 and 1902 claimed an adult membership in Britain of at least one hundred thousand.³⁷ Anglicans had the Church of England Temperance Society; Catholics had the League of the Cross, which Cardinal Manning had formed; and the Wesleyan Methodists, the Primitive Methodists, the United Methodist Free Churches, the Methodist New Connection, the Calvinistic Methodists, the Baptists, the Congregationalists, the Presbyterians and the Unitarians all had their own temperance groups.³⁸ In addition there were the many societies organized along professional or occupational lines, such as the Army Temperance Association and the Commercial Travellers' Temperance League. Even if the claimed membership figures of

³⁷The Good Templars 109,000 in 1899, the Rechabites 175,000 in 1902 and the B.W.T.A. 100,000 in 1901; John G. Woolley and William E. Johnson, Temperance Progress of the Century (1905), Appendix D; James Whyte, The United Kingdom Alliance Vindicated (Manchester [1902]), p. 20; John W. Veevers, The Mobilisation of British Total Abstiners (1901), pp. 84-89.

³⁸Woolley and Johnson, Temperance Progress, pp. 469-70. See also R. Murray Hyslop, The Centenary of the Temperance Movement, 1832-1932 (1931), pp. 46-50, and R. Tudur Jones, Congregationalism in England, 1662-1962 (1962), pp. 292-93.

all the various organizations could be both ascertained and authenticated, they would be of only limited use in building up a picture of the temperance movement's total numerical strength. It is clear that an unknown but undoubtedly large proportion of temperance workers belonged to several societies. To give only one example, W. S. Caine at one time or another was President of the Baptist Total Abstinence Association, of the Congregational Temperance Association, of the British Temperance League, of the Commercial Travellers' Temperance League and of the National Temperance Federation, as well as being a Vice-President in the United Kingdom Alliance, the Central Sunday Closing Association, the Church of England Temperance Society and the National Temperance League; and he held at least six of these posts simultaneously.³⁹

In many cases it would be very difficult to decide whether or not a given society or organization should be included within the temperance movement. Various proposals for licensing reform were advocated by bodies which were certainly not temperance societies first and foremost. At its third annual conference at Newcastle in April, 1895, the Independent Labour Party added to its adopted programme the demand for municipalization of the liquor traffic, a demand which was soon taken up and further elaborated by the Fabian

³⁹Newton, Caine, p. 312.

Society, and in particular by E. R. Pease.⁴⁰ The Fabians attacked the idea of the veto on the grounds that it was a class measure, that it would be most inoperative in those very areas where a reduction in the numbers of licensed premises was most desirable, that the experience of other countries proved that prohibition could not be enforced, and that the principle of deciding such issues by referendum would "in no way suit the temper and habits of the British people."⁴¹ Instead the Fabians proposed that every County, Town and Urban District Council should become the licensing authority for its respective area, replacing the licensing justices. In London and in other urban areas these new authorities would be empowered to establish Statutory Liquor Law Committees. The Committees might then adopt one or other of several methods of controlling the local liquor trade, the method favoured by the Fabian Society being "complete municipal management" of both the retailing and the manufacture of drink.⁴² Among other advantages, municipal management would eliminate the private profit motive from the liquor trade and end the prevailing situation whereby "every public-house is a committee room for the beer party,

⁴⁰A. M. McBriar, Fabian Socialism and English Politics, 1884-1918 (Cambridge, 1962), pp. 300, 336-40.

⁴¹Municipal Drink Traffic, Fabian Tract No. 86 (1898), pp. 3-5.

⁴²G. W. E. Russell (ed.), Sir Wilfred Lawson: A Memoir (1909), p. 130.

and every publican an agent for the politician who favours his trade."⁴³

More clearly identifiable as within the mainstream of the temperance movement were those societies and individuals who, while often in favour of complete municipalization of the liquor trade as an eventual goal, devoted their immediate efforts to advancing "disinterested management" of public houses. In common with the municipalization idea, most schemes for disinterested management owed a great deal to what was known as the Gothenburg system, after the Swedish town which had first adopted it in the 1860s. Advocates of disinterested management joined advocates of municipalization in arguing that the most hopeful solution to the drink problem lay not in attempting to prohibit the liquor trade altogether but in taking the private profit motive out of it. The profit motive, it was argued, encouraged publicans and breweries to push the sale of alcoholic drinks, while discouraging them from making proper provision for the sale of soft drinks and food and from providing the generally agreeable surroundings in which respectable families might congregate. Many supporters of disinterested management--the Bishop of Chester is an example--parted company from the Fabians in being prepared to accept local option in what they

⁴³Ibid., pp. 8-9. See also E. R. Pease's Liquor Licensing at Home and Abroad, Fabian Tract No. 85 (1898), his The Case for Municipal Drink Trade (1904), and Joseph Rowntree and Arthur Sherwell, Public Control of the Liquor Traffic (1903).

saw as its true sense, with the voters in a locality offered a choice between no change in the system, a veto on licenses, or management of the liquor trade in the public interest. Management in the public interest might be conducted either directly by the local authority itself or, as in the Gothenburg system, by "a trust company acting under the auspices of the local authority, under certain well defined conditions."⁴⁴ While the first alternative depended upon enactment of the appropriate legislation, the second could to a limited extent be put into practice in the meantime. Advocates of disinterested management therefore looked to public-spirited individuals who would form themselves into a company to acquire and operate licensed premises. The capital for this purpose would come from investors prepared to accept a fixed upper limit on the return on their money. Profits over and above this limit might go to the relief of taxes and rates (as in Sweden), to charitable institutions (as in Norway before 1900), or to providing counter-attractions to the public house.⁴⁵ In the 1890s the leading organization working for

⁴⁴Evidence of the Lord Bishop of Chester, 21 June, 1898, qus. 68,717-20, LCR, VIII, 531.

⁴⁵There is a vast literature on the Gothenburg system, its Norwegian counterpart, and disinterested management schemes in England. See in particular Sigrid Wieselgren, More About the Gothenburg System: A Critical Review of Mr. James Whyte's Pamphlet: The Gothenburg and Bergen Public-House Systems (Stockholm, 1893); A. Th. Kiaer, "The Norwegian System of Regulating the Drink Traffic," Economic Journal, IX (March, 1899), 101-16; James Seth, "The Norwegian System of Liquor Control," Contemporary Review, XC (December, 1906), 861-72;

disinterested management was the Bishop of Chester's People's Refreshment House Association, which by 1901 was operating eighteen premises, mainly in country villages.⁴⁶ In 1900 it was supplemented by Earl Grey's Central Public House Trust Association, which aimed at establishing in every county disinterested management companies "directed and controlled by gentlemen of high character and position."⁴⁷

In 1895 only a very few supporters of Local Option in its narrower sense were prepared to countenance the possibility that management in the public interest might be put before the local voters as an alternative to the elimination of liquor licenses. Municipalization and management by trust companies both were clearly very different from outright prohibition. For a dedicated vetoist the two schemes shared the common fault that they would not only institutionalize the liquor trade but would further involve with the responsi-

William Warrand Carlile, "The Gothenburg Movement," Economic Review, XI (July, 1901), 322-31; Joseph Rowntree and Arthur Sherwell, British Gothenburg Experiments and Public House Trusts (1901); Hesketh Everard, "Public House Trust Companies," Economic Journal, XII (September, 1902), 334-46; and The Licensing Problem: The Option of Disinterested Management, Temperance Legislation League Pamphlet No. 1 (1905).

⁴⁶On the P.R.H.A. see the Bishop of Chester [F. J. Jayne], The Licensing Proposals of the Lord Bishop of Chester [1892]; J. M. Wilson, The Scandinavian Plan [1892]; the evidence given by the Bishop of Chester before the Peel Commission, 21-22 June, 1898, qus. 68, 714-69, 707, LCR, VIII. 531-74; and the Earl of Carlisle, "Public-House Trusts," Monthly Review, VI (February, 1902), 34-49.

⁴⁷Earl Grey, letter to The Times, 5 May, 1904. See also The Central Public House Trust Association, The Public House Trust (1904).

bility for its evils the public in whose name it would be conducted. Vetoist scorn was freely expressed. Sir Wilfred Lawson made clear his lack of confidence in what he referred to as "philanthropic publicans and patriotic pot-boys" and explained what to him was the otherwise surprising survival of the disinterested management idea by the fact that "there is nothing on earth--sane, sensible, insane or idiotic--which will not be advocated over and over again by somebody or other in order to keep the evil Legalized Liquor-Trade on its legs, somehow or other."⁴⁸ Joseph Malins, the Chief Officer of the prohibitionist Good Templars, appears to have devoted almost as much effort to denouncing the Gothenburg system as he did to urging the cause of the veto.⁴⁹ It was another Good Templar, Martin Skinner, who claimed that the idea that the liquor trade could somehow be managed in the public interest was no more than a "red-herring . . . to divert Temperance sentiment and well directed efforts for the suppression of the evil."⁵⁰

The gulf separating most outright prohibitionists from

⁴⁸Russell, Lawson, p. 130.

⁴⁹See his evidence before the Peel Commission, 6 July, 1898, qus. 71,938-72,908, LCR, VIII, 643-53, his A Round the World Glance at Temperance Legislation (1902); his Public-House Trusts and Liquor Municipalisation (Birmingham, 1902), and Joseph Malins, The Life of Joseph Malins (Birmingham, 1932), pp. 52-56, 100-03.

⁵⁰J. Martin Skinner, The 'Reformed' Public-House (Birmingham, 1901).

the advocates of disinterested management and municipalization was by no means the only one of its kind within the late nineteenth century temperance movement. There were differences of longer standing between the more uncompromising supporters of the Veto and those who put their main trust in education, persuasion and the example of personal abstinence, the heirs to Joseph Livesey's emphasis on "moral suasion." The National Temperance League remained the most influential society of this type, despite its relatively small membership.⁵¹ In the early 1860s the N.T.L. had been approached by the United Kingdom Alliance with proposals for amalgamation. Pointing out that it preferred to leave to other societies "the work of advocating and carrying out the repression of intemperance by legislation," the N.T.L. had rejected the offer, and considerable bitterness had arisen between the leadership of the two organizations as a result.⁵² Thirty years later a marked coolness was still in evidence. Many vetoists were displeased in 1893 by what they saw as the N.T.L.'s lack of enthusiasm for Harcourt's Local Control Bill, and in its Annual Report for that year the Committee of the N.T.L. found it necessary to defend its policy in the following terms:

⁵¹Slightly under seven hundred in 1895-96. National Temperance League, Annual Report for 1895-96, p. 32.

⁵²Gourlay, "National Temperance," pp. 257-58.

its [the N.T.L.'s] membership comprises persons belonging to various political parties who hold widely different opinions concerning what is desirable in the domain of legislation; and as your committee believe it is highly important to preserve the movement as far as possible from political complications, they are unable to commit themselves, or the organization they represent, to measures embodying contentious provisions upon which there is no common agreement amongst supporters of the League.⁵³

Not surprisingly this explanation appears to have allayed little of the prohibitionist discontent, and by 1895 several of the more thoughtful temperance leaders were openly expressing their concern about the rift which separated vetoist from less radical temperance opinion. At the National Temperance Congress which opened in Chester in September the President of the United Temperance Council, A. F. Hills, warned that "neither progressive prohibitionists nor moderate reductionists can afford to fight without each other's help," while the Bishop of Chester told his audience bluntly that "the greatest obstacle lies in the dissensions and internecine hostilities of Temperance reformers themselves."⁵⁴

Clearly the strength of the temperance movement can not be assessed as though it were a body of workers and opinion united in purpose. Equally clearly, of all the various streams of thought within the movement it was the prohibitionists, the advocates of Local Option, who were the most hostile to those whose opinions differed from their own. Two

⁵³Quoted in ibid., p. 297.

⁵⁴Ibid., pp. 235-36.

main considerations may be advanced as probable explanations of this fact. In the first place the extreme nature of the vetoist solution to the drink problem meant that it tended to attract support from those temperance men who were by nature the most uncompromising, or, as many of their opponents claimed, the most fanatical. Secondly it was the vetoists who had a more immediate motive than any other group for promulgating as vigorously as possible the idea that theirs was the only acceptable scheme of temperance reform and that those who put forward alternative proposals were of little consequence. In 1895 only the supporters of Local Option could claim that one of the two major political parties had adopted the specific policy they advocated. This was a unique claim which could be made; it was also a unique advantage which could be lost.

Many of the difficulties which prevent a clear-cut assessment of the strength and influence of the temperance movement as a whole in the mid-1890s apply also to any attempt to evaluate the relative strength within the wider movement of prohibitionist sentiment. All the major prohibitionist societies were joined in the loose coalition of the National Temperance Federation, where vetoist sentiment greatly predominated. According to the estimates of its Honorary Secretary in 1898, the N.T.F. comprised over thirty societies which between them had more than fifteen thousand branches

and "probably hundred of thousands of members."⁵⁵ Though understandable, and indeed probably inevitable, the vagueness of this last figure makes it suspect. Even had Malins been able to be more accurate, he would presumably still have had to count twice or several times those who belonged to more than one of the societies affiliated to the N.T.F., and it may reasonably be assumed that very many vetoists fell within that category. In the mid-1890s the leading prohibitionist organization and the co-ordinator of vetoist policy, the United Kingdom Alliance, had some ten thousand members who had paid the necessary minimum subscription of one shilling.⁵⁶ Doubtless there were many vetoists who belonged to such bodies as the Good Templars, the Scottish Permissive Bill Association and the North of England Temperance League without also belonging to the U.K.A. Doubtless, too, there were some dedicated prohibitionists who subscribed to no society at all. In a sense, anyone was a vetoist who thought of himself as one, just as anyone who thought of himself as a temperance worker may be counted as such. There may have been as many as a hundred thousand vetoists in Britain in the mid-1890s. But to speak in terms of hundreds of thousands must almost certainly have been to exaggerate, and while no clear assessment

⁵⁵Evidence of Joseph Malins, 6 July, 1898, qu. 72,045, LCR, VIII, 650.

⁵⁶Evidence of James Whyte, 14 June, 1898, qu. 67,476, ibid., 499.

is possible it seems likely that within the wider temperance movement the vetoists were a minority, albeit a substantial one.

Strength does not come from numbers alone. Vetoist leaders habitually claimed that their followers constituted by far the most active and enthusiastic body of temperance workers. This claim was rarely disputed even by the most determined opponents of the Veto, and may be accepted at face value. If, as one writer asserted, "Next to the Blessing of God and the devotion of individual workers, the chief factor in all Temperance effort is the Financial Support given to it," then it is pertinent to note that in the middle years of the 1890s the ten thousand or so members of the U.K.A. contributed rather more in subscriptions alone than the C.E.T.S., with a claimed membership in excess of 150,000, raised from donations and subscriptions.⁵⁷ Yet it may also be that the ability to enlist the support of men in positions of influence is as important a factor as the others just listed. The vast majority of Guy Hayler's North of England Temperance League undoubtedly felt that their efforts were blessed by God. As was usually the case with societies composed predominantly of "progressive prohibitionists," the N.E.T.L. could boast abundant individual devotion to the cause, and its membership as a whole certainly appears to

⁵⁷National Temperance League, Annual Report for 1906, p. 29; qus. 66,617-18, LCR, VIII, 471; Brewers' Almanack for 1895, pp. 291-92.

have been no less active than that of the moral suasionist National Temperance League. Even in terms of their respective incomes the relatively new and provincial N.E.T.L. compared reasonably well with the long-established and London-based N.T.L.⁵⁸ But no similar comparison may be drawn between the honorary officers which the two organizations managed to attract. In the late 1890s the N.T.L. had the Archbishop of Canterbury as its President and its many and distinguished Vice-Presidents included the Bishops of Carlisle and Peterborough, the Deans of Canterbury and Hereford and the Earl of Carlisle. A collection such as this the N.E.T.L. could not hope to match.

Probably it did not want to match it. Vetoist sentiment was essentially Nonconformist and non-metropolitan, strongest in Wales and Scotland and the north and west of England. Just as prohibition was seen as squarely within the tradition of progressive, liberal reforms, so prohibitionists tended to see their movement as part of a wider struggle against the institutions of entrenched privilege: the Church of England, the peerage, the magistracy, even Parliament itself. In order to obtain their legislative objectives supporters of Local Option found it necessary to work within the parliamentary party system, but they did so

⁵⁸For the years ending 20 April, 1896-97-98, the N.T.L.'s income from all sources averaged 3,034 a year; in the year ending 31 August, 1900, the N.E.T.L.'s total income was 1,890. N.T.L. Annual Report for 1896, 1897, 1898; N.E.T.L. List of Subscriptions and Balance Sheet for 1900.

with a reluctance that was frequently very obvious. The U.K.A. postponed for as long as possible moving its headquarters from Manchester to London. Overwhelmingly provincial, vetoist opinion harboured an ingrained distrust of London in general and of the political system centred there in particular. An Alliance meeting in the 1860s had been told that at Westminster "you scarce see around you a man animated by his own moral sense and feelings."⁵⁹ Three decades later this kind of attitude was still strong. Men otherwise full of zeal and idealism became cynical and suspicious when their thoughts turned to how their cause might fare in the hands of the Westminster politicians, most of them ever ready to subordinate principle to political advantage. Nor could many vetoists discern much difference between the two major parties in this respect, despite the fact that one side was ostensibly as committed to the principle of Local Option as the other was opposed to it. "Liberal candidates are extremely like Tory candidates," the Secretary of the Alliance informed the Peel Commission. "I think they are subject to trying to get votes from anybody that can control votes, and if they think the trade is strong and willing to bring a lot of votes for them, they are prepared to hedge about it, as the Tories are."⁶⁰

⁵⁹Brian Harrison, "The British Prohibitionists, 1853-1872: A Biographical Analysis," International Review of Social History, XV (1970), 385.

⁶⁰Evidence of James Whyte, 14 June, 1898, qus. 67,701-02, LCR, VIII, 505.

This particular statement was made in the summer of 1898, at a time when there was open debate among Liberals about the desirability of retaining the Veto in the party's platform,⁶¹ but similar sentiments had been voiced by veto-ists almost from the first moment of the adoption of the Newcastle Programme, including Local Option, in October, 1891. Their basic fear was that the 1891 triumph might prove only temporary, that the parliamentary Liberals as a whole felt no moral commitment to Local Option but would discard it whenever to do so seemed politically advantageous. These suspicions no doubt emanated primarily from a distrust of politicians as a species, but they were not unreasonable, as the attitude of the Grand Old Man of liberalism itself demonstrates. Gladstone had been notably unenthusiastic in his acceptance of the Newcastle Programme,⁶² and in his fourth ministry, pre-occupied with Home Rule, declined to trouble himself with the Local Option issue. His private secretary, Sir Algernon West, received the brusquest of replies when in 1893 he tried to direct the Prime Minister's attention to some of the faults he saw in Harcourt's Local Control Bill. In his diary entry for 23 March West recorded "A talk with Mr. Gladstone over Local Veto Bill, of which I told him I disapproved,

⁶¹See below, Chapter Five.

⁶²As were many of his lieutenants. Asquith, for example, Home Secretary 1892-95, referred to it privately as "a sawdust programme" supported only by "a rattle of Harcourtian fireworks." Roy Jenkins, Asquith (1964), p. 56.

and I believed no good Licensing Bill would pass without some form of compensation. He said it had not been prepared to embody his views."⁶³

In the short term the vetoist cause was advanced rather than retarded by Gladstone's unwillingness to take any responsibility for his administration's Local Control Bill of 1893. With no firm lead coming from the top, Harcourt, John Morley and Sir George Trevelyan were able to prepare a bill which very closely embodied the views of the more radical temperance organizations, in particular those of the United Kingdom Alliance.⁶⁴ But this only heightened the effect of the blow when in the following year it became clear that Gladstone's aloofness from the Local Option question had been due to more than just his pre-occupation with Home Rule. In a public letter some six months after his retirement from the premiership Gladstone wrote:

For many years I have been strongly of opinion that the principle of selling liquors for the public profit only offers the sole chance of escape from the present miser-

⁶³Horace G. Hutchinson (ed.), The Private Diaries of the Rt. Hon. Sir Algernon West, G.C.B. (1922), p. 149. West had been Gladstone's private secretary 1868-71. After twenty years with the Board of Inland Revenue (as Chairman of which he was responsible for the 1890 memorandum "Inland Revenue. Death Duties. Public Houses" referred to above, Chapter Three) he was again Gladstone's private secretary 1892-94. He subsequently served as Vice-Chairman of the Peel Commission.

⁶⁴According to his biographer, Caine, a Vice-President of the Alliance, had been in "confidential communication" with Harcourt and the others from the beginning of the Bill's preparation towards the end of 1892. Newton, Caine, p. 262.

able and almost contemptible predicament, which is a disgrace to the country. I am friendly to local option, but it can be no more than a partial and occasional remedy. The mere limitation of numbers--the idol of Parliament for the last twenty years--is, if pretending to the honour of a remedy, little better than an imposture.⁶⁵

In other circumstances supporters of the Veto might have welcomed Gladstone's declaration that reduction of licenses was no solution to the drink problem. But this was little consolation in the context of his damning of the Veto by faint praise and his advocacy of a licensing system which was anathema to the overwhelming majority of prohibitionists.

Vetoist opinion was naturally dismayed by Gladstone's pronouncement. The two leading Liberal vetoists, Harcourt and Morley, exchanged their customary letters of exasperation at the crosses they were forced to bear. Five days after Gladstone's letter appeared in the press Harcourt wrote to Morley:

Mr. G. has managed to make what seems to me a fatal mess of the temperance question. Does anybody believe that the real temperance people are going to accept a State traffic in drink a la Gothenburg? . . .

Unfortunately the G.O.M.'s memory on these subjects entirely fails him, and at heart he has always abhorred temperance.

I don't mean to budge one inch from my position on the matter, and shall stand or fall by local option pure and simple, and make a declaration to that effect whenever I find it necessary to speak.⁶⁶

Morley replied consolingly: "I don't wonder that you should

⁶⁵The Times, 19 September, 1894.

⁶⁶A. G. Gardiner, The Life of Sir William Harcourt (1923), II, 307.

feel some disgust at Mr. G.'s temperance manifesto. That he should kick over local option, after being head of a cabinet which ratified your bill, is really rather strong."⁶⁷

Harcourt lived up fully to his assurances to Morley and refused to allow his ex-leader's intervention in the licensing controversy to deflect him from the course to which he had already so firmly committed himself. He had become leader of the House on Gladstone's retirement and from this position he introduced his 1895 Bill, which, though in some respects less drastic than its predecessor, was similarly designed to appeal to the "real temperance people" of the United Kingdom Alliance.⁶⁸ Even though the Government resigned in June before the Bill could be carried past its introductory stage, Local Option remained as part of the Liberal Programme in the ensuing general election.

Nevertheless Gladstone's intervention was not without effect. It added a voice of authority to those Liberals who were already disturbed about what they saw as the party's surrender to extremist temperance opinion. Liberals with licensed trade connections were naturally foremost among this group, but on its fringes also were such prominent younger Liberals as Asquith and Herbert Gladstone, who, since

⁶⁷Ibid.

⁶⁸Samuel Pope subsequently told the Peel Commission that Harcourt's 1895 Bill had embodied the views of the Alliance and that Alliance men in general had been "cordial supporters" of it. 19 July, 1898, qu. 73,748, LCR, VIII, 705.

the adoption of Local Option, had become increasingly disenchanted with this particular aspect of Liberal policy.⁶⁹ Liberals who lacked Harcourt's personal dedication to vetoist ideals had cause to question the political wisdom of the Local Option policy on at least three grounds. The first was that it might endanger relations with the Irish Nationalist M.P.s, the second that it might cause the party to lose the support of the remaining Liberal brewers and the Liberal liquor traders, and the third that it might prove to be a serious electoral handicap.

The first of these possible difficulties was probably the least serious of the three, but it was still important. Between 1892 and 1895 the Liberal administrations of Gladstone and Rosebery had depended for their very survival on receiving at least the tacit support of the Nationalist Party, and any future Liberal governments with a majority over the Unionists of less than eighty or so would presumably find itself in a similar position. Yet there was considerable Nationalist hostility to the Liberals' temperance policy. Partly this was due to resentment at the apparent use of the Irish population as guinea pigs: Jasper Tully complained in the Commons that "the general rule on these temperance matters is that Gentlemen from the Liberal benches bring forward temperance measures, and apply them not to England but to Ireland," and he denounced

⁶⁹Newton, Caine, p. 262; Sir Charles E. Mallet, Herbert Gladstone: A Memoir (1932), p. 108.

the way in which, as he saw it, "Ireland is used as a place to experiment upon, and as a dumping ground for temperance fads."⁷⁰ But other motives may also have been at work.

Although the Brewers' Society listed only five Nationalists with licensed trade connections in the parliament elected in 1895,⁷¹ Irish M.P.s were widely believed to be particularly susceptible to trade pressure. "One of the ablest Irish Members in the House" told Sir Wilfred Lawson that "in Ireland the Liquor-Trade has more power than the Roman Catholic Church itself."⁷² Lawson was not the man to question information of this kind, but his much more sceptical political opponent, Arthur Balfour, apparently shared the belief to some extent: in a private letter Balfour referred to "a considerable section of Nationalist Members who are themselves intimately connected with 'the trade.'"⁷³ Whatever their reasons for doing so, half of the Nationalists in the Commons habitually took up a positive pro-trade position. Analyzing the voting records of the Nationalist M.P.s elected in 1895, the Brewers' Almanack for 1897 found forty which it classified as favourable

⁷⁰19 February, 1901, Parl. Debates, 4th Series, LXXXIX, c. 582.

⁷¹Bernard Collery (Sligo North) and John Hammond (Carlow), wine merchants; Major John Jameson (Clare West) and Samuel Young (Cavan East), whiskey distillers; William Field (Dublin, St. Patrick's), licensed victualler.

⁷²Russell, Lawson, p. 127.

⁷³Balfour to Lord Dufferin (the Marquess of Dufferin and Ava); 28 January, 1899. British Museum, Balfour Papers, Add. MS 49,853, f. 31.

to the licensed trade, twenty-seven doubtful, and only fourteen against.⁷⁴

Although differences on the licensing question were a source of friction between the Nationalist and Liberal Parties between 1892 and 1895, both sides had shown themselves prepared to compromise on the issue rather than run the risk of bringing down the Government. Harcourt's Bills of 1893 and 1895 were drafted so as to apply to Scotland along with England and Wales, but they specifically excluded Ireland. For their part the Nationalists went along with the liquor clauses of Harcourt's 1894 Budget. "Even the Irish Liquor-men stood true," Lawson noted with evident relief after the proposed increases in the duties on beer and spirits had scraped through with a majority of thirteen.⁷⁵ But whether continued compromise would be possible in the future remained an open question.

The problem of the Liberal brewers was more immediate. In 1893 even Gladstone's old friend Samuel Whitbread had had

⁷⁴Divided as follows:

	<u>For</u>	<u>Doubtful</u>	<u>Against</u>
Anti-Parnellites	29	27	14
Parnellites	11	0	0

Among the fourteen against was T. P. O'Connor, who sat not for a constituency in Ireland but for the Scotland Division of Liverpool. On the distinction between Parnellites and Anti-Parnellites at this time see F. S. L. Lyons, The Irish Parliamentary Party, 1890-1910 (1951), pp. 38-67.

⁷⁵Russell, Lawson, p. 219.

to report to the Chief Liberal Whip that he and his son "were in a tight place about the Local Veto Bill" and might have to resign their seats.⁷⁶ Gladstone managed to forestall any such step by a direct appeal--seeing Whitbread personally and remarking after the interview that the latter was a noble fellow⁷⁷--and the very real risk of more widespread resignations was averted by the failure of both the 1893 Bill and that of 1895 to proceed to a vote. Yet the underlying predicament of the Whitbreads remained, and was one shared by every Liberal connected with the licensed trade. The Liberals seemed set on a course which it was not difficult to depict as prohibitionist in ultimate intention, and continued support for the party had to be justified before fellow members of the licensed trade, before employees, before shareholders. In these circumstances it might be only a very short time indeed before the remaining Liberal brewers finally followed the bulk of their associates into the Tory camp.

Only five of the 177 Liberals returned in the 1895 General Election appear to have had direct connections with the brewing trade.⁷⁸ But members of several of the leading

⁷⁶Hutchinson, West Diaries, p. 148. Samuel Whitbread sat for Bedfordshire South, his eldest son, Samuel Howard, represented the Luton Division of Bedfordshire.

⁷⁷Ibid., p. 149.

⁷⁸Evershed and McEwen were brewers. Sir John Austin (Yorkshire, Osgoldcross), R. K. Causton (Southwark West) and Henry Fowler (Wolverhampton East) had direct connections with brewing.

brewing families--in particular the Whitbreads, the Buxtons and the Besses--continued to support the Liberal Party without themselves being M.P.s. The Whitbreads, father and son, were no longer in the House after 1895, but Samuel Howard, who succeeded his father as Chairman of Whitbread & Co., returned in 1906 as Liberal Member for Huntingdon. Edward North Buxton, the third son of the second baronet and a director of Truman, Hanbury, Buxton & Co., had represented Walthamstow as a Liberal in 1886 and continued to support the party though never again becoming an M.P. His eldest son, Gerald, had married Lucy Pease, daughter of Sir Joseph Pease, and was thus the brother-in-law of two Liberal M.P.s and the son-in-law of a third.⁷⁹ M. A. Bass, the head of Bass, Retcliff & Gretton, had sat as a Liberal for various Staffordshire seats continuously between 1865 and 1886, in which year he was created the first Baron Burton. In the Lords he remained a Liberal until the party's 1908 Licensing Bill caused him to change sides a year before his death.

The importance of such men as these to the Liberal

⁷⁹Sir Joseph Pease represented Barnard Castle 1885-1903. One son, Joseph, subsequently the first Baron Gainford, sat for Tyneside 1892-1900; the other, Alfred, for York 1885-92 and Cleveland 1897-1902. Alfred took over the Cleveland seat in 1897 from another Liberal Pease, Henry, his father's cousin. In the late nineteenth century the Peases probably sent more men to Westminster than any other family. Some of them were Unionists by 1895, but the majority were Liberals. See Sir Arthur Edward Pease, Elections and Recollections (1932).

Party remained considerable. It derived not merely from the financial backing they could provide, after so many moneyed interests had left the party over the Home Rule issue, but also from their weight in several constituencies where brewing was a major local interest. Bedford and Burton-on-Trent may be instanced. In Bedford the local influence of the Whitbreads was probably decisive.⁸⁰ Burton had been Bass's seat at the time of his elevation to the peerage. Sydney Evershed, a fellow brewer and a former mayor of the town, succeeded Bass in the seat and held it so comfortably for the Liberals that in both 1892 and 1895 he was returned unopposed. By the latter year the Liberal Party was finding men in Evershed's position rare and constituencies like Burton few and far between. In the 1895 General Election Conservative and Liberal Unionist candidates were returned unopposed in 130 seats, Liberals in only 11.⁸¹

A section of the licensed trade which provided the Liberals with support of a different kind were the holders of the so-called grocers' licenses. These were the shopkeepers (who do in fact appear to have been mostly grocers) who held licenses for off-sales under the various acts of the early 1860s. They had strong incentives to be Liberal in their politics besides any lingering gratitude they may still have

⁸⁰See below, Chapter Seven, fn. 66.

⁸¹Michael Kinnear, The British Voter: an Atlas and Survey since 1885 (1968), p. 24.

felt towards Gladstone for providing the statutory basis of their trade, because they were looked upon as rivals by the nation's licensed victuallers and were frequently the object of strong Tory criticism. William Touchstone, Vice-Chairman of the National Conservative and Unionist Temperance Society, told the Peel Commission that the effects of granting licenses to shopkeepers had been "mischievous and terrible," and one of the few points on which his society agreed with other temperance organizations was in calling for "separation of the trades," which meant prohibiting the retailing of liquor and other goods in the same premises.⁸² A decade later the Liberals were still being taunted by their opponents with the charge that they showed far greater concern for the welfare of licensed shopkeepers than they had ever done for that of licensed victuallers. "Death to the publicans, they are all Tories; bless the licensed grocers, they are mostly Liberals," was how Bonar Law characterized the Liberal attitude.⁸³ Certainly in the mid-1890s the ten thousand or so holders of grocers' licenses provided the Liberals with their nearest equivalent to the widespread source of local influence and support which the publicans provided for the Conservatives. Furthermore, closely allied with the grocery interest, which

⁸² 15 June, 1898, qus. 68,051-64, LCR, VIII, 514.

⁸³ Bonar Law to W. S. Churchill, 29 July, 1908. Beaverbrook Library, Bonar Law Papers 18/8/8.

included some four thousand of its retail agents, was the great distilling firm of W. & A. Gilbey.⁸⁴ Both these sources of Liberal support could be at risk should the Liberals continue the policy of close co-operation with the radical wing of the temperance movement. The licensed shopkeepers and the Gilbey interest might have little in common with other sections of the licensed trade, but all would be equally threatened by any further attempts to move in the direction of general prohibition.

It is very difficult to estimate how many of the parliamentary Liberals in 1895 were personally convinced of the Veto's desirability. The indications are that it was a minority. In addition to Sir Wilfred Lawson, the President, there were seven Vice-Presidents of the United Kingdom Alliance among the 177 Liberals elected in 1895.⁸⁵ Twenty-two

⁸⁴The influence of the Gilbey family in several of the home counties appears to have been considerable. Sir Walter Gilbey, the founder of the firm, was a J.P. for Middlesex and became Deputy Lieutenant of the county. His son, Lt.-Col. Alfred Gilbey, became High Sheriff of Buckinghamshire. The Gold brothers, Charles and Henry, both married into the Gilbey family, as did Sir James Blyth, and all three became directors of the firm. Blyth, later the first Baron Blyth, was a J.P. for Essex and Hertfordshire. Henry Gold was High Sheriff of Berkshire. Charles Gold was Liberal M.P. 1895-1900 for Saffron Walden, an Essex constituency where the Gilbey influence was particularly strong.

⁸⁵Lawson sat for the Cockermouth Division of Cumberland. The seven Vice-Presidents, together with their constituencies, were: R. A. Allison (Cumberland North), Thomas Burt (Morpeth), T. E. Ellis (Merionethshire), Sir B. W. Foster (Yorkshire, Ilkeston). Robinson Souttar (Dumfriesshire). T. P. Whittaker (Yorkshire, Spen Valley) and H. J. Wilson (Yorkshire, Holmfirth).

of the Liberals came from Welsh constituencies and thirty-nine from Scottish, and vetoist sentiment in both these countries was undoubtedly much stronger than in England. Altogether it is possible that as many as fifty Liberal M.P.s personally welcomed the party's temperance policy, but this would still leave well over a hundred who might be regarded as at best neutral on the subject of the virtues of Local Option. The question is unfortunately not one capable of a definite answer, since clearly an M.P.'s inner convictions are not necessarily reflected in his outward behaviour, in his voting record and his public utterances.

The question was nevertheless an important one for the nation's vetoists, because the most immediate doubt about the Local Option policy concerned its electoral impact. Whereas the issues of the party's relationships with the Nationalists and with the Liberal brewers and liquor traders were ones which were first and foremost the responsibility of the leaders and organizers of the party, the Veto's popularity or lack of popularity with the electorate was something which directly affected each and every Liberal candidate. It was an issue, moreover, which was inevitably raised in the aftermath of the Liberals' 1895 defeat. Within the Liberal Party members of the licensed trade and men with an overriding personal commitment to the Veto were both in a minority. It was clear that the retention of Local Option in the Liberal programme would to a large extent depend on whether the vetoist

policy was held to have helped or hindered the party in the 1895 General Election.

CHAPTER FIVE

THE LIBERAL PARTY AND LOCAL OPTION, 1895-99

The Veto Bill, the Veto Bill,
The horrid thing is with us still.
The fearful load hangs round our neck,
Our Liberal advance to check.

.
I know this Bill is of no use--
No benefit could it produce.
While I myself have got on hand
A scheme would renovate the land.

.
Come brother sportsmen, post your "tin",
For mine's the only horse can win.
The Liberal Party's troubles past--
See Gladstone colt come out at last;
While loudly all beholders say,
"Young Herbert Gladstone shows the way".¹

The General Election of 1895 was a very serious defeat for the Liberal Party, the worst for either of the major parties for over sixty years. The Liberals entered the campaign severely handicapped by a lack of both funds and candidates. The voting saw a Liberal and Irish majority that had been 40 after the 1892 Election turned into a Conservative and Liberal Unionist majority of 152. The number of Liberals in the House of Commons was reduced from 274 to 177. Several leading Liberals lost their seats. Sir William Harcourt and John Morley, two very prominent members of the former Liberal Cabinet, were defeated in their constituencies and had to have

¹Extract from "Mr. Herbert Gladstone's Soliloquy," unsigned, in the style of Sir Wilfred Lawson, Manchester Guardian, 27 November, 1897.

new and safer seats found for them. While the new Government rejoiced in its victory, Liberals found themselves contemplating the causes of adversity.

The reasons behind electoral success and failure in the late nineteenth and early twentieth centuries are still far from clear. Robert Blake, with many reservations, has put forward "a possible hypothesis about electoral behaviour between 1885 and 1900."² The hypothesis is based on the assumption that

the most persistent factor in the choice made by the enlarged electorate was the desire for collectivism, for social reform in the interests of the newly enfranchised urban and rural householders, but that this at moments of crisis, particularly when some "national" issue came to the fore, could be elbowed out.³

On the other hand, Henry Pelling's researches into the period between 1885 and 1914 have led him to conclude that "there is no evidence that social reform was in fact popular with the electorate until after it had been carried out."⁴

The assumption which underlies Blake's hypothesis does not seem to fit the Election of 1895. No "national" issue came to the fore, at least none in the sense that Ireland had in 1886 and South Africa was to in 1900. At the same time the result can hardly be seen as a victory for any Conservative

²Robert Blake, The Conservative Party from Peel to Churchill (1970), p. 164.

³Ibid.

⁴Henry Pelling, Popular Politics and Society in Late Victorian England (1968), pp. 6-13.

programme of domestic reform. Edward Dicey, himself interpreting the recent results from the Conservative and Liberal Unionist side, saw the victory very much in terms of the electorate's opposition to the Liberal Party's reform policies:

Home Rulers, Liberationists, Local Option partisans, Progressives and Collectivists have proved utterly powerless to check the tide of public sentiment which has pronounced against the policy embodied in the Newcastle programme. Fanatics and Faddists of all sorts and descriptions have received a lesson by which they themselves are not able to profit, but which will not be lost upon the politicians of the future.⁵

Pelling and Peter Stansky have both substantially confirmed the view that the 1895 result was far more a declaration against the Liberals than in favour of their opponents. "The Liberals," writes Stansky, "were becoming known as the party of faddists, a collection of cranks, each with his own cure for the ills of the nation."⁶ Pelling sees the Liberals in 1895 suffering from the loss of Gladstone's popular appeal and from the downswing of the trade cycle.⁷ In his opinion Salisbury's victory was by no means an overwhelming and positive vote for imperialism. "What was much more an issue between the parties was the Liberal attempt to secure a measure of temperance reform, involving Local Option on the closing of public houses," which

⁵Edward Dicey, "The Rout of the Faddists," Nineteenth Century, XXXVIII (August, 1895), 194.

⁶Peter Stansky, Ambitions and Strategies: The Struggle for the Leadership of the Liberal Party in the 1890s (Oxford, 1964), p. 176.

⁷Popular Politics, pp. 8-9.

aroused much hostility, not only among brewers and licensees, "but also, it would appear, among a large section of the working class who were most likely to suffer from the restrictions."⁸

The Liberal Party in 1895 presented an extremely dis-united front to the electorate. At the final Cabinet meeting of 27 June, called to discuss campaign tactics, Harcourt had made it obvious that he expected the party to stick to its old platform. Rosebery put in a mild protest against continuing to push the Newcastle programme, but, as was typical of the party at this time, the issue was not pursued and nothing was settled.⁹ As a result the Liberal leaders set the example of each candidate selecting for prominence his own campaigning issues. Of the triumvirate at the head of the party: "Morley fought on Home Rule. Harcourt fought on Local Option. And Rosebery, in so far as he fought at all, did so on the House of Lords."¹⁰

At Derby Sir William Harcourt placed the Local Option issue squarely in the forefront of his campaign. He defended the two Bills of 1893 and 1895 and stressed the Liberal Party's

⁸Ibid., pp. 91-92. Elsewhere he has written of the 1895 Election: "Local Option was particularly unpopular, especially in England" and remarked on the fact that the electoral swing against the Liberals in 1895 was weakest in those areas of England where Nonconformity was strong--such as the south-western and far northern counties--where Local Option was likely to have been the least unpopular; Henry Pelling, A Social Geography of British Elections, 1885-1910 (1967), pp. 18, 416.

⁹A. G. Gardiner, Life of Sir William Harcourt (1923), II, 366n.

¹⁰Roy Jenkins, Asquith (1964), p. 88.

continued commitment to the measure:

I believe from the bottom of my heart that of all social reforms it is the most necessary, the most urgent and the most beneficial, and if I suspected that the Liberal Party or the Liberal Government intended to play false to the cause of temperance, I should indeed believe that the Liberal faith has been betrayed.¹¹

He told the Derby electors that he desired "no fairer issue on which to take the opinions of the English people."¹² Naturally the licensed trade made a special effort to unseat Harcourt, particularly since it was subjected to considerable provocation: on the second day of the campaign a temperance procession wound through Derby featuring "publicans" with grotesquely red noses. The declaration saw Harcourt, who had topped the poll for this two-seat borough in 1892, in third place. The total of votes for him dropped from 7,507 in 1892 to 6,785, while those cast for the leading Tory rose from 5,546 to 7,907. Harcourt had had nearly 58 per cent of the votes divided between him and the leading Tory in 1892. In 1895 his share was only just over 46 per cent. The combined swing to the Conservatives in Derby since 1892 was nearly 11 per cent, whereas the average swing to the Conservatives and Unionists in the nine East Midland parliamentary boroughs was 4.9 per cent, that for England as a whole 2.8 per cent. While an estimated third of Derby's electorate was employed at the Midland Railway Company's works, which had been on short time, the extent of Harcourt's defeat was never-

¹¹Gardiner, Harcourt, II, 369.

¹²Ibid.

theless shattering.¹³

At Newcastle, where John Morley too lost his seat, the main emphasis of the campaign was on Home Rule, but Morley also stressed Local Option as a measure by which "stand or fall, we must abide."¹⁴ However, by no means all Liberal candidates joined Harcourt in his enthusiastic advocacy of local control over public houses. Some candidates merely attempted to avoid all reference to the issue. But a few went further still. Sir Henry Fowler had been Secretary for India under Rosebery, and had connections with W. Butler & Co., the Wolverhampton brewers. According to H. W. Massingham, South London during the Election was placarded with Fowler's warnings against legislation which interfered with the social habits of the people.¹⁵

The variety of stances with which the Liberals confronted the electorate in 1895 makes it very difficult to assess the extent to which any one issue contributed to the defeat as a whole. Certainly not every strong supporter of Local Option was defeated even in England, where Vetoist sentiment was traditionally less strong than in Wales and Scotland. Kempster failed to make much of his challenge in Clapham, and Caine was unseated in Bradford East. But two other United

¹³The comparisons in this paragraph between 1892 and 1895 are based on figures given in ibid., pp. 172, 370; and Pelling, Social Geography, pp. 209-212, 415.

¹⁴D. A. Hamer, John Morley: Liberal Intellectual in Politics (Oxford, 1968), p. 303.

¹⁵H. W. Massingham, "The Debacle--and After," Contemporary Review, LXVIII (August, 1895), 302.

Kingdom Alliance men, Lawson and T. P. Whittaker, held on to Cockermouth and Spen Valley respectively. Conversely not every defeated Liberal was an advanced temperance reformer. M. H. Beaufoy lost the Kennington seat he had held for six years despite the fact that he belonged to the licensed trade and refused to commit himself to Local Option.

For the period between 1885 and 1910 Henry Pelling has divided Britain's constituencies into groupings by region and then by the social and economic characteristics of their electorate. The swing against the defeated Caine and Kempster in 1895 as compared with 1892 was roughly the same as the average swing against the Liberal candidate in the respective groups to which Pelling assigns their constituencies. The swing against Whittaker was less, and that against Lawson somewhat more, than the averages in their respective groups of constituencies.¹⁶ This appears to indicate that strong individual commitment to the Vetoist cause did not necessarily lose additional votes in 1895. But it does not prove that the Local Option issue did not harm the Liberal Party as a whole. The very fact that each of these constituencies had a member of the Alliance as its Liberal candidate in itself suggests that each of them likely contained an above average number of sup-

¹⁶The swings to the Conservatives and/or Liberal Unionists in the four constituencies mentioned above (within each case the average swing in the group of comparable constituencies following in brackets) were: Bradford East 4.1% (4.1%); Clapham 7.0% (7.3%); Cockermouth 3.1% (2.3%); Spen Valley 3.0% (4.1%); Pelling, Social Geography, pp. 30, 297, 332.

porters of Local Option in the first place.

After the Election it was possible to argue, as Lloyd George did a few years later,¹⁷ that the Veto principle had not been rejected by the electors in 1895 for the very reason that only Harcourt and Morley of the more prominent Liberals had taken any pains to introduce the Local Option question into their campaigns. But this argument could quite reasonably be turned back upon itself, suggesting as it did that the others very likely saw good reasons for playing down the issue. In any case Lloyd George's argument had all the signs of being a subsequent rationalisation. Later, when an attempt was made to discard Local Option from the Liberal programme, it suited the interests of those Liberals who espoused the Vetoist cause to minimize or to deny altogether its contribution to the defeat. W. S. Caine, for example, was later to follow this line. Yet in the middle of the 1895 Election he had protested in the Westminster Gazette about "an organized trade that in the interests of its monopoly has defeated Sir William Harcourt at Derby, and is routing the Liberal Party throughout the kingdom, by the most unscrupulous and demoralizing agency."¹⁸ Sir Wilfred Lawson was another who was later to question the idea that Local Option had done the Liberals any real harm in 1895. Yet in the notes he made for what was to be his autobiography he

¹⁷In his speech to the Manchester, Salford and District Temperance Union, 22 January, 1898, Beaverbrook Library, Lloyd George Papers, A/8/4/5.

¹⁸Westminster Gazette, 19 July, 1895.

was quite specific, and recorded his opinion that "in this election, Drink swept the country more thoroughly than it had ever done before."¹⁹

Few Liberals doubted that the licensed trade had in general made unprecedented efforts to influence voters during the 1895 Election. But the extent to which these efforts were successful was less clear. Some interesting speculations were certainly attempted. Rowntree and Sherwell, writing a few years later, tried to assess the potential influence on the 1895 result of the nation's publicans. The two authors examined the election returns in all of the contested constituencies in England, Wales and Scotland. They then estimated the number of houses with on-licenses in each of these constituencies. Finally they calculated the effect on the result in each constituency on the assumption that for each house first one and then two voters had been influenced away from voting Liberal and into voting Conservative or Liberal Unionist. The results were spectacular. If the voting intentions of only one voter for each licensed house had not been changed as assumed the Liberals would have won 83 seats which they in fact lost. If the number was raised to two for each house they would have gained a further 69, making a combined total of 152.²⁰ Thus

¹⁹G. W. E. Russell (ed.), Sir Wilfred Lawson: A Memoir (1909), p. 229.

²⁰J. Rowntree and Arthur Sherwell, The Temperance Problem and Social Reform (7th ed., 1900), pp. 680-86.

the assumption that every publican in Britain persuaded just two voters in his constituency to change their allegiance in 1895 leads to the conclusion that the result of their efforts was to replace a potential Liberal and Irish majority of over 150 with an actual Conservative and Liberal Unionist majority of the same proportions. This calculation is, of course, entirely hypothetical, but it may help explain the feelings approaching paranoia which the political activities of the licensed trade elicited from some of the Liberals passionately devoted to the temperance cause.

The most important assessment of the impact of the Local Option issue on the 1895 General Election came from Liberal candidates themselves. Immediately following the election the Westminster Gazette issued a circular to all those who had stood as Liberal candidates, successfully or unsuccessfully, inviting them to report on "what opinions they had formed as a result of their contact with the electorate."²¹ The newspaper received somewhere between two and three hundred replies, presumably somewhere over half the number sent out, and proceeded to analyse the returns. Its immediate conclusion, published on the front page, was a striking one. "On most topics, as we shall see, there are considerable differences of opinion, but on one there is practical unanimity.

²¹Westminster Gazette, 13 August, 1895.

This is the effect of the Local Veto Bill."²² Next the replies of the 231 candidates who had commented directly on the effects of the Local Option issue on their electoral showing were broken down. Of these 231 candidates 74 had been elected. Of these 74 Members of Parliament 54 considered that they had been harmed by the issue; only 6 thought it had helped them. Among the 157 unsuccessful candidates 134 considered that the issue had contributed to their defeat; only 7 had found it positively helpful. The conclusion drawn by the analyst, in all probability Edward Cook himself, was depressing but clear:

Here then we have the interesting fact that a certain Bill was put in the forefront of the Liberal programme, and by some of the Liberal leaders was put as the main issue in the General Election, and that of all the M.P.s and candidates who have favoured us with their views on this subject, only 13 out of 231 found it acceptable to the electorate on the Liberal side.

Nothing can add to the painful eloquence of this fact; but the bare figures give little idea of the strength of the feelings which have been disclosed to us.²³

The published results of the Westminster Gazette's survey do not reveal how many of those who replied believed that the Liberal Party had suffered because the licensed trade in its own interests had been able to exploit the Local Option issue and how many felt that the idea itself was intrinsically unpopular. The ambivalent nature of the position taken by many of the Liberal Vetoists merits further consideration at this point. On the one hand they frequently denied that the

²²Ibid.

²³Ibid.

Local Option issue had contributed significantly if at all to the Liberal defeat, while on the other they often spoke, as Lawson and Caine spoke, of how "Drink swept the country" and of "an organized trade . . . routing the Liberal Party." It is true that these two views are not necessarily entirely incompatible, but they can only be reconciled by postulating widespread stupidity or cupidity on the part of the electorate of 1895. The implication must be that the voters were not inherently hostile to Local Option but that great numbers of them were nevertheless misled or even less properly induced by the licensed trade into voting Conservative. Apparently this is exactly what Lawson did believe.²⁴ If the licensed trade had managed to dupe or bribe the public at election time then this was yet further proof that the body politic would not be safe until the implementation of Local Veto finally brought the Liquor-Power to its knees.

But for Liberals less devoted to the Vetoist cause it was a relatively academic point whether Local Option was in itself an unpopular measure or whether the attempts to implement the measure had prompted the licensed trade to unscrupulous but effective manipulation of its electoral power. In the light of arguments subsequently enunciated both publicly

²⁴Why else, he was later to ask himself, should so many working men have voted against their own interests? And he answers himself: "In 1895 the Liberals had threatened many corrupt interests who know that in the Liquor-Trade they have their surest and most trusty ally, and . . . the Liquor-Power was able to take advantage of the disorganisation and discontent existing to a considerable extent in the Liberal ranks"; Russell, Lawson, p. 229.

and privately by Herbert Gladstone it is not difficult to guess at the line of thought which many of these Liberals must have pursued. If Local Option was unpopular with the electorate it would presumably remain so for the immediate future, at least up until the next General Election. If on the other hand Liberal commitment to Local Option had provoked the licensed trade to work for the defeat of the Liberal Party it would presumably do so again, and probably with the same results. In theory this might seem to provide an excellent motive for pressing ahead more vigorously still with the attempt to curb the power of the Trade. But again, on the basis of the previous assumption any attempt to cut down the Trade's power would once more provoke it to full stretch to prevent the Liberals from gaining power. And the Liberals could do nothing until they had reversed the result of the last General Election.

The Westminster Gazette's survey clearly showed that many Liberal Members of Parliament and recent candidates-- almost certainly a substantial majority of them-- were coming to feel that the party's commitment to a vetoist policy was a serious electoral liability. This feeling was not confined to the rank and file. William Gladstone himself had always tolerated Vetoist sentiment in the party without showing it much sympathy. After the defeat at Derby was known but while much of the Election was still in progress he wrote to commiserate with Harcourt. In the course of this letter, and though this

was scarcely an opportune time to raise the subject, Gladstone remarked: "I do not feel sure that local option may not in the future be better propelled by independent action than by a Liberal Government."²⁵ Harcourt's reply showed that he was quite naturally unwilling to ascribe the major share of the blame for his defeat to the unpopularity of the issue which he himself had chosen to make so prominent in his campaign. "Drink had no doubt something to do with it," he wrote, "but the main cause was bad trade."²⁶ But other leading Liberals evidently had a very different interpretation of the "main cause." Shortly after the Election Sir Ughtred Kay-Shuttleworth confided to Lord Spencer: "I have written to a great many of our defeated friends. The answers from them, and what I see in the papers, point to Harcourt's Local Veto Bill, and to want of confidence in him, as among the more active causes of the disaster."²⁷ A week later Lord Kimberley wrote to Lord Ripon in similar vein. "This folly about local veto is in itself proof of his utter want of judgment," was his comment on Harcourt.²⁸

²⁵W. E. Gladstone to Harcourt, 15 July, 1895, Gardiner, Harcourt, II, 370.

²⁶Harcourt to W. E. Gladstone, 16 July, 1895, ibid., 371.

²⁷Kay-Shuttleworth to Spencer, 23 July, 1895, quoted in Stansky, Ambitions, p. 179. In the late Liberal Government Kay-Shuttleworth had been Financial and Parliamentary Secretary to the Admiralty, Spencer First Lord of the Admiralty.

²⁸Kimberley to Ripon, 30 July, 1895, British Museum, Marquess of Ripon Papers, Add. MS 43527, ff. 62-63, also quoted in Stansky, Ambitions, p. 182. Kimberley had been Foreign Secretary, Ripon Colonial Secretary.

Gladstone, Kay-Shuttleworth and Kimberley were, of course, expressing their opinions in private. But within a week or so H. W. Massingham, Editor of the Daily Chronicle, declared publicly his disagreement with those who suggested that Local Veto had been "our great attractive moral question" in the recent Election.²⁹ The issue's lack of appeal, he asserted, was not merely the result of its presentation having lacked both the right man and the right methods. The prohibitive way was simply the wrong way to go about tackling the temperance question. Indeed it had become plain that "the people will, if they are ever able to take a plebiscite on prohibition without compensation, be pressed, and successfully pressed, to return a negative answer."³⁰

Perhaps initially it may appear surprising that after the disaster of the 1895 Election the Veto was not promptly and firmly dropped from the Liberal programme. Undoubtedly a great many Liberals would have wished it so. But there were several obstacles to such a course. In the first place, to discard the Veto immediately would smack very strongly of opportunism, of the subordinating of principle to political advantage which had been one of the chief taunts of the Liberal Party under Gladstone against its Tory opponents. In addition such a move would disillusion if not totally alienate the country's radical temperance men, a group notoriously prepared

²⁹Massingham, "The Debacle--and After," p. 302.

³⁰Ibid., p. 303.

to contribute time, work and effort out of all proportion to their numbers. The attitude of the National Liberal Federation had also to be borne in mind. Local Option was part of the Newcastle Programme, which in 1891 had been endorsed by the N.L.F. and which Gladstone later had apparently adopted.³¹ In any case the parliamentary Liberals were themselves far from unanimous on the issue, and the autumn of 1895 was no time to exacerbate tension. The break which had finally occurred in August between Rosebery and Harcourt made life difficult enough already.³² From the Lords Rosebery might openly show his dissatisfaction with the Newcastle Programme, but Harcourt's personal and political prestige remained deeply committed to the Veto principle. Cook's Westminster Gazette and Massingham's Daily Chronicle could afford to treat Harcourt with what was sometimes blatant disdain. But while the party remained dependent on Harcourt as Leader in the Commons it was difficult for a Liberal Member of Parliament to seek openly to reverse its stand on a cause so dear to the heart of "the big fish."

This is not to say that the Veto issue became entirely submerged during the months which followed the General Election. It surfaced, for example, in February, 1896, with the Lichfield by-election. To the dismay of radical temperance

³¹Stansky, Ambitions, p. xxi.

³²Robert Rhodes James, Rosebery (1963), pp. 386-89; Gardiner, Harcourt, II, 374-77.

opinion Courtenay Warner, who retained the seat for the Liberals, affirmed in his election address that, while he would support "any just measure of Temperance Reform," he did not include Local Option in that category.³³ But two years were to pass before a Liberal Member of Parliament of standing declared publicly that the time had come for the Liberal Party to divest itself of a futile Vetoist policy. It was not until November, 1897, that "young Herbert Gladstone showed the way."

* * *

Forty-one years old in 1895, Herbert Gladstone looked to be a man with a bright political future. In the recent Liberal administration he had held the posts of Under-Secretary at the Home Office and First Commissioner of Works. While at the Home Office he had worked closely with Asquith, who in many quarters was already regarded as a future leader of the party. Inevitably, after the final retirement of the Grand Old Man, some of the mantle of Gladstonianism had devolved upon his youngest son. For first and foremost, of course, Herbert was the son of William. Four years later, when William Gladstone was in his grave, Sir Henry Campbell-Bannerman was no more than pointing out the obvious when he reminded Asquith that Herbert Gladstone's qualifications for the post of Liberal Chief Whip included the fact that "the

³³Liberal Magazine, VI (1898), 159.

name is a power in the country."³⁴

Though Herbert Gladstone safely retained his own seat in 1895 he was naturally dismayed by the extent of the Liberal defeat. But he consoled himself that the July rout might have its salutary side. Surely the Party would learn its lesson and discard from its platform several of the more esoteric items in the Newcastle Programme. "The prospect is ominous, yet I can't help feeling that defeat may be good for us," he wrote to his father shortly after the Election. "We are plagued by obstinate faddists, and except for Ireland I could wish to get rid of them through defeat."³⁵ On one point Herbert Gladstone was particularly confident: he forecast that no more would be heard of the Local Veto.³⁶

Yet the months passed and the Veto remained. No prominent Liberal seemed prepared to lead the assault on it. The passage of time did nothing to soften Herbert Gladstone's antipathy to the measure which, loyal to the Newcastle Programme, he had himself supported in July, 1895. An exchange he had with a District Superintendent of the United Kingdom Alliance shows clearly the state of his thinking on the issue in April, 1896.

³⁴Campbell-Bannerman to Asquith, 8 April, 1899, Bodleian Library, Earl of Oxford and Asquith Papers, IX, ff. 179-80.

³⁵Sir Charles E. Mallet, Herbert Gladstone: A Memoir (1932), p. 156.

³⁶Ibid. I have not been able to trace this letter in the W. E. Gladstone Papers in the British Museum.

As the nation's leading Vetoist organization, the United Kingdom Alliance tended to see itself as keeper of the Liberal Party's temperance conscience. In the weeks and months following the 1895 Election it was no secret that a great many Liberal Members of Parliament had come to view Local Option as a cross which the Party could no longer afford to bear. Through the winter of 1895-96, therefore, the Alliance was particularly concerned to ferret out and to forestall apostasy. This eagerness that Liberal Members of Parliament should remain orthodox Newcastle Programmers on the question of temperance reform was further increased, if that were possible, by Balfour's announcement in March of the setting up of a Royal Commission on the Liquor Licensing laws.

Herbert Gladstone's West Leeds constituency lay in the province of the Alliance's District Agency for the Northern and Southern Divisions of the West Riding of Yorkshire. In April he received a series of probes from the District Superintendent, Henry Hibbert. At first Hibbert contented himself with a request for a contribution to the Alliance funds. He enclosed a list of eight Liberal Members of Parliament in the West Riding who had already made donations, and he assured Gladstone that "we shall be glad of your company."³⁷ Even when Gladstone made it clear that he did not intend to provide a contribution Hibbert was still able to write back

³⁷Hibbert to H. Gladstone, 9 April, 1896, British Museum, Viscount Gladstone Papers, Add. MS 46056, ff. 167-68.

with the hope that "you may yet see your way to throw in your lot heartily with us."³⁸

At this point Gladstone apparently felt that the time had come to remove such illusions. In his second reply he wrote that, as far as Local Option or any form of Veto proposals were concerned, he did not "believe that the Temperance party have power to carry that principle into effect" and that consequently, as a practical man, he would "prefer to see the energies of Temperance reformers directed to other and more practical methods." Hibbert replied with arguments which the Alliance habitually put forward to counter this point. If the principle was right, it must be worth fighting for. The liquor trade would in any case hardly be so hostile to the Vetoists if the latter were really as feeble as was sometimes made out. Certainly the Veto would not be carried everywhere, but the Alliance was confident that in many areas it would be. Gladstone was a practical man, but so were those who for the last thirty years or more had devoted their time and energies to what they were sure was the only valid method of dealing with the liquor traffic. "Surely you don't think we do it for amusement," Hibbert asked, "or like Mr. Chamberlain think we don't want to get it done as our occupations would be gone?" But this time he showed that, however, reluctantly, he accepted where Herbert Gladstone now stood. He had

³⁸Hibbert to H. Gladstone, 15 April, 1896, British Museum, Viscount Gladstone Papers, Add. MS 46056, ff. 169-70.

followed the latter's career closely, he wrote, and had had great hopes for him. But now he was compelled "honestly to admit that my hopes have hardly been realised in your case as yet, all your speeches have one ring, you never seem at home with us."³⁹

Later events were to make this last statement of Hibbert's appear a magnificent understatement. However it was to be another eighteen months before Herbert Gladstone made his move. On 23 November, 1897, he was present in Manchester's Reform Club as a guest at a house dinner held by the club's Political Committee. His after dinner speech touched on several topics: the current difficulties of the Liberal Party, the House of Lords question, and Irish Home Rule, the last of which he said he considered electorally difficult but necessary if the Irish wanted it. Herbert Gladstone then settled down to tell his audience what he thought of Local Veto.⁴⁰

His first point was that it was impossible to accept the claims of men like Lawson and Caine that the Local Option question had done no damage to the Liberals at the last General Election. "He knew it was the heaviest question he had to carry, and he knew it was the heaviest question that the great majority of the Liberals who were returned to the House of Commons in 1895 had to carry." Not that he objected to carry-

³⁹Hibbert to H. Gladstone, 17 April, 1896, British Museum, Viscount Gladstone Papers, Add. MS 46056, f. 171.

⁴⁰Manchester Guardian, 24 November, 1897. The two paragraphs following are also based on this report.

ing heavy loads provided the purpose of the effort was clear. But with Local Veto this was not the case, for "the effect of it, if passed into law, was extremely problematical, to say the least." A fair assessment of the Veto was that "unaccomplished it caused the maximum of certain and damaging irritation; if passed into law it would produce the minimum of satisfactory results." It was fine as a principle and he himself was in favour of it--in principle. But he was "sick of working for a thing that he did not think would meet the ends in view."

Herbert Gladstone then turned to outline his own ideas for improving the licensing laws and their administration. He wanted to see stronger penalties for repeated drunkenness, compulsory detention of habitual drunkards, enhanced magisterial discretionary powers over the material fabric of licensed premises, and the enforcement of a fixed maximum of licenses to population. This last proposal would mean that some current license-holders would be deprived of their licenses. Gladstone urged that these people be compensated for their loss from a general fund charged to the licensed trade. Coming as it did on top of the strictures on the Veto, this last proposal was a second unambiguous slap in the face for the United Kingdom Alliance. The Alliance--and the radical or prohibitionist wing of the temperance movement in general--had steadfastly clung to the principle that under no circumstances should the Trade be compensated for surrendered licenses, no matter where

the money came from. But Herbert Gladstone had not finished yet. He closed his speech with a challenge directly addressed to the Alliance and to its supporters: "let them put their house in order . . . and let them have done with futile attempts which, even if successful up to a certain point, were not calculated to achieve the real results which lay at the root of their action."

The reasons behind the particular timing of this sortie are not clear-cut. Though Herbert Gladstone was undoubtedly hoping to launch a movement that would end with the dropping of the Veto, there seems to be no indication that he took any special precautions beforehand to prepare the ground either with his own constituency organisation or with the party in general. Joseph Henry, Chairman of the Liberal organisation in West Leeds, would have known the open secret that the views of his Member of Parliament on the Veto were no longer those which had been put before the electorate in 1895. But evidently Henry was not consulted before the public recantation in Manchester. He refrained from contacting Herbert Gladstone for more than two weeks after 23 November because, as he put it, he was sure that Gladstone's speech must have brought him a host of letters already. On 9 December he wrote to report that the Manchester speech had caused considerable comment in the constituency and to express his own doubts about the position taken there. "The Veto people were satisfied with your opinions," he argued, "and I do not see much good in

directly flouting men who after all are the hardest workers in our party."⁴¹

Apparently Henry was fairly quickly assuaged. Radical temperance opinion had never become as strong in Leeds as it had, for example, in the nearby town of Bradford, and when Herbert Gladstone returned there to explain his position he received "a vote of confidence at a large representative meeting to which there were only two dissentients."⁴² But more surprising, perhaps, than the failure to consult Henry is the fact that before speaking in Manchester Herbert Gladstone appears not to have gone out of his way to sound out the extent of the support he was likely to receive from his fellow Liberal Members of Parliament. Yet the temptation to see in this a certain degree of rashness--perhaps reminiscent of his role in the Home Rule controversy twelve years before--should probably be avoided. It was Herbert Gladstone who in April, 1899, was to be selected as the new Liberal Chief Whip. His ear is unlikely to have been far from the ground in November, 1897.

It is possible that it was not until this month, or very shortly before it, that Herbert Gladstone felt sufficiently free to speak as he did. Before then Harcourt's continued

⁴¹Henry to H. Gladstone, 9 December, 1897, B.M. Add. MS 46036, ff. 65-67.

⁴²H. Gladstone to Campbell-Bannerman, 12 April, 1899, British Museum, Sir Henry Campbell-Bannerman Papers, B.M. Add. MS 41215, ff. 66-67.

occupancy of the Liberal leadership in the Commons made public controversy on Local Option a particularly delicate matter for a rising politician not yet of the first rank. The kind of reaction to be anticipated in some quarters was made clear in the Manchester Guardian of 27 November, 1897. Satirizing the Manchester speech, the anonymous author of "Mr. Herbert Gladstone's Soliloquy" put the following words into the mouth of his "hero":

Sir William Harcourt, you can see,
Is quite a child compared to me;
His programme is but rough and rude,
His project vain, his details crude.
He's clearly riding the "wrong hoss",
Which brings his party grief and loss.

Harcourt's authority, however, had recently been severely damaged by his conduct first as a member of the Committee of Inquiry into the Jameson Raid and then during the subsequent debate. By the time Gladstone spoke in Manchester several of Harcourt's colleagues were already beginning the search for a new leader.⁴³

But while the decline of Harcourt's position in the Party may perhaps have made Herbert Gladstone easier in his mind about saying what he did, there is no necessity to consider it a decisive influence on the timing of the Manchester speech. By November there were several reasons for someone who felt as Gladstone did about the Veto to believe that the need for an unequivocal statement of the case against it was

⁴³Stansky, Ambitions, pp. 232-52.

an urgent one. Radical temperance attempts to disavow any connection between Local Option and the 1895 defeat were not merely continuing but being made with growing confidence. At the National Prohibition Convention held earlier in the year in Newcastle, W. S. Caine had put forward an elaborate psephological argument designed to prove that strong Vetoists like himself and Lawson had in fact done better at the polls in 1895 than the average performance of Liberal candidates in neighbouring constituencies.⁴⁴ Recent by-election successes were being claimed as Temperance victories. The meeting of the General Committee of the National Liberal Federation arranged for the first week in December was less than two weeks away by the time Herbert Gladstone spoke in Manchester, and in preparation the Federation had issued circulars to Liberal Associations throughout the country inviting expressions of opinion about party policy.⁴⁵ The Royal Commission on the Liquor Licensing Laws had already been sitting for more than eighteen months. Further delay in voicing the case against Local Option might very possibly result in the Commission's Final Report coming before a Liberal Party with its Vetoists in an ascendancy which would be none-the-less effective for being by default.

Insight into Herbert Gladstone's motivation can be gained from a series of jottings he made and entitled "Notes

⁴⁴John Newton, W. S. Caine, M.P. (1907), p. 279.

⁴⁵Annual Register for 1897, p. 225.

on the Veto."⁴⁶ These lengthy, cramped and occasionally random notes should be treated with caution. In the first place they were almost certainly put on paper after the Manchester speech, when the reaction to the anti-Veto initiative was already becoming clear. It is also evident that they consist predominantly of notes for subsequent speeches, and therefore likely that in the main they reflect his public rather than his private reasoning. At the same time they do present ideas in a form much less qualified than did his public speeches. Sometimes, for example, points were written down which were later thought to be too provocative. At one stage in his demonstration of the futility of the current Veto policy Gladstone wrote: "Some say two leaders think dif. Their attitude so far as I can tell totally dif. to mine for past twelve years." These two sentences have been crossed through. Privately Gladstone had a similarly trenchant riposte for the frequently quoted remark Rosebery had made about the Trade threatening to throttle the Commonwealth. "Yes," Gladstone wrote, but under present circs. it is the Trade supported by public opinion in England."

Under the heading "Why I started the controversy"

Herbert Gladstone jotted down five points:

⁴⁶B.M. Add. MS 46092, ff. 160-71. The "Notes on the Veto" are included in the volume of the Viscount Gladstone Papers devoted to the 1908 Licensing Bill, but were certainly written in the winter of 1897-98. This paragraph and the next six are based on this source.

- (a) much to be said for and against
- (b) Election of 1895 added experience
- (c) discussion necessary
- (d) best to begin clear of an election
- (e) coming Report of R.C.

Amid the ostentatious fair-mindedness can be discerned some hard political thinking. The fact that the forthcoming Report of the Royal Commission was on Herbert Gladstone's mind is confirmed. And it is made clear beyond any doubt that the main purpose of the campaign begun in Manchester was to ensure that the Liberals would not have to fight another general election with their 1895 temperance policy.

The urgency with which Herbert Gladstone regarded this issue is well illustrated by the summary he drew up of the Liberal Party's fortunes over the years in which the Veto policy, in one form or another, had been before the country:

Bruce's Bill fought hard by the Liquor party. Not backed strenuously by temperance men. Consequence a disastrous withdrawal and surrender.

Further result, the '80 Govt. with the failure fresh in their minds would not risk further disaster.

Note, the temperance men either did not rally to the Liberals in 1874 or were not strong enough to avert complete defeat.

In 1886 Home Rule blocked the way. . . .

Election of 1892 fought mainly on H[ome] R[ule], but damaging flank fire of liquor party contributed largely to small majority.

Election of 1895 fought principally on Irish & legistn. of the Lib. Govt. & in particular on the Veto Bill. H[ome] R[ule] was by many put completely in the background.

Net result of 40 years of the Veto, the party at lower ebb than ever before, the liquor trade never better organized or more powerful.

After a few general comments, clearly designed for public consumption, on the need for forbearance and good temper if the Liberal ranks were to be kept unbroken, Herbert

Gladstone went on to analyse in more detail the lessons that should be drawn from the latest of these misfortunes. The Election of 1895 had seen "an astonishing defeat. Seats carried on Home Rule now lost . . . clear that party lost ground all over the country." What was the common denominator that would account for this? The withdrawal from active politics of Mr. Gladstone could be discounted: the damage had come from a positive increase in the Tory vote. Home Rule had done its worst in 1886 and had not been a great issue in 1895. Nor was there any evidence of a significant electoral reaction against the Liberals' foreign policy, death duties or the parish councils. Admittedly the results of supporting Welsh Disestablishment could not be so readily dismissed: "clerical opposition undoubtedly strengthened & a factor." Assuredly, though, the main culprit had been the attempted Local Control measures: "Harcourt's Bill brought no new support. Veto opinion till then largely vague and academic formulated in a Bill brought in by Govt. stirred everything up. . . . The Bill was the actual outbreak of hostilities." It should be remembered that, whatever the cause of the Liberal demise, it worked equally throughout the country, that everywhere the Tory vote increased, and that this increase was more marked than the Liberal decrease. The significance of this was only too clear:

Note--the public house influence a standing organized force in every part of every constituency. Powerful interest threatened by a Bill--stimulated to use any and every weapon.

. . . from pure electioneering point. The Trade organisation influenced hundreds of men who don't go to meetings,

are inaccessible to platform argument, & who probably don't read speeches.

Examining the 1895 performance of individual Liberal supporters of the Veto seemed to Herbert Gladstone only to bear out the validity of these conclusions, despite the claims to the contrary some temperance leaders had never ceased putting forward. He jotted down the results arrived at from comparing the 1892 and 1895 voting tallies recorded by half a dozen prominent Liberal Vetoists, including Lawson, Whittaker, Harcourt and Caine. The last two had lost their seats. Even if the unusually catastrophic result at Derby were excluded from the reckoning, the average increase in the Conservative vote in the remaining constituencies was still over seven hundred.

Herbert Gladstone's conviction that the Veto policy had proved itself beyond all doubt an electoral liability was the chief but not the only motive for his campaign to have the Liberal Party dissociate itself from that policy. The argument that the Liberals could ill afford the loss of those of their number who were in, or had connections with, the licensed trade was one best used in private persuasion, rather than on the platform. But his speeches through the winter of 1897-98 let slip no opportunity of attacking the basic assumptions behind the Veto policy and throwing doubt on its pretended status as the one possible cure for the nation's drink problem. Even if a Veto Bill were carried, how many localities would choose to exercise their option, especially as every public house in the

area would become a focal point of the bitterest opposition? It could hardly be imagined that it would be used in the centres of cities like London and Liverpool, the very places where the need for a remedy was greatest. Even in those areas where the Veto was exercised, would it not merely be an encouragement for people to carry on their drinking in clubs, or alone and in secret?

When pressed as to what alternative remedies he would suggest, Herbert Gladstone's customary reply was that he could hardly go into details before the Royal Commission presented its report. In general, though, he was in favour of a policy based on the recognition of three points: that the supply of spirituous liquors under reasonable conditions was required by the community, that there was an urgent need to curtail the present means of supply and enforce better conditions, and that the Licensing Authority should remain judicial in character but amenable to local opinion. The means by which this might be attained in practice included: consolidation and amendment of the licensing laws, reduction in the number of licensed houses and the improvement of the remainder, provision of equitable compensation for those houses included in the reduction process, the Licensing Authority's being made more representative of the community, stricter police supervision of licensed premises, severer powers of summary jurisdiction for the courts in cases concerning offences against the licensing laws and, finally, the compulsory detention of habitual

drunkards. It may be thought that these are surprisingly detailed suggestions from one unwilling to anticipate the forthcoming recommendations of the Royal Commission. In fact, with the exception only of the last, Herbert Gladstone's points provide an accurate summary of what was eventually to appear as the Commission's Majority Report.⁴⁷ Since the development of the Commissioners' opinions was never the best kept of secrets, this is unlikely to have been by coincidence.⁴⁸

There were no immediate and spectacular reversals of position among Liberal Members of Parliament as a result of Herbert Gladstone's initiative. This was to be expected. Of those who believed that, on balance, the Veto was an electoral liability many would nevertheless be reluctant to rush into a confrontation with local temperance opinion. Others would perhaps think twice before joining Herbert Gladstone in what was, however implicitly, an attack on Harcourt's leadership. Sir William had not been slow to react. Two days after Gladstone spoke in Manchester he told the Scottish Liberal Association in Dundee:

In answering the question that is put to us "Which of the principles you have professed do you abandon?" I can answer in a single word, "Nothing." We are not deserters from the camp. . . .

Take the Temperance question. . . . For my part I

⁴⁷Compulsory detention of habitual drunkards was in fact operative before the Royal Commission presented its Final Report. The Habitual Drunkards Act of 1898 came into force on 1 January, 1899.

⁴⁸See below, Chapter Six.

ask why we should abandon the belief in the democratic principle that in some form or other the cure of this, as of all social ills, ought to be found in the voice of the people.⁴⁹

At the same time as there was an apparent revival of support for the Liberals in the country at large, an increasing fragmentation seemed to be taking place within the party itself.⁵⁰ It was understandable if Liberal Members of Parliament were hesitant at such a time to come out against official party policy on so potentially divisive an issue as the Veto, especially since excellent reasons could be adduced for delaying any decision. In a parliamentary rather than a party sense the issue was for the moment largely academic; no Local Option measure was likely to receive a Second Reading in the current Parliament. Even more to the point, the Royal Commission was still sitting, and while this did not of course mean that licensing questions were sub judice, it was eminently reasonable to contend that it would be unwise to anticipate its findings. If the Commission's initial appointment had been due at least in part to Lord Salisbury's desire to remove the licensing bugbear from the political scene for a while, that did not give the Tories alone a right of benefit.

Prudent Liberal Members of Parliament would wait to assess first the reaction to Herbert Gladstone's initiative.

⁴⁹The Times, 26 November, 1897.

⁵⁰For a contemporary's perception of these trends see the unsigned article, "The Present State of the Liberal Party," Fortnightly Review, LXIII n.s. (June, 1898), 910-19.

This in itself is a reminder that it was only indirectly at his parliamentary colleagues that Gladstone's words had been aimed. With his eyes on the next election his primary targets were those media through which all movements attempting to make or revise party policy had to operate: the local constituencies, the party organizations and the Press.

The immediate reaction here was both positive and generally favourable. Liberals prominent in their localities in widely dispersed parts of the country wrote to congratulate Herbert Gladstone on the stand he had taken. Charles Roundell had represented the Skipton Division of Yorkshire's West Riding before his defeat in 1895. From Cheshire, where he was a magistrate and a landowner of some importance, he hastened to convey his warm approval of the Manchester speech:

You have done a bold and a right thing in speaking out as you did about the licensing question. I rejoice that you have spoken out. . . .

To insist on the Local Veto is to postpone the amendment of the licensing law to the Greek Kalends. The people will not have it and it frightens them out of their wits. This is playing into the hands of those who represent you as wishing to rob a poor person of his beer. . . .

Harcourt's Bill was a deadly weapon in the hands of our opponents in the last Election in the Skipton Division.⁵¹

F. J. Radford, who had been the Liberal agent in Newcastle, reported that in that city alone "the number of otherwise Liberal voters who were influenced by the publicans to vote for the Tories on account of this most anti-Liberal measure

⁵¹Roundell to H. Gladstone, 25 November, 1897, B.M. Add. MS 46056, ff. 251-55.

of Local Option was enormous."⁵² In the following weeks and months several others wrote to give testimony similarly drawn from their local knowledge.⁵³

It seems likely that in Manchester in late November Herbert Gladstone had at least half an eye on Derby in early December. Relations between Harcourt and the National Liberal Federation had been strained for over a year.⁵⁴ When the Federation's General Committee met in Derby amendments from the floor put through resolutions in favour of registration reform to ensure one man one vote, a second ballot at elections when there was no clear majority on the first, and the extension of parliamentary suffrage to women.⁵⁵ The last in particular was a step to which Harcourt was known to be vehemently opposed. At the same time there was no mention of Home Rule, Welsh Disestablishment, or Local Option, which, as a subsequent annalist ponderously remarked, was "not a little disturbing to the counsels and inner conclaves of the party."⁵⁶ A leading

⁵²Radford to H. Gladstone, 8 January, 1898, B.M. Add. MS 46057, ff. 3-5.

⁵³At least one of Herbert Gladstone's sympathisers demonstrated much greater familiarity with the electoral effects of the Veto than with its intrinsic qualities. "I am not at all up in the dreadful question," Robert Spencer wrote the following summer from Northampton, "I know that in '95 it lost me the seat here," 10 August, 1898, B.M. Add. MS 46057, f. 64.

⁵⁴Stansky, Ambitions, p. 228.

⁵⁵The Times, 8 December, 1898.

⁵⁶Annual Register for 1897, p. 227.

article in The Times, having noted the absence from the resolutions of such hitherto established planks in the Liberal platform, went on to speculate that "Sir William Harcourt may have made up his mind, though he has never publicly acknowledged it, that the abandonment of the local veto plan is inevitable."⁵⁷ Later that day there were cheers when John Morley, speaking to three thousand people in Bristol, mentioned that it was being argued in some quarters that Local Option has caused the 1895 defeat. Morley's defence of the measure took on a very beleaguered tone. He told his audience that he had heard all kinds of suggestions for dropping items of policy but that, speaking only for himself, he was averse to hauling down a single flag. He continued: "I am here tonight--and I know not whether you will agree with me or disagree with me--but I am here tonight to say that I thought, and I still think, that our principle of popular control, guarded as we guarded it, was a sound principle."⁵⁸

Those seeking to haul down the Veto flag were soon joined by an influential figure in Liberal circles: the Rev. Guinness Rogers, Chairman of the Congregational Union of England and Wales. Rogers posed the question of whether the Liberal Party was about to collapse.⁵⁹ His answer was that it

⁵⁷The Times, 9 December, 1897.

⁵⁸Ibid., 10 December, 1897.

⁵⁹J. G. Rogers, "Is the Liberal Party in Collapse?" Nineteenth Century, XLIII (January, 1898), 135-53.

would certainly be in a great deal of trouble if it continued to delude itself by clinging to the outdated and discredited Newcastle Programme. Writing from a staunchly anti-Harcourt standpoint, Rogers asserted that the Rosebery ministry had accomplished more than could reasonably have been expected and would have accomplished more still but for the "unreasonable restlessness" of "enthusiasts" of various kinds. Even now the illusion had not been completely dispelled. "Advocates of the Veto," for example, "seem already to have forgotten the crushing defeat at Derby and the results which followed during the next fortnight, and to please themselves with the notion that the one desire of the people is to obtain control over the liquor trade."⁶⁰

Rogers was well known for his pro-Rosebery stance, and a determined and self-assured leadership could ride out opposition from the National Liberal Federation. But the attitude of the Liberal Press was significant, and in the main it warmly approved Gladstone's Manchester speech. Among the dailies the sole note of opposition was sounded by the Manchester Guardian. An editorial in the same issue that carried the report of the speech opened by praising both the courage and the intellectual integrity with which Gladstone had presented his case. It then went on to reaffirm the paper's support for the Veto, though with careful qualifications. Local Option, it thought, need

⁶⁰Ibid., 148-49.

not react badly on the party in the future, provided it was put before the electorate in the right way. In the past the Veto had too frequently been presented as a prohibitionists' charter, instead of as "the very considerable extension of the democratic principle" which, in the Manchester Guardian's view, it undoubtedly was.⁶¹ On the other hand the Daily News observed that Local Option seemed to be a measure that excited "the maximum of hostility" and contained only "a minimum of good,"⁶² and the Daily Chronicle and the Westminster Gazette joined in support of dropping the Veto. The Westminster Gazette, in particular, came out vigorously in support of Herbert Gladstone and through the winter of 1897-98 put out weighty refutations of W. S. Caine's continuing attempts to show that strong pro-Veto candidates had fared no worse, and often better, than other Liberals in 1895.⁶³

Newspapers sympathetic to the Salisbury Government naturally made the most of the divisions within the Liberal Party on Local Option which the Manchester speech had brought clearly into the open. "Just as in 1886 Mr. Herbert Gladstone adopted Local Veto for party reasons, so now for party reasons he renounces it," the Liberal Unionist Scotsman scornfully, but not unreasonably, proclaimed.⁶⁴ But while the Conservative

⁶¹Manchester Guardian, 24 November, 1897.

⁶²Daily News, 30 December, 1897.

⁶³Newton, Caine, pp. 280-81.

⁶⁴Scotsman, 10 January, 1898.

Press enjoyed itself ridiculing Herbert Gladstone's tardiness in coming to accept what it regarded as a self-evident truth, its general tone was to sympathize with the rough handling he was receiving from the Veto's adherents and to congratulate him on his belated "conversion."

There were no congratulations from the other pole. The anonymous author of "Mr. Herbert Gladstone's Soliloquy" had no difficulty in predicting Vetoist reaction to the Manchester speech. He pictured a rude interruption to Gladstone's dreams of a Veto-free future:

But hold, alas! I wake, and still
I see once more that dreadful Bill.
Lawson and Caine, with hideous leer,
Still on the gloomy scene appear;
Still the Alliance's loud alarms
Summon the voting host to arms.⁶⁵

The radical wing of the Temperance Movement indeed lost no time in making known its opinion of what Gladstone had done and was attempting still to do. "I have been threatened!" the latter emphasised and exclaimed mysteriously in his "Notes on the Veto," not, presumably, alluding to the gentle hints emanating from the Rectory in Devonshire Place that "the Temperance Vote is a considerable factor to be reckoned with" and that "the Temperance sentiment is much deeper, and wider spread, than most have any notion."⁶⁶ The Rector of Marylebone's first let-

⁶⁵Manchester Guardian, 27 November, 1897.

⁶⁶B.M. Add. MS 46092, f. 170; Rev. W. Barker to H. Gladstone; 24 November, and 10 December, 1897, B.M. Add. MS 46056, ff. 249, 264.

ter was written on the same day that Herbert Gladstone's speech was reported in the Press. Sir Wilfred Lawson was equally quick off the mark. His letter commenting on the speech appeared in the Manchester Guardian on 25 November. The President of the United Kingdom Alliance restricted himself primarily to denying "the alleged unpopularity of the veto with the electorate." The reasons for the electoral disaster of 1895 were still not clear, Lawson claimed, but it was significant that the five seats which the Liberals had gained from their opponents in subsequent by-elections had all been won by candidates adhering to the Local Veto. Lawson's early criticisms of Herbert Gladstone's position were somewhat muted. But in the next few weeks the United Kingdom Alliance left readers of its weekly publication in no doubt as to what it felt was at stake. "Mr. Herbert Gladstone," announced the Secretary of the Alliance, James Whyte, "is conducting a campaign unquestionably for the maintenance of the liquor traffic and against the Prohibition of it."⁶⁷

Though Herbert Gladstone's campaign was hardly this, it certainly posed problems for those Liberal Members of Parliament who were strong supporters of the Veto. In the future, were the campaign to succeed, they might well be confronted with having to decide whether they were primarily Liberals or Vetoists. For the present, their position was a delicate one.

⁶⁷Alliance News, 20 January, 1898.

If they were successfully to ride out the anti-Veto campaign they could not afford to let the very considerable strength of that movement be underestimated. Yet the stronger anti-Veto sentiment in the Liberal Party appeared to be, the more the extremer sections of temperance opinion would be provoked into withdrawing from co-operation with the Liberals, perhaps even to the extent of setting up their own candidates at elections in opposition to both Liberals and Tories. It was true that earlier attempts--mostly in the 1870s--to run a separate temperance candidate had not met with marked success. But historical precedent was unlikely to weigh heavily with outraged temperance leaders who felt that the only major party to have offered them any hope was betraying them.

An instructive example of how one who was both an ambitious politician and a committed Vetoist reacted to this situation occurred in Manchester just two months after Herbert Gladstone's Reform Club speech there. On 22 January, 1898, the Manchester, Salford and District Temperance Union held its annual business meeting. A public conference followed. The main speaker was David Lloyd George, and the topic for discussion was, inevitably, the proposal to drop the Veto from the Liberal programme. First the anti-Veto case was put, in a letter apologizing for the absence of a Manchester Liberal Member of Parliament. This, while deploring the temperance movement's lack of success in England in recent years, lamented the bullying of the rest of it by its extremists, and urged it

to concentrate on less far-reaching but more effective measures than the Veto. When Lloyd George spoke his strictures on this kind of attitude were tempered with significant caution. To be sure, he vigorously contested the anti-Veto case. Had not Home Rule, depressed trade and Liberal dissensions caused the 1895 defeat, rather than dislike of the Local Control Bill? Were the Liberals in any case to drop a great cause on account of its temporary unpopularity? Were Herbert Gladstone's proposals good ones, even if judged on the lowest vote-catching level? The liquor trade votes and influence, about which the latter was apparently so anxious, were hardly likely to be regained by his suggested substitute measures for the Veto. Dropping the Veto, on the other hand, would most assuredly disgust a temperance movement which provided the best fighting men in the ranks of the Liberal Party, men with whom from an electioneering point of view the party just could not afford to quarrel. Yet at the same time Lloyd George went out of his way to warn his audience that they must not ignore political realities. Herbert Gladstone had given expression to what was undoubtedly the feeling of a considerable section, and an important section, of the leading Liberals. Attempts had been made to minimize this fact, but from his own knowledge he had to admit that there was a widespread belief that the party might possibly have blundered in adopting the Veto. This was a reality which temperance men must face and with which they would have to deal. Lloyd George

was then confronted with the question for which he must have come prepared. If the Liberals tried to drop the Veto, should not temperance men form a separate party to run candidates in opposition to Herbert Gladstone and those agreeing with him? Temperance men, Lloyd George replied, should ~~now~~ concentrate on explaining the Veto to the electorate, when its manifest virtues would assure it of success. To secede from the Liberals and to attempt to form a separate party would be "a disastrous mistake."⁶⁸

Nevertheless, what to a politician like Lloyd George would be a disastrous mistake seemed to a growing number of temperance workers to be the only course of action which would not involve betrayal of their principles and, in many cases, their life's work. In the spring and early summer of 1898 Temperance denunciations of Herbert Gladstone personally did abate considerably owing to first the illness and then the death of his father.⁶⁹ But the gulf between radical temperance opinion and the Liberal Party continued to widen. In this process the former received definite encouragement from what they regarded as their significant role in by-elections. As early as January, 1898, for example, a Temperance Party had been organized in Plymouth, in preparation for that constituency's forthcoming by-election, by John Newton, the

⁶⁸Manchester Guardian, 24 January 1898; Lloyd George Papers, A/8/4/5.

⁶⁹From now on both in the text and in the footnotes Herbert Gladstone will normally be referred to simply as Gladstone.

Alliance's District Superintendent for Devon, Cornwall and Somerset, a close friend and subsequent biographer of W. S. Caine. While it did not attempt to run its own candidate, it made its support for the others dependent on their pledged commitment to a Harcourt-type Local Control Bill. Mendl, the Liberal candidate, gave this pledge, while Guest, his Conservative opponent, refused. At the poll the Tory victory of 1895 was transformed into a Liberal win by 164 votes, a margin which Newton for one was convinced was due to Conservative temperance men having either abstained or voted for Mendl.⁷⁰

It was not long before this threat to withdraw support from any candidate not declaring himself for the Veto was applied against the Liberals as well. In Kennington a campaign was started against the prospective Liberal candidate, Mark Beaufoy. Beaufoy, who had sat for Kennington from 1889 to 1895, was a manufacturer--surely the right word--of British wines. In the by-election at Durham in the summer of 1898 support was withdrawn from Boyd, the Liberal, who, quite possibly as a result, failed to be returned. This last action was publicly endorsed by W. S. Caine. Less than twelve years before Caine had approached this kind of situation very differently. "Many temperance men," he had then written, "are able to divest themselves of all considerations of other

⁷⁰See Newton's letter to Gladstone of 11 June, 1898, contesting the latter's claim to the contrary, B.M. Add. MS 46057, ff. 55-56.

political questions, and make what is known as "Local Option" the sole basis of their support of candidates for Parliament. To my mind such a position would be absurd, and quite untenable for a member of Parliament."⁷¹ In 1898 many radical temperance men believed that, far from being absurd, to divest themselves of all other political considerations but the Veto was the only reasonable course of action open to them.

It was, therefore, no great surprise when in the following summer this movement was carried to its logical conclusion, especially since the provocation was considerable. The Liberal Member for Osgoldcross in Yorkshire was Sir John Austin, a maltster. Inspired, presumably, by Gladstone's anti-Veto campaign and the subsequent reaction, he declared himself wholeheartedly against Local Option. The resulting temperance protest in the constituency, strenuously backed by the United Kingdom Alliance, was such that Austin felt obliged to take the Chiltern Hundreds and put himself forward for re-election. Shrewdly, the Conservatives declined to nominate a candidate, though Austin had been opposed in 1895. Faced with the prospect of Austin's being returned unopposed, adherents of the Veto took up the challenge and put forward as a "Prohibitionist" candidate the youthful Charles Roberts, a member of the Alliance and a son-in-law of one of Temperance's most fearsome champions, the Countess of Carlisle. The 5 July poll

⁷¹Caine to "a friendly correspondent," 13 March, 1887, Newton, Caine, pp. 180-81.

saw Austin retain his seat with 5,818 votes, 699 more than in the General Election and 67 per cent of the poll as against 56 per cent in 1895. But the 2,893 votes which Roberts collected were more than enough in the eyes of his supporters to justify the step they had taken in opposing the official Liberal candidate.⁷²

It might seem, then, that the increasing repudiation in 1898 and 1899 of its previous entente with the Liberal Party owed much to the radical or prohibitionist wing of the temperance movement's growing confidence in its own strength as a political force. In reality, however, the steps taken were a symptom of weakness. Men like Lloyd George, who were politicians before they were Vetoists, naturally had strong motives of self-interest to keep the temperance vote looking to the Liberals. But they were right when they pointed out that the temperance movement could not hope to achieve its legislative objectives without working through one of the major political parties. The reaction of radical temperance opinion in the two years following Gladstone's anti-Veto initiative was motivated less by self-confidence than by fear: a fear that they were losing their hold over the Liberal Party's temperance policy.

There were grounds enough for this fear. Throughout 1898 and the first half of 1899 the consensus of Liberal opin-

⁷²Ibid., p. 187.

ion in the country seemed to be turning decisively away from the Veto as an item of practical policy. John Morley did his best to keep the Vetoist flag flying high. In Stirling on 27 January, 1898, he noted that a considerable discussion seemed to be taking place as to what position the Liberals should adopt on the "vital and far-reaching" subject of temperance reform. It was, he observed, a discussion which was hardly well-timed in view of the fact that the Royal Commission would probably be reporting later in the year and that the Liberals in any case were not the party in power.⁷³ In March he spoke at Leicester, where the Council of the National Liberal Federation was holding its annual conference, and told his audience that no area of practicable social reform was so important as was temperance reform. He stuck by every item on the Newcastle Programme and held to the principle of local popular control of the liquor traffic. But he was, he carefully pointed out, "speaking for no one but myself."⁷⁴ Augustine Birrell spoke for many. Addressing the conference directly, on the previous day he had thundered against "the drink traffic, which, as at present carried on, was the enemy of the human race," and deplored the "cancerous growth" of the tied-house system. Then, to cheers from his audience, Birrell had gone on to express the hope that the Liberal Party would

⁷³The Times, 28 January, 1898.

⁷⁴Ibid., 23 March, 1898; also quoted in part in Hamer, Morley, pp. 307, 327.

not be prevented from dealing with the "accursed trade" by any "foolish adherence to a shibboleth or to any particular plan."⁷⁵ The anti-Trade rhetoric was in the grand tradition, but the voice was not the voice of 1895.

An article by Frederick Dolman which appeared in the Fortnightly Review in February, 1899--but which was apparently written before the departure of Harcourt and Morley the previous December--provides a good illustration of the impact the anti-Veto campaign had on an informed and intelligent Liberal supporter.⁷⁶

Dolman was a young free-lance journalist, a future editor of the Art Trade Journal. He was later to sit on the London County Council, and he took a close interest in politics. In his opinion:

The attitude of Liberal candidates at several bye-elections . . . and frank discussion of the question in Liberal journals, and the speeches of Mr. Herbert Gladstone M.P.--these and other things indicate a widespread feeling in the Liberal Party which calls for a full reconsideration of its position on what is termed the Temperance Question.⁷⁷

Dolman then proceeded with his own contribution to the reconsideration. Clearly, he said, Local Veto had harmed the Liberal cause at the last General Election. But, he went on, that fact in itself might not be sufficient reason for drop-

⁷⁵The Times, 22 March, 1898.

⁷⁶Frederick Dolman, "The Liberal Party and the Local Veto," Fortnightly Review, LXV n.s. (February, 1899), 248-59.

⁷⁷Ibid., p. 249.

ping the measure. Supporters of the Veto, though they usually denied that it had damaged the Liberals in 1895, also argued that even if the Veto were shown to be unpopular the Liberals should still persevere with it, as they had successfully done with previous moral crusades. But, Dolman argued in return, the analogy was not a true one. On a vital point Local Option differed from previous crusades. Extension of the franchise, emancipation of slaves, education of children, even Home Rule itself in a sense, had all been appeals to the enfranchised on behalf of the unenfranchised. But Local Veto had been rejected by the electors, mostly working-class, for whose benefit it was intended, and "upon whose approving votes its efficiency as practical measure must entirely depend."⁷⁸

Dolman then went on to refute two further arguments for retention of the Veto. It had been maintained that to drop it now would be to surrender to the Trade. But if the Liberal Party now changed its ground on this question it would not be to please the publicans, but to serve the interests which were committed to its charge. It had also been maintained in some quarters that the Veto could not be dropped because the Liberal leadership, and Harcourt and Morley in particular, were personally committed to its advocacy. But this was a specious argument. The resentment felt by these men as a result of the ruthlessness the Trade had shown in the 1895 Elec

⁷⁸Ibid., p. 250.

tion was natural enough, but it should not be allowed to determine future Liberal policy. "The duty of leaders is to lead," Dolman wrote:

but the rank and file will rightly insist on retracing their steps when the path is one which ends in disaster. In perceiving this fact, Mr. Herbert Gladstone, of all the Liberal leaders, has given the best evidence which has been forthcoming for more than two years of capacity for leadership.⁷⁹

The question of leadership was indeed a vital one. The battle for and against the Veto permeated all branches of the party organization. In the Women's Liberal Federation, for example, the contest was especially bitter. In July, 1898, the President, Lady Carlisle, reported to her daughter:

I was 6½ hours (!) on my W.L.F. Executive on Tuesday and had great storms about the Direct Veto. I wanted them to take a stronger attitude towards the weak-kneed candidates. They would not do so and I resigned my Presidency. They then asked a week to consider and now I hear they are coming round and all may yet be well--but I am inclined to agree partly with Mrs. Phillimore who says the majority of them are "kid-gloved politicians." They are not robust enough in their fighting radicalism and they are too afraid of displeasing Liberal officials.⁸⁰

Feeling, as they did, that Liberal officialdom was ranged against them, the supporters of the Veto naturally tended to place their reliance increasingly on the continued presence among the party leadership of those who shared their views.

⁷⁹Ibid., p. 251.

⁸⁰Charles Roberts, The Radical Countess (Carlisle, 1962), pp. 92-93. Frances Howard was never afraid of displeasing anyone, Liberal officials perhaps least of all. She had her way here, as usual, and for the present her regiment of Liberal women remained true to the cause.

It was some small comfort that the National Liberal Federation in 1898 declined to discuss possible changes of licensing policy in anticipation of the Royal Commission's findings, but security for the future seemed more and more to depend on the influence of men like Harcourt, John Morley and the Liberal Chief Whip, Tom Ellis.

Within a few months all three were gone. Harcourt was the first. In December, 1898, he resigned his leadership of the Party in the Commons, and Morley followed him by withdrawing from the Liberal "Shadow Cabinet." The departure of Harcourt was a particularly severe blow to radical Temperance men. W. S. Caine spoke emotionally of him at an Alliance meeting in Bradford immediately after the resignation:

Sir William stood by them in their hour of darkness; he presided over the annual meeting of the United Kingdom Alliance when other statesmen held aloof from their movement . . . the leader of the House of Commons who had the courage to recognize what was best for the people with regard to the liquor traffic, and the courage to bring in a measure calculated to deal with that traffic in a very efficient manner.⁸¹

The more hysterical members of the temperance movement were of course convinced that Harcourt's resignation was forced upon him by a Liquor Trade plot. Even when writing about the resignation nearly a decade later, Caine's biographer, himself an Alliance man, was still speculating about the motives of the "unscrupulous section," driven on by their hatred of

⁸¹Quoted from the Alliance News by Newton, Caine, pp. 282-83.

Local Option, who were "quite prepared to create a split in their own party" in order to stifle the measure.⁸²

This conspiracy theory need not be taken seriously. Harcourt had never been able to establish full control of the Party in the first place, his failure in the South African Committee doomed him, and he apparently saw his own resignation as an attack on Imperialism.⁸³ The movement within the Party against the Veto was more a symptom of his lack of authority than its cause. His going nevertheless represented at least a vicarious triumph for the Veto's opponents and left its supporters with a deepened conviction that their cause was under heavy siege. The new leader, Sir Henry Campbell-Bannerman, was at least known to be in general sympathy with temperance ideals, especially where his native Scotland was concerned, and was likely to view a Veto policy with more favour than the main alternative, Asquith. But it was anticipated that he might be pliable.

Within four months of Harcourt's departure the worst fears of the Vetoists seemed to have been justified. On Ellis's death the post of Chief Whip, was offered to Gladstone, and a Vice-President of the United Kingdom Alliance was succeeded in this influential position in the Liberal hierarchy by the man publicly branded by the Alliance's Secretary as

⁸²Newton, Caine, p. 282.

⁸³Stansky, Ambitions, pp. 262-70.

conducting a campaign for the maintenance of the liquor traffic.

It was a clear sign of how low the Vetoist cause had fallen that this last fact gave no qualms to the two new leading Liberals, Campbell-Bannerman and Asquith. Their main concern before offering the appointment was that Gladstone might not accept it. On both 7 and 8 April Campbell-Bannerman wrote to Asquith from Dover on the problem of finding a replacement for Ellis. In his second letter he reviewed the alternatives:

If we continue to team and merely add at its tail there is no difficulty.

But if you create a fresh head, it seems to me that there is one man who, if he consented, might be brought in without too much heart-burning, viz. Herbert G.

He has the necessary Parliamentary weight and stability, & the name is a power in the country. He has won his spurs at this sort of work by what he has done at the N[ational] L[iberal] C[lub]. . . .

Would he take it? I think if pressure was brought on him he might.⁸⁴

From London Asquith replied:

Curiously enough, the same idea had occurred to me quite independently--viz. that HG is not only the fittest man for the post, but that his appointment to it would give the most general satisfaction to the party, and cause the least ruffling of the sensibilities of the present team. . . .

I am satisfied that, if it can be arranged, it is the best solution, but I am doubtful as to his acceptance.⁸⁵

Gladstone did accept the post, but he was very careful

⁸⁴C.B. to Asquith, 8 April, 1899, Asquith Papers, IX, ff. 179-80.

⁸⁵Asquith to C.B., 10 April, 1899, B.M. Add. MS 41210, ff. 167-68.

to make sure that his position on the Veto was taken into account. When on the morning of 12 April he was approached by Campbell-Bannerman he pointed out that on this issue, as well as on Ireland and Church questions, he had "hitherto taken a more or less independent line." Writing to his leader later the same day, he concluded that, while the last two should prove no difficulty, the first at least required further comment:

With regard to the Local Veto it is only right that I should make clear my position relative to my constituents. I was returned in 1895 as a supporter of the Veto. Since then I have told my constituents that I could no longer accept the Veto policy as a question of practical politics. It therefore follows that if they called on me to support a motion or a Bill embodying the Veto I should have to offer them my resignation. I don't think they would accept it because I have met my "Two Hundred" & discussed the whole subject with them, & received a vote of confidence at a large representative meeting to which there were only two dissentients. Therefore I don't see any insuperable difficulty here, but I think it right to let you know the facts.⁸⁶

Campbell-Bannerman, not surprisingly in view of the recent correspondence with Asquith, sent the immediate assurance that the considerations which Gladstone had placed before him formed "no obstacle."⁸⁷

Those who were strongly either for or against the Veto naturally responded in very differing fashions to the news of Gladstone's appointment. If the reaction of Charles Gold is a

⁸⁶Gladstone to C.B., 12 April, 1899, B.M. Add. MS 41215, ff. 66-67.

⁸⁷C.B. to Gladstone, 13 April, 1899, B.M. Add. MS 45987, f. 11.

reliable guide, the small group of Liberal Members of Parliament connected with the Licensed Trade was overjoyed. Gold, the Member for Saffron Walden, was a director of W. & A. Gilbey's. "I am more than delighted that you have induced Mr. Herbert Gladstone to accept the office of Chief Whip," he wrote to Campbell-Bannerman. "I have told all my friends for days past that he is the one man capable of pulling the party together."⁸⁸ But Gladstone's appointment swelled the rising tide of Vetoist distrust of the Liberal Party's central officials, and in his new office he was soon confronted by a series of demonstrations of radical temperance's discontent in the constituencies, of which that at Osgoldcross in June and early July was only the most spectacular example. On at least one occasion a local protest of this kind seemed to be less a stand on principle than a deliberate trial of strength with the new Chief Whip. "The York people . . . are at present in my bad books," he told Campbell-Bannerman early in September, "for the temperance faddists won't accept the smartest of my candidates--Jack Menzies--because he is a distillery director, though he is sound on temperance reform so far as I know."⁸⁹

The resentment of radical temperance men was the more

⁸⁸Gold to C.B., 14 April, 1899, B.M. Add. MS 41235, ff. 32-33.

⁸⁹Gladstone to C.B., 3 September, 1899, B.M. Add MS 41215, ff. 76-77.

understandable since they found themselves with cause to deplore not merely the fact of Gladstone's appointment but also its timing. The latter took up his new office, with its special responsibilities and--in the right hands--opportunities for co-ordinating party opinion, just at the moment when the long-awaited findings of the Royal Commission on the Liquor Licensing Laws were about to provide a new field of controversy for the temperance movement and the Liberal Party alike.

CHAPTER SIX

THE ROYAL COMMISSION ON THE LIQUOR LICENSING LAWS, 1896-99

The investigation of the liquor licensing laws by a Royal Commission which began in 1896 became one of the most extensive official enquiries ever undertaken in Britain. The Commission was appointed in the spring of 1896 and it was the summer of 1899 before its Final Report--in reality two distinct reports--was presented to Parliament. In the intervening period the Commission held 134 sittings, questioned 259 witnesses and heard 74,451 answers. Apart from five purely formal interim reports, the twenty-four Commissioners issued nine volumes of evidence and appendices, a Final Report and an index. These eleven folio volumes, containing over four thousand closely printed pages, cost the taxpayer nearly eight thousand pounds.¹ The magnitude of the enquiry reflected the extent of current concern with the drink problem.

¹£7,880, 17s. 10d. On the grounds that further expense could not be justified, the translation of all or part of the Commission's findings into Welsh was rejected, despite strong representations from several Welsh M.P.s, in particular J. H. Roberts, himself one of the commissioners. See the letters from Roberts to the Home Secretary, Sir Matthew White Ridley, 31 July and 3 August, 1899, Public Record Office, Home Office Papers Class 45, 10151/B20998/42-43. It is unfortunate that this file, the only one which relates directly to the Commission, is incomplete. Of its original fifty-six items, numbers 1-38, 40-41, 45, 47 and 50 have been destroyed.

The manner of the Commission's appointment, the composition of its membership, the feuding of its members, the fate of the two reports which it produced: all of these illustrated the extent of the controversy which surrounded the liquor licensing question in the last years of the nineteenth century.

If justification were needed for an enquiry into the operation and administration of the liquor licensing laws it could certainly be found in the extremely involved and often confused state of the existing legislation.² But the fact that the enquiry was instituted by a Conservative and Liberal Unionist administration--and especially one headed by Lord Salisbury--understandably brought forth many a sceptical reaction. "Of course," wrote Sir Wilfred Lawson, "everybody knew who knew anything, that the appointment of a Commission was only a move to postpone any dealing with the liquor question."³ Another interpretation of the government's action differed from Lawson's but was no less cynical. Edward Porritt implied that Salisbury and Balfour might have agreed to an enquiry, not in order to postpone passing a measure of temperance reform which would offend the trade, but so as to avoid legislation in the trade interest, thus ensuring the continued vigour of trade support. Writing for an American audience at a time when the Commission had been sitting for

²See above, Chapter Two.

³G. W. E. Russell, Sir Wilfred Lawson: A Memoir (1907), p. 234.

nearly three years, he explained how

the trade had hoped that in return for its great services at the election in 1895, the government would immediately set it at rest by a measure of licensing reform in which compensation would be granted to all holders of liquor licenses who might be disturbed. But, instead of doing this, the government appointed a royal commission. There will be no legislation until after the commission has reported. The likelihood is that there will be no legislation during the lifetime of the House of Commons elected in 1895; so that if the liquor trade desires to make sure of compensation it will have to repeat its efforts of 1895 in behalf of the Tories at the next general election.⁴

Theories such as these perhaps help account for the particular form the enquiry took, but as explanations of why one was established at all they appear to be wide of the mark. After the election victory in the summer of 1895 the Unionist leadership made no secret of the fact that it was disinclined to grapple with the licensing reform issue in the foreseeable future.⁵ The indications are that the initiative for an enquiry did not originate with the Unionist leadership and that it finally accepted the idea only after considerable hesitation, if not with reluctance. As early as 10 September, 1895, representatives of the Westminster Licensing Reform Committee had written to Balfour, the First Lord of the Treasury in the new government, suggesting that the present moment was a favourable one for action on the licensing question and requesting "the appointment of a Parliamentary committee at the

⁴Edward Porritt, "The Liquor Interests in English Politics," The Chautauquan [Meadville, Pa.], XXVIII (March, 1899), 558.

⁵See above, Chapter Four.

earliest possible moment, to be followed by the introduction by the Government of a Bill which should embody the recommendations and conclusions of such committee."⁶ The Westminster Licensing Reform Committee included a number of back-bench supporters of the Salisbury administration known for their sympathy with the cause of temperance reform; it had been founded four years earlier at a meeting at the Westminster Palace Hotel chaired by Sir William Houldsworth, Conservative M.P. for North West Manchester and President of the National Conservative and Unionist Temperance Association.⁷ Among the representatives of the Committee who wrote to Balfour were three Liberal Unionist M.P.s: Thomas Bolitho (Cornwall, St. Ives), Leonard Courtney (Cornwall, Bodmin) and Thomas Lea (Londonderry South).⁸ Balfour waited a month before replying, and then on 7 October wrote back to say that the suggestion would "receive the consideration of her Majesty's Government."⁹

Widely differing points of view on the temperance question came together in the autumn of 1895 in urging action

⁶Letter published in The Times, 23 October, 1895.

⁷Evidence of John Westlake, Q.C., 8 June, 1898, qu. 67,107, LCR, VIII, 485.

⁸The others who signed were John Westlake, Professor of International Law at Cambridge, and Francis Fox, Reynolds Fox and Stephen Bourne, leading members of the Society of Friends.

⁹Letter published in The Times, 23 October, 1895.

on the new government in the area of licensing reform. Men who were by no means advocates of radical temperance reform could still be eager to see a quick resolution of the complexities of the existing liquor legislation. J. Moore Bayley, a Birmingham Councillor, declared that the present condition of the licensing law was "a scandal to our Statute-book . . . a brand of our jurisprudence that no man can understand" and that it presented an obvious opportunity "for the Unionist Government to place on the Statute-book a monument to its existence of moderation and practical advantage to the State."¹⁰ The Manchester Guardian, on the other hand, was far more concerned with measures to promote temperance than with legal reform, and still favoured the principle of the Veto, despite its belief that "unbounded and unscrupulous misrepresentation of the Local Veto Bill" had helped bring about the recent Liberal defeat. Yet in a leading article it too looked for a Unionist initiative, even if only a limited one:

It is for the other side to take action now, and it is for the Liberal party to encourage them so long as their action promises to be not purely retrograde and mischievous. The admission of the frightful evils of the drink traffic as it exists at present is not confined to members of the Liberal party.¹¹

Sir William Houldsworth was undoubtedly one of the men referred to in this last sentence. On 21 October he was at the Manchester Town Hall, where he addressed a gathering

¹⁰Letter to ibid., 19 September, 1895.

¹¹Manchester Guardian, 23 October, 1895.

of members of the Church of England Temperance Society. He suggested to the meeting that pressure should be brought to bear on the Government to appoint a Royal Commission to investigate the licensing question. This would not, he thought, entail serious delay, and the evidence before the Commission, together with its recommendations, might form the basis of legislation in the following session of Parliament. To cheers he announced that he personally intended to urge the Government to appoint a Commission and that he would welcome the Society's support.¹²

Houldsworth's advice was quickly taken up. At London House in the first week of November the Bishop of London and President of the Church of England Temperance Society, Frederick Temple, presided over a large gathering of "clerical representatives of the various Christian bodies in England and Scotland" which came together specifically to formulate a joint approach towards temperance legislation.¹³ The conference agreed to press for a number of particular licensing reforms, but also resolved "that since such various methods involve the consideration of acutely controversial questions, her Majesty's Government be petitioned to appoint a Parliamentary Committee of both Houses to enquire into the matter."¹⁴

¹²Ibid., 22 October, 1895.

¹³The Times, 8 November, 1895.

¹⁴Ibid.

In the middle of January the Archbishop of Canterbury, E. W. Benson, sent a request to the Prime Minister on behalf of the Episcopal Bench for an enquiry to be appointed into the whole question of licensing reform.¹⁵ A month later this request was embodied in a resolution of the Upper House of Convocation.¹⁶

The pressure on the Unionist leadership was therefore considerable. The demand for an enquiry was led, not by political opponents or by radical temperance organizations, but by men from the Government's own back-benches and by the Church of England. For obvious reasons administrations find it much harder to refuse their friends than their foes, a fact of which the Bishop of London was evidently well aware. On 7 February Temple and nine other bishops led a Church of England Temperance Society deputation to Balfour and Salisbury, who were carefully reminded that "a very large majority of members of the society were supporters of the present Government."¹⁷ Four days later Parliament assembled for the new session, having not met since the previous September. At question time on the 20th Balfour was asked whether it was the Government's intention to appoint a Royal Commission to investigate the licensing question. Balfour replied that the Government had no objection to an inquiry,

¹⁵Ibid., 18 January, 1896.

¹⁶John Newton, W. S. Caine, M.P. (1907), p. 277.

¹⁷The Times, 8 February, 1896.

provided it could be sure that there was "some agreement as to the terms of reference among the various persons interested in this difficult subject."¹⁸

The qualification was important. The form the enquiry would take, the composition of its membership and its terms of reference were the Government's direct responsibility, and it soon became clear that it was thinking in terms of a Royal Commission, with the majority of the commissioners drawn from the licensed trade and from the temperance movement. Whether both sides could be induced to come together in this way was uncertain. Many sections of the licensed trade were prepared to accept an enquiry provided that it took the form of a Royal Commission on which they could be directly represented, but others agreed with the Lancashire delegates to a licensed trade conference held in London on 10 March that even this form of enquiry should be opposed as unnecessary and as likely to introduce an element of uncertainty into a lawful business, and two weeks later some brewers were still "showing a strong indisposition to have anything to do with the Commission."¹⁹ On the temperance side, too, it looked as though there might be difficulties. The more radical temperance men argued that all the facts were known and that what was needed was action,

¹⁸Parl. Debates, 4th series, XXXVII, c. 716.

¹⁹Newton, Caine, p. 276; Manchester Guardian, 11 and 25 March, 1896.

not further information. In a letter published in The Times of 16 March, Sir Wilfred Lawson wrote that "as the issue of a Royal Commission to inquire into our Liquor Laws seems now to have been decided on," he wished to make clear the attitude of the United Kingdom Alliance:

That association has not asked for any inquiry, neither have the representatives of the licensed trade done so. . . .

I myself am rather anxious that those who interest themselves in these matters should know that I have no responsibility whatever for the appointment of this Commission, nor for the persons who may be selected to serve on it.

Lawson ended his letter by stating that, whatever the findings of the Commission should prove to be, he--and by implication the Alliance as a body--would continue to press for the Veto.

Lawson's attitude was one of disavowal of responsibility rather than of outright hostility. On 7 February the Bishop of London had assured Balfour and Salisbury that even the more "extreme" temperance societies like the Alliance and the Good Templars were prepared to follow the Church of England Temperance Society's lead,²⁰ and the Government certainly appears to have had less difficulty finding representative temperance men to serve as commissioners than it had in other areas of the Commission's membership. One-third of the commissioners were to represent the temperance movement and one-third the licensed trade;

²⁰The Times, 8 February, 1896.

with the remaining third supposedly representing "neutral" opinion: "Christians at large" was how Lawson jokingly referred to them.²¹ Balfour, despite being closely pressed on the subject in the House of Commons throughout the final week in March, was unable to announce the names of the commissioners until the last day of the month.²² Six days earlier the lobby correspondent of The Times had been able to predict with complete accuracy the names of the eight temperance commissioners. Yet the same writer successfully forecast only six of the eight who eventually became commissioners representing the licensed trade, and only six of the eight "neutral" commissioners.²³

On the same occasion that he announced the Royal Commission's membership and that Viscount Peel was to be its Chairman, Balfour also made public the terms of reference.

They were:

To enquire into the Operation and Administration of the Laws relating to the Sale of Intoxicating Liquors, and to examine and report upon the proposals that may be made for amending the aforesaid laws in the public interest, due regard being had to the rights of individuals.²⁴

²¹Russell, Lawson, p. 234.

²²Even then he named only twenty-three of the twenty-four. The appointment of the eighth and last "neutral," Viscount de Vesci, was not announced until 10 April. See Balfour's answers to questions from William Redmond (Clare East) on 26 March, from William Johnston (Belfast South) on 30 March, from Johnston and Patrick O'Brien (Kilkenny) on 31 March, and from Timothy Healy (Louth North) on 10 April, Parl. Debates, 4th series, XXXIX, c. 185, 389, 522, 679.

²³The Times, 25 March, 1896.

²⁴Parl. Debates, 4th series, XXXIX, c. 522.

The terms of reference represented a compromise between the temperance movement and the licensed trade, but also a potential battle-ground. Clearly the temperance commissioners would emphasize proposals for amending the liquor laws in what they saw as the public interest, while the trade commissioners would stress the rights of individuals.

Balfour made no attempt to gloss over the obvious fact that the membership of the Commission had been deliberately constituted so as to balance the opposing forces of the temperance movement and the licensed trade, and that as a result at least sixteen of the twenty-four commissioners began the enquiry with anything but an open mind on the subject under investigation. "I have endeavoured to fairly represent all interests and all parts of the country," he explained to the House of Commons when he announced the names of the commissioners.²⁵ By this he meant that he had tried to give due representative weight to the moderate and radical streams of temperance opinion and to the various sections of the licensed trade, and that within the temperance group there were five commissioners from different parts of England and one each representing Scotland, Wales and Ireland.

The eight commissioners from the temperance movement were Thomas Whittaker, William Sproston Caine, J. Herbert Roberts, Sir Charles Cameron, Dr. Frederick Temple, Dr.

²⁵Ibid.

Hercules Dickinson, Sir William Houldsworth and William Allen. The first four of these represented the vetoist wing of the movement, Whittaker and Caine being Vice-Presidents of the United Kingdom Alliance.²⁶ Temple, who was Bishop of London when the Commission was appointed but who became Archbishop of Canterbury in the last weeks of 1896, was in a more ambiguous position; he was President of the two leading non-prohibitionist societies, the National Temperance League and the Church of England Temperance Society, but was known to be personally favourable to the Veto. Dickinson, Houldsworth and Allen were non-prohibitionists. Dickinson was Dean of the Chapel Royal, Professor of Pastoral Theology at Trinity College, Dublin, and a Vice-President of the Church of Ireland Temperance Society. Houldsworth was President of the National Conservative and Unionist Temperance Association. Allen, a leading member of the Tied House Tenants' League, was very much the odd-man-out. Only twenty-five years old and far younger than any of the other commissioners, he was subsequently disowned by Whittaker for having been involved in promoting a brewery company while the Commission was sitting.²⁷ Cameron was the temperance commissioner repre-

²⁶Roberts was Caine's son-in-law, having married Hannah Caine in 1893. In 1897 another of Caine's daughters, Ruth, married J. Herbert Lewis. Lewis, like Roberts, was a Welsh Liberal M.P. (he succeeded Roberts in Flint Boroughs in 1892) and a vetoist, and he was one of the witnesses who appeared before the Commission.

²⁷Thomas P. Whittaker, "The 'Temperance' Reply to Sir Algernon West," Nineteenth Century, XLVII (March, 1900), 516.

senting Scotland, Roberts Wales, and Dean Dickinson Ireland. In addition to Houldsworth there were three other M.P.s among the temperance commissioners, all of them Liberals: Whittaker (Yorkshire, Spen Valley), Allen (Newcastle-Under-Lyme) and Roberts (Denbighshire West). Caine and Cameron had been Liberal M.P.s until defeated in the 1895 election.²⁸

The temperance group within the Commission was reasonably well balanced between moderate reformers and prohibitionists, even if slightly weighted towards the latter. However, it certainly did not represent all the different schools of thought within the movement, and there was at least one notable omission. Shortly after the membership of the Commission was revealed the Bishop of Chester wrote to The Times to say that many people had already remarked on the fact that no advocate of "the system of municipal licensing in one or other of its shapes" had been included. The Bishop might well have complained about this, since he was himself one of the leading advocates of the idea of management in the public interest. Instead he declared himself content to let the scheme "stand quite on its own merits, without any friend at court."²⁹

The eight men appointed to be the licensed trade's

²⁸ Cameron re-entered Parliament in 1897 when he won a by-election in Glasgow, Bridgeton; Caine remained outside for the duration of the Commission.

²⁹ The Times, 3 April, 1896.

friends at court were Alfred Money Wigram, Henry Riley-Smith, George Younger, Charles Walker, Samuel Hyslop, Sir Frederick Seager Hunt, Samuel Young and Henry Grinling. Wigram, Riley-Smith and Younger respectively represented the London, provincial and Scottish brewery interests; Walker and Hyslop the London and provincial licensed victuallers' organizations; Hunt and Young the London and Irish distilleries; and Grinling the wine and spirit merchants and their retail agents, the holders of grocers' licenses.³⁰ Like all the Gilbey clan, Grinling was a Liberal. Young was an anti-Parnellite Nationalist M.P. The remaining six were Conservatives, two of them, Wigram (Romford) and Hunt (Maidstone), currently sitting as M.P.s. Though there was no Scottish distiller, and though the Parnellite Nationalists objected that the Irish liquor trade as a body had not been consulted about Young's appointment,³¹ the respective interests of the eight

³⁰Wigram was Chairman of Reid's Brewery and Treasurer of the National Trade Defence Fund; Riley-Smith Chairman of John Smith's Tadcaster Brewery and the Yorkshire Brewers' Association, ex-Chairman of the Country Brewers' Society, and a member of the General and Executive Committee of the N.T.D.F.; Younger, Chairman of George Younger & Son, Alloa, and ex-President of the Scottish Licensed Trade Defence Association. Walker was Chairman of the Licensed Victuallers' Central Protection Society of London; Hyslop ex-President of the Licensed Victuallers' National Defence League. Hunt was head of Seager, Evans & Co.; Young, head of Young, King & Co. of Belfast and Limavady. Grinling was a director of W. & A. Gilbey, Ltd., and Sir Walter Gilbey's cousin.

³¹See Patrick O'Brien's question to Balfour, 26 March, 1896, Parl. Debates, 4th series, XXXIX, c. 185, and The Times of the same day.

commissioners roughly reflected the prevailing balance of power within the licensed trade, in particular the importance of the brewers. Before the Commission finished the hearing of evidence their original contingent of three was increased still further. Hunt resigned in April, 1898, and the commissioner appointed in his place was Edward North Buxton of the London firm of Truman, Hanbury, Buxton, a leading Liberal brewer.

The two men who were to have the greatest influence on the course of the enquiry were both in the so-called neutral section: the Commission's appointed Chairman, Viscount Peel, and its Vice-Chairman, unanimously elected by the other commissioners at the first meeting, Sir Algernon West. It was Peel who submitted the draft which formed the basis of what finally became the Commission's minority report, West who was primarily responsible for the counter-draft which eventually emerged as the majority report.³² Arthur Wellesley Peel, the youngest son of Sir Robert Peel, Prime Minister 1834-35 and 1841-46, had been a member of the House of Commons continuously between 1865 and 1895. Elected at first as a Liberal, he subsequently became a Liberal Unionist. In 1884 he had succeeded the controversial Henry Brand as Speaker. Although his election to this office had initially

³²Confusion can result from the fact that Peel's name was commonly applied both to the Commission he chaired and to the report he signed. The "Peel Commission" was the Royal Commission on the Liquor Licensing Laws of 1896-99, the "Peel Report" was the Minority Report of that Commission.

caused some dissatisfaction among Conservatives (he was both proposed and seconded by fellow Liberals), Peel soon won general respect for his high sense of duty, his impartiality and his austere interpretation of the Speaker's role.³³ When he retired in April, 1895, citing the state of his health, he received the customary viscountcy. Lord Peel's appointment as Chairman of the Licensing Commission reportedly caused "a universal feeling of satisfaction," and may well have been influential in encouraging the temperance movement to co-operate with the enquiry.³⁴ Sir Algernon West was the only Liberal supporter among the neutrals. His career had been spent far less in the public eye than Lord Peel's had been, but as a former Chairman of the Inland Revenue and private secretary to Gladstone during two of the latter's premier-ships his administrative experience was immense, and he was well known in political circles.

The remaining six neutrals were the Earl of Jersey, Viscount De Vesci, John Lloyd Wharton, Andrew Johnston, Alexander Morison Gordon and William Graham. Victor Albert George Child Villiers, the seventh Earl of Jersey and a cousin of the Queen, was a former Paymaster-General and Governor-General of New South Wales who owned the larger share of Child's Bank and was Lord Lieutenant of Oxfordshire.

³³On Peel as Speaker see Phillip Laundy, The Office of Speaker (1964), pp. 322-30.

³⁴See the leading article in The Times, 3 April, 1896.

He resigned from the Commission in May, 1897, and was replaced by a fellow Conservative peer and former Paymaster-General, Robert George Windsor-Clive, fourteenth Baron Windsor and Lord Lieutenant of Glamorganshire. John Robert William Vesey, the fourth Viscount de Vesci, was a son-in-law of the Earl of Wemyss, a Governor of the National Gallery in Dublin, and Lord Lieutenant of Queen's County, thus qualifying as the neutral section's Irish representative. Wharton, Johnston and Gordon were J.P.s, Graham a noted barrister. Wharton, a Conservative M.P. (Yorkshire, Ripon) and Chairman of Durham County Council, had a wide experience of official enquiries and had chaired the 1893-94 Departmental Committee on Habitual Drunkards. Johnston, a former M.P., a teetotaler, and a grandson of Sir Thomas Fowell Buxton and thus a cousin of E. N. Buxton, had been Chairman of Essex Quarter Sessions for sixteen years and of Essex County Council for seven. Gordon, the Scottish representative among the neutrals, was Convener of Aberdeenshire and Chairman of Quarter Sessions.

Between them these men brought to the enquiry an impressive variety of virtues: noble lineage, unquestioned ~~polity~~^{probity} and proven administrative competence.³⁵ Yet at the very least it was debatable whether the mere absence among them of any direct connection with the licensed trade or with the temperance movement was sufficient to guarantee their

³⁵In addition at least six of them were Old Etonians.

neutrality. Armstrong Bennetts, a temperance writer, subsequently argued that since seven of the eight neutral commissioners were licensing magistrates, they were closely associated with the existing licensing system, even to the extent of being, with the licensed trade, defendants in the case being tried.³⁶ Another critic writing after the publication of the Commission's Final Report dismissed the neutral section, aside from Lord Peel, as

two peers who are not greatly known as social reformers, one or perhaps two ex-officials, and at least two strong Conservatives, whose political preferences and interests would scarcely lead them to any interference with the "rights of individuals," if by such rights of individuals are meant the vested interests of brewers and publicans.³⁷

Belated though it was, this last criticism was an effective one. The licensing question was not the exclusive interest of the temperance movement and the licensed trade. It was also an important political issue which deeply concerned the Unionist and Liberal parties. Yet of the eight neutral commissioners only one, West, was sympathetic to the Liberals. The other seven were Conservative or Liberal Unionist in their political affiliation, and presumably felt greater or lesser degrees of allegiance to the current Salisbury administration.

The exact function of the Commission's "neutral" section was never clear, and was open to conflicting interpreta-

³⁶Rev. G. Armstrong Bennetts, "The Licensing Commission," London Quarterly Review, new series, III (January, 1900), 109.

³⁷Rev. T. C. Fry, "The Licensing Commission," Economic Review, IX (October, 1899), 476.

tions. In the last six months of the enquiry considerable bitterness developed between Peel and West.³⁸ Much of it appears to have been due to their differing conception of the responsibilities of neutrality. Peel's actions made clear his belief that, while he might be a neutral in the sense that he entered the enquiry with no definite commitments on the licensing question, it was his duty both to form and to expound his own opinions in the light of the evidence. He seems to have shared with his more famous father an openness to conviction by argument and a determination, once convinced, to take the course of action seen as necessary, whatever the immediate and personal consequences. It is quite clear that the mass of evidence that came before him during the enquiry deeply impressed Peel with the seriousness of the drink problem, and that he became increasingly determined to press for the relatively drastic reforms which he came to feel were essential if the situation were to be improved. West's view was very different. He assumed that

³⁸West spoke obliquely of this in the "General Introduction" he provided to the Majority Report, LCR, Final Report, 11-12. Seven months after this was published he wrote a sweeping attack on Peel's handling of the Commission, "The Two Reports of the Licensing Commission," Nineteenth Century, XLVII (February, 1900), 260-74. Peel did not reply personally, but was defended by Thomas Whittaker, "The 'Temperance' Reply to Sir Algernon West," ibid. (March, 1900), 510-25. The two articles (hereafter cited as West, "Two Reports" and Whittaker, "Reply") are remarkably indiscreet, and their discarding of the reticence normally maintained in public by former commissioners illustrates better than anything else the seriousness of the split which developed within the Commission.

he and his fellow neutrals had been given a two-fold task. The first was to share with the rest of the Commission the benefits of the "extensive personal experience in the working of the Licensing Laws" which most of them possessed. The second was that of "serving, as it were, as umpires between the two bodies of conflicting opinions."³⁹ It is not unfair to West to say that he was less concerned to address himself to the evidence which came before the enquiry than he was to arbitrate between the rival claims of the temperance and licensed trade commissioners.⁴⁰

If either Peel or West misunderstood his role, the blame lies less with him than with Balfour's avowed attempt to give fair representation to all interests involved in the licensing question. West remarked that the selection of the commissioners in three distinct groups constituted "a principle quite novel, I believe, in the history of Commissions."⁴¹ Certainly it raised fundamental questions about the nature and purpose of Royal Commissions. Though he was naturally less concerned by the presence of the temperance representatives, Sir Wilfred Lawson regarded the selection of one third of the Commission specifically to represent the licensed trade as absurd, and "as thoroughly Balfourian as anything which that

³⁹West, "Two Reports," 260.

⁴⁰West himself said that he "deprecated quotation of evidence on controversial points," ibid., 272.

⁴¹Ibid., 260.

remarkable statesman has done."⁴² A more balanced assessment was recorded in 1899 by Sir Edward Hamilton, the Treasury official. In his diary entry for 25 February of that year the customarily well-informed Hamilton wrote:

The Liquor Commission under Lord Peel is getting into great trouble with his draft report and affords a good instance of the wrong-headed way in which it was constituted. Royal Commissions ought to be composed of three or four unprejudiced persons, who are able to take a judicial view of the enquiry referred to them after hearing the evidence of opposing sides.⁴³

A more immediate criticism of Balfour's action was also the more telling for coming from The Times, normally a warm supporter of the Unionist administration. The Times devoted a leading article to the Licensing Commission three days after the announcement of its membership and terms of reference. It noted that Balfour had evidently acted on the assumption

that a Royal Commission of this kind ought to contain men known to be identified with particular interests or theories, and that its composition is to be justified by the manner in which representation has been apportioned to opinions uncompromisingly opposed.⁴⁴

This approach, argued The Times, was not a valid one. Nor could it be made into one by drawing parallels between Royal Commissions and other bodies which were qualitatively different. It was right to select a committee of the House of

⁴²Russell, Lawson, p. 234.

⁴³British Museum, Sir Edward Hamilton Papers, Add. MS 48,674.

⁴⁴The Times, 3 April, 1896.

Commons in such a way as to represent the balance of opinion within the House. The House itself was a representative and legislative body, and unless its committees were Houses of Commons in miniature the advantages to be gained by delegation of its powers would be completely lost.

But a Royal Commission on the Licensing Laws is not a legislative body at all, nor has it any authority to represent the electorate. Its function is to collect information, to sift evidence, to elucidate obscurities, to offer recommendations, and generally to assist in the formation of an instructed and homogeneous public opinion. There is no reason in the world why a body of this kind should be given a representative character, which, after all, is spurious. The less its members represent any interest concerned, the less they are prejudiced in favour of any theory or system, the better they are fitted to enquire, to examine, and to report with impartial regard for public and private claims.⁴⁵

Turning from general principles to the lessons of previous experience, The Times concluded by giving what amounted to a remarkably accurate prediction of the course the enquiry into the licensing laws would take:

In practice we find that commissions constructed upon the representative principle frequently fail to arrive at any coherent or authoritative conclusion. The representatives never forget that they hold a brief for interested parties, consequently anything like a fairly homogeneous collective opinion is impossible from the outset. Hence the too frequent spectacle of a majority report, a minority report, and one or two separate reports from individuals who cannot agree with either of the main sections. In such circumstances the Commission, as a whole, is devoid of authority. Everyone is at liberty to take the report that pleases him best, or to reject both on the grounds that they neutralise one another; while the masses of evidence become mere quarries in which opposing parties dig for missiles to hurl at their adversaries in an unsettled controversy.⁴⁶

⁴⁵Ibid.

⁴⁶Ibid.

The formal announcement of the Royal Commission appeared in the London Gazette of 28 April and the Commission assembled for a preliminary meeting on 12 May. At this first meeting, besides electing West as Vice-Chirman, the commissioners took an important procedural decision. Lord Peel was in favour of a private enquiry. Caine, however, wanted a public investigation, open to the press, and his motion to this effect was seconded by Lord Jersey and carried by a large majority.⁴⁷ The poor acoustics of the Queen's Robing Room in the House of Lords, where the Commission normally met on two days a week as long as Parliament was in session, made the task of correspondents covering the enquiry an unenviable one.⁴⁸ Nevertheless, the fact that each session of the Commission was widely reported the next day in the national and provincial press, as well as later in the various trade and temperance journals, meant that a continuous public interest was maintained in the enquiry, despite its length.

In the following week the Commission settled down to the hearing of witnesses, which was to occupy it for the next twenty-six months. Although there were numerous individual exceptions, in the main the evidence was taken in a systematic order which is reflected in the material published as the Commission proceeded. Of the nine volumes of evidence and

⁴⁷Newton, Caine, p. 278.

⁴⁸The reporter for The Times complained on 20 May that "neither the questions put by the Commissioners nor the answers given by witnesses can be clearly heard."

appendices which were issued between 1897 and 1899, the transcript of the witnesses' testimony appears in volumes I - III and VI - VIII. Volume I is primarily devoted to an investigation of the nature and the scope of the licensing laws, with evidence from civil servants, magistrates, police superintendents and justices' clerks. Volume II is very similar in nature to the first volume, but deals more specifically with the administration of the law and includes testimony from Chief Constables, solicitors and members of Watch Committees. Volume III is chiefly concerned with the licensed trade's presentation of its case, with evidence coming from brewers, licensed victuallers, wine and spirit merchants and representatives of the various trade protection societies. Volumes VI and VII respectively comprise the evidence relating specifically to Scotland and to Ireland. Volume VIII contains the testimony of representatives of the leading temperance societies and of other interested bodies, such as the Society for the Study of Inebriety.

The evidence of the 259 witnesses who eventually appeared before the Commission varied greatly in quality, and in its entirety amounted to a complex mass of factual and statistical information, arguments, grievances and outright propaganda.⁴⁹ There was considerable duplication of testimony.

⁴⁹There were even moments of humour, though they were rare. One of the many women who combined temperance work with feminism, Lady Henry Somerset, complained in the course of her evidence that attractive women were especially sought after as barmaids in order to encourage custom and that as a

This was doubtless inevitable in an enquiry which for much of the time took the form of a running battle between the licensed trade and the temperance movement. Each side organized itself to present its witnesses and testimony. The leading temperance societies came together in the Central Temperance Evidence Board, while the National Trade Defence Association set up a Royal Commission Consultative Committee composed of the eight trade commissioners and fifty other representatives of the licensed trade, which in turn was divided into various sub-committees. Neither side was prepared to let a point made by the other go unanswered, however recondite it might seem. Thus when the solicitor to the Central Board of the London Licensed Victualler's Protection Society told the Commission that licenses did not become annual until 1729, he was followed within a month by one of the temperance movement's experts on early licensing legislation who appeared specifically to refute the statement and to argue that the granting of licenses on an annual basis had begun at least as early as 1618.⁵⁰

The Commission concluded its hearing of evidence on 20 July, 1898. It then went into recess, in order to give

result "a good-looking girl stands a better chance of getting a situation in the trade than an ill-looking one." Asked by Dean Dickinson whether this did not apply to every calling, she replied: "No, I have never known it apply to the Post Office." 25 May, 1897, qus. 31,812-16, LCR, III, 195.

⁵⁰Evidence of E. Maitland, 6 July, 1897, qus. 36,331-33, LCR, III, 338, and of Edgar Bonham Carter, 3 August, 1897, qus. 42,146-218, ibid., 527-28.

the Chairman time to prepare a draft report. West later maintained that at this stage he had no doubts that he would find anything that Peel might say in the draft personally acceptable.⁵¹ According to West, Peel made no direct attempt to ascertain the general views of his fellow commissioners before they separated, though he did invite opinions on particular points to be sent to him in writing.⁵² It was 1899 before the Chairman's work was completed. His draft report was circulated among the commissioners shortly after Parliament opened its new session on 7 February.

As were both the final reports eventually presented by the Commission, Peel's draft was divided into five major sections. The first three dealt respectively with England and Wales, with Scotland and with Ireland, and the fourth with clubs. The fifth and last section, headed "General," was primarily concerned with the particularly controversial questions of reduction and compensation, and the Veto. Among the recommendations the Chairman had drafted in his first four sections were the curtailment of Sunday opening, the licensing of all clubs, the virtual abolition of the grocers' license, and the introducing of a strong representative element into local licensing authorities. In the fifth section no positive support was given for the Veto as such, though

⁵¹West, "Two Reports," 261.

⁵²Ibid.

it was envisaged that communities would be able to put their views into effect through their local representatives. What the fifth section did propose was that there should be a substantial statutory reduction in the numbers of licensed premises, that it should begin after a period of notice of between five and seven years, and that it should be unaccompanied by any form of compensation.⁵³

West subsequently claimed that both he and his fellow "neutrals" were surprised by the extent to which the Chairman's draft reflected the views of "the extreme temperance party," and it was soon obvious that many of its proposals would encounter vigorous opposition from the trade commissioners.⁵⁴ Nevertheless the initial speculation in the press was that Peel would be able to carry a majority of his colleagues with him. On 16 February the author of the "Political Notes" column in The Times wrote that "there is every reason to believe that the recommendations contained in Lord Peel's draft report will be endorsed by the majority of the Licensing Commission." On 22 February the Manchester Guardian's London correspondent reported that "the general character of the draft is such that it pleases neither out-and-out vetoists nor out-and-out members of 'the trade,' but it is likely to unite the more moderate men in a majority on the chief points."

⁵³Manchester Guardian, 22 February, 1899.

⁵⁴West, "Two Reports," 261; The Times, 16 February, 1899.

The commissioners reassembled to begin their discussion of the Chairman's draft report on Tuesday, 21 February. In contrast to the hearing of evidence, the deliberative stage of the Commission was supposed to be private, and reporters were naturally excluded. In practice, however, there were continual leaks to the press and even though in their details these were often confusing and sometimes mutually contradictory, the public was kept reasonably well informed of the major decisions taken at successive meetings. The first meeting was "by no means harmonious."⁵⁵ The trade representatives gave notice of so many amendments to the draft report that it was decided to sit for three days a week in future, rather than the projected two: in this way the commissioners were reportedly confident of being able to finish their work by Easter. The Commission met regularly until Wednesday 8 March. Shortly after the meeting on that date the Chairman fell ill, and the Commission did not meet again until 12 April. By the end of the 8 March meeting all but the last of the draft report's five sections had been dealt with. But they had been dealt with in such a way that it was already very possible that the Commission's eventual majority report would not include the Chairman's signature.

In the meetings held between 21 February and 8 March

⁵⁵Manchester Guardian, 22 February, 1899.

several important amendments to the Chairman's draft report had been carried, but the proposal whose loss Peel appears to have felt the most keenly was that relating to the so-called grocers' licenses.⁵⁶ These licenses were only minimally under magisterial control, since the licensing justices could only refuse their issue on one of four statutory grounds.⁵⁷ Peel proposed not only that these licenses should come under the full discretion of the licensing authority but that the practice of mixed trading should be entirely abolished. This would have prevented liquor being retailed on the same premises as other goods. Had this proposal been put into effect, the result, according to Sir Walter Gilbey, would have been to extinguish "fully three-fourths" of the off-licenses then held under the Gladstonian legislation of the early 1860s.⁵⁸

Grocers' licenses had emerged quite creditably from the investigations of the 1879 Lords' Committee on Intemperance, which found "very little direct evidence . . . [that] any

⁵⁶H. G. Crews, of the National Federation of Off-License Holders Protection Associations, was quite right when he informed the Commission that, when used to describe categories of license in England and Wales, the term was strictly speaking inaccurate. 28 July, 1897, qu. 41,226, LCR, II, 494. However, it was the term almost invariably used by contemporaries, it is convenient, and it is used here throughout.

⁵⁷See above, Chapter Two.

⁵⁸Sir Walter Gilbey to Herbert Gladstone, 19 April, 1899, British Museum, Viscount Gladstone Papers, Add. MS 46,057, ff. 154-57.

general increase in intemperance can be attributed to grocers' licenses," and which was "not prepared to recommend that the grant of these licenses should be placed under the same control of the justices as public-house and beerhouse licenses," despite the fact that it recommended that the ante-1869 beerhouses certainly should be.⁵⁹ Temperance opinion, however, saw in grocers' licenses the main cause of the peculiarly horrible evil of female intemperance. In his evidence before the Commission H. M. Riley, the proprietor of a home for inebriates in Leicester, estimated that ninety per cent of the women who had come to him for treatment owed their condition to the regular patronizing of shops with grocers' licenses. He also cited the example of the wife of one of Gilbey's retail agents in the Midlands who took to drink shortly after her husband received the agency.⁶⁰ The Commission was treated to so many harrowing accounts like this that Henry Grinling was moved to protest against the way in which grocers' licenses were used as "a shibboleth of the teetotal party."⁶¹

Virtually the entire temperance movement was united in demanding not only that all off-licenses should be brought

⁵⁹"Report from the Select Committee of the House of Lords on Intemperance, 1878-79," Parl. Paps., 1878-79, X, 517, 530.

⁶⁰4 August, 1897, qus. 42,397 and 42,403, LCR, III, 536.

⁶¹19 May, 1897, qu. 31,071, ibid., 172.

under the full control of the licensing authority but that the trade in intoxicants should be separated from other trades. It was argued that the selling of alcohol in establishments which also dealt in other goods greatly increased the temptation for women to purchase liquor and made it easier for them to do so, especially since these shops were usually groceries. Almost without exception, temperance witnesses before the Commission went out of their way to stress this point. A particularly effective witness was James Nicol, a Rechabite who had formerly been a licensed grocer. Nicol told how he had seen women concealing the liquor they had bought in his shop as they went out and how, particularly when they were being bought on credit, wines and spirits would be entered up in the records as groceries.⁶² It is clear that Lord Peel was especially responsive to the issue of female intemperance.⁶³ There seems little doubt that he had been convinced by the testimony he had heard that grocers' licenses were a major source of the problem and that he regarded his proposal to abolish mixed trading as one of the most important in his draft report.

The proposal was considered by the Commission on Tuesday, 28 February. Peel may well have felt confident that a majority would be found for it. Of the eight trade commis-

⁶²15 June, 1898, qus. 68,452-563, LCR, VIII, 525-27. Debts incurred for alcohol were not recoverable at law.

⁶³See his Female Intemperance: Is it Increasing? (1901).

sioners only one, Grinling, was there as a representative of the off-licensed trade. The three brewers on the Commission had no cause to regret the destruction of the licensed grocer,⁶⁴ while the two licensed victuallers' representatives had good reason positively to welcome it. Publicans and licensed grocers saw themselves as direct competitors for trade; the grocers were almost as strongly Liberal as the publicans were Conservative; and the publicans greatly resented the fact that they were under the full magisterial discretion while the grocers were not. Something of this resentment came out in the reservations which Hyslop and Walker were subsequently to attach to their signing of the Commission's Majority Report. Arguing against the need for special measures to speed up reduction, they pointed out that a steady diminution of licenses had been taking place for many years. They then managed to work in a tilt at the licensed grocers by going on to claim that "this diminution would have been much larger but for the compulsory granting by the justices of "off" wine and spirit licenses over which the justices had no discretionary power."⁶⁵

When the Chairman's proposal to abolish mixed trading came to the vote, however, the trade commissioners united in opposing it. It seems clear that the trade repre-

⁶⁴"Evidently does not care much about Grocers Licenses," Gladstone noted in his interview diary after seeing Buxton on 18 December, 1899. B.M. Add. MS 46,483, f. 55.

⁶⁵LCR, Final Report, 80.

representatives came to an arrangement, the main lines of which may be inferred. The arrangement was probably that if Grinling would accept that grocers' licenses should be placed under the full control of the licensing authority, his fellow trade commissioners would join him in defending mixed trading. It is impossible otherwise to explain why Grinling subsequently accepted the recommendation of the Majority Report that all wine and spirit off-licenses should be brought fully under the licensing authority, particularly since in the meantime Sir Walter Gilbey had informed Gladstone that his firm disputed the need for this.⁶⁶ When the Commission's final reports were published Grinling's acquiescence was repudiated by the various off-license holders' associations, and when in 1902 the Unionist Government decided to implement this particular proposal as part of its Licensing Act of that year, the fight against it was led by Gilbey's, Grinling's own firm. Naturally this placed Grinling in a very delicate position. Probably he would have done best to have kept quiet. Instead he wrote to the Home Secretary to explain why he was now opposing the very recommendation he had supported three years earlier:

You may ask me how it was then that I came to sign the Majority Report, and especially that portion of it embraced in Chapter IX.

Without troubling you at length on this point, I may refer to the difficulties of opinion which had sprung up.

⁶⁶ Gilbey to Gladstone, 19 April, 1899, B.M. Add. MS 46,057, ff. 154-57.

between the Temperance Members of the Commission on the one side and the Neutral and Trade Members on the other --the one represented by eight, and the other by sixteen Members of the Commission.

It was very desirable, as you will admit, that the Majority Report should be as unanimous as possible, and, to secure this, there must be a certain amount of give and take among the Members, a practice which, I think, is not altogether unknown in the House of Commons.⁶⁷

This is enlightening, but not convincing. Grinling's explanation of his previous acceptance of the recommendation that all wine and spirit off-licenses be placed under the full control of the licensing authority is that he wished the Majority Report to be as unanimous as possible. But this in its turn leaves unexplained the fact that he failed to add a reservation to the Majority Report dissociating himself from that particular recommendation. This omission can hardly have been in the cause of unanimity. All the trade commissioners except Buxton added reservations to the Majority Report, several of which contradicted the main body of the report on numerous different points.⁶⁸ Grinling himself signed a reservation relating to early closing on Saturday, a subject which interested his firm and those he represented far less than did that of the status of off-licenses under the licensing authority.⁶⁹ Grinling's admission that a certain amount of

⁶⁷Henry Grinling to Charles T. Ritchie, 25 February, 1902, H.O. 45 10233/B37173/31. Grinling subsequently repeated these points in an interview with Ritchie on 13 March, 1902, ibid., item unfoliated.

⁶⁸One signed by Hyslop and Walker took up four pages. LCR, Final Report, 77-81.

⁶⁹Ibid., 83.

give and take occurred among the trade commissioners can be accepted. It seems clear, however, that the immediate motive behind the concession Grinling undoubtedly made was not to secure as much unanimity as possible in the eventual final report but to safeguard mixed trading by offering the other trade commissioners something in return for their help in defeating the Chairman's proposal.

The trade commissioners could not have defeated the Chairman's proposed abolition of mixed trading on their own. In the 28 February vote they were joined by all the "neutral" commissioners present except Lord Peel himself. The Vice-Chairman was especially active here. A Liberal supporter with no particular temperance sympathies, West was greatly concerned about the fate of the licensed grocers.⁷⁰ Though for very different reasons, he therefore shared the Chairman's opinion that the proposal to abolish mixed trading was a crucial one, referring to it subsequently as the source of the "first serious difference of opinion" among the commissioners, a view Whittaker contested.⁷¹ In West's opinion grocers' licenses "had been an unqualified success, and no untainted evidence . . . had been produced to the contrary."⁷² Whether West's fellow "neutrals" were convinced by the lack

⁷⁰See his letter to Gladstone of 7 December, 1899, B.M. Add. MS 46,057, f. 225, which is quoted below, Chapter Seven.

⁷¹West, "Two Reports," 262; Whittaker, "Reply," 511.

⁷²West, "Two Reports," 262.

of untainted evidence against the licensed grocers or by the Vice-Chairman's personal efforts on their behalf is not clear.⁷³ In any event, when the abolition of mixed trading recommendation in the Chairman's draft report was put to the vote it was defeated by thirteen to nine, with the eight temperance commissioners and Peel in the minority.⁷⁴

The reports of this meeting which filtered through to the press suggest that Peel saw this reverse as a turning-point. According to the Manchester Guardian, the vote was followed by the Chairman's intimation that he would sign a minority report; The Times was less positive about this, but committed itself to the extent of regarding it as "not unlikely that Lord Peel will decline to sign the majority report of the Licensing Commission."⁷⁵ According to Whittaker's subsequent version of events, however, the Commission was still essentially intact in the following week after its 8 March meeting, the last before the Chairman's illness:

I do not hesitate to say that when the consideration of the first four parts had been completed and the unfortunate adjournment took place owing to Lord Peel's illness, the Commissioners generally anticipated that those four parts were agreed to in their revised form, subject of

⁷³It was clear to Whittaker, though. "Sir Algernon West carried the omission of the abolition of the grocers' licenses," he wrote later, "Reply," 512.

⁷⁴Manchester Guardian, 1 March, 1899; Gilbey to Gladstone, 19 April, 1899, B.M. Add. MS, 46,057, ff. 154-57.

⁷⁵See 1 March, 1899, edition of both papers.

course to such reservations as individual Commissioners might desire to make.⁷⁶

West's subsequent account of what took place in these weeks differed greatly from Whittaker's on many points. But West too asserted that as late as the end of the 8 March meeting "there was no reason to think that any differences were of a sufficiently important nature to prevent our signing a unanimous report."⁷⁷ And yet at its next meeting, delayed by Peel's illness until 12 April, the Commission was to break apart.

West used the adjournment caused by Peel's illness to join together with the rest of the "neutrals" and the spokesman for the trade commissioners, Buxton, in drawing up an alternative scheme of reduction and compensation to that contained in the fifth and last section of the Chairman's draft report. This fifth section had not yet been considered by the Commission, but the first four sections had, and West and his colleagues also drew up alternatives to these. Their alternative fifth section, which was much more favourable to the licensed trade than Peel's, was then circulated among the remaining commissioners, who were informed that at the next meeting there would be a motion to substitute it for the Chairman's draft fifth section as a basis for discussion.

⁷⁶Whittaker, "Reply," 512.

⁷⁷West, "Two Reports," 264.

Shortly afterwards the alternative drafts to the first four sections were also circulated, and it was made clear that an attempt would be made to re-open discussion of those sections, which seemingly had already been disposed of. Since those who were responsible for circulating the alternative drafts represented a majority, it could be presumed that they would have their way.⁷⁸

Peel's indisposition was apparently not severe enough to prevent him from returning a forceful reply to this initiative, for on 16 March West approached Balfour to enquire what the legal status of the Commission would be should the Chairman withdraw from further participation in its proceedings. It may be presumed that Balfour was far from unhappy at the turn events appeared to be taking, and his reply, sent the next day, was masterly. He told West:

I have consulted my legal advisers, and they hold (as I am, independently of them am inclined to hold) that the position of a Chairman of a Commission carries with it nothing more than the right of presiding if he is present. It follows from this that even if the Chairman refuses to be present and to preside, the Commission would remain a Commission, with all its powers undiminished.⁷⁹

If, Balfour continued, at the next meeting the Chairman were to declare the sitting at an end and leave the room, then probably West's best course of action, as Vice-Chairman, would be to assume the chair at once himself. The Commission

⁷⁸Ibid.; Whittaker, "Reply," 513.

⁷⁹Balfour to West, 17 March, 1899, copy, British Museum, Balfour Papers, Add. MS 49,853, f. 60.

would then be competent to proceed as if nothing had happened. But it would be politic, Balfour observed, for the Commission to do no more at that meeting than arrange the date of the next one. This last remark possibly struck Balfour as coming too close to the boundaries of partiality, for he then concluded with ostentatious self-effacement:

This, however, it is not of course for me to judge. I have contented myself with finding out from those most competent to give an opinion what the exact legal status of the Commn. and its members is under the circs. which you detailed to me yesterday.⁸⁰

West and his co-sponsors of the alternative proposals were therefore in an impregnable position when the Commission finally reassembled on Wednesday, 12 April. They represented a clear majority of the Commission's members and they had Balfour's assurance that the Chairman could not terminate the enquiry against their will. West, the other six "neutrals" and the trade commissioners met together half an hour before the 12 April meeting.⁸¹ As soon as it opened they took the initiative, moving various amendments to the first four sections of the report. Peel ruled that since the first four sections had already been considered, the amendments were out of order. It was then moved by West and seconded by Lord Jersey that the alternative draft of the fifth section should be substituted for the Chairman's. The accounts of Peel's reaction to this are contradictory. Either he left the room.

⁸⁰Ibid.

⁸¹Manchester Guardian, 13 April, 1899.

without putting the motion to the vote, or he did put the motion but withdrew without waiting for the result.⁸² Before leaving he either declared the Commission dissolved and resigned his Chairmanship, or simply announced that his further participation in the present meeting was useless and that all those who agreed with the main principles of his draft were invited to join with him in completing its consideration.⁸³

Once Peel had left, Balfour's advice was followed to the letter. West took over the chair, the date of the next sitting was fixed, and the meeting adjourned. When the Commission met on 2 May as arranged, Lord Peel was absent, as were the Archbishop of Canterbury, Whittaker, Caine, Cameron and Roberts. Houldsworth attended this meeting, but only to register a formal protest against its proceedings. He then rejoined the group headed by Peel, who had not after all gone ahead with his resignation, if that was ever his intention. The two remaining temperance representatives, Dickinson and Allen, continued as far as possible to work with both groups and eventually signed both final reports. Together with the Secretary to the Commission, Sidney Peel, and his staff, they represented the only point of contact between the two groups. Otherwise each side worked its preliminary draft into its final report quite independently of the other. The eventual

⁸²The Times, Manchester Guardian, 13 April, 1899.

⁸³West, "Two Reports," 264; Whittaker, "Reply," 513.

Majority Report was signed by all the "neutrals" except Peel, by the eight trade commissioners, and by Dickinson and Allen.⁸⁴ The eventual Minority Report--the Peel Report--was signed by the eight temperance commissioners and Lord Peel.⁸⁵

Between 8 March and 12 April West and his colleagues had in effect staged a successful rebellion against the Commission's appointed Chairman. They subsequently went to some trouble to justify this, laying particular emphasis on what they charged had been Peel's automatic handling of the Commission's deliberative stage. In the "General Introduction" to their final report--the Majority Report--two major grievances are specified. Peel, it is said, having led them rigidly page by page through the discussion of the first four sections of his draft report, refused to allow any subsequent revision of their work. Combined with the fact that several crucial points had been decided by Peel's use of his casting vote as Chairman, this led to the amended first draft's containing "matters of detail and some of principle" to which they could not assent.⁸⁶ Secondly, the extracts of witnesses' testimony selected for incorporation in the main body of the Chairman's draft report did not satisfy them as "affording a

⁸⁴Dickinson and Allen signed with reservations, as did de Vesci and all the trade commissioners except Buxton.

⁸⁵Dickinson, Allen and Houldsworth signed with reservations, the Archbishop of Canterbury, Whittaker, Caine, Roberts and Cameron signed an "Addendum," and Whittaker appended a "Memorandum."

⁸⁶LCR, Final Report, II.

correct impression of the evidence as a whole."⁸⁷ West, in his later article, reiterated these points and added further examples to illustrate Peel's inflexibility, such as the Chairman's outright refusal even to consider the possibility of employing a confidential short-hand writer. West alleged that Peel had announced at the start of the discussions "that the draft submitted to us was his draft; that whether we agreed to it or not, it was his report; and that his report was the report."⁸⁸ This kind of attitude from the chair, West claimed, meant that he and his colleagues were "unduly hurried," and they therefore decided that it would be necessary to re-open discussion of those sections of the Chairman's draft which had been "so hastily passed."⁸⁹

Replying to West's article on behalf of those who had continued to work with Lord Peel, Whittaker told a very different story. According to him it was "misleading and unjustifiable" to suggest that the Chairman had done anything to prevent a full discussion of his draft report. Peel had very necessarily and properly insisted that the meetings be conducted in an orderly and businesslike manner; he had never used the words attributed to him by West about his report being the report.⁹⁰ West claimed that he and his fellow

⁸⁷Ibid., 12.

⁸⁸"Two Reports," 261-62, West's italics.

⁸⁹Ibid., 263.

⁹⁰Whittaker, "Reply," 510-11.

"neutrals" decided to press for a fresh discussion of the first four sections of the Chairman's draft report because on reflection they realised that these had been too hastily passed. Yet "it was their votes that turned the scale in practically every division, and they really decided the form in which the draft report emerged from the discussion."⁹¹

Whittaker therefore concluded that any objection West and his colleagues may have had to the Chairman's handling of the meetings was not the real motive for their revolt. What they really objected to was the fact that Lord Peel's proposals offended the licensed trade commissioners:

the explanation of the fiasco in which Sir Algemon West involved himself and his friends is to be found in the fact that he formed, expressed, and acted upon the extraordinary opinion that no report would be of real value and carry weight with the country and result in legislation unless it had attached to it the signatures of the liquor trade members of the Commission.⁹²

Whittaker was at no loss to explain why the other six "neutral" members should have decided to follow West rather than Peel. He reminded his readers that all of them were supporters of Lord Salisbury's Government and that licensing questions had become inseparable from political ones. "The close connection which exists between the Unionist party and the liquor trade is notorious. Speaking broadly, they stand or fall together, and they both know it."⁹³

⁹¹Ibid., 512.

⁹²Ibid., 514.

⁹³Ibid., 516.

Whittaker's interpretation of why the Commission broke apart was probably closer to the truth than West's. Doubtless differences of personality were important. Among the characteristics Lord Peel shared with his father was an apparent coldness of manner. His behaviour during the discussions of his draft certainly seems to have been sufficiently abrupt for several of the "neutrals" to have taken offence. West, by contrast, was a genial if somewhat suave figure, who by his own account was on excellent terms with the trade commissioners, particularly Buxton, and with whom the rest of the "neutrals" clearly felt far more at ease than ever they did with the austere Chairman. Yet it also seems clear that the basic cause of dispute was the substance of Peel's proposals rather than the manner in which he presented and defended them. The Commission broke up when it began to consider the fifth section of the Chairman's draft, the section dealing with the reduction and compensation questions. Peel's draft proposed that a statutory reduction process should begin after a period of grace of between five and seven years and that it should then be unaccompanied by any form of statutory compensation. Naturally the trade commissioners were bitterly opposed to this, while according to West he and his fellow "neutrals" regarded the objections to it as "almost insurmountable."⁹⁴ The alterna-

⁹⁴West, "Two Reports," 264.

tive fifth section which they drew up in consultation with Buxton was never made public, but reportedly contained proposals for establishing a statutory right to compensation at a level very similar to that which was eventually recommended in the Majority Report.⁹⁵ As Whittaker fairly pointed out, in 1899 the compensation issue was "the line across which the two great political parties" divided on the licensing question, and "it was across that line that the Commission really split into two groups."⁹⁶

There is no need to accept at face value the conjectures which West and Whittaker each went on to make about the activities of the other side after the Commission had split into two groups. West claimed that "the Minority Report, which was not the same as it was originally drafted by Lord Peel, was modified, if not dictated, by the members of the United Kingdom Alliance, who constituted an important section of his co-signatories."⁹⁷ Whittaker's counter-allegation was that once West and the other six "neutral" members had broken away from the Chairman they were inevitably thrown into increasing dependence upon the support of the trade commissioners in order to maintain their majority position, and that "the price paid for the liquor trade signatures was, as under the circum-

⁹⁵Manchester Guardian, 11 April, 1899; The Times, 1 May and 12 June, 1899.

⁹⁶Whittaker, "Reply," 517.

⁹⁷West, "Two Reports," 274.

stances it was bound to be, complete surrender."⁹⁸

It is probably impossible to disprove either of these charges, but each of them is unlikely. Doubtless before the final reports appeared there were compromises reached within both groups. It appears, for example, that Peel's original draft report contained an adverse comment about the Veto which was omitted from the eventual Minority Report.⁹⁹ Possibly there was pressure from Whittaker, Caine, Roberts, Cameron, and the Archbishop for this to be done. But even though these five represented a majority of the commissioners who worked with Peel after the split, no positive support whatever was given in the Minority Report to the idea of applying the Veto to England, and indeed it is difficult to imagine a man like Lord Peel being dictated to by anybody. On the other side, it is beyond question that the eventual Majority Report was vastly more favourable to the licensed trade than had been the Chairman's draft report. But if the Majority Report did indeed represent a complete surrender to the liquor trade it is difficult to account for the fact that all but one of the trade commissioners found it necessary to append reservations and even more difficult to explain why the Report's general assessment of the drink problem was that

⁹⁸Whittaker, "Reply," 515.

⁹⁹West, "Two Reports," 266. The Times of 12 June, 1899, noted that "the wording of the minority report is now somewhat less unfavourable to local veto and less favourable to local management than in its original form."

"hardly any sacrifice would be too great which would result in a marked diminution of this national degradation."¹⁰⁰

The crisis of 12 April and the consequent separation of the commissioners into two distinct groups by no means marked the end of the Commission's squabbling. Before the two final reports were presented to Parliament in July the two sides engaged in a struggle for precedence which the Home Office had to be called in to arbitrate. The minority group wanted their final report to be placed first because the Chairman's name was on it. The majority group wanted West's to head the list of signatures to their report and for him to be able to style himself as the Commission's Vice-Chairman. With a fine impartiality, both sides' requests were turned down.¹⁰¹

¹⁰⁰LCR, Final Report, 12.

¹⁰¹On the first point the Secretary to the Commission was informed that a search made into the Home Office records going back twelve years had unearthed no precedent for a Minority Report's being placed first because the Chairman happened to be among the minority and that the Home Secretary's view was that "under the terms of the Royal Commission the report which is signed by a majority of the members is, strictly speaking, the expression of the opinion of the Commission, and should therefore appear first in the Report." As for West, it would be convenient if the commissioners were to sign the Report in the order in which their names appeared in the original Commission, and advisable "that any Commissioner who has been chosen by his colleagues as Vice Chairman or otherwise to preside over meetings of the Commission in the absence of the Chairman should not so describe himself in signing the Report, inasmuch as he does not derive his authority from appointment by the Crown." See the letter from Sidney Peel to the Under Secretary at the Home Office, 1 June, 1899, and the reply, 2 June, 1899; H.O. 45, 10151/B20998/39.

The crucial points on which the Majority and Minority Reports differed should not be allowed to obscure the fact that a majority of the recommendations made were common to them both.¹⁰² Both reports advocated that the licensing laws should be consolidated and simplified. The ante-1869 beerhouses and all "off" wine and spirit licenses should be subject to the full control of the licensing authority, as should the sale of liquor on passenger vessels and in theatres. Moreover, the power of the licensing authority should be extended in several other directions: it should be able to supervise and if necessary to refuse all tied-house agreements, to regulate against repeated applications for licenses, to control all structural alterations to licensed premises, to impose Sunday closing conditions on new houses, and it should not be liable for costs in the event of appeals against its decisions.

Virtually complete agreement existed on the various ways in which the laws concerning drunkenness should be strengthened. There should be a general power of arrest for "simple drunkenness," apart from disorder. To be drunk in charge of a young child should be an offence, with greater penalties than for simple drunkenness. Where a person was found to be drunk inside or on leaving licensed premises, the

¹⁰²Except where otherwise stated, this paragraph and the following thirteen are based on the Majority and Minority Reports, respectively LCR, Final Report, 6-83 and 85-304. Specific page references are given only for direct quotations.

onus should be on the licensee to show that he and his servants either were not aware that the person was drunk or that they had him leave as soon as they were. No sale of liquor, either "on" or "off," should be permitted to anyone under the age of sixteen. Most radically of all, habitual drunkards should be placed on a black-list and habitual drunkenness itself should be regarded as persistent cruelty within the meaning of the Summary Jurisdiction (Married Women) Act of 1895, thus entitling the wife, or indeed the husband, to separation and protection for herself or himself and the children.

The two reports also adopted a similar approach to the problem of clubs. The Majority Report advocated the compulsory registration of all clubs supplying intoxicants, with the registering authority being empowered to examine the rules of any club, upon which would lie the onus of providing its bona fides. Even with a certificate from a stipendiary magistrate or petty sessions, no club would be permitted to sell liquor for consumption off its premises. The recommendations of the Minority Report on this question were very similar in principle, although requiring stricter standards to be met by clubs before registration and a more rigorous subsequent supervision by the licensing authority.

Majority and Minority reports were united in their insistence that the disqualifications already applicable to members of the licensing authority (which, for instance, barred

the participation of magistrates holding interests in breweries and distilleries) should be extended to cover clerks to the licensing authority and the members of Watch Committees. Watch Committees, in their turn, should have no power to effect the removal of a chief or head constable except with the sanction of the Home Office. Proposals such as these might at first sight appear to be concerned with no more than relatively trivial matters of administrative readjustment. To understand their very real significance, it is necessary to remember the essentially local fashion in which the licensing laws were administered. These particular recommendations were, in fact, largely prompted by the revelations made in evidence before the Commission of the conditions that had prevailed for the past decade or so in the town of Wigan. The probing of the state of affairs there had also exhibited the detective powers of the Commission, with the sharp mind of Whittaker to the fore, at their best. The original evidence of Herbert Marsden, a manufacturer and Chairman of the ratepayers' vigilance committee in Wigan had led to several other prominent men of the borough being called or volunteering to appear before the Commission and eventually a most disturbing picture had emerged. Both in 1892 and again in 1893, it appeared, the Wigan Magistrates had felt compelled to pass a resolution demanding that the licensing laws be more rigorously enforced there. Scant regard had been shown to either resolution by the Watch Committee, which was headed by the Mayor of Wigan, Alderman

Smith, Chairman of the Oldfield Brewery Co., which had eight houses in the district. In 1894, according to Marsden, the Chief Constable of Wigan, Captain Bell, had agreed to object to the renewal of certain licenses, including the Oldfield Brewery's "Crown Inn," when he was instructed by the Watch Committee not to proceed with them. The "Crown Inn" later lost its license on the grounds that it was being used as a brothel. According to evidence by Marsden which was corroborated by his nephew, Captain Bell had protested that his hands were tied in the presence of the brewers on the Watch Committee and that his own men kept the brewers informed of intended police action in connection with licensed houses. Similar evidence was given by Samuel Laycock, a Wigan Councillor and J. P., but Captain Bell, when his turn came to testify, flatly denied the words. There seemed no doubt, however, that various members of the Wigan police had, on retirement, taken up jobs with the Trade, and that on more than one occasion the police had appeared for the defence in licensing cases, giving evidence that they had watched accused houses for a certain length of time without seeing the alleged offences occur. Moreover it was disquieting, to say the least, how successfully the local brewers and licensed victuallers had managed to maintain themselves in the key posts on the Borough Council. The Chairman of the Watch Committee at the time of the Commission's enquiries was a Colonel Farrington, the leader of the Conservatives on the Council and a director

of the Albion Brewery Co. whose "Red Lion Inn," the Commissioners were informed with some relish, specialized in performances by "the champion lady boxer of the world." As Mayor, Alderman Smith had been succeeded by Alderman Richards, the Chairman of the local Licensed Victuallers' Association and the landlord of another convicted house, the "Harp Inn." Richards had been proposed for the office by Colonel ffarington.¹⁰³ Royal Commissions are not criminal law courts and no misuse of authority on the part of the Mayor, the Watch Committee or the police in Wigan can be said to have been proven beyond all reasonable doubt. But it should be remembered of an unhappy and much criticized Commission how, in this way, it uncovered a state of affairs with at least open possibilities for corruption and made positive recommendations to prevent their recurring.¹⁰⁴

On the question of opening hours there was again less divergence of opinion between the two reports than might have been anticipated. As far as week-days were concerned, the Minority Report contented itself with urging that no house

¹⁰³The evidence relating to the events in Wigan appears in LCR, II. See especially the testimony of Herbert Marsden (16 February, 1897, qus. 17,111-346, pp. 215-22), Samuel Laycock (16 February, qus. 17,347-407, pp. 222-24), Ernest Marsden (16 February, qus. 17,683-97, p. 232), Captain A. Bell (9 March, qus. 20,554-948; pp. 332-42), Colonel ffarington (9 March, qus. 20,949-21,091, pp. 342-45) and Arthur Smith (10 March, qus. 21,092-523, pp. 346-60).

¹⁰⁴These recommendations, along with many of the others on which there was agreement between the two reports, were eventually taken up by the Unionist Government and embodied in the Licensing Act of 1902 (2 Edw. VII, c. 28).

should be permitted to open before 7 or 8 a.m. and that the licensing authority should be given the discretionary power to order closing on election days and, for an experimental period of one year, two hours earlier in the evening. Both reports advocated that complete Sunday closing, already operative in Wales, be extended to Monmouthshire and that the licensing authority should be permitted to attach Sunday closing conditions to new licenses. The Majority Report certainly did not follow the Minority in its desire that licensing authorities, if they so wished, might reduce or prohibit entirely Sunday opening in their districts. But there was no great difference between them as to the maximum opening period that should be allowed in England on Sundays. The Minority suggested a limit of one hour at mid-day and two in the evening, the Majority two hours around mid-day and two in the evening, with slightly more latitude being given to London and other large cities.

Both reports joined in urging that both the original Licensing Authority and the Court of Appeal for licensing cases (hitherto, respectively, the justices of a district sitting in Licensing Sessions and Quarter Sessions) should be reconstituted so as to include a measure of popular representation. The differences between them as to how this might be effected were of degree rather than of principle. The Majority Report envisaged a Licensing Authority two-thirds of whose membership would be drawn from the justices, with

the remaining third being nominated every three years by the borough or county council; that of the Minority would be composed equally of these two categories of membership. The Minority Report further recommended that the Court of Appeal should consist of the original body together with up to one and a half times their number of additional members, to be constituted in the same proportions. The Majority were not prepared for the introduction of non-magistrates into the appellate body in this fashion, but did urge that Quarter Sessions should be replaced for this purpose by a group of magistrates whom the county and borough justices would be able to elect from among themselves.

Even on the question of the Veto the two reports differed far less than might have been expected. It was no surprise to find a Majority Report to which eight trade signatures were attached concluding that "we are not satisfied that there is at the present time a general desire for the power of local prohibition by plebiscite" and citing its proposals for town and county councils to have special representation on the licensing authority as sufficient to meet such desire as did exist for an increased element of popular participation.¹⁰⁵ But in view of West's suggestion that its final shape was largely determined by the representatives of

¹⁰⁵LCR, Final Report, 56. Municipal management was similarly disposed of on the ground that there was no general desire for it and that, in addition, "a large proportion of temperance advocates" strongly opposed the idea. Ibid.

the United Kingdom Alliance, the attitude of the Minority Report was remarkable. It is true that it included a suggestion that at some future date a measure of direct popular control might be granted to Scotland and Wales. But it made it quite clear that it was not prepared to make a similar suggestion as far as England was concerned. After reviewing the arguments for and against local permissive prohibition, the Minority Report concluded: "We have no evidence before us that public opinion in England, whatever it might be in Scotland and Wales, is at all strong enough to justify such a measure."¹⁰⁶

Whittaker, Caine, Cameron, Roberts and the Archbishop of Canterbury did not dissent from this last statement in any reservation. Instead they joined together in signing an Addendum to the Minority Report. In this the five of them not only argued that "public opinion in England is prepared for and would sustain a measure for closing licensed premises entirely on Sundays" but also recorded their opinion:

That the people in every part of the United Kingdom should have power, by a substantial majority vote, taken on the widest franchise in force, to prevent any premises being licensed to sell intoxicating liquors in their respective localities. The grounds on which, in our judgement, such a power of direct popular control and self-protection should be conferred are set forth in Mr. Whittaker's Memorandum.¹⁰⁷

¹⁰⁶LCR, Final Report, 282-83.

¹⁰⁷Ibid., 305. The Memorandum by the customarily prolific Whittaker is virtually a report in itself. As the Addendum implies, its main theme is a statement of the case for the Veto; along with Dawson Burns, Whittaker was the

The Minority Report had nine signatures, the Addendum had five. It is most unusual to find an outright majority of those signing a report then putting their names to an addendum which, on an issue of considerable importance, flatly contradicts what has been said in the report. The five commissioners known as supporters of the Veto submitted to a treatment of the proposal by the Minority Report that was only marginally less unfavourable than that accorded it by the Majority, and confined their remarks on its desirability to an addendum and a memorandum. Their motives for doing so are not clear. It is possible that even though they were in a majority they were reluctant to press the point against a man of Lord Peel's character. It is equally possible that they

temperance movement's leading expert on the economics of the trade, and he makes formidable use of statistics to reinforce his argument. But the most revealing aspect of the Memorandum is Whittaker's treatment of "Municipalisation or the Gothenburg System." Most of the time he compares it unfavourably with the Veto, as indeed his co-sponsors of the Addendum would have expected. Yet every so often his good opinion of it comes through. Thus he emphasizes that it would both reduce inducements to connive at breaches of the law and eliminate the publican's harmful role in political life, and he states (337) that "there are, as compared with any ordinary licensing system, a sufficient number of good points about it to render it desirable that where the liquor traffic is to be carried on the people of the locality should have the option offered them of placing the sale of drink under the control of persons who would have no interest in pushing it." This statement was near-heresy for a supposed vetoist. In it can be discerned the beginning of that shift of opinion which was to lead to Whittaker's disputes with the U.K.A. and his eventual joining together with Lord Peel, Joseph Rowntree and Arthur Sherwell in the Temperance Legislation League, events which are discussed below, Chapter Eight.

were content that the main body of the report should read as it did as far as the Veto was concerned and that the Addendum was primarily designed to shield them against subsequent attacks from less uncompromising vetoists.¹⁰⁸ Whittaker, Roberts and Cameron were Liberal M.P.s, as Caine had been and was to be again, and it was certainly more likely that the Liberal Party would take up a Minority Report without the Veto than with it. It should be remembered also that the very weeks in which the Minority Report was being drawn up saw the first appearance of Rowntree and Sherwell's The Temperance Problem and Social Reform, an "epoch-making book" which was extremely sceptical of the benefits local prohibition had brought to those parts of the world where it had already been tried.¹⁰⁹

The two final reports differed most drastically in their proposals for dealing with grocers' licenses and in their respective schemes for reducing the numbers of licensed premises. As far as grocers' licenses were concerned, both reports recommended that all wine and spirit off-licenses should come under the full control of the licensing authority.

¹⁰⁸The subsequent actions of Whittaker and Caine suggest that in their case at least the second possibility is the more likely one. See below, Chapter Seven.

¹⁰⁹Edward Lee Hicks, "The Present Phase of the Temperance Question," Contemporary Review, LXXVI (July, 1899), 51-61; J. E. Allen, "Liberalism and Local Veto," Independent Review, XI (December, 1906), 338-44. The description "epoch-making" is Allen's. One of the Licensing Commission's many ironies was that the delay caused by its internal disputes allowed Rowntree and Sherwell to publish their findings first.

The Majority Report stopped there. The Minority Report, however, reverted back to the proposal in the Chairman's original draft report which had been defeated before the Commission split into two. Following a several page assessment of the damage done by the practice of mixed trading, the Minority Report recommended that, after five years' notice, "the trade in intoxicants should be forbidden to be carried on in the same premises as the trade in groceries and other articles."¹¹⁰

The question of reduction inevitably raised the vital issue of compensation. The Minority Report recommended that a statutory maximum should be declared with respect to the proportion of on-licenses to inhabitants and that it should apply to every licensing district in the United Kingdom. It suggested that the ratio might be fixed as one license to every 750 persons in towns and one to every 400 persons in country areas.¹¹¹ Within these limits, the local licensing authority would have power to determine the number and the distribution of those houses they wished to retain. The nature of any financial award that might be made to dispossessed licensees was very carefully defined. In the first place, "while from the point of view of strict justice, no

¹¹⁰LCR, Final Report, 164-70. Allen dissented from this recommendation in a reservation, urging that it be left to the licensing authority's discretion.

¹¹¹For the average proportion of licenses to population then prevailing see above, Chapter One.

claim to compensation can be urged by those who lose their licenses, some allowance might be made, as a matter of grace and expediency, though not of right."¹¹² Secondly, any such allowance "should be nothing more than a temporary expedient . . . above all it must not be so designed as to confer any kind of vested interest in licenses."¹¹³ This latter condition was to be reinforced by the use of a time limit which, the Report recommended, should be five years in Scotland and seven in the rest of the country. At the end of this period, no further financial allowances would be made and the way would be clear for any legislation which Parliament might then be disposed to enact. This might include, the Report pointed out hopefully, the enacting of a measure of direct popular control for Scotland and Wales. In the meantime, the allowance made for licenses reduced should be based on the annual rateable value of the licensed premises. The maximum amount that could be awarded would be seven years' purchase of this value, with the licensing authority having full discretion to award a smaller amount and to apportion the grant between the various interested parties. The money itself would come from a fund to be raised from the Trade. For this purpose there should be an annual levy based on the rateable value of licensed premises and all new licenses should be required to pay a high annual license rental.

¹¹²LCR, Final Report, 301.

¹¹³Ibid.

Framed in this way, the proposals satisfied both the Chairman and the five co-sponsors of the Addendum.¹¹⁴ Peel had the drastic reduction to a definite statutory maximum which had been included in his original draft report; the other five had a scheme of reduction which neither conceded the legal right to compensation nor could be construed as an obstacle to further reforms, together with the expression of faith concerning a future measure of Local Option for Scotland and Wales. The proposals did not, however, satisfy Dickinson and Houldsworth, the other two temperance Commissioners, both of whom appended reservations to the Minority Report expressing their dissent. Houldsworth's rejected any idea of local control for Scotland and Wales, opposed the fixing of a statutory maximum of licenses to population when local circumstances varied so greatly, and proposed that compensation should be increased to at least twelve years' rateable value. Dickinson, in his, contented himself with expressing his opposition to all forms of local veto or local management and his opinion that the scale of compensation proposed by his colleagues was totally inadequate.

If Houldsworth could not agree with the recommendations of his Minority Report colleagues on this vital issue, it is hardly surprising that the Majority Report's proposals regarding reduction and compensation should have been almost

¹¹⁴Presumably they also satisfied Allen, although since he also put his name to the Majority Report's very different proposals this is open to doubt.

diametrically opposed to them. Indeed the recommendations in the Majority Report were based on the very premise that Peel had been determined to avoid: that the scale and speed of the reduction process should be determined by the ability of the compensation fund to provide the full market value as recompense for those who lost their licenses. The Majority Report accordingly rejected the idea of any fixed proportion of licenses to population. The administrative areas for the reduction process would be the counties and county boroughs. Within these, the licensing authority would be able to decide the number, if any, of those licenses to be reduced, subject to the supervision of the Home Secretary. All retail licenses, both "on" and "off," would come under the compensation scheme. The compensation fund should be administered on the basis of the Declaratory Value of a license, which would be reached by subtracting the value of the premises unlicensed from the total arrived at by adding the value of the premises as licensed to the value of the attached good-will. The Declaratory Value would be both the amount to be paid as compensation for those licenses suppressed under the scheme and the basis of a special tax on licenses from which the compensation fund would be formed. Public houses, beerhouses and all holders of off-licenses would contribute to the fund one-third per cent, per annum of their value as ascertained in this way. In addition, hotels and restaurants with licenses should contribute one-sixteenth each year of their rateable value and

clubs should provide an amount to be determined. New licenses might be issued at the discretion of the licensing authority, when they should be put up for tender on a seven year lease.

Some three years after the Licensing Commission had reported George Harwood claimed that "anyone with imagination knowing, as I happen to do, most of the members constituting it, and seeing the questions they were called upon to decide, might easily have written their Report without calling the Commission together."¹¹⁵ While this was an exaggeration, it was certainly true that the publicity given to the Commission's internal dissensions ensured that the informed public was aware of what the two final reports would say several weeks before they were officially published and presented to Parliament. As early as 1 May The Times devoted a full page to a précis of the two reports which subsequently proved to have been accurate in all but a few details. Through the late spring and early summer of 1899 attention naturally turned to how the reports would be received by the two major parties.

It soon became clear that the Unionist Government was going to take the position that the Commission's failing to reach agreement precluded any licensing initiative in the foreseeable future. Eventually, in early November, the Home Secretary, Sir Matthew White Ridley, spelled this out in so many

¹¹⁵ 7 April, 1902, Parl. Debates, 4th series, CV, c. 1140.

words.¹¹⁶ Of more direct interest, therefore, was how the Liberals would react to the Commission's findings, and in particular to the Minority Report, which all three Liberal M.P.s on the Commission had signed. The United Kingdom Alliance's Canon Hicks threw out a very broad hint when shortly before the reports appeared officially he prophesied that "any party or leader that will take up Lord Peel's recommendations and force them forward in a Bill may be ensured of a large and enthusiastic following."¹¹⁷ But the hints did not come only from the temperance movement. On 19 April Sir Walter Gilbey had written to the newly appointed Chief Liberal Whip to point out that "if the matter could be properly explained to Messrs. Whittaker, Roberts & Caine" they might be dissuaded from supporting Lord Peel in his apparent intention to revert to the proposal to abolish mixed trading, which Gilbey's naturally regarded as disastrous.¹¹⁸ A month later Gladstone had discussed the forthcoming reports with the two leading Liberal brewers, E. N. Buxton and Samuel Whitbread, and Whitbread had been "most

¹¹⁶On 8 November, 1899, he told the annual meeting of the Country Brewers' Society that "with all the argumentative and contentious points of the subject left undecided, it seemed to him that it would be judicious for the Government to hesitate before they attempted to deal with the matters involved in a hurry." Liberal Magazine, VII (December, 1899), 578.

¹¹⁷E. L. Hicks, "The Present Phase of the Temperance Question," Contemporary Review, LXXVI (July, 1899), 61.

¹¹⁸B.M. Add. MS 46,057, ff. 154-57.

anxious" that the Liberal Party "should not commit itself to Peel's report."¹¹⁹ For a Liberal Party with its licensing policy still unclear the Peel Report in many ways was a new challenge and a new threat. Yet it was soon to be seen as a new opportunity.

¹¹⁹Entry in Gladstone's interview diary for 15 May, 1899, B.M. Add. MS 46,483, f. 11.

CHAPTER SEVEN

THE LIBERAL PARTY AND THE PEEL REPORT, 1899

While the Royal Commission had been sitting Parliament at least had enjoyed some respite from the licensing question. With the presentation to the Lords and Commons of the Commission's two reports the controversy was thrust back squarely and inevitably into the main-stream of political debate.¹ Neither of the two major parties had much cause to welcome this fact. In contrast, though, to the previous impact of licensing on politics in the 1890s, it looked this time as though the Conservatives might be the ones to find themselves the more embarrassed. Not only were they the party with the immediate responsibilities of power; since they had themselves established the enquiry their obligation to react in positive fashion to the Commission's findings could be the more strongly argued. Yet each of their most obvious courses of action had equally obvious disadvantages. To continue to let the matter rest would run counter to the vague but growing feeling in the country as a whole, increasingly reflected among their own back-benchers, that further measures designed to tackle the drink problem were long overdue. Despite the fact that no Conservative administration could ever lightly disregard

¹The Final Report was laid before both Houses on 4 July, 1899; Parl. Debates, 4th series, LXXIII, c. 1392, 1404.

the urgings of an Archbishop of Canterbury, acceptance of the Minority Report was out of the question. On the other hand, commitment to the Majority Report would revive the risk of forging all over again the broadly based Liberal-temperance alliance against the compensation proposals that had proved so powerful only ten years previously. Even so it is at first sight surprising that it was the Liberal reaction to the reports that was to be the more positive; unlike their opponents, the Liberals were seriously divided among themselves on the temperance issue. As it was, the very existence of these divisions provided a major incentive for a readjustment of the party's position, and the Liberal response to the reports of the Royal Commission during the latter half of 1899 in its turn determined the new basis of the party's official attitude to the licensing question.

It has been seen how Liberal devotion to the temperance cause had been jeopardized after 1895 by internal disputes on the Local Veto issue. It has also been seen that the five members of the Licensing Commission known for their support of the Local Veto--four Liberals and the Archbishop--had subordinated their direct advocacy of this measure in England to the achieving of a consensus among those commissioners who remained with Lord Peel on the questions of the grocers' license and, above all, compensation. It is not clear to what extent this concession on the part of the four Liberals --Cameron, Caine, Roberts and Whittaker--was due to an expec-

tation that their restraint might be rewarded by an increased Liberal commitment to the cause of temperance. In view of the events about to be described, and in particular of Whittaker's rather care-free attitude to the details of compensation, it is tempting to assume that some such calculation may not altogether have escaped them. Whatever was in the minds of the four men when they assented to this aspect of the Peel Report it is quite clear that, once having signed it, Whittaker at least realized that an essential step had been taken in the direction of a possible Liberal-temperance rapprochement. Shortly after the presentation to Parliament of the two reports he went to Gladstone to request a discussion of them with a view to arriving at a settlement.² A week later, on 20 July, the two had a "long talk on [the] possibility of arranging a working agreement on [the] temperance question."³ According to Gladstone, Whittaker proposed as a basis for settlement the close adoption by the Liberal Party of the Peel Report. The Veto as provided in Harcourt's Bill should be applied to Wales after seven years and to Scotland after five. In England it should be considered afresh in seven years' time. Whittaker was not specific as to whether compensation should necessarily be on the basis of a seven years' time limit as

²Whittaker's approach, made on 13 July, is recorded in the diary which Gladstone kept of the interviews held in his capacity as Chief Whip. B.M. Add. MS 46483, f. 30.

³20 July. Ibid., f. 34.

suggested in the Peel Report; his main concern was that, whatever form it took, it should not constitute a permanent ground for compensation for all time. In short these proposals not only confirmed the Peel Report's rejection for the present of the demands for the English Veto, whatever Whittaker and his associates had maintained in their Addendum to this report about its immediate desirability. Implicit also in the proposals was that further concessions might be made on the equally important issue of compensation. Not surprisingly Gladstone told Whittaker that an agreement on this basis was a distinct possibility and requested that a written sketch of the proposals should be drawn up.⁴

Before the month was out Whittaker was seeing the Chief Whip again. In view of the fact that Parliament was in recess there might seem to be no great need for urgency in the matter. Whittaker pointed out, however, that the United Kingdom Alliance had called a meeting for 19 October to discuss the Commission's reports and that in his opinion it was important to arrive at a definite understanding of the Liberal position on the temperance question before then.⁵ When Gladstone next saw Whittaker, three days later on 3 August, he was able to tell him that he had managed to discuss the matter with Campbell-Bannerman before the latter departed for his customary stay in

⁴Ibid.

⁵31 July. Ibid., f. 38.

Marienbad.⁶ Apparently, however, the Commons' leader and his Chief Whip together either did not accept Whittaker's insistence on the need for haste or decided that nothing could be done about it. At all events little or nothing appears to have been settled before Campbell-Bannerman left England; six weeks later he wrote to Gladstone from Marienbad: "It wd. be really most desirable that I shd. have some consultation with you and Asquith and any others we can lay hold of before we begin our Autumn Manoeuvres. Temperance, Old Age and Land Values--these are subjects on which we must speak out, and we ought to discuss them first."⁷

Campbell-Bannerman's absence--he was in London briefly between 3 and 7 October, but apart from that was on the Continent until the 14th⁸--meant that the "Autumn Manoeuvres" that on his return most immediately presented themselves for discussion were those taking place in South Africa after the Boer ultimatum of 9 October. Nevertheless the Liberal leadership managed to fit in a meeting for the discussion of domestic issues on the afternoon of 26 October. Gladstone had been asked by Campbell-Bannerman to summon the Commoners of the ex-Cabinet and any peers who were in town. None of the latter attended, however, and neither did Fowler, so that, apart

⁶Ibid., f. 40.

⁷17 September, 1899. B.M. Add. MS 45987, f. 15.

⁸Roy Jenkins, Asquith (1964), p. 114n.

from Gladstone himself, only Asquith, Bryce and Campbell-Bannerman took part in the review of the position on the domestic front, chiefly featuring temperance and old-age pensions and held, as Campbell-Bannerman informed Ripon, "in order that we may all as much as possible sing the same tune."⁹ Very probably it was at this meeting that the decision was taken to press forward to see whether a definite settlement could be reached with Whittaker on the temperance issue. Before 5 November Whittaker met with Asquith, Gladstone and Campbell-Bannerman in the latter's room at the House of Commons. After what Campbell-Bannerman later described as "a long conference," agreement was reached on lines very similar to those originally suggested by Whittaker back in July. Whittaker, speaking for the temperance movement, agreed to the acceptance of the principle of compensation out of funds drawn from the trade and to the postponement of the Local Veto in England. In return the Liberal leadership agreed to put in the front rank of their legislative programme temperance reform along the general lines of the Peel Report, including measures of local control for Scotland and Wales, a commitment which Campbell-Bannerman would make public in a forthcoming speech.¹⁰

The compromise in effect was that the temperance move-

⁹27 October, 1899. Ripon Papers, B.M. Add. MS 43517, ff. 139-40.

¹⁰See C.B. to Lord Spencer, 19 December, 1899, Spencer Papers, A-R.

ment would not continue to press demands for reforms over and above those advocated in the Peel Report and that the Liberal Party would give high priority to reforms going as far as the Report. It was thus essential to have a clear understanding of what the middle ground incorporated and Whittaker was asked to set out what he conceived to be the main points of the Peel Report. The summary which he submitted listed all the principal recommendations of the Report as outlined in the last chapter, including the abolition of the grocers' license and the granting of direct popular control in Scotland and Wales after respective terms of notice of five and seven years.¹¹ Whittaker also outlined in this memorandum a series of future steps which he grouped under the heading of "Suggestions," although this was apparently in the nature of a courtesy title since they seem rather to represent Whittaker's understanding of what had already been agreed. The Liberal leaders, according to these, should publicly affirm their support for the Direct Veto and for "legislation on the main principles" of the Peel Report as a practical step towards its attainment. They should at the same time declare that they intended the early introduction of such legislation on their return to power. Temperance leaders would respond in their turn, accepting this declaration and

¹¹Whittaker's memorandum, dated 5 November, 1899 and headed "Strictly Private and Confidential," is in the Gladstone Papers, B.M. Add. MS 46057, ff. 206-11.

commending it to the support of the temperance electorate.

The factors prompting both sides in this arrangement towards agreement seem clear. The friction of recent years between the Liberals and the temperance movement had been an obvious source of delight to the Conservatives and the licensed trade. Both sides stood to gain considerably from a coming together on common ground. For Whittaker the virtual securing of the adoption of the Peel Report by the Liberal leadership was a great prize, one which would rescue the cause of temperance reform from its lowly and, since the withdrawal of Harcourt, increasingly ambiguous position in the party programme. This rescue, it is true, entailed the concession of the principle of compensation by the trade itself and the sacrifice of the immediate prospects--such as they were--of the Local Veto in England. But the first concession was more apparent than real; the Peel Report itself had already admitted the concept of financial provision "as a matter of grace and expediency." Even for the loss of the English Veto there would be, in Whittaker's opinion, compensatory advantages. The resulting combination in one measure of licensing reform and direct popular control was, he felt, one likely to attract support in equal proportions from both the main groups of temperance opinion. Moreover the restriction of the Veto to Scotland and Wales, the majority of whose Members of Parliament were in favour of the principle, would strengthen the hands of the Liberal Party and Vetoists alike should the Lords

seek to bar the proposal with their own veto.¹²

The advantages of the compromise to the Liberal leadership were still more immediate. In the first place, it should not be overlooked that the final settlement with Whittaker occurred at a time when the possibility of a closing of the party ranks on almost any issue at all was especially desirable. The recall of Parliament on 17 October found the Liberal Party hopelessly divided over the action being taken in South Africa. Respective groups looked to Asquith, Grey and Fowler on the one hand or to Harcourt, Morley and Lloyd George on the other. "My main difficulty has been to keep the Party decently together," Campbell-Bannerman told a friend a few weeks later. "If some of my colleagues had had their way there would have been open revolt."¹³ At this crucial time temperance reform, still widely regarded as a major issue, offered an important area of policy on which previous discord could be replaced by a new harmony. Even so the particular timing of the arrangement should not be over-emphasized. Whittaker's proposals were ones which Liberal leaders who, like Asquith and Herbert Gladstone, saw the tem-

¹²These points are made in the third section of Whittaker's 5 November memorandum, headed "Comments." It was feared by many of the more far-sighted Vetoists that the Lords might employ with some success against the passing of a comprehensive Local Veto measure an argument similar to one they had used against Home Rule: that the Veto should not be imposed on England by the votes of non-English Members of Parliament.

¹³C.B. to J. Smith of Stirling, 27 November, 1899, Spencer Papers, B.M. Add. MS 46388, ff. 31-34.

perance issue solely in electoral and party terms would have welcomed at any time since 1895 at least. On the Local Veto the concessions offered by Whittaker would at least remove the measure from the Liberal platform in England, where it had most proved an electoral liability. Since opponents of the Veto had emphasized above all its unpopularity with the voters, this arrangement in its turn would stand an excellent chance of putting an end to party differences on the question. Equally important, temperance acceptance of compensation by the trade would, as Campbell-Bannerman shortly afterwards pointed out to Lord Spencer, help the party to "soften the stubborn opposition of the trade in England."¹⁴ The prospects for a mollification of the trade over compensation seemed all the brighter since Whittaker did not insist that the schedule as suggested in the Peel Report need be strictly followed. Provided the period of notice given was short, he wrote, "the amount of compensation to be paid and the method of levying on the trade are matters of detail."¹⁵

The Liberal leaders may well have been pleasantly surprised by such an accommodating attitude. Their main concern during the negotiations with Whittaker seems not to have been to wrest from him further concessions but to receive his firm assurance that the temperance movement as a whole would be prepared to acquiesce in the already considerable movement

¹⁴19 December, 1899, Spencer Papers, A-R.

¹⁵5 November memorandum, loc. cit.

towards the trade and public house position implicit in his proposals. The leadership was well aware that by this time there were those among even the most ardent Liberal vetoists who, like John Ellis, were reluctantly prepared to consider the desirability of a practical alternative policy.¹⁶ But the most important individual consideration remained the likely attitude of Sir Wilfred Lawson, whose personal prestige as an advocate of radical temperance reform was quite unique. To judge from the frequency with which Whittaker's assessments of Lawson's position are recorded in Gladstone's interview diary, the Chief Whip clearly recognized that the President of the Alliance was the one man on the temperance side who might have both the desire and the influence to wreck the settlement. The weighing of the Lawson factor had been the more difficult because the reports as to his likely attitude had at first been far from clear. When Whittaker made his approach on 13 July he "hinted that Lawson would not stand in the way."¹⁷ At the end of the month he admitted that Lawson was now "strong in opposition," with the Alliance as a

¹⁶See Gladstone's notes of his interview with Ellis on 10 July, 1899, B.M. Add. MS 46483, f. 28. Ellis, a close friend of Sir Wilfred Lawson, sat as a Liberal for the Rushcliffe Division of Nottinghamshire from 1885 until 1910, the year of his death. In 1867 Ellis had married a daughter of John Rowntree of Scarborough and was thus the brother-in-law of his fellow Quaker, Liberal Member of Parliament and temperance worker, Joshua Rowntree. Joshua should not be confused with another of the Scarborough Rowntrees, Joseph Rowntree, co-author with Arthur Sherwell of many works on the temperance question.

¹⁷Ibid., f. 30.

whole equally divided on the question of compromise.¹⁸ Yet, only three weeks later, "W[hittaker] said that Lawson was now much more amenable."¹⁹ However, by the time the compromise was finally reached, Whittaker's advice had crystallized, and on 5 November he committed himself in writing to the opinion that "Sir W. Lawson is the only Temperance leader of any importance who would not at once acquiesce, and I am clear in my own mind that when it came to the point he would not oppose."²⁰ The Liberal leaders went through with the arrangement with Whittaker assured that he could rally to its support the overwhelming bulk of influential temperance opinion.

Armed with Whittaker's memorandum, but heavily distracted by the South African situation, Campbell-Bannerman now prepared to publicize the new Liberal temperance policy. An exchange of letters with Whittaker cleared up an ambiguous point in the memorandum concerned with the compensation levy to be made on the trade; significantly Whittaker qualified his explanation by again emphasizing that "whether this is the best arrangement in detail is not material."²¹ Five days later, on 15 November, Campbell-Bannerman spoke in Manchester's Free Trade Hall and brought into the open the new direction in

¹⁸31 July, ibid., f. 38.

¹⁹3 August, ibid., f. 40.

²⁰5 November, memorandum, loc. cit.

²¹Whittaker to C.B., 10 November, 1899, B.M. Add. MS 41235, ff. 100-01.

the Liberal approach to the temperance question. Having expounded to his audience his criticism of the Government's South African policy, he announced himself to be satisfied that in Lord Peel's proposals the friends of temperance had "a code of reform" which could "rightly be adopted" as meeting the immediate necessities of the case. Speaking as he was in the home town of the Alliance itself, he then took great care to conciliate as far as possible those in whose eyes the Peel Report went nowhere near far enough. He directed a special appeal to "those stalwart upholders of licensing reform, to those men who with much effort and sacrifice, with toil and storm, have advanced the cause of direct popular control." He was not going to ask these men to accept any compromise or to renounce any principle. But he would ask them to view with favour a scheme which would undoubtedly work immense good immediately and which would "pave the way for effecting in after years those future and more complete reforms which they have at heart." He had always supported and voted for measures embodying the Veto. The concept was both "right in principle and vital in its consequences." Nevertheless, he went on, the fact could not be ignored that, while public opinion in Scotland and Wales was far more advanced, in England there was a great reluctance to accept any such scheme. Similarly with the compensation question, while it could not be entertained that there was any claim on legal grounds, opinion generally was in favour of making some financial

allowance. The time had come for a serious and concentrated practical effort, he concluded, and, looking at the Peel Report as a whole, "from the beginning to the end of it I can see nothing which is in the least in conflict with Liberal principle, and therefore which does not deserve Liberal support."²² This Manchester speech, in fact, followed Whittaker's briefing virtually to the letter and it is difficult to share the view of Campbell-Bannerman's biographer that the blessing which it gave to the Peel Report was no more than "cautious."²³

Certainly this was not Whittaker's view. He was delighted with the Manchester speech. "If I may presume to say so," he wrote to Campbell-Bannerman, "it was altogether admirable."²⁴ At once he began to carry out his side of the bargain with the Liberal leadership. Enclosed in his letter thanking Campbell-Bannerman for the line he had taken he submitted the draft of a manifesto welcoming the speech, which "I propose to get . . . signed by a number of Temperance Members of Parliament and others, and published in the newspapers in the course of a few days."²⁵ Already the Central Temperance Evidence Board had been transformed by Whittaker, Caine and others into the Central Temperance Legislation

²²Manchester Guardian, 16 November, 1899.

²³J. A. Spender, Life of the Rt. Hon. Sir Henry Campbell-Bannerman, G.C.B. (1923), I, 263.

²⁴17 November, 1899, B.M. Add. MS 41235, ff. 110-11.

²⁵Ibid.

Board, with the new objective of pushing the Peel proposals onto the statute books. A meeting of temperance men was summoned by the Board and, six days after the Manchester speech, was held in the Queen's Hall, London. A letter from Lord Peel himself reminded those attending of the magnitude of the evil to be grappled with and stressed: "It has come to be a struggle for mastery between the State and a trade, and the time has fully come for a decision of the question who is to be master." Unanimously the meeting accepted the proposals of the Peel Report as "a practical basis for legislation" and urged all temperance workers to unite behind them.²⁶ Tory embarrassment at the presence at this meeting of the President of the National Conservative and Unionist Temperance Association, Sir William Houldsworth, was further increased the following day by the warm praise given to Campbell-Bannerman's speech by the official organ of the Church of England Temperance Society.²⁷

Two weeks later the movement inspired by Whittaker was given a further boost by the appearance of the manifesto he had planned. Issued on 6 November, it received widespread coverage and no little editorial attention in the next day's press. The manifesto accepted Campbell-Bannerman's speech as a declaration of the leaders of the Liberal Party's intention "to place in the forefront of their proposals, for immediate

²⁶Scotsman, 22 November, 1899.

²⁷Temperance Chronicle, 22 November, 1899.

legislation on their return to power, a measure of Temperance reform embodying the principal recommendations of Lord Peel's Report, including giving direct popular control to Scotland and Wales." The thirty signators testified to their belief that such a policy would both work immense good immediately and prepare the ground for future and more complete reform, and they concluded by commending the policy embodied in the Manchester speech to temperance electors as worthy of their support at the next General Election. Appended to the manifesto in most reports was a note, undoubtedly submitted by Whittaker himself, which recapitulated at equal length the points made in the manifesto and, lest any reader remained who still did not appreciate it, spelled out the significance of what had happened. "It will be seen," the note began, "that, with the exception of Sir Wilfred Lawson, almost every recognized leader of the Temperance party has signed this declaration and recommendation. It would be difficult to exaggerate the importance of such a manifesto as regards both temperance reform and the Liberal party."²⁸

The manifesto as it appeared in the press differed only very slightly, and nowhere significantly, from the draft which Whittaker had submitted to Campbell-Bannerman nearly three weeks previously. Since the manifesto welcomed the statements made in Campbell-Bannerman's speech, using wherever possible

²⁸Westminster Gazette, 7 December, 1899.

his very phraseology, and since that speech had been based on Whittaker's memorandum, Whittaker's signature on the manifesto in effect represented his acceptance and his recommendation to others of his own proposals. The Liberal Unionist Scotsman suspected sharp practice of some kind, although it saw Caine and Gladstone as the villains of the piece. On the morning it published the manifesto the paper proclaimed in a lengthy leading article:

The manifesto is probably a product of the Central Temperance Legislation Board, on which Mr. W. S. Caine, ex-M.P. and ex-Unionist, is a prominent figure. The members of the Board appear to be a set of active Radical politicians, working under the inspiration of the Radical Whip, Mr. Herbert Gladstone, a declared opponent of the Veto. They have recognized the mischief which advocacy of the Veto has done and is calculated to do to the Radical party in England, and so they are prepared to throw it over in the political interests of the party, and adopt Lord Peel's scheme of reduction with compensation.²⁹

The manifesto, it concluded righteously, was evidently a purely political move on the part of these men, designed to embarrass the Government and to forge a new plank in the platform of their own party. The writer of the article also put his finger on one of the major obstacles to such an attempt: ". . . the new play is a little like Hamlet with the Prince left out. If Sir Wilfred Lawson disapproves of the manifesto, he is unlikely to stand alone, and the claim of the thirty recognized leaders to represent the Temperance party becomes dubious."³⁰

²⁹7 December, 1899.

³⁰Ibid.

Whittaker cannot fairly be accused of throwing over his own principles in the interests of his party. He evidently believed, and was almost certainly correct in believing, that unless the radical temperance movement was prepared to forgo at least for the present its most obviously unpopular demands it would achieve few, if any, of its other objectives. But the Scotsman was undoubtedly correct in its hints that the success of the plans for compromise depended on the extent to which Whittaker and his allies could continue to demonstrate that it was their position, and not that of Lawson, which had the backing of the temperance movement. So far the prospects of their being able to do this seemed encouraging. The United Kingdom Alliance, manifestly divided, could do little to move one way or the other from the ambivalent stance it had taken in October when its Annual Report, while generally expressing a favourable opinion of the Peel Report, had condemned as "vague and inadequate" those of the Peel proposals which related to popular control.³¹ Meanwhile such bodies as the National Temperance League and the Church of England Temperance Society had given an enthusiastic reception to the Peel Report, as had the Methodist Times. Even the executive of the Good Templars had taken part in the work of the Central Temperance Legislation Board. Most significant of all were the names of those whom Whittaker had obtained as co-sponsors

³¹The Times, 12 October, 1899.

of the 6 December manifesto. Including Whittaker himself, fifteen of the thirty who signed were currently Liberal Members of Parliament. Together they presented an impressive cross-section of temperance opinion within the party. From Scotland there were John Colville, Robinson Souttar and Govan's John Wilson; from Wales Herbert Roberts, Herbert Lewis and Lloyd George. Those from English constituencies ranged from Henry Wilson and Robert Allison, directors respectively of Sheffield Smelting and the Midland Railway, to Robert Cameron, a Quaker educationalist, and Francis Channing of the agriculturalist lobby. Especially prominent were representatives of the mining vote and of that of Labour generally; Thomas Burt, Sammy Woods, Fred Maddison and Durham's John Wilson. John Ellis had not signed, but Joshua Rowntree was there with two other ex-Members of Parliament, Crosfield and Caine.³² Five of the fifteen Members of Parliament--Whittaker, Souttar, Burt, Allison and Henry Wilson--were Vice-Presidents of the Alliance, as was Caine. The status of the non-Parliamentary sponsors was equally formidable, including as they did Dr. John Clifford and the respective past and

³²Caine indeed is credited by his biographer with having been "largely responsible" for the manifesto; John Newton, W. S. Caine, M.P. (1907), p. 285. Certainly he was working very closely with Whittaker during these weeks. But, as has been seen, it was Whittaker who both arranged with the Liberal leadership for the manifesto's appearance and submitted the draft to C.B. Very possibly Caine played a part in bringing Pope and Canon Hicks to sign. But among the Liberal Members of Parliament it is more likely to have been Whittaker's influence that counted; Caine was both out of Parliament and an ex-Liberal Unionist.

present Secretaries of the Alliance, Samuel Pope and Canon Hicks.

Whittaker's gathering of these names must be seen not only in terms of the avowed intent to influence the temperance electorate. It was also an attempt to impress the Liberal leadership with the extent to which the temperance movement was prepared to follow Whittaker's moderate line, and in this Whittaker felt with good reason that he had done well. Writing to Campbell-Bannerman after the publication of the manifesto, he was able to make light of Lawson's refusal: "I only invited prominent pronounced U.K. Alliance men to sign the statement. As I anticipated Sir Wilfred Lawson would not sign it, but with that exception a more representative list of temperance men could not be obtained for anything."³³ Within a couple of days Whittaker was in Manchester, taking part in yet another demonstration of solidarity. At the temperance conference held in the Town Hall the conspicuous absence of the President of the Alliance was off-set by the presence of both its Secretary and of its Treasurer, W. J. Crossley. Once again a unanimous resolution urged all temperance reformers to unite in an attempt to secure at the earliest possible date

³³9 December, 1899, B.M. Add. MS 41235, f. 135. In view of the rift that developed between Lawson and Whittaker it is ironic that it had been the latter's father, Thomas, who as a touring temperance lecturer in the mid-1830's, had been responsible for the conversion to the teetotal cause of Sir Wilfred Lawson's father; Norman Longmate, The Waterdrinkers (1968), p. 80.

legislation along the lines of the Peel Report.³⁴

The most immediate threat to the success of the Liberal-temperance compromise, however, came not from the Lawson wing of the temperance movement but from the licensed trade interests within the Liberal Party. From the moment that it had become obvious that the Royal Commission was going to produce two distinct reports the trade Liberals had been apprehensive as to their party's reaction. Back in May Gladstone had discussed the question with the two leading Liberal brewers, Samuel Whitbread and Edward Buxton. The latter, still completing his work on the Majority Report, had expressed himself most anxious that the party should not commit itself to the forthcoming proposals of Lord Peel and his colleagues.³⁵ Campbell-Bannerman's Manchester speech of 15 November now convinced Buxton that this was exactly what was being done. Two days after the speech, and even before he had read the full report of it, he went protesting to Gladstone. In his interview with the Chief Whip Buxton made it clear that acceptance of the Peel Report would preclude his standing in the party's interest. He claimed that all the moderate members of the Royal Commission had signed the Majority Report, and argued that it would be impossible to embody the Peel recommendations as a whole in any Bill. To carry out the sug-

³⁴Manchester Guardian, 11 December, 1899.

³⁵15 May, 1899, B.M. Add. MS 46483, f. 11.

gestion in the Peel Report for compensation on a seven years' basis, he maintained, would amount to nothing less than confiscation.³⁶

Buxton appears to have had some reasonable ground for complaint. In August Gladstone had assured S. H. Whitbread, Samuel Whitbread's son, that both his father and Buxton would be consulted before Campbell-Bannerman finally settled on the party's temperance pronouncement.³⁷ But no representative of the Liberal brewers was present when the negotiations with Whittaker were concluded. Moreover any information about the conference between the three Liberal leaders and Whittaker that might have been passed on to the Liberal liquor interests would not greatly have helped them. For no clear understanding in detail appears to have been reached even then as to just how far Campbell-Bannerman should go in accepting the Peel proposals as a whole. Even Whittaker's memorandum spoke only of the affirming of support for legislation "on the main principles" of the Peel Report; the more detailed interpretation of this phrase seems to have been left to Campbell-Bannerman. The interpretation which his leader in the event placed upon it in Manchester evidently did not entirely accord with Gladstone's view. He received from Campbell-Bannerman an almost lyrical account of the evening: "The Manchester meeting was

³⁶17 November, 1899, *ibid.*; f. 49; Gladstone to C.B., 19 November, 1899, B.M. Add. MS 41215, ff. 144-50.

³⁷8 August, 1899, B.M. Add. MS 46483, f. 42.

an enormous success. . . . My temperance exposé was carefully listened to and greatly approved. . . . I think what I said is (though I say it myself) judicious and sufficiently full."³⁸ The Chief Whip's reply hardly shared this enthusiasm. "But have you not kept rather too rigidly to the actual proposals of the Peel Report?" was his first reaction.³⁹

The "actual proposal" which was crucial was that relating to compensation. Whittaker had from the start shown that his attitude to the details of the scheme for compensation was a flexible one. But Campbell-Bannerman's declaration in Manchester that there was nothing in the Peel Report which did not deserve Liberal support presumably extended to the Report's suggestion that the maximum amount payable for premises whose licenses were not renewed should be seven years' purchase of their rateable value. In his reply to Campbell-Bannerman's account of the Manchester meeting, Gladstone expressed his doubts as to both the necessity and the desirability of taking up such a position. In what, in his own words, was a "lengthy criticism," he analyzed the possible electoral implications:

. . . as Whittaker, Caine & Co. have accepted the principle of compensation, shall we be right from a tactical point of view in starting the new departure by screwing it down to the lowest possible point? I rather look at

³⁸C.B. to Gladstone, 17 November, 1899, B.M. Add. MS 45987, ff. 39-42.

³⁹Gladstone to C.B., 19 November, 1899, B.M. Add. MS 41215, ff. 144-50.

it in this way. If we get a majority strong enough to get a Temperance Bill through the H[ouse] of C[ommons], the H[ouse] of L[ords] will stand firm on compensation. If they force us to the country, the trade will make a record effort against us and will probably prove once more that, plus the Ch[urch] of England and the whole Tory party, they are too strong for us. That would be disastrous in the interest of reform. Otherwise we should have to come to terms. Fuller compensation would be given and not a man in the trade would say thank you, while some of our people would be disgusted.

But before this occasion arises we have to carry the country. A skimp and grudging measure of compensation will not placate the trade (possibly no reasonable proposal would): but what is more important such a measure would not enable us to detach from the public house influence the mass of reasonable customers who in a rough and ready way want the publicans to be treated generously. Briefly, I fear that without an adequate amount of grease we shall not be able to overcome the friction of the trade in the next or almost any election. Personally I think Peel's 7 years entirely inadequate and so thought two (three?) of his own signatories. Moreover Whittaker himself said to me "Provided the money comes from the trade, and compensation is limited to existing holders, I don't so much care what the scale is." I gathered that his view is mine--"What does it matter if you exact two or three millions more from the trade for compensation to ex-traders, if by so doing you put yourself in a strong position to pass a good act."

I fear that the adoption of Peel's 7 years plan won't get us much forrader. Ought we not to avoid any specific proposal, reserve the matter to the discretion of the responsible Govt., and merely take the ground of fair compensation subject to Whittaker's two conditions?⁴⁰

These were powerful arguments, but the considerations involved were relatively long-term compared with Gladstone's immediate worry, which was that too strict a line on compensation would alienate the remaining Liberal brewers. It is true that, in the parliament of 1899, trade connections could be claimed for (or alleged against) only six Liberals, com-

⁴⁰Ibid.

pared with twenty-two on the Government benches.⁴¹ But the General Election of 1895 had been especially difficult for trade Liberals to fight and the Chief Whip was hoping that their numbers would be added to after the next one. Indeed he was at this time actively engaged in arranging the placing of several additional candidates from the trade camp. The embarrassing ubiquity of advertisements for Dewar's Perth Whisky might combine with the formidable strength of local temperance opinion to rule out a son of John Dewar as a possible successor to Birrell in West Fife, but there were strong hopes for--among others--Haig in Derbyshire South, Adeane in Huntingdonshire South, Marshall in Newmarket and Buxton himself, probably in Ipswich.⁴² The Liberals in these years were not conspicuously over-endowed with either suitable candidates or the resources to finance them⁴³ and, for all the lamentations of the temperance movement that even the Liberal Party should be sullied by the ill-gotten gains of the liquor traf-

⁴¹Brewers Almanack for 1899. The six Liberals, with their constituencies and connections, were: Austin (Osgoldcross), maltster; Causton (Southwark West), brewers' colour printer; Evershed (Burton-on-Trent), brewer; Fowler (Wolverhampton East), W. Butler & Co., Wolverhampton brewers; Gold (Saffron Walden), W. & A. Gilbey, distillers and wine merchants; McEwan (Edinburgh Central), W. McEwan & Co., Edinburgh brewers. Four Nationalist Members of Parliament and one Parnellite were also involved in the trade, chiefly with Irish whiskey firms.

⁴²See C. B. to Gladstone, 9 December, 1899, B.M. Add. MS 45987, ff. 52-55, and Gladstone's interview diary, B. M. Add. MS 46483, ff. 11, 12, 33, 55.

⁴³Trevor Lloyd, "Uncontested Seats in British Elections, 1852-1910," Historical Journal, VIII (1965), 260-65.

fic, a Chief Whip could always find room for a man like Samuel Whitbread's protégé, Charles Adeane, who was, as Gladstone himself noted, "evidently afraid of work but very rich."⁴⁴ The "new departure," it is true, had been arranged partly with such men in mind and, on the Veto and the compensation questions, was distinctly more favourable to the trade interest than before. But the main point about the policy it replaced, as Whittaker had realistically accepted, had been that its chances of ever reaching the statute books were fairly remote. The signs were that the trade Liberals would fear a temperance policy based on the Peel Report and promised precedence and priority far more than they had the formally more hostile previous position, about which the party's rank and file had been divided and its leaders vague.⁴⁵ Gladstone did not emphasize this factor at such length as the broader electoral one in his letter of 19 November, but the implication left was clear enough. Having told Campbell-Bannerman of his interview with Buxton and of his own fears that the Liberal brewers might "shy off" over compensation, he went on: "I put this forward for your consideration because perhaps you might feel disposed

⁴⁴18 May, 1899, B.M. Add. MS 46483, f. 12.

⁴⁵Presumably too, if temperance was to become one of the major planks in the Liberal platform, the leadership would no longer be able to view so tolerantly the habit of many trade candidates--Sir John Austin in the Osgoldcross by-election was only the most recent example--of contesting the seat with a "temperance" policy of their own.

to expand this point at Birmingham."⁴⁶

Campbell-Bannerman was due to speak at Birmingham before the end of the month. In the meantime Gladstone began to press on other Liberal leaders his views as to the desirable attitude of the party towards the Peel Report, with rather mixed results. A consultation with Asquith resulted in the two agreeing that Liberal policy in this direction should be guided by two basic principles. In the first place the party should not commit itself to the Peel Report as such; secondly it should make it clear that it was prepared to deal in a pragmatic fashion with the compensation issue, "as a necessary greasing of the car of reform."⁴⁷ But Gladstone's zealous propagation of these views left at least one ex-Cabinet member completely confused about what tune the party was supposed to be singing. On 6 December Lord Spencer spoke in Peterborough and exhorted temperance workers to press for the implementing of those points on which there was practical agreement between the Majority and the Peel Reports. This was a manifestly different position from the line Campbell-Bannerman had taken and Spencer was roundly condemned for his words by the very voices that had most warmly acclaimed the Manchester speech.⁴⁸ Writing shortly afterwards to apologize for any embarrassment the

⁴⁶B.M. Add. MS 41215, ff. 144-50.

⁴⁷Asquith to Gladstone, 27 November, 1899, B.M. Add. MS 45989, ff. 26-27.

⁴⁸E.g., in the Temperance Chronicle, 15 December, 1899, which also contains a report of Spencer's speech.

episode had caused Campbell-Bannerman, Spencer explained how he had thought that he was only keeping pace with a changing emphasis in official policy. One day between Campbell-Bannerman's Manchester and Birmingham speeches he had been with Herbert Gladstone and had come across Tweedmouth and Causton "in full cry" over the temperance question:

They evidently had heard that a good many of our people did not altogether like the Minority report and what they understood you to have said at Manchester.

H. Gladstone said that he had seen or written to you, and that you were going to put the matter somewhat differently at Birmingham, as I understood in the way which I practically adopted at Peterborough by personally favouring Peel's minority report but urging that the many points on which unanimity prevailed should be pushed forward and adopted as a great step in advance, with as much more of Peel's report as it turned out to be possible to carry.⁴⁹

Only when he saw the 6 December manifesto, with its re-affirmation of the Manchester line, did Spencer realize that there was something amiss.⁵⁰

Gladstone had in fact seriously overestimated the effect of his arguments upon Campbell-Bannerman. At Birmingham the latter did make a slight gesture towards trade sentiment, emphasizing that his previous rejection of any claim to compensation referred specifically to a legal claim which, if established, would have to be met by public funds. But this

⁴⁹Spencer to C. B., 10 December, 1899, B.M. Add. MS 41229, ff. 73-74. Tweedmouth, as Edward Marjoribanks, had been Chief Whip before Tom Ellis. R. K. Causton, who was to be Paymaster-General under C. B. and Asquith until in 1910 he became the first Baron Southwark, was a Liberal Member of Parliament whose wholesale stationery business did a great deal of its work for breweries.

⁵⁰Ibid.

did little to reassure the brewers. Moreover its effect was completely lost in the outcry which greeted the appearance of the temperance manifesto and the favourable notices which the manifesto received in the Daily News and the Daily Chronicle on 7 December. "Many communications on the new development" descended upon Gladstone from Liberal brewers "sore at what they call the adoption of all the specific recommendations of the Peel Report."⁵¹ Nor were members of the trade the only ones to react unfavourably. Sir Algernon West can hardly have been pleased at the scant attention paid so far to the Majority Report on which he had worked for so long. But, he assured Gladstone, it was only "as an old friend who was once interested in the success of the Liberal Party" that he wrote:

I am simply horrified at the line taken today by the Liberal Press on the subject of temperance legislation. If your leader follows them I think it would end in as ruinous a result as local veto.

To adopt Peel's report would put the whole of the grocers and every moderate man against you at an election.

Some of the trade are Liberal and I believe the vast majority of grocers who owe their existence to your father's legislation will if this report of Peel's is the foundation of an act oppose you tooth and nail.

Our report signed by all the neutrals except Lord Peel would be an equitable solution and might be carried into law--of which there is no probability if such drastic proposals as those of Peel and the extreme Temperance Party are accepted by the Liberal Party.⁵²

West was preaching to the converted. Gladstone had a

⁵¹Gladstone to C. B., 8 December, 1899, B.M. Add. MS 41215, ff. 158-61.

⁵²West to Gladstone, 7 December, 1899, B.M. Add. MS 46057, ff. 225-26.

long talk with Whittaker on the 7th,⁵³ arranged to confer with Asquith the next day, and lost no time in reporting the present difficulties to Campbell-Bannerman. He stressed that the latter's reference in Manchester to the Peel Report as "a code of reform which may rightly be adopted" was being interpreted in a way "which I don't think you meant" and passed on West's warning about the possible reaction of the licensed grocers and his doubts about the general legislative feasibility of the Peel proposals. But, Gladstone insisted, the all important point was compensation and it was essential that it should be made quite clear. Whittaker, he emphasized yet again, was making no demands that compensation should be limited to any set figure; his only conditions were that it should be drawn from the trade and applied exclusively to existing license holders. Indeed Whittaker and his friends had now gone so far as to declare that they would support a proposal to raise the funds for compensation out of increased liquor duties. This, Gladstone emphasized, seemed to be a most important proposition, particularly since, according to Whittaker, it was one which the trade would accept. Gladstone conceded that, with so large and complicated a subject, it was hardly to be expected that the party would be able to settle down to exact lines at once. "But," he concluded, "the distinction which I am anxious to have drawn is that between adoption of the re-

⁵³"Thinks the new departure satisf. (more than I do)," Gladstone noted ruefully, B.M. Add. MS 46483, f. 53.

port as a formulated code of reform, and its adoption as a general basis with ample latitude reserved in points of detail, the whole arrangement being accompanied by a 'generous' policy of money compensation provided from the trade."⁵⁴

Campbell-Bannerman's reply to this forceful letter was somewhat vague and only marginally helpful to his Chief Whip. He did at last concede that his words about a "code of reform" might be read as indicating something more precise than he had intended. What he had rather meant, he told Gladstone, was to refer approvingly to the Peel Report as a series of reforms, some of which the party might adopt. This, he observed, was in accord with the general tone of his Manchester speech. But in other directions he was less encouraging. He argued that to go as far as Whittaker was apparently prepared to with the liquor duties proposal would make the party very vulnerable to attack. Such a scheme would in effect involve compensation out of taxation, a principle the Liberals had bitterly denounced when Goschen had tried to adopt it less than ten years before. His reaction to the possibility of difficulties with the licensed grocers was similarly negative. He admitted that the fact that the party was faced with a potential loss of support over the issue made it a very difficult one. But he offered no advice, merely adding that "in Scotland we are all against Grocers Licenses which are the worst

⁵⁴Gladstone to C. B., 8 December, 1899, B.M. Add. MS 41215, ff. 158-61.

cause of evil--drink being hawked about country districts in vans which call at men's doors with tea, bread & c. . . . Possibly it could be met by some strict rules, but I doubt it."⁵⁵

Up in his Scottish retreat Campbell-Bannerman was removed from the direct protests of the Liberal brewers. His main attention was naturally directed towards the South African War and, as far as the new departure in temperance policy was concerned, with his record of vetoist sympathy he was rather more perturbed at this time by the letter of protest he had received from Lawson.⁵⁶ But in London the Liberal Chief Whip remained the obvious target of a group, relatively weak in numbers, but strong in the constituency and financial pressures they could apply. The next few days, moreover, saw West's gloomy prediction proved accurate; as the impression gained ground that the Liberals were to adopt the Peel Report as a whole, the resentment of the liquor traders was added to that of the brewers. With over three thousand retail agents at risk, even such a staunchly Liberal firm of distillers and wine merchants as W. & A. Gilbey could not accept a Liberal platform incorporating the Peel proposal for a complete separation of the trades. Armine Wodehouse, the prospective candidate for Saffron Walden, came to Gladstone greatly distressed

⁵⁵C. B. to Gladstone, 9 December, 1899, B.M. Add. MS 45987, ff. 52-55.

⁵⁶C. B. to Gladstone, 11 December, 1899, *ibid.*, f. 56. Lawson's letter to C.B. of 7 December is discussed below, Chapter Eight.

on 11 December to report that he was threatened with the entire withdrawal of Gilbey support in the constituency, including that of the present Member of Parliament, Charles Gold, himself a brother-in-law of Sir Walter Gilbey and a director of the firm. Another distiller, Haig, resigned his candidature in South Derbyshire outright. Wodehouse also confided that his father, Lord Kimberley, the Liberal leader in the Lords, was in favour of grocers licenses, and Gladstone found himself under heavy attack from several of those whom he regarded as the party's "essential friends." Again Gladstone conferred with Asquith and rushed off a letter to Campbell-Bannerman. It is evident that he felt that the developments of the past few days amounted to a genuine crisis in the affairs of the Liberal Party. "At present the fat is all in the fire so far as the Liberal liquor traders are concerned," he wrote. "It is thought we are going for the abolition of Grocers Licenses in England. I am afraid the result will be rather disastrous." Half way through his lengthy letter he underlined the point more forcibly still: "We cannot afford to lose the Gilbeys and all their grocer clients, the Whitbreads, Eversheds, Buxtons, Beaufoys and other men like Adeane who are more-or-less connected with the trade."⁵⁷

In this letter of 12 December Gladstone put forward

⁵⁷Gladstone to C. B., 12 December, 1899, B.M. Add. MS 41215, ff. 169-72.

in the strongest possible terms those steps which he felt must be taken if the damage were to be made good. He first took up Campbell-Bannerman's concession that the "code of reform" phrase was open to misinterpretation and in fact had been intended to mean no more than that the Liberals would take from the Peel Report those proposals which they deemed necessary and practicable. "I think it is absolutely essential," he wrote, "that as soon as possible you should state the position which you take in your letter to me of the 9th--in a form which we could circulate as the general expression of the official view." On a second and related point Gladstone was equally insistent: this was no time to attempt to soften the blow to Lawson and his followers: "I think that the sooner you make it clear that the Veto for England is postponed the better. It will bring the parties of Lawson and Whittaker into conflict and will help us with our brewers and all moderate Liberal reformers." Other than this Gladstone urged that the party must at all costs avoid getting itself pinned to specific proposals, especially the more drastic ones, against which "an active and sustained propaganda" would arise: "I am convinced that unless we keep our position based on general propositions, with full power reserved on details, we shall get into endless troubles."⁵⁸ But the main point was that something positive must be done to mollify the trade Liberals, and quickly. In a postscript to a

⁵⁸Ibid.

letter sent off on the following day Gladstone apologized to Campbell-Bannerman for having to hammer at the temperance question so much, "but it is a matter of real and urgent importance to us."⁵⁹

Campbell-Bannerman's reply showed that he still had little sympathy with the trade's grievances and saw little justification for their complaints. "It is not I who have brought in details," he complained, ". . . the word Grocer never issued from my lips, nor did I think of him. It is these sensitive plants who have dragged him out. . . . There is nothing in all I have said to make any candidate resign-- or to provoke my excellent Gold." He warned Gladstone that the party could not hope, and should not try, to satisfy its trade supporters on all counts: "They would like us to get up and say 'We abjure Local Veto and Local Control.' We cannot do it. But, to save their face, we have engineered this deal, whereby that policy for England is postponed and compensation arranged for. This is all they can expect us to do: and all we dare do: and it will not be easy even to do so much." In addition he poured more cold water on the idea of earmarking increased liquor duties for the compensation fund. And yet, embedded in this rather querulous letter, came the statement of the position that was the reward for Gladstone's sustained pressure. Provided, Campbell-Bannerman declared,

⁵⁹13 December, 1899, ibid., ff. 173-76.

that the van mischief in Scotland could be dealt with by regulation, he was personally quite content to leave the grocer alone. Moreover the offence that he had given by the use of the phrase "code of reform" could, he somewhat nonchalantly added, quite easily be made right in his forthcoming speech at Aberdeen.⁶⁰

These were the assurances Gladstone had been waiting for. However much Campbell-Bannerman might believe that the licensed grocers' interest was making a fuss about nothing, Gold's anger, for example, was increasing daily. He saw Armine Wodehouse on the 15th, told him that he intended to take no further part in politics on the Liberal side, and made it clear that he would not give his support in Saffron Walden to Wodehouse or to any other Liberal candidate. "I tried to soothe him in every way I could," an alarmed Wodehouse reported to Gladstone the next day, "but he said it was too late, that he had always been a loyal and generous member of the party and that the return was that Sir Henry Campbell-Bannerman, without any consideration of the blow he was dealing to the business of Mr. Gold and his partners, had committed the party to a report signed only by a minority of the Royal Commission and those the Temperance members."⁶¹ Wodehouse added that he was doubtful whether, in these circum-

⁶⁰C. B. to Gladstone, 14 December, 1899, B.M. Add. MS 45987, ff. 59-60.

⁶¹Wodehouse to Gladstone, 16 December, 1899, B.M. Add. MS 46067, ff. 232-35.

stances, he could continue as a candidate.⁶² Gladstone now intervened and, with Buxton acting as mediator, arranged to meet Gold on the 20th. Armed with his leader's assurance that no separation of the trades proposal was envisaged, he felt hopeful of being able to mollify Gold and, through him, the rest of the Gilbey clan.⁶³ Buxton's readiness to act as go-between in this affair was itself a sign of the improved relations that Gladstone was now able to establish with the brewers.

In view of the trouble the Chief Whip had taken to elicit from Campbell-Bannerman the undertaking that the "code of reform" phrase would be publicly re-elaborated in a sense more in line with the trade's compensation demands, it is reasonable to assume that he gave some indication of this latest development when he saw Buxton on the 18th. Certainly Buxton, in the course of the long talk which the two had, clearly showed that he thought it was now possible to reach an arrangement which the Liberal brewers would be able to support. He was, Gladstone noted, "very fair and moderate." He intimated that the grocers' license question did not greatly interest him and stated that he would be satisfied if the party could take the line of a "generous" measure of compensation payable by and through the trade, without any specific plan,

⁶²Ibid.

⁶³Gladstone to C. B., 18 December, 1899, B.M. Add. MS 41215, ff. 184-85.

and provided that the party's use of the Peel Report as a general basis did not commit it to the more detailed recommendations.⁶⁴ Evidently Gladstone felt in a position to give some assurances on these points on behalf of the party, for he thereupon asked Buxton to stand at Ipswich and the latter, though not committing himself, requested Gladstone to get in touch with the men concerned.⁶⁵ Next day Gladstone learned through Barlow, a prospective candidate at Bedford, that in Samuel Whitbread's opinion a Liberal position similar to that Buxton had outlined would probably be sufficient to keep the trade at least neutral in that constituency.⁶⁶

Valuable as these contacts were, they could not in themselves cement the resumption of friendly relations. The real test of the Liberal Party's eagerness to retain the confidence and the support of its brewers would still be the extent to which Campbell-Bannerman would be prepared publicly to move the party's temperance stand in their direction. Gladstone, even after Campbell-Bannerman's declarations in his letter of 14 December, apparently remained uneasy as to whether his leader would in the event go far enough at Aberdeen to re-

⁶⁴Ibid.

⁶⁵B.M. Add. MS 46483, f. 55.

⁶⁶Ibid. Whitbread had himself sat for Bedford until 1895 and the influence there of the family and the firm remained strong. Indeed, from the point of view of a Liberal victory in a constituency with so many otherwise classically Tory characteristics, it was probably decisive. See Henry Pelling, The Social Geography of British Elections, 1895-1910 (1967), p. 113.

assure the trade Liberals, for he sought the help of Bryce in urging on Campbell-Bannerman yet again the importance of the question. He saw Bryce on the 15th and the latter "promised to write to C. B. on the temperance 'code'; also on compensation."⁶⁷ Bryce was quick to act on this undertaking and despatched his letter, the next day, Saturday, thus ensuring that it would reach Campbell-Bannerman before the speech at Aberdeen, scheduled for the following Tuesday. In it he related how Buxton had complained to him that Campbell-Bannerman's previous speeches on the temperance issue had been interpreted as implying a complete adoption of the whole of the Peel proposals. Emphasizing Buxton's loyalty and that his fears were not for himself but for the party, Bryce then continued in such a fashion that it is difficult not to believe that the letter had been fairly carefully worked out with Gladstone the day before:

I told him [Buxton] that I thought you had by no means intended to bind yourself to Peel's scheme in all its details, but merely to express a general concurrence in some of its leading propositions: and that what you said regarding compensation was directed not against a compensation scheme charged on the trade itself but against compensating the trade out of the public treasury. If I am right in this interpretation, may it not be worth your while if you revert to the subject to make the point clear?⁶⁸

Bryce was not the only ex-Cabinet member whose voice Campbell-Bannerman had to bear in mind while preparing his

⁶⁷B.M. Add. MS 46483, f. 55.

⁶⁸Bryce to C. B., 16 December, 1899, B.M. Add. MS 41211, ff. 75-76.

Aberdeen statement. Lord Spencer had already counselled that, even though he personally liked the Peel Report, he did not think it would be safe to pin the party too firmly to it. The seven years' compensation proposal in particular would, he thought, cause trouble; and he added "I must confess to feeling somewhat keenly that we must not have another Liquor difficulty in our way."⁶⁹ Lord Kimberley was quite unequivocal. "I myself," he announced, "could not support some of the proposals in Peel's report e.g. the abolition of grocers' licenses, and the scheme of compensation, which appears to me wholly inadequate."⁷⁰ He naturally was aware of Gold's refusal to support his son in Saffron Walden and he expressed himself perturbed by the apparently "serious danger" that others would follow Gold's example. He warned Campbell-Bannerman that he did not see how on such a delicate question any programme could be devised which would be capable of uniting the whole party. In his opinion the Liberals' only safe course was to avoid pledging themselves to the extreme recommendations contained in the Peel Report. "Otherwise," he added, "I fear we shall lose many valuable supporters."⁷¹

Campbell-Bannerman still had his doubts about whether the dangers of lost support threatened from one side only. His

⁶⁹Spencer to C. B., 10 December, 1899, B.M. Add. MS 41229, ff. 73-74.

⁷⁰Kimberley to C.B., 17 December, 1899, B.M. Add. MS 41221, ff. 174-81.

⁷¹Ibid.

assessment of the course the new departure in temperance policy was taking comes out in an explanation which he sent Spencer of why the party could not simply limit itself to taking up those proposals on which both reports of the Commission were agreed.⁷² In the first place he was, not unreasonably, somewhat resentful that apparently he alone should be taking the blame for the opposition that the Manchester speech had aroused. The arrangement with Whittaker was, he remarked, "not a thing of my raising, although I concur in it." Admittedly his reference to "a code of reform" was too precise and had been unwise. "But," he pointed out in his own defence, ". . . the whole of Whittaker's paper assumes that we are to go on the Peel Report." Nevertheless, he told Spencer, he did not feel in the least bound to go for Peel and nothing other than Peel--provided that the party could carry Whittaker and his colleagues with it. Buxton, West and their like, he emphasized, were not the only people the party had to satisfy. If the Liberals were to gain the electoral benefit that could only come from having the temperance people accept compensation through the trade, then they would have to maintain a policy which the moderate Alliance men could continue to support. Given that the party had the most suspicious and sensitive people on either side of it, he summed up, "it seems to me having got these 'reasonable extremists' in

⁷²19 December, 1899, Spencer Papers 1899 A-R.

tow, our only chance of success in the matter is to use them and stick to them."⁷³ It is therefore perhaps not surprising to find Gladstone repeatedly emphasizing the lengths to which Whittaker was apparently prepared to go in order to arrive at a mutually acceptable formula. On the compensation question in particular, for all his personal reservations about the idea, Campbell-Bannerman could hardly fail to have been impressed by Gladstone's insistence that Whittaker and his friends would definitely accept the earmarking for this purpose of increased liquor duties; a proposal which, as the Chief Whip himself admitted, would be difficult and which certainly should not be mentioned in public.⁷⁴

Nevertheless Campbell-Bannerman's task at Aberdeen was not an easy one. He had, while avoiding antagonizing the Whittaker group, to confirm as far as possible Gladstone's reassuring overtures to the aggrieved trade Liberals and to put an end to the misgivings which he knew to be entertained by several of his own colleagues in the party leadership. Moreover, having to speak primarily from the Scottish standpoint, he was not able, as he afterwards explained to Gladstone, to organize his remarks on the licensing question into any form suitable for a general policy circular.⁷⁵ In the circum-

⁷³Ibid.

⁷⁴Gladstone to C. B., 16 December, 1899, B.M. Add. MS 41215, ff. 180-83.

⁷⁵C. B. to Gladstone, 21 December, 1899, B.M. Add. MS 45987, ff. 61-62.

stances he did very well. He reminded his audience that the conditions which made a local control measure so desirable in Scotland did not exist in England. He maintained that, notwithstanding the lack of a legal claim, the desire to see compensation drawn from trade funds given to those who lost their licenses was "a general sentiment and . . . a proper sentiment." Above all he emphasized that the greatest practical good would come from approaching the proposals of Lord Peel and his colleagues as a basis for reform, "without necessarily adhering to all their precise and detailed recommendations."⁷⁶ It was, he suggested to Gladstone, "what was wanted by our tender brewers."⁷⁷

Gladstone agreed. He was delighted with the speech, he told his leader, and it had been a great help.⁷⁸ Asquith, the third member of the triumvirate responsible for the arrangement with Whittaker, echoed this approbation.⁷⁹ The difficulty still outstanding--that of the liquor traders--was quickly resolved. Charles Gold went to see Gladstone as arranged, on the day after Campbell-Bannerman's Aberdeen speech, Gladstone managed to reassure him, and he went away promising

⁷⁶The Times, 20 December, 1899, p. 9.

⁷⁷Ibid., 21 December, 1899.

⁷⁸Gladstone to C. B., 22 December, 1899, B.M. Add. MS 41215, ff. 188-89.

⁷⁹Asquith to C. B., 20 December, 1899, B.M. Add. MS 41210, ff. 179-80.

renewed support.⁸⁰ The exact form the reassurance took is not clear. Gladstone made no record of the conversation in his interview diary and did not find it necessary to go into details in the report he sent Campbell-Bannerman. Armine Wodehouse, relieved and delighted though he was at Gold's change of attitude, was unable to conceal his surprise at the speed and the extent of the conversion. "Personally I cannot see that C.B.'s Aberdeen speech alters his position much," he remarked, "but I suppose he must do it gradually."⁸¹ It is reasonable to deduce that Gladstone at least hinted that Campbell-Bannerman had privately disclaimed going in for separation of the trades and that the Aberdeen denial of the necessity to adhere to the Peel proposals precisely and in detail was the first step in the eventual formal adoption of this position. Certainly this was the course of action in Gladstone's mind at the time. He hoped, he told Campbell-Bannerman, "later on that we shall be able to say that in this matter the majority recommendation is better and more practical than the minority's."⁸² A month later he sent the following advice to Murray of Elibank, who had just become a candidate: "If they press you on grocer's licenses don't go further if you can possibly help it than the adoption of the

⁸⁰Gladstone to C. B., 22 December.

⁸¹Wodehouse to Gladstone, 22 December, 1899, B.M. Add. MS 46057, ff. 244-45.

⁸²Ibid.

recommendation of both sections of the Commission to put them under the Licensing authority. . . . Stick to Peel's Report as a general basis, but avoid details as far as possible."⁸³

This last sentence in fact sums up the urgent advice Gladstone sent to Campbell-Bannerman from the moment of the first adverse reaction to the Manchester speech. It may reasonably be argued that the Chief Whip's series of appeals and promptings should never have been necessary. The launching of the new temperance policy was not well handled. There was a serious lack of consultation among the leaders of the party, of which Spencer's bewilderment was the most obvious result. In defence of the Liberal leadership it can be pointed out that their minds came to be ever more pre-occupied by events in South Africa and their domestic repercussions. Nevertheless, in their initial eagerness to take up the proffered concessions on the English Veto and compensation, Campbell-Bannerman, Asquith and Gladstone failed to clarify even among themselves exactly what they intended, or indeed would be able, to offer in return. Precedence for legislation on the main lines of the Peel Report was understood definitely to include the Veto for Wales and Scotland, but the rest remained vague.

Once the public announcement of the new policy had been made, vagueness was doubtless a positive virtue. Glad-

⁸³21 January, 1900, Elibank Papers.

stone was certainly wise to argue that the party should as far as possible reserve its position on points of detail. Noble generalities have served as well in British politics as elsewhere, especially when mouthed by those out of office. The main purpose of an opposition policy is to gain support, votes and ultimately power. Broad statements of high-minded intention can acquire all three, whereas their translation into specific proposals may serve only to offend existing supporters. As Campbell-Bannerman was only too well aware, with the temperance people on one side and the Liberal brewers and liquor traders on the other, the party would encounter suspicion and sensitivity whichever way it moved.

Tactics appropriate for the public platform, however, are not necessarily most suitable in private negotiation. Suspicion, where it exists, is likely to be increased by apparent vagueness and lack of consultation. Precisely because they knew they were confronted by an easily ruffled sensitivity on either side, the Liberal leaders might have been expected to take particular care not to offend both sides. Little could be done about those on the temperance side who might refuse to accept the dropping of the English Veto and the approval of compensation, and it was probably sound policy to act as though Whittaker spoke for all shades of temperance opinion. But the Liberal trade members had been privately assured that they would be consulted before any public announcement of the new temperance platform was made, and it is clear from their

reaction to the Manchester speech and the subsequent manifesto that they felt that this undertaking had not been kept. It is curious that greater trouble was not taken to cater to their sensibilities, since the new policy was consciously designed as a shift towards a position more favourable to them. What seems to have caused this omission was that Campbell-Bannerman on the one hand and Asquith and Gladstone on the other evidently had differing conceptions of how far the party should and could go in the direction of the Trade. Campbell-Bannerman consistently showed far greater reluctance to risk offending temperance sentiment than did the other two. Possibly this difference of approach deterred Asquith and Gladstone from insisting that it was vital that the trade Liberals' acceptance of the new temperance policy be assured before that policy was made public. If so, they were only laying up future trouble for themselves, Gladstone in particular. The terms of the Manchester speech had subsequently to be redefined to meet at least the minimum requirements of the Liberal brewers and liquor traders. If the necessary compromises had been negotiated before rather than after the speech, the cries of outrage from the trade Liberals would presumably have been avoided, as would the Chief Whip's urgent consultations in London and his desperate letters to Scotland.

Whether or not it should have been necessary in the first place, Gladstone's advice prevailed, and the situation was retrieved. Whittaker remained "in tow," and so did the

Liberal brewers and liquor traders, reassured as they were that the party leadership had no intention of acting on a strict interpretation of the Peel Report on the respective subjects of compensation and separation of the trades. By Christmas, 1899, Gladstone could have looked with considerable personal satisfaction on the party's current attitude to the liquor licensing question. It was only just over two years since he had first publicly urged that the party should abandon its advocacy of Local Option and its opposition to compensation drawn from the Trade itself. Since then, and under cover of a general adoption of the Peel Report with discretion reserved on points of detail, the Liberal Party had accepted the principle of compensation, postponed the Veto in Wales and Scotland, and discarded the Veto in England entirely. With the assent both of the trade Liberals and of important leaders of the temperance movement, the party had extricated itself from its 1895 temperance policy and would not have to fight another General Election on those terms.

Two developments, though, might in the end still deprive the Liberals of the full electoral benefits which Gladstone anticipated from the revised temperance policy. Asquith for one had already received clear warning that events in South Africa were relegating such issues as temperance reform firmly to the sidelines. On 20 December he wrote to congratulate Campbell-Bannerman on the Aberdeen speech, adding that he had devoted most of his own recent words in public to the

temperance question, carefully following the exact lines laid down in Aberdeen concerning the party's attitude to the Peel Report. "But," he went on, "so far as I know not a syllable of what I said has been reported. This cursed war drives away all other subjects."⁸⁴ The other threat was closer to home. The Liberal leadership had concluded the temperance compromise, not of course with the whole amorphous temperance movement itself, but with an important and apparently influential section of the movement's leadership. It was becoming clear that the idea that these men had authority to make concessions on the temperance movement's behalf would not be allowed to pass unchallenged.

⁸⁴B.M. Add. MS 41210, ff. 179-80.

CHAPTER EIGHT

THE NEW LIBERAL LICENSING POLICY, 1899-1905

The vetoist counter-attack on the "new departure" in Liberal temperance policy took some time to get started and gathered momentum only slowly. There were two main reasons for this. In the first place, as has been seen, the compromise was not presented from the beginning in clear-cut terms, but was subject to careful but distinct modification in the weeks following Campbell-Bannerman's Aberdeen speech. Only the rashest elements of the extreme wing of the temperance movement were prepared to launch an assault on an objective as yet unclear. More important, however, was the fact that at the outset the Vetoists found themselves in a position of considerable weakness. Whittaker had prepared his ground well. The two organizations most likely to stand out against the compromise over compensation and the English Veto were the Good Templars and the U.K.A. Both were co-operating with the more moderate groups in the Central Temperance Legislation Board. Six Vice-Presidents of the U.K.A. had signed Whittaker's 6 December manifesto, as had the Honorary Secretary, Canon Hicks; W. J. Crossley, the Treasurer, had spoken in favour of it. Lawson, the conspicuous absentee from the manifesto and the obvious champion of those who

would not accept compensation or relinquish the English Veto at any price, found himself at first virtually isolated among the leadership of the very organization of which for so many years he had been the personification.

In these circumstances Lawson's initial reaction was understandably cautious. Campbell-Bannerman's Manchester speech and the 6 December manifesto were not publicly denounced. Instead Lawson contented himself with private protests to the Liberal leader. His first, written on the day of the manifesto's appearance in the press, went no further than to affect the belief that the apparent omission of the English Veto from the temperance new departure must have been the result of oversight or ambiguity:

I do not for a moment believe that the leader of the Liberal Party would so treat England--not to speak of Ireland--or would publicly give it to be understood that the English people were any less entitled to the power of protecting themselves from the Liquor Traffic than are the rest of the people of the United Kingdom. The declarations of the Liberal leaders in this head, ever since --& in many cases, before--the introduction of Sir William Harcourt's Bill have been quite satisfactory.

I only write this to you because people are so ready & anxious to misunderstand anything if they can possibly do so, that they might ingeniously extract from your speech & from the wording of the statement which I have alluded to [the 6 December manifesto], the idea that amidst all the great reforms foreshadowed the English Veto was to take a back place. . . .

To prevent such a misunderstanding gaining ground, & dampening the ardours of those who are to be depended upon for carrying through any real temperance reform, I would ask you kindly to give me a line which I may show to our temperance stalwarts & prevent their labouring under any disquieting and disappointing apprehension.¹

¹Lawson to C. B., 7 December, 1899, B.M. Add. MS 41235, ff. 130-33.

Lawson could hardly have gone further. The 6 December manifesto had just been signed by, as he himself admitted, "many of our best and most prominent Temperance Reformers."² It was clear, nevertheless, that the omens were not good for the fulfilment of Whittaker's confident prediction in his 5 November memorandum that Lawson, when it came to the point, would not oppose the compromise. Campbell-Bannerman was well aware that the threats, though veiled as yet, were there, and felt that the pro-Veto forces, led by Lawson, would require very careful handling. "Here is old Lawson, battle axe in hand," he wrote to Gladstone. "I would much rather not send him any answer that he can show, &c. And a brief answer would not be enough."³ Gladstone's advice was that Campbell-Bannerman should refer Lawson to his forthcoming speech on the subject for an answer, and Campbell-Bannerman wrote briefly to Lawson to this effect.⁴

Gladstone's further advice, as has been seen, was that in the forthcoming speech Campbell-Bannerman should make it clear beyond all doubt that the English Veto had been postponed. This, Gladstone predicted, would "bring the parties of Lawson and Whittaker into conflict. . . . The

²Ibid.

³C. B. to Gladstone, 11 December, 1899, B.M. Add MS 45987, f. 56.

⁴Gladstone to C.B., 12 December, 1899, B.M. Add. MS 41215, ff. 169-72; C. B. to Lawson, 14 December, 1899, copy in B.M. Add. MS 41235, f. 134.

battle axe will have first to descend on the heads of the nearest 'traitors,' in this case Caine and Whittaker. For the Peel Reporters are the men who threw the Veto overboard."⁵ At first sight this seems a strange objective. As part of its temperance new departure the Liberal Party was attempting to cement an alliance with the "reasonable extremists," the more moderate vetoists. The representatives of moderate vetoist opinion needed to be able to demonstrate that they could command the support of the majority of the nation's vetoists, and they would hardly be helped in this by a deliberate setting of the extremists at their throats. The hard-line vetoists might be in a weaker position at the moment, but in the envisaged future contest they would have the advantage over their rivals of being able to present themselves as the upholders of the prohibitionist creed in its pristine purity against those who were prepared to compromise the faith. The whole history of the temperance movement was a lesson in the efficacy of such an appeal.

It seems impossible to deduce with any certainty the reasoning behind Gladstone's apparent welcoming of a Lawsonite assault on those with whom the Liberal leadership had just concluded its temperance compromise. But various possibilities suggest themselves in the light of what is known about Gladstone's thinking at the time. Perhaps Gladstone sincerely

⁵Gladstone to C.B., 12 December, 1899, B.M. Add. MS 41215, ff. 169-72.

believed that Whittaker, Caine and the Peel Reporters were by then so secure in their position within the temperance movement that, while serving to direct the immediate fire away from the Liberal Party itself, they would easily be able to withstand a certain amount of sniping from their flank. If this was his belief it was, as events were to show, an overly optimistic one. On the other hand it may well have been that Gladstone was less than completely straightforward in urging on Campbell-Bannerman the desirability of the conflict.

Gladstone was well aware that the pronouncements he was trying to prompt Campbell-Bannerman to make at Aberdeen would arouse even more resentment on the part of the Lawsonite wing of the temperance movement than had the details of the compromise already made public. He was aware too that the prospect of this was playing a large part in his leader's reluctance to modify to any great extent the position outlined at Manchester. It is possible that, immersed as he was in his own efforts to regain the confidence and support of the trade Liberals, the Chief Whip was quite prepared to see the position of Whittaker and his colleagues put at risk if this was the price that must be paid in order to move the Liberal standpoint further towards the licensed trade's, and that his advice was a way of glossing over this fact. If Whittaker and his colleagues could maintain their position in the face of the anticipated Lawsonite attack, so much the better. If not, they would at least have served the purpose of demonstrating that the

nation's vetoists were a far less cohesive group than they liked to claim.

Whatever Gladstone's motives may have been, Campbell-Bannerman's 19 December speech at Aberdeen certainly created the stir among the ranks of the vetoists which he had confidently predicted, and which Campbell-Bannerman himself had feared. The speech alarmed even a man like Canon Hicks, who so far had consistently favoured the compromise. An Honorary Secretary of the Alliance, Hicks had signed the manifesto welcoming the Manchester speech and had been prominent in the various meetings organized by Whittaker to issue forth resolutions in favour of uniting behind the Peel Report. Now he wrote to Campbell-Bannerman "to ask you at the earliest opportunity to make it clear that at Aberdeen you did not mean to change from the definite position you assumed in Manchester: viz. (in brief), Peel's Report, plus Scotch & Welsh Veto, English Veto to wait awhile." The advanced temperance organizations, and in particular the Alliance, Hicks warned, could not be expected to put their weight at the next General Election behind anything less than the Manchester position. "Already," he complained, "we who signed Mr. T. P. Whittaker's 'Response' to you are being twitted with having given ourselves away, & betrayed the 'Veto.'"⁶

It was possible to reassure Hicks; his major fear had

⁶Hicks to C.B., 21 December, 1899, B.M. Add. MS 41235, ff. 160-63.

been that the Liberals were preparing to drop the veto for Wales and Scotland, which was not the case. But those who had previously held aloof from the compromise were now beyond pacifying. For them the conclusive spelling out at Aberdeen that the English veto was no longer to be regarded as part of the Liberal programme, whereas compensation now was, amounted to a declaration of war. Campbell-Bannerman was immediately set upon by John Kempster, the defeated Liberal candidate at Clapham in 1895.⁷ "Englishmen--not fit to be trusted with a vote--is a bad cry for the leader of the aggressive Liberal party," Kempster declared. "I may add that the advocates of the Direct Veto for England are taking steps to obtain an organized expression of their opinions, and I am sure that if the section referred to of Lord Peel's Report is persisted in by the Liberal leaders, it will result in a considerable secession of active supporters."⁸

Also despatched on the same day as the reports of the Aberdeen speech appeared in the press was another protest from Sir Wilfred Lawson. Lawson, who was, after all, dealing with his own party leader in the Commons, was less brusque in his reaction than the "notoriously violent" Kempster. Again, though with even less conviction than before, he affected to

⁷"... a very decent fellow but notoriously a violent U.K.A. man." Gladstone to C.B., 23 December, 1899, B.M. Add. MS 41215, ff. 190-91.

⁸Kempster to C.B., 20 December, 1899, B.M. Add. MS 41235, ff. 148-49.

believe that the question might not as yet have been finally decided and that the way might still be open for the continued inclusion of the English Veto in the Liberal programme. He had, he wrote, been referred for a reply to his previous enquiries to the coming speech at Aberdeen. But such answers as that speech had, provided to his questions, he claimed, had been "not perfectly distinct." All he was asking was for the Liberal Party to support not only the Peel Report, but also the Addendum to it signed by the Archbishop of Canterbury and four others. There was, he argued, no reason at all why the two should not exist side by side--the Addendum was complementary to the Peel Report, not an alternative to it. It was to be hoped that Campbell-Bannerman would "speak equally favourably of the Archbishop's Addendum, advocating a plan which will enable all our fellow countrymen to extirpate this drink fiend if they think fit to do so."⁹

It is unlikely in the extreme that Lawson, after the Aberdeen speech, could seriously have entertained the hope that the English Veto might yet be saved. His letter of 20 December bears all the signs of having been written for the record, much of its ten-page length being taken up with an exposition of conventional and well-known arguments in favour

⁹Lawson to C.B., 20 December, 1899, B.M. Add. MS 41235, ff. 152-56. "I naturally thought that this was worth all the rest of the reports put together. . . ." was how Lawson saw the Addendum. Russell, Lawson, p. 236.

of the principle of the Direct Local Veto, with which Campbell-Bannerman was thoroughly conversant. It must be remembered that Whittaker and Caine had been among the five signatories to the Addendum. Temperance reformers who had not followed every turn of the recent events could hardly be blamed if in some cases they failed to comprehend the full implications of the new departure. Lawson was evidently determined to ensure that the temperance movement should be left in no doubt whatsoever that the policy of Whittaker, Caine and their colleagues, and of the Liberal Party, was to follow the proposals of the Peel Report as a general basis but to discard altogether the Addendum--and with it the English Veto. His concluding words to Campbell-Bannerman bear out this intention: "Kindly let me know about this as soon as you can conveniently do so, as I should like to show what has passed between us to the numerous persons who take the very deepest interest in this matter."¹⁰

The "numerous persons" were not to be disappointed. Campbell-Bannerman replied at once that his position was "really a very clear and simple one, and there is no ambiguity about it."¹¹ His support for the principle of the Local Veto, he assured Lawson, remained unchanged and undiminished. But in his opinion those who, like himself, supported the Veto

¹⁰Lawson to C.B., 20 December.

¹¹C.B. to Lawson, 21 December, 1899, copy in B.M. Add. MS 41235, ff. 157-59.

would do well to take what they could get. To continue to press for the Veto in Scotland while postponing it for England did not mean, as Lawson had suggested, that the Liberals were prepared to confer an advantage on Scotland and to refuse the same advantage to England:

I would gladly confer the advantage on both, but a reform does not become an advantage until it is carried and I would recognize the fact that this thing can be done for Scotland and cannot immediately be done for England.

From my point of view it appears wiser to put all our strength into carrying what can be accomplished at once; and for this Peel's Report furnishes a basis, so far as its general recommendations are concerned, without necessarily following all its details.

. . . I must honestly say that I am weary of doing nothing in order to attain perfection.¹²

Campbell-Bannerman immediately forwarded this exchange of letters to Gladstone, who was delighted by it. He had, he replied, "read with particular pleasure 'a reform does not become an advantage until it is carried'--a maxim apparently hidden from our worthy friend to this day."¹³ But there were more general grounds than this verbal sally of his leader for the Chief Whip's satisfaction. Ten days before, when he had still been doubtful of the wisdom of Gladstone's desire to see the Manchester position redefined in a way more favourable to the Trade, Campbell-Bannerman had been correspondingly reluctant to let Lawson have anything definite in writing. That he had now written so unequivocally to Lawson

¹²Ibid.

¹³Gladstone to C.B., 23 December, 1899, B.M. Add. MS 41215, ff. 190-91.

was the clearest confirmation possible that the Liberal leader accepted fully Aberdeen's ousting of Manchester as the basis of the party's temperance policy. Furthermore, in Gladstone's eyes Campbell-Bannerman's categorical statement to Lawson about the English Veto would help foster that dissension in the ranks of the temperance movement which, he remained convinced, could only be to the Liberal Party's advantage. "The sooner Lawson understands that the D[irect] V[eto] is postponed the better," he assured Campbell-Bannerman. "For then he will have to fall foul of his own colleagues who in terms [turns?] have assented to the postponement."¹⁴

Gladstone's sanguine prediction of a crisis in the temperance ranks was soon fulfilled. Indeed even in the two weeks since the appearance of the 6 December manifesto there had already been clear signs of the beginnings of a counter-attack against Whittaker's compromise position. The Scottish Good Templars had led the way, bringing out a manifesto of their own opposing acceptance by the temperance movement of the Peel Report and denouncing the Report's concessions on compensation and the English Veto. "The admission of the right to money compensation, from whatever source exacted," it proclaimed, "will, if embodied in an Act of Parliament, give away the whole case."¹⁵ The Scottish initiative was soon

¹⁴Ibid.

¹⁵Scotsman, 15 December, 1899.

taken up on a national level; within days the Good Templars as a body had withdrawn their executive from any further co-operation with the Central Temperance Legislation Board.¹⁶ Yet, despite these early moves, the Scotsman had been premature in its announcement on 15 December that "the Local Veto party has shared the fate of the political party with which it has allied itself. It has been broken up and discomfited." Joseph Malins's I.O.G.T., tightly organized though it was, was some way from being a key element within the temperance movement. Notorious for its dogmatic approach, its defection alone would not have been more than a source of mild embarrassment to Whittaker and his colleagues.

After the Aberdeen speech, however, the movement against the compromise gathered pace. On 6 January, 1900, a special meeting at Newcastle of the General Committee of the North of England Temperance League, though welcoming some aspects of the Peel Report, put on record the League's determination "to oppose any scheme of money compensation, and to continue its agitation and electoral demand for total Sunday Closing and the Veto for England, as well as other parts of the United Kingdom."¹⁷ In Scotland, despite some initial doubts, the Scottish Liberal Federation held firm to the party line, but first the Scottish Permissive Bill and Temperance

¹⁶Temperance Chronicle, 22 December, 1899.

¹⁷Temperance Witness, XI (March, 1900), 2.

Association and then the Scottish Temperance Federation came out against the Peel Report; so too did the Midland Temperance League.¹⁸

It is significant that those organizations which came out at this time against the Peel Report and the Whittaker compromise were primarily the provincial ones, whereas, by and large, the London-based societies continued to uphold them. To a large extent this was because the strongholds of radical temperance opinion traditionally lay in areas where Non-conformity was strong, away from south-eastern England: in Wales, Scotland, the West Country and the North. But another factor was also at work. There was an undoubted if not always tangible feeling that the temperance movement throughout the country was being dictated to by a small clique of its self-appointed representatives, isolated in their London offices and over-ready to accommodate the Liberal party bosses. A contributor to the U.K.A.'s weekly paper exemplified this kind of attitude when he wrote: "Whatever may be the outcome of this discussion, I hope the Temperance party will rise to the dignity of its position, and refuse to accept any policy at the dictatorship of party politicians."¹⁹ In this context the signatures on the 6 December manifesto of fifteen Liberal M.P.s, which had been an asset to Whittaker in his dealings with the Liberal leadership, now became a liability. Some-

¹⁸Alliance News, 25 January, 1900.

¹⁹Ibid., 11 January, 1900, letter from E. Tennyson Smith.

times, of course, the cries against the domination of the movement by a small group in the metropolis were raised merely for the purpose of giving extra force to condemnations of the concessions on compensation and the English Veto by means of ad hominem attacks on the men who had made them. But it would be unwise to doubt the sincerity of that pillar of the North of England Temperance League, Guy Hayler, when, in an article in the League's journal entitled "The Present Crisis," he complained bitterly of the audacity of the signatories to the 6 December manifesto in trying to commit the temperance movement to the Liberals upon a programme embodying the principles of the Peel Report. "The issue of the 'manifesto,'" he wrote, "has aroused a strong and deep protest against the autocratic attempt of these gentlemen to capture the party in the interests of principles so long successfully resisted."²⁰

The agitation carried on during these early months of 1900 by representatives of radical temperance opinion sometimes reached extreme lengths, as it did when directed against the man who had been Whittaker's closest collaborator in organizing support for the compromise. Before his defeat in the General Election of 1895, W. S. Caine had sat exclusively for North of England constituencies.²¹ In June, 1897, he had

²⁰ Temperance Witness, XI (March, 1900), 4-5.

²¹ Scarborough, Barrow-in-Furness, and Bradford.

been adopted as Liberal Candidate for Kilmarnock Burghs. By putting his signature to the Peel Report and, especially, the 6 December manifesto, he now became the target of attacks from radical temperance reformers among his prospective constituents, in particular the Good Templars. Caine was denounced as one who had betrayed the essential principles of the temperance cause for party profit, and the fact that he could be portrayed as an outsider, who had not before sought to represent a Scottish constituency, was used against him with telling effect. By March the campaign had reached such a pitch that he felt compelled to resign his candidature. In a letter which he published at the time he explained:

My principal reason is that the Grand Lodge of the Scottish Good Templars have taken up an extraordinary and unprecedented attitude towards my candidature, for which I am unable to obtain any satisfactory explanation, in spite of private correspondence and personal interviews. Their demands would involve the repudiation of my signature to the report of a Royal Commission, on the consideration of which I spent nearly five years, for reasons which are flimsy and totally inadequate. They are flooding the constituency with personal attacks on myself. . . .²²

Caine may ruefully have recalled that less than two years before he had himself supported a campaign for the withdrawal of support from a Liberal candidate whose attitude towards the Trade was regarded as insufficiently inflexible. Indeed, prior to his supporting of the Peel Report, Caine--President of the British Temperance League and of the National Temperance Federation, a Vice-President of the U.K.A., and the hero

²²John Newton, W. S. Caine, M.P. (1907), p. 286.

of the struggle ten years before to defeat the Conservative's compensation proposals--had occupied within the movement a prestigious position perhaps second only to Sir Wilfred Lawson's. The campaign against him by the radical temperance men of Milmarnock Burghs showed clearly the extent of temperance disarray.²³

It was in the U.K.A. that the key struggle took place. The 6 December manifesto had included the names of six current Vice-Presidents of the Alliance and its past and present Secretaries. If these men were to prove incapable of retaining support even within their own organizations, their claim to represent the consensus of temperance opinion would be seriously if not fatally damaged. On the other hand, to gather in behind the compromise what was by far the most powerful of the radical temperance societies would be a most important success, one which might well influence the temperance movement almost as a body towards support of the terms of the alliance with the Liberals. The issue, however, was not to be easily decided. Throughout the first half of 1900 the controversy carried on in the columns of the Alliance

²³It is probable, though, that Caine's withdrawal was looked on with not altogether unmingled feelings by the Liberal organization in Scotland. Six months previously R. C. Munro-Ferguson, the Scottish Liberal Whip, had written to Gladstone: "We give an organizing Committee the responsibility of distributing such Front Benchers as I can get for Scotland & I am enquiring as to Caine's due. The House is as well without him, but we must win the seat if we can." 11 October, 1899, B.M. Add. MS 46067, ff. 202-3.

News, with the forces for and against the compromise very evenly balanced. Among the better-known leaders of the Alliance supporters of the compromise were in a majority; men such as Dawson Burns and A. F. Hills now ranged themselves alongside those who had signed the 6 December manifesto. They were confronted, however, with something like a revolt of the backwoodsmen: U.K.A. members largely unknown at anything more than local level, marshalled by leaders of the second rank like Kempster. The great leader of the first rank to whom these men looked, Sir Wilfred Lawson, did not himself speak out. But this fact did not discourage them; as President he was under considerable conventional restraint not to take sides in an internal controversy. Opponents of the compromise invoked Lawson's name, proclaimed that he was on their side and that they in turn were on the side of all he had ever stood for. The veteran leader made no move to contradict these claims.

These divisions within the temperance movement made it all the more easy for the Liberal Party to keep its temperance policy as indefinite as possible during the campaign preceeding the October General Election. In March Lord Peel had put forward a plea for "extreme measures" to be tried in order "to make the trade subordinate to the public interests."²⁴ But the theme of the Liberals' temperance platform in 1900

²⁴Speech at Ely, 1 March, 1900. Liberal Magazine, VII (April, 1900), 98.

was moderation. Campbell-Bannerman set the tone in the election address which he issued to the voters of Stirling Burghs on 21 September. He was, he declared, in favour of measures of local control for Wales and Scotland, but in England the situation was different. There a "gradual reduction of licenses" was called for, and there would be more chance of achieving this if it were accepted that those who were "injuriously affected" in the process should receive "a reasonable recognition of their loss out of funds provided by the trade itself."²⁵ A few days later he told a Stirling audience that something had to be done about the drink problem and the liquor traffic, "even if that something should not come up to their extreme ideal."²⁶ All this was quite safely within the limits of the previous year's temperance new departure, but many Liberals preferred to be even less specific. Like Sir Edward Grey at Berwick-on-Tweed, if they mentioned the temperance issue at all they restricted themselves to denouncing "the indefinite postponement of all attempts at reform which the present Government appear to contemplate with equanimity."²⁷ The Election Manifesto put out by the National Liberal Federation glanced only briefly at the issue and went no further than a general attack on the Unionists for having

²⁵The Times, 22 September, 1900.

²⁶Ibid., 27 September, 1900.

²⁷Ibid., 24 September, 1900.

shelved "the great question of Temperance Reform."²⁸

In 1900 the licensed trade adopted a neutral attitude towards candidates who supported the Peel Report provided that they were prepared to accept the Majority Report's scale of compensation. So far had the party come from its 1895 stance that more than thirty Liberal candidates took this position.²⁹ Among them was Herbert Gladstone, who was returned for West Leeds. Gladstone took exactly that line on the temperance issue which in the previous year he had so strongly urged on the party as a whole. In answer to a question about his attitude to compensation when a license was taken away on grounds of public interest and through no fault of the licensee, he replied that in those circumstances he would favour giving full compensation to all parties with a legitimate interest in the license.³⁰ This ensured that he would not be the target of active trade hostility. Together with his acceptance of the Peel Report's indefinite postponement of the English Veto, it naturally also caused much discontent among the radical temperance men in the West Leeds electorate. But a basic consideration in the previous year's temperance new departure had been that while the active support of these men might be lost, their votes were hardly

²⁸Liberal Magazine, VII (October, 1900), 465. .

²⁹Noel Buxton and Walter Hoare, "Temperance Reform," in The Heart of the Empire (1901), p. 209.

³⁰Brewers' Almanack for 1903, p. 121.

likely to be transferred to the Unionist side. In his campaign Gladstone took care to emphasize that the Liberals were still the party of the temperance voter. The Liberal Party, he declared, was ready and anxious to proceed with vigour in the path of domestic reform. He had heard rumours that he was to be opposed on the temperance question. He would be grieved if that were so, but he could not honestly alter his position on the subject. He had accepted the general lines of the Minority Report of the Royal Commission, and he submitted that while in temperance reform there was much to expect from the Liberal Party, there was nothing to anticipate from the Unionists.³¹

Though Gladstone went further towards the trade position than the majority of Liberal candidates, the Liberal Party in general encountered far less opposition from the liquor interests than had been the case five years before. The contrast between the Liberals' 1895 and 1900 temperance policies was as obvious to the licensed trade as it was to political commentators. The campaign was only a few days old when the parliamentary correspondent of The Times predicted that the influence of the liquor trade, "which was exerted to the full on behalf of Unionist candidates in 1895," would be "comparatively quiescent" this time:

Five years ago Local Veto and kindred questions were exploited from every Liberal platform, and the brewers

³¹The Times, 26 September, 1900.

and innkeepers left no stone unturned to counteract the effect of temperance propagandism. The need for a renewal of the tactics then adopted has not, however, yet arisen; and, as a matter of fact, the publicans, who are such effectual canvassers when they enter seriously upon electioneering business, have not, up to the present, evinced any disposition to take especial trouble in the matter.³²

The Liberal Party's revision of its temperance platform in the latter months of 1900 had been based on the calculation that more would be gained by mollifying the licensed trade and by discarding the English Veto than would be lost as a result of the offence which such moves would cause the nation's hard-line vetoists. The "Khaki Election" of 1900 was no test of the soundness of the electoral aspect of this calculation. As the parliamentary correspondent of The Times observed, "the war overshadows all other issues so completely that endeavours to attract votes without taking cognisance of it are foredoomed to failure."³³ How the Liberals might have fared had there been no war in South Africa can only be conjectured. As it was, the October election found the Liberals hopelessly divided over the war, and in terms of seats won they achieved only a marginal improvement on their dismal 1895 showing, winning 184 seats in 1900 as compared with 177 five years previously. The fact that the war issue so dominated the election means too that it is unwise to see particular significance in the fate at the polls of individual Liberals with distinctive views on the temperance question.

³²"The General Election," in The Times, 25 September, 1900.

³³Ibid.

Sir Wilfred Lawson, for example, was defeated in the Cocker-mouth constituency which he had held since 1886, and the swing to the Unionists at Cocker-mouth of 2.8% as compared with 1895 was significantly greater than that in comparable north of England county constituencies, where, on average, there was little or no change.³⁴ Lawson was known to have opposed the new temperance policy, but he was also one of the leading "pro-Boers," and the victor at Cocker-mouth, John Randles, was one of the Unionists most sympathetic to temperance reform.³⁵

Although no domestic issues were able to compete with the Boer War in 1900, temperance remained among the most important of them. Campbell-Bannerman's election address identified the housing question and the licensing question as "the two great problems which present themselves" in the field of domestic reform.³⁶ Whether or not the Liberals would have won had domestic issues not been so thoroughly overshadowed by the war can obviously never be known. Henry Pelling's opinion is that but for the war "the Unionists might well have been defeated."³⁷ Certainly there are strong indications that in

³⁴Henry Pelling, Social Geography of British Elections, 1885-1910 (1967), p. 322. Lawson remained out of Parliament until 1903, when he won the by-election in the Cornish seat of Camborne which followed the death of W. S. Caine. Lawson himself died in 1906.

³⁵See Randles's speech on T. P. Whittaker's amendment to the Address, 20 February, 1901. Parl. Debates, 4th series, LXXXIX, c. 613.

³⁶The Times, 22 September, 1900.

³⁷Popular Politics and Society in Late Victorian Britain (1968), p. 92.

no circumstances would the Liberals' licensing policy in 1900 have been the liability that so many Liberal candidates felt it to have been in 1895. In 1900 it was the Unionists who, potentially at least, were by far the more vulnerable on the temperance issue. The Royal Commission which they themselves had established had both confirmed the gravity of the drink problem and directed further attention towards it. Yet the Unionist record in respect to the problem was five years of inactivity. By contrast the Liberals could present themselves as the party of temperance reform, as men who would not sit doing nothing while the drink problem grew perhaps to still more alarming proportions. They could now present themselves, moreover, as practical, pragmatic and moderate reformers, with a party policy which no longer included the extreme measures they had been attacked for advocating in 1895 and which now left even the licensed trade itself "comparatively quiescent." It may reasonably be argued that only the unforeseeable impact of the war prevented the Liberal Party's temperance new departure of 1899 from unambiguously demonstrating its benefits at the polls in 1900.

The Liberal defeat in 1900 helped bring about a temporary relaxation of the temperance movement's internal disputes. Since the temperance issue had played only a marginal part in the election, the Liberal failure, as temperance men were themselves the first to point out, could not be interpreted as a rejection by the electorate of the principles

of temperance reform. Nevertheless, the prospect remained of another lengthy period of Conservative rule. Strong arguments could now be put forward for a temperance closing of the ranks: first that, with a Liberal Government no longer an immediate possibility, the question of the precise nature of the movement's terms of alliance with the Liberal Party lost much of its importance; secondly, that it would be manifest folly to confront a newly triumphant party of the trade interest with a temperance movement bitterly divided against itself. For once even the U.K.A. obeyed the promptings of self-interest. Whittaker took the opportunity of the Alliance's annual meeting in December to present a resolution which was both carefully drawn up and deliberately presented as a formula for compromise between the two conflicting factions:

This Council heartily welcomes the report of the minority of the Royal Commission on Licensing, and pledges itself to give the recommendations of that report a cordial yet discriminating support, whilst reiterating its declaration that no legislation can be adequate which does not confer upon the people of the United Kingdom the power to veto the grant or renewal of licenses for the sale of intoxicating liquor in their respective localities.³⁸

Phrased as it was, the resolution enabled all but the most die-hard proponents of the Veto and nothing but the Veto to vote for it. Although by itself it could obviously not settle the differences of opinion, it at least allowed some semblance of unity to be restored to the U.K.A. after the bitter feeling

³⁸Newton, Caine, p. 299.

of the previous twelve months. Seconded by Canon Hicks, the resolution was accepted by a large council meeting with only a few dissentients.

It began, indeed, to seem at this time that the U.K.A. might genuinely be moving towards a less dogmatic approach to temperance reform. A good test at any time of the hardness of opinion within the Alliance was its readiness to consider policies complementary to the panacea of the Veto. Two such policies currently exciting great attention were respectively for municipalization of the liquor traffic and for bringing it under some form of "disinterested management," both sets of proposals being based to a greater or lesser extent on the scheme first employed in the Swedish town of Gothenburg. A pamphlet published by the Alliance early in 1901 discussed these schemes for reform. Generally speaking, it concluded, the principle common to them all was that the liquor traffic should be regulated, "made respectable," kept within "reasonable and safe limits"; the U.K.A. on the other hand advocated that, by means of the direct popular veto, it should be altogether suppressed. The pamphlet nevertheless concluded that: "One very important advantage of the direct popular veto is that it is not antagonistic to or incompatible with any system of licensing."³⁹ Such attitudes prompted Noel Buxton and Walter Hoare, reviewing the prospects for temperance reform

³⁹What the United Kingdom Alliance Wants (Manchester [1901]), p. 4.

in 1901, to an optimistic assessment of the chances of future co-operation among temperance men of differing opinions. "The vetoists and the advocates of public management," they wrote, "have learnt to despair of a direct victory for their cause, and have seen that the wisest course is to join the 'practical reformers' in support of a scheme for improving the present system of licensing."⁴⁰

However true this assessment may have been of the advocates of public management, it underestimated the vetoists' capacity for what they saw as their single-minded determination and their opponents branded as self-defeating dogmatism. The U.K.A. resolution of December, 1900, as Caine's biographer admits, subdued rather than ended the differences, and "a kind of armed neutrality" was maintained between the opposing sides.⁴¹ While the moderate temperance societies continued to urge their case,⁴² the vetoists stirred themselves to revive the battle. The field of battle now shifted, however, and to the Peel Report was added the idea of disinterested management as a target for vetoist attack. Partly this was because the idea, largely as a result of Rowntree and Sherwell's best-selling The Temperance Problem and Social Reform, was

⁴⁰"Temperance Reform," in The Heart of the Empire, pp. 204-5.

⁴¹Newton, Caine, p. 299.

⁴²See, for example, E. S. Howard, Why the Church of England Temperance Society supports Lord Peel's Report (1901).

gathering increasing support as an alternative to the Veto. But another reason lay in the fact that the idea was being taken up, though tentatively at first, by the men--Whittaker and Peel--most closely associated with the Peel Report and the subsequent compromise with the Liberals.

In July, 1901, an advocate of disinterested management observed that "the teetotal party embraces a section, at any rate, on whom arguments drawn from the social results of the Gothenburg system are as completely wasted as they are on members of the trade themselves."⁴³ In the same month the British Temperance League at its annual meeting in Huddersfield expressed its strong condemnation of all schemes for public management, "whether put forward by municipalities or individuals," and called upon temperance reformers everywhere to offer strenuous opposition to such proposals.⁴⁴ From then on the vetoist campaign against municipalization and disinterested management--which their opponents in any case usually treated as the same thing--gathered pace in a very similar fashion to the earlier attack on the 1899 compromise with the Liberal leadership. Once again the shock-troops of the Good Templars were in the van.⁴⁵ This time,

⁴³W. W. Carlile, "The Gothenburg Movement," Economic Review, XI (July, 1901), 328.

⁴⁴Joseph Malins, Public-House Trusts and Liquor Municipalisation (Birmingham [1902]), p. 2.

⁴⁵Ibid., and J. Martin Skinner, The "Reformed" Public House (Birmingham, 1901).

however, the struggle within the United Kingdom Alliance was to prove more decisive.

Late in 1902 the Alliance, through its Secretary, James Whyte, put out a strong denunciation of those who advocated diluting the Veto by tacking on to it Gothenburg-style ideas.⁴⁶ Together with Arthur Sherwell and Lady Henry Somerset, Whittaker responded by circulating a "National Temperance Manifesto," which advocated disinterested management as an alternative form of local control to the Veto and accepted the necessity of compensation. Whittaker subsequently explained that "it was felt to be absolutely necessary, at the present juncture, to provide a rallying point for that great mass of reasonable temperance and earnest non-abstaining opinion which must be kept together if disaster is to be avoided."⁴⁷ He emphasized that his proposals were certainly not for municipalization, that they differed from such existing disinterested management schemes as the Bishop of Chester's and Earl Grey's, and that he advocated disinterested management not as a substitute for the Veto but as an alternative to it. Areas which declined to enforce the Veto should still be allowed "the option of having the whole of the retail traffic in a locality conducted without the stimulus of private

⁴⁶James Whyte, The United Kingdom Alliance Vindicated (Manchester [1902]), esp. pp. 48-53.

⁴⁷T. P. Whittaker, Some Frank and Friendly Words to Temperance People (1903), p. 32.

profit and without direct and appreciable pecuniary gain to the locality itself."⁴⁸ He regretted that "some earnest and valued temperance friends have taken up an attitude of opposition to these proposals," but argued that

as practical people we have to consider how we can best secure the most that is possible. We shall never accomplish anything so long as we cultivate an attitude of mind which seems to approach every suggestion with a desire not to see how much there is in it that would be good and useful, but to discover anything and everything to which the most exacting critic could take objection, and then turn upon that the most powerful magnifying glass that we possess.⁴⁹

Whittaker's appeal did little to halt the "vigorous remonstrance, denunciation and misrepresentation" to which he claimed his proposals were being subjected.⁵⁰ In October, 1903, the Council of the United Kingdom Alliance resolved

that this Council discountenances all proposals to create a Municipal or Public Monopoly for the common sale of intoxicants, involving as it would the implication of local communities in the carrying on of the traffic, and in the drunkenness and other evils resulting therefrom; and deprecates the prospect of the people--especially of Christian and Temperance Reformers--being led to look at the profits on the sale of liquor as a means for originating agencies to counteract the evils it creates.⁵¹

By 1905 a large number of temperance organizations, including all those with a wholly or strongly prohibitionist bias, had

⁴⁸Ibid., p. 20.

⁴⁹Ibid., pp. 7-8.

⁵⁰Ibid., p. 34.

⁵¹Disclaimers or Withdrawals of Members of Parliament and Others with respect to the so-called "Disinterested" Liquor-Sale Monopoly Proposals of the New "Temperance Legislation League" [1906], p. 7.

declared themselves against management in the public interest: the United Kingdom Alliance, the National Temperance Federation, the North of England Temperance League, the British Temperance League, the National British Women's Temperance Association, the Women's Total Abstinence Union, the Good Templars, the Rechabites, and almost all of the temperance societies attached to the Nonconformist Churches.⁵² In the same year the Temperance Legislation League was formed, and the polarization became complete. The T.L.L.'s avowed purpose was "to organize and concentrate temperance opinion in the country on reasonable and practical lines," and it made it clear that it considered these to be essentially the Peel Report with the addition of disinterested management. Lord Peel himself was the League's President, Arthur Sherwell its Honorary Secretary, and Whittaker its Chairman. The founding Vice-Presidents included Lady Henry Somerset, Lady Rachel Howard, Lady Frederick Cavendish, the Master of Balliol, the Archbishop of Westminster, General Booth, Joseph Rowntree, George Cadbury, forty Lord Bishops, seven bishops, five deans, twenty-six vicars, eleven M.P.s and ten professors.⁵³

By 1905, then, Gladstone's prediction that the Liberal Party's new departure in temperance policy would

⁵²Ibid.

⁵³Temperance Legislation League, The Licensing Problem. The Option of Disinterested Management: an Exposition and a Reply, T.L.L. Pamphlet, No. 1 [1905] and A Short Exposition of Policy, T.L.L. Pamphlet, B series, No. 1 [1911].

divide the radical temperance movement against itself had been fully realised. Moreover, the movement's internal disputes had taken a direction particularly favourable to the Liberals, with the resentment of the hard-line vetoists against the 1899 compromise soon pushed into the background by their opposition to the idea of disinterested management, an idea with which the Liberal Party itself was not directly associated. The new departure remained intact even through a major Unionist licensing initiative in 1904 which established for the first time a statutory right to compensation and which infuriated all sections of the temperance movement by its generosity to the licensed trade. With the immediate energies of the prohibitionists devoted to combatting the spread of the management heresy within their own ranks, there was little difficulty for the Liberal leadership in standing quietly but firmly by the very flexible temperance policy it had evolved in 1899. Although no very clear benefit had accrued from the new flexibility in 1900, the General Election of January, 1906, was to prove a better test of its worth.

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