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# Spirited Measures and Victorian Hangovers: Public Attitudes to Alcohol, the Law and Moral Regulation.

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**SPIRITED MEASURES AND VICTORIAN HANGOVERS:  
PUBLIC ATTITUDES TO ALCOHOL, THE LAW AND MORAL REGULATION.**

by

**Henry Yeomans**

A thesis submitted to the University of Plymouth  
in partial fulfilment for the degree of

**Doctor of Philosophy**

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## **Henry Yeomans - Abstract**

### **Spirited Measures and Victorian Hangovers:**

#### **Public Attitudes to Alcohol, the Law and Moral Regulation.**

From alarm about the prospect of 'twenty-four drinking' to campaigns for a minimum price per unit, the last decade has shown that alcohol consumption is an inflammatory issue in this country. It has become commonplace to hear that drinking is 'out of control' and that it is a new and worsening problem largely unique to Britain. However, comparative research reveals that alcohol consumption in Britain is not unusually high and even a cursory glance at history shows that extreme bouts of alarm about drinking have been common on these shores since at least the eighteenth century. What is at the root of this national neurosis about alcohol? This thesis considers the historical development of both public attitudes to alcohol and laws relating to alcohol in England and Wales. Covering issues of crime, disorder, health and immorality, it investigates the various means through which alcohol has been constructed as a social problem through time. This qualitative focus on change and continuity in history allows for the attitudinal and legal impact of certain key developments to be assessed. Particular attention is paid to the Victorian temperance movement which, drawing especially on the ideas of Hunt and Ruonavaara, is characterised as a moral regulation project. It is argued that, although the temperance movement itself declined in the early twentieth century, the moral regulation project it initiated continues, in certain ways, to shape public attitudes towards drinking and the legal regulation of alcohol in the present day. Rather than being a response to contemporary behavioural trends, this thesis proposes that continuing anxieties, apparent in how we think about and regulate alcohol, are more usefully understood as a hangover from the Victorian period.

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Sale of Liquor on Sunday Act 1854

Sale of Liquor on Sunday Act 1855

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## Author's Declaration

At no time during registration for the degree of Doctor of Philosophy has the author been registered for any other University award without prior agreement of the Graduate Committee.

This study was financed with the aid of a scholarship from the Economic and Social Research Council.

A programme of advanced study was undertaken which included an MSc Social Research followed by three years of full time doctoral study.

Relevant seminars and conferences were regularly attended at which work was often presented; external institutions were visited for consultation purposes and several papers prepared for publication.

### ***Publications:***

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Yeomans, Henry, 'What did the British Temperance Movement Accomplish? Attitudes to Alcohol, the Law and Moral Regulation', (2011) *Sociology* Vol.45 (1), pp.38-53.

Yeomans, Henry, 'Providentialism, The Pledge and Victorian Hangovers: Investigating Moderate Alcohol Policy in Britain, 1914-1918 ', (2011) *Law, Crime and History* Vol.1, pp.95-107.

Yeomans, Henry, 'Revisiting a Moral Panic: Ascetic Protestantism, Attitudes to Alcohol and the Implementation of the Licensing Act 2003', (2009) *Sociological Research Online* Vol.14 (2/3), [www.socresonline.org.uk/14/2/6.html](http://www.socresonline.org.uk/14/2/6.html).

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Yeomans, Henry, 'Moderate Measures in Alcohol Policy: British Attitudes and Victorian Hangovers, 1914-1921', (2010) at the inaugural *European Society for Comparative Legal History Conference*, University of Valencia.

Yeomans, Henry, 'Was the British Temperance Movement a Failure? Temperance Morality and the Evolution of Alcohol Regulation', (2009) at the biennial *British Legal History Conference*, Exeter University.

Yeomans, Henry, 'Explaining Britain's Alcohol Problem: Temperance Ideas and Ascetic Protestantism', (2008) at the *Plymouth Postgraduate Symposium: Building Bridges in Social Research*, University of Plymouth (paper published at: [www.ppgs-research.org/presentations.htm](http://www.ppgs-research.org/presentations.htm)).

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Figure 1 – ‘Gin Lane’ by William Hogarth (1751)



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## Introduction

### Alcohol as a Problem in England and Wales: Gin Lane Onwards

#### 1) Comparative and Chronological Curiosities

In April 2011, the British press reported on a threatened strike by the French riot police following a dispute between police unions and the French Government's Interior Ministry. The object of the dispute was an attempt by the Interior Ministry to ban the riot police from consuming alcoholic drinks whilst on duty. Previously, the consumption of wine, beer, cider or perry had been an acceptable part of the working day for the *Compagnies Républicaines de Sécurité* and unions reacted furiously to attempts to alter this practice. "Does the fact that having a glass of wine while eating prevent any kind of worker from carrying out their job?", asked union leader Paul Le Guennec before adding, "I don't think the chief of police drinks water when he's having a meal".<sup>1</sup> British press reports of this story were fairly light-hearted, reproducing the popular stereotype of the French as a people whose love of wine is matched only by their passion for industrial action. The *Daily Telegraph* elaborated on Anglo-French disparities by describing how the "British police are strictly barred from drinking on duty"<sup>2</sup> and could, indeed, have added that "harbouring a constable" has been an offence for licensees since at least 1872.<sup>3</sup> By contrast, French police "have traditionally been allowed 25cl of wine or a small beer with their main meal of the day. It was normally served on an official tray and sometimes eaten in full view of

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<sup>1</sup> 'France Riot Police Face Beer and Wine Meal Ban', *BBC News*, 22 April 2011.

<sup>2</sup> Allen, Peter, 'French Riot Police Threaten to Strike Over Alcohol Ban', *Daily Telegraph*, 21 April 2011.

<sup>3</sup> Section 16 of the Licensing Act 1872 imposed punitive sanctions on any licensee who "knowingly harbours or knowingly suffers to remain on his premises any constable during any part of the time appointed for such constable being on duty". The County Police Act 1839 included a similar offence of "harbouring a constable" although this did not apply in the metropolitan district around London.

the public, often outside riot-control vans”.<sup>4</sup> The British press coverage of this story cast a bemused look across the English Channel; why has it been acceptable for the French riot police to drink while on duty for so long?

But rather than simply viewing French attitudes to alcohol as peculiarly permissive, it may be useful to use the clear waters of the Channel to reflect somewhat on British attitudes to drinking. Alcohol has been the source of acute and recurrent alarm in this country for some time. The implementation in 2005 of provisions contained within the Licensing Act 2003, allowing for licensed premises to apply to stay open later into the night, became the focus of a major outburst of anxiety derived from Britain’s apparently “out of control” drinking habits.<sup>5</sup> Medical professionals have recently waged a high profile campaign attacking the “collateral damage” of “passive drinking”, which includes violence, vandalism, accidents and ill-health.<sup>6</sup> More generally, Britain is routinely said to be affected by a “blight”<sup>7</sup> or a “plague”<sup>8</sup> of heavy drinking which has reached “epidemic”<sup>9</sup> proportions. Legal reforms, demanded by medical groups and others, have included a minimum price of fifty pence per unit for all alcoholic drinks,<sup>10</sup> the banning of new premises in so-called “binge towns”<sup>11</sup> and the raising of the legal purchase age from eighteen to twenty-one.<sup>12</sup> The frequency and severity of these outbursts of anxiety, as well as the attendant agendas for legal reform, is enough to warrant further investigation.

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<sup>4</sup> Allen, ‘French Riot Police Threaten to Strike’.

<sup>5</sup> Kelly, Lorraine, ‘Booze Britain: It’s a Plague’, *The Sun*, 29 February 2008.

<sup>6</sup> Donaldson, Sir Liam, ‘Annual Report of the Chief Medical Officer 2008 - On the State of Public Health’, (London: Department of Health, 2009), p.5.

<sup>7</sup> Leppard, David, ‘Teens Face Arrest for Binge Drinking in Public’, *Sunday Times*, 1 June 2008.

<sup>8</sup> Kelly, ‘Booze Britain’.

<sup>9</sup> Bates, Daniel, ‘24-hour Drink Laws Crime Soaring’, *Daily Mail*, 23 February 2008.

<sup>10</sup> Ibid.

<sup>11</sup> Johnston, Lucy, ‘Ban Alcohol in Binge Towns’, *Sunday Express*, 22 March 2009.

<sup>12</sup> ‘Profile: Chief Constable Peter Fahy’, *BBC News*, 18 August 2007.

Specifically, rather than asking why the French have for so long accepted riot police drinking on duty, it may be useful to consider why the British have long regarded the consumption of alcohol as a fundamental obstacle in the way of creating and maintaining good social order.

It is common in popular discourse for concerns about the apparent prevalence of socially problematic forms of drinking to be rooted firmly in the historical present. Britain is said to be “in the grip of an epidemic, bringing death, violence and shame in its wake”<sup>13</sup> and tough legal controls are needed because “this is now a matter of life and, increasingly, death”.<sup>14</sup> This idea of an “epidemic” or, in the words of former Prime Minister Tony Blair, a “new British disease”<sup>15</sup> is particularly associated with the phenomenon of binge drinking. Its description as an epidemic, as well as its ubiquitous connection to the behaviour of under-twenty-fives,<sup>16</sup> serves to depict binge drinking as a new social problem which derives primarily from the actions of younger generations. Problematic drinking is therefore cast as an emergent behavioural form and, given its connections to various types of serious “collateral damage”, it is positioned within a broader narrative of national decline or social disintegration. This conception of a downward social trajectory situates drinking in chronological perspective by advancing the conception that we are living in uniquely troublesome times. Current problems with drink are seen to be unmatched in history in terms of their severity, meaning that this understanding of a ‘drink problem’ fits Alan Hunt’s description of “presentism”.<sup>17</sup> Importantly, even a brief glance at history

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<sup>13</sup> Kelly, ‘Booze Britain’.

<sup>14</sup> Linklater, Magnus, ‘The Terrible Cost of Not Raising Drink Prices’, *The Times*, 17 March 2009.

<sup>15</sup> ‘Alcohol the “new British disease”’, *BBC News*, 20 May 2004.

<sup>16</sup> See: UK Government, ‘Safe. Sensible. Social.’, (London, Department of Health, 2007).

<sup>17</sup> Hunt, Alan, *Governing Morals: A Social History of Moral Regulation*, (Cambridge: Cambridge University Press, 1999), p.196.

reveals the erroneous nature of this presentist understanding. William Hogarth's famous eighteenth century depiction of 'Gin Lane' is emblematic of an age when the effects of drinking and drunkenness were the source of intense public unease (see Figure One). The idea that heavy drinking or concerns for heavy drinking are historically recent occurrences is, therefore, a fallacy.

In actuality, Britain's historical proclivity for anxieties about drink has been amply demonstrated through the ages. From the Georgian 'gin panics' during Hogarth's time to the Strength of Britain prohibition campaign during World War One and concerns about alcopops in the 1990s; British history abounds with examples of popular disquiet about drinking. This historical neurosis was perhaps most vividly manifested in the campaigns of the Victorian temperance movement. This was a large-scale social movement, arising in the late 1820s and surviving into the twentieth century, which promoted total abstinence from all forms of alcoholic drinks. Abstinence-based temperance societies were not exclusive to Britain; Levine identifies the USA, Canada, Australia, New Zealand, Sweden, Norway, Finland and Iceland as "temperance cultures" in which strong social movement's qualitatively similar to British temperance movement existed.<sup>18</sup> Interestingly, while non-temperance France remains more permissive towards drinking, many of these temperance countries have or have had comparatively restrictive alcohol laws in recent history. For example, early closing times in Australia created the phenomenon of the "six o'clock swill" during much of the twentieth century; Sweden pioneered a system of state monopoly over alcohol which has, to some extent, been replicated in other Scandinavian countries; and the USA famously experimented with national

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<sup>18</sup> Levine, Harry, 'Temperance Cultures: Concern about Alcohol in Nordic and English-Speaking Countries', in *The Nature of Alcohol and Drug-Related Problems*, edited by Malcolm Lader, Griffith Edwards and D. Colin Drummon (Oxford: Oxford University Press, 1993), pp.16-36.

prohibition from 1919 to 1933 and currently possesses one of the world's highest legal purchase ages for alcohol of twenty-one.<sup>19</sup> Comparatively-speaking, it seems that countries which were home to abstinence-based temperance movements have also played host to a variety of restrictive alcohol laws in recent history.

Of course, it could simply be the case that the international historical coincidence of anxiety about alcohol with tighter drink laws is caused by a high level of alcohol consumption or alcohol-related harm in these countries. But the idea that attitudes and regulation are the simple response to a particular problem is questionable; Hunt notes that the 'gin panics' of the eighteenth century occurred at a time when arrests for drunkenness were declining<sup>20</sup> and Reinerman documents how US attitudes to drink-driving became increasingly disapproving at a time when instances of the offence appeared relatively scarce.<sup>21</sup> Levels of consumption or alcohol-related harm do not provide sufficient explanation for comparative legal variations or attitudinal change. Indeed, Schrad draws attention to the role of political structures, culture and national traditions to explain the differing alcohol policies operated in World War One in the USA, Sweden and Russia.<sup>22</sup> It is worth considering the pertinence of Schrad's conclusions to the manner in which alcohol has historically been governed in Britain. Could it be the case that certain political, cultural or social factors are more influential in producing both public anxiety and tighter drink laws than levels of consumption or harm? Is it feasible to identify the temperance movement as one such formative factor? In regards to both law and

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<sup>19</sup> See: Blocker, Jack S., Fahey, David M. and Tyrell, Ian R., *Alcohol and Temperance in Modern History: an International Encyclopaedia*, (California: ABC-CLIO, 2003).

<sup>20</sup> Hunt, *Governing Morals*, p.38.

<sup>21</sup> Reinerman, Craig, 'The Social Construction of an Alcohol Problem: The Case of Mothers Against Drunk Drivers and Social Control in the 1980s', (1988) *Theory and Society* Vol.17 (1), pp.91-120.

<sup>22</sup> Schrad, Mark Lawrence, *The Political Power of Bad Ideas: Networks, Institutions and The Global Prohibition Wave*, (Oxford: Oxford University Press, 2010).

public attitudes, how has the contemporary regulation of alcohol been historically constructed?

## **2) Orientation and Objectives**

This configuration of drinking behaviour, public attitudes to alcohol and legal regulation warrants further empirical study. The manner in which social actors understand their own behaviour and the behaviour of others in respect of alcohol is crucial to this enquiry; but, more importantly, it is essential to make sense of the process through which social actors resolve to change their behaviour and/or seek to change the behaviour of others. It is this impulse which ultimately can produce attempts to reform the behaviour of others through, for example, legal interventions or the campaigns of social movements such as the temperance movement. This concern for the issues of behaviour, attitudes and law, therefore, pitches this thesis somewhere on the interface between what Foucault calls the “government of the self” and the “government of others”.<sup>23</sup> The concept of moral regulation, as espoused particularly by Alan Hunt and Hannu Ruonavaara, is also useful.<sup>24</sup> Building on Foucault, both authors consider how certain types of behaviour come to be regarded as problematic and then focus on legal and extra-legal mechanisms through which behavioural reform is sought. This approach demands a focus on the law as a means of governing others, in addition to a concentration on public discourse which captures the problematisation of certain behaviours as well as extra-legal attempts at governing these behaviours in others.

Specifically, therefore, this thesis investigates the significant legal developments which have affected drinking from the eighteenth century onwards and

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<sup>23</sup> Foucault, Michel, *The Government of Self and Others*, (Basingstoke, Palgrave, 2010), p.6.

<sup>24</sup> Hunt, *Governing Morals*; Ruonavaara, Hannu, ‘Moral Regulation: A Reformulation’, (1997) *Sociological Theory* Vol.15. (3), pp.277-293.

the public discourse which has surrounded these reforms. The study of legal developments is largely constituted by a consideration of various major statutes and the crucial forum for public discourse provided by the press is extensively utilised for evidence of the dominant or emergent beliefs and values in any given historical period. The commonalities between “temperance cultures” and disparities with non-temperance cultures suggest that the Victorian temperance movement may have exerted some formative impact over the way we continue to think about and regulate alcohol in England and Wales. Hence both legal and press sources will be analysed in reference to their potential affinities to the agency or discourse of the temperance movement. Broadly, therefore, this thesis will enable the creation of a historically-informed comprehension of contemporary discourse and governance of alcohol. More particularly, it will consider the utility of the Victorian temperance movement as a potential means to explain some of the cross-border legal and attitudinal variations which have been noted upon.

The issue of how, if at all, contemporary efforts to legally or morally compel people to change their drinking habits are shaped by the Victorian temperance movement will be central to this project. Specifically, this thesis aims to answer the following questions:

- a) How, if at all, did the temperance movement alter beliefs, values and legal frameworks surrounding alcohol in the nineteenth century?
- b) To what extent have public attitudes towards drinking and the regulation of alcohol changed since the period of the temperance movement?
- c) To what extent have public attitudes towards drinking and the regulation of alcohol remained constant since the period of the temperance movement?



It is worth clarifying that, prior to the Victorian period, 'temperance' referred to the virtuous exercise of moderation in regards to drink as well as food, sex, exercise and other forms of behaviour. The nineteenth century temperance movement, however, was concerned solely with alcohol and, after an initial flirtation with moderation, became abstinence-focused. The temperance movement, therefore, became the teetotal movement and the concept of temperance was correspondingly redefined in its wider usage, coming to refer almost exclusively to alcohol and largely to the requirement for total abstinence from this substance.<sup>25</sup> The answers to the three central questions above will be couched within further consideration of how the problem of drink and its solutions are perceived and acted upon across the timeframe.

From this orientation, it should be clear that this research draws on the disciplines of history, law, sociology and criminology. The objective of explaining the contemporary phenomenon of the regulation of alcohol means the project is envisaged, essentially, as a piece of social science. But to address social science questions relating to development through time and the regulation of behaviour, it was essential to draw heavily on both law and history. This was not an easy undertaking as the author has no formal training in law. It was necessary to begin by attending law undergraduate lectures and reading basic textbooks on the subject. The author's engagement with criminology helped to reinforce an understanding of criminal law and the workings of the criminal justice system. Additionally, while the author has some training in history, he had not studied modern British history in much depth. As well as undertaking a wide review of cross-disciplinary writings on the subject of alcohol through time (which will be discussed in Chapter One), it was

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<sup>25</sup> These issues of definition will be further explored in Chapter Three.

also necessary to become familiar with general histories of the eighteenth and nineteenth centuries.<sup>26</sup> While the boundaries of academic disciplines are fairly porous, significant efforts were made to ensure the nuances of each discipline were respected and the transitions between them were smooth and productive.

As aforementioned, this inter-disciplinary research relies mainly on statutory law and press sources. But it is worth noting here that a number of visual sources, including artwork, cartoons and advertisements, are also used. These items were not located during any systematic surveys of visual sources but tended to be identified within other sources considered. For example, David Wilkie's painting 'The Village Holiday' is discussed in Chapter Three due to the fact that its exhibition in the National Gallery in 1824 was covered by London newspapers and prompted some press reflections on general drinking habits. Similarly, the adverts analysed in Chapters Six and Seven were typical examples of the sort of drinks promotions which featured among the otherwise written results of keyword searches of newspaper archives carried out for the 1960s. Hogarth's 'Gin Lane' and 'Beer Street', by contrast, did not feature in any systematic searches of primary sources. They are, however, well-known artworks which are referred to extensively in secondary historical literature and so were included on the basis of their significance. The thesis therefore encompasses a study of statutory law, newspaper sources and a number of visual sources which were selected for their importance or typicality. As with written sources, visual sources were analysed with reference to origins, accuracy, meaning and typicality.<sup>27</sup>

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<sup>26</sup> The work of E.P. Thompson, Martin Wiener and Clive Emsley was particularly useful in providing historical background to some of the periods and issues considered in my research. This is reflected in discussion of their work in Chapter One and fairly frequent citations thereafter.

<sup>27</sup> This will be explored in more depth in Chapter Two.

It is also necessary to highlight some of the parameters of this research. Firstly, this thesis investigates public attitudes and alcohol regulation in England and Wales. Much of the history studied, particularly relating to temperance organisations, is common to other parts of the United Kingdom, but due to the differing legal systems in Scotland and Northern Ireland it is not practically possible to study these countries in addition to England and Wales.<sup>28</sup> As well as being time-consuming, such a project would inevitably be comparative and thus the extent to which legal and attitudinal developments can be analysed would be diminished. A focused, detailed examination of historical developments relating to alcohol in England and Wales will allow contemporary attitudes and regulations to be better placed in historical perspective. Secondly, the relationship of the governance of drinking to femininity is not specifically investigated here. The over-riding interest in the public spheres of attitudes and law means that the more private domestic sphere, in which women tended to play a larger role for much of British history, is not routinely investigated. Moreover, more traditionally male-oriented issues of crime, disorder, industrial productivity, military efficiency and public health feature heavily in public and legal discourse on drinking. Hence, while gender was not a specific concern, the eminence of interests in governance and the public sphere skews the research somewhat in the direction of masculinity. While drinking and femininity remains a fascinating and important topic, it requires more detailed, specific attention than is possible within the remit of this study.

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<sup>28</sup> For a thorough and well-informed exploration of attitudes and regulation of alcohol in Scotland see: McLaughlin, Patrick M., 'Responding to Drunkenness in Scottish Society: A Socio-Historical Study of Responses to Alcohol Problems', (University of Stirling: unpublished PhD Thesis, 1989).

### **3) Chapter Synopses**

The structure of the thesis facilitates an empirical assessment of the historical construction of public attitudes and legal regulation surrounding the consumption of alcohol. Many of the points mentioned in this introduction, particularly relating to sources and timeframe, are elaborated fully in Chapter Two. Chapter Two sets out to formulate a viable methodology through which the knowledge of public attitudes and the regulation of alcohol can be furthered. In developing this research methodology, the general issues of agency and structure in historical research are explored and specific data sources and chronological periods relevant to this enquiry are identified. Following this methodological chapter, the subsequent five chapters present analyses of the data gathered. Chapter Three begins this process by examining the rise of the temperance movement. Extensive research has been conducted on the eighteenth and early nineteenth centuries as well as more intensive study of the 1820s and 1830s. Specific attention is paid to the Beer Act 1830 in order to understand its contribution to changing public attitudes. This empirical groundwork facilitates a historical analysis of the genesis of the temperance movement; where did the movement come from and how did it differ from what had gone before?

The next two chapters trace the development of the temperance movement through its campaigning peak in the second half of the nineteenth century and its organisational demise in the early-twentieth century. The chapters form something of an impact-assessment as they assess the relationship of the movement, at different points in its lifespan, to changing legal regulations. Chapter Four focuses largely on reforms to drink regulations made between 1864 and 1872 and seeks to discern the role the temperance movement played in constructing these reforms. Chapter Five examines the fascinating period 1914 to 1921, during which time the authorities

banned the 'treating' of others to drinks, experimented with the nationalisation of the drinks industry and urged citizens, for the good of the nation, to abstain from alcohol for the duration of the war. Again, the role of the temperance movement in producing this comparatively rather peculiar governmental response to the challenges of war will be considered.

Chapters Six and Seven embody a slight shift in focus as they examine the emergence of the contemporary drink problem. This new discourse is largely structured by a concentration on two primary social problems associated with alcohol: crime and ill-health. These two themes are investigated, as significant features of how we understand and regulate alcohol, from the 1960s to the present day. By way of assessing the long-term impact of the temperance movement and earlier historical events and processes more generally, special attention is paid to the symmetry or dissymmetry between contemporary public attitudes and drink regulations and their historical precursors. Chapter Six concentrates on the issues of crime and disorder, relating the public, political and legal debates surrounding the Licensing Act 2003 to their longer-term historical context. Chapter Seven focuses on issues of addiction and public health and, again, uses a historical lens to bring understandings of the present into sharper focus.

The remaining and next chapter, Chapter One, examines existing academic literature in this area. The inter-disciplinary nature of this project is reflected in the literature considered. Firstly, a study of orthodox interpretations of Britain's 'drink problem' is made and constituted mainly by criminological and medical research. Secondly, an examination is undertaken of both historical literature on drinking as well as some general historical studies of related topics such as popular recreations. Thirdly, a detailed consideration is given of less orthodox sociological perspectives

on alcohol as well as more general approaches to the study of social problems. This task is useful in ascertaining the level of existing knowledge as well as enabling exploration of the theoretical apparatus this thesis will employ. Fourthly, the thorny issue regarding the relationship of law and morality is investigated. Drawing on jurisprudence and socio-legal literature, this section resolves certain theoretical tensions in order to facilitate the advancement of this thesis. Chapter One thus highlights weaknesses within existing understandings of this subject area before considering the theoretical means through which comprehension can be strengthened.

## Chapter One

### Thinking About Drink:

#### Existing Literature on Public Attitudes and Regulation of Alcohol

##### 1) Introduction

In a newspaper column of 1944, George Orwell criticised Britain's restrictive laws governing the sale and consumption of alcohol. Orwell compared British laws to more relaxed regulations in France and other European countries and demanded more liberty for the "downtrodden" population.<sup>29</sup> Despite Orwell's protestations, a very similar situation exists today with clear legal frameworks specifying who is licensed to sell alcohol, to whom and at what time. Through a variety of public order, anti-social behaviour and road safety legislation, the behaviour of persons who have been drinking is also regulated. The strictness of this legal system is paralleled by public attitudes which readily conceive of British drinking culture as excessive and harmful. For example, Prime Minister David Cameron has claimed that city centres look "like the Wild West" on Friday and Saturday nights,<sup>30</sup> public health experts have claimed that "social problems are being spread by alcohol companies" in the same way that mosquitoes spread malaria,<sup>31</sup> and the former Chief Medical Officer, Sir Liam Donaldson, has diagnosed that "England has an alcohol problem".<sup>32</sup> Is Britain's relationship with alcohol as pathological as these commentators suggest? Is the apparent national prevalence of problematic drinking behaviour sufficient explanation for the development of public attitudes and legal regulation? Or does the formative influence of attitudes and morality merit some attention?

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<sup>29</sup> Orwell, George, 'As I Please', *Tribune*, 18 August 1944.

<sup>30</sup> Schofield, Kevin, "End Wild West Boozing", *The Sun*, 13 August 2010.

<sup>31</sup> Gilmore, Anna, and Colin, Jeff, 'Drink Companies Spread Liver Disease as Surely Mosquitoes do Malaria', *The Guardian*, 21 February 2011.

<sup>32</sup> Donaldson, 'Annual Report 2008', p.22.

This thesis considers the relationship between drinking behaviour, public attitudes to alcohol and legal regulation. It consists of a historical analysis of how the ways in which we understand and regulate alcohol in England and Wales have developed. To begin with it must be noted that there is a general paucity of literature that makes attitudes to alcohol an explicit object of enquiry. It is more common for research on alcohol regulation to be problem-focused, concentrating on the ill effects of alcohol upon either health or crime, or incorporated within general works relating to drinking behaviour, drinking cultures or specific examples of public unease about alcohol. These subject areas are broad, covering various academic disciplines, and hence the literature forming this review is drawn from a swathe of academic subjects including history, criminology, geography, medicine, law, politics and sociology. This is an ambitious and challenging remit but, despite the disciplinary disparity, the unifying topic of attitudes to drinking will ensure sufficient congruity to permit investigation. This chapter will examine this range of literature in order to ascertain the extent of current knowledge about attitudes to alcohol and the regulation of drinking.

## **2) The Orthodox Approach to the 'Drink Problem'**

Alcohol is highly topical and there is no shortage of public attention paid to this issue. This popular discourse is characterised, to a large extent, by acute concern about the drinking habits of the British populace and it is common to hear that alcohol-related harm, either personal or social, is currently soaring to new heights. Vivienne Nathanson of the British Medical Association (BMA) made the alarming claim that alcohol has created a "public health emergency".<sup>33</sup> *The Daily*

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<sup>33</sup> Laurance, Jeremy, 'BMA Demands Crackdown on Alcohol Misuse', *The Independent*, 22 February 2008.



*Mail's* portrayal of “an epidemic of drunken teenage violence”<sup>34</sup> demonstrates that the effects of drink upon crime and disorder are popularly seen as equally disturbing. *The Daily Mirror* reported that alcohol has turned parts of British towns and cities into “no-go areas”<sup>35</sup> and *The Sun* goes even further in describing drink-fuelled “war-zones”.<sup>36</sup> Alcohol has become a “plague”<sup>37</sup> and the idea that drinking is “out of control”<sup>38</sup> is frequently voiced. Public figures often articulate this outrage and suggest tough new behavioural solutions, such as charging drunks for NHS treatment<sup>39</sup> or raising the legal age to purchase alcohol to twenty-one.<sup>40</sup> The idea that drinking is a serious and worsening social problem afflicting contemporary society serves to rationalise alarmist attitudes to alcohol. This corresponds to what Goode and Ben-Yehuda refer to as the “objectivist” or “realist” approach to the study of social problems.<sup>41</sup> Such views posit the existence of an objective, real and unambiguous connection between the level of alcohol consumption or alcohol-related harm and the social reaction to drinking, as manifested in either public attitudes or legal regulation. Heightened anxieties and strict laws are thus understood as rational, pragmatic responses to modern Britain’s pathological drinking habits.<sup>42</sup>

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<sup>34</sup> Slack, James and Poulter, Sean, ‘Supermarkets blamed for teen thuggery as they sell alcohol cheaper than water’, *Daily Mail*, 16 August 2007.

<sup>35</sup> Roberts, Bob, ‘Gordon Brown Exclusive: Any Shop Caught Twice Selling Alcohol to U18s Should Lose its Licence’, *Daily Mirror*, 3 March 2008.

<sup>36</sup> Pascoe-Watson, George, ‘24hr Booze Crackdown’, *The Sun*, 4 March 2008.

<sup>37</sup> Roberts, ‘Gordon Brown Exclusive’.

<sup>38</sup> Jones, George, and Womack, Sarah, ‘Gordon Brown Orders Review of 24-hour Drinking’, *The Daily Telegraph*, 26 July 2007.

<sup>39</sup> Carvel, John, ‘Charge drunks for treatment, say Lib Dems’, *The Guardian*, 14 September 2007.

<sup>40</sup> Batty, David, ‘Police Chief calls for ban on public drinking’, *The Guardian*, 15 August 2007.

<sup>41</sup> Goode, Erich, and Ben-Yehuda, Nachmann, ‘Grounding and Defending the Sociology of Moral Panic’, in *Moral Panic and the Politics of Anxiety* edited by Hier, Sean (Oxon: Routledge, 2011), pp.29-36.

<sup>42</sup> This straightforward, rational explanation of legal developments conforms to what historian Martin Wiener calls the “pragmatic model” of historical development. See: Wiener, Martin, *Reconstructing the Criminal*, (Cambridge: Cambridge University Press, 1990).

This common, orthodox understanding of the 'drink problem' is, to some extent, reinforced by criminological literature. Although it contains some historical analysis, Hadfield's *Bar Wars* primarily examines the development of specific zones for heavy drinking in British cities from the 1990s onwards.<sup>43</sup> Of course, examining contemporary social trends does not equate to the construction of an objective link between pathological behaviour and alarmed reaction, but there is a palpable sense of concern for the effects of liberalising government drink policies on the individual and society within Hadfield's work. Hayward and Hobbs are quite explicit about this concern, arguing that the political power of market forces has allowed for a situation to be created where "problem-drinking - binge or otherwise – is becoming increasingly normalized".<sup>44</sup> Governments have relaxed drink laws and allowed urban regeneration to be driven by the development of night-time leisure venues which profit from excessive drinking. Hayward and Hobbs go on to claim that, during the passage of licensing reforms through Parliament in 2003, the "relationship between the night-time economy and increased violence and disorder was irrefutable to all but the government and alcohol industry".<sup>45</sup> Highlighting recent government subservience to market forces and focusing on the emergence of the night-time economy implies that binge drinking or heavy drinking is either a new problem or a new variant of an older problem. Again, drinking is constructed as a new or worsening problem in terms of crime and disorder, and so an alarmed public reaction or calls for more regulation are positioned as rational responses.

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<sup>43</sup> Hadfield, Phil, *Bar Wars: Contesting the Night in Contemporary British Cities*, (Oxford: Oxford University Press, 2006).

<sup>44</sup> Hayward, Keith, and Hobbs, Dick, 'Beyond the Binge in Booze Britain: Market-led Liminalisation and the Spectacle of Binge Drinking', (2007) *British Journal of Sociology* Vol.58 (3), p.450.

<sup>45</sup> *Ibid.*, p.440.

Some public health inspired writing is much clearer on this point. Medical professionals Moriarty and Gilmore, for example, distance current drinking practices from the past by talking of a contemporary “epidemic of binge drinking”.<sup>46</sup> Additionally, addiction and alcohol studies professors Martin and Moira Plant document the “media frenzy” and “moral panic” which surrounded the liberalising measures contained within the Licensing Act 2003.<sup>47</sup> But Plant and Plant are fiercely critical of these licensing reforms and so oddly, through their critique, manage to legitimate the popular reaction they are describing as panicked or frenzied. Plant and Plant do recognise that Britain has a long tradition of alcohol-related social anxiety, but they use this historical perspective to describe a dubious chronological patterning of alcohol problems. Their argument can be summarised thus: the problem behaviour increases, the government intervenes with restrictive measures, the problem behaviour lessens, restrictions are relaxed and then the problem rises again.<sup>48</sup> Both restrictive measures and concern about their relaxation are therefore justified through a presumed connection to the level at which the problem behaviour is objectively occurring. Legal and policy changes, as well as the understandings which shape them, are explained purely in reference to levels of alcohol consumption or alcohol-related harm; behaviour produces attitudes and action instigates reaction in a simple, unmediated manner.

But there are significant problems with the evidential base of the rational, objectivist model employed by Plant and Plant as well as others. Sheron, Hawkey and Gilmore recently claimed in *The Lancet* that “UK history demonstrates that it is

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<sup>46</sup> Moriarty, Kieran, and Gilmore, Ian T., ‘Licensing Britain’s Alcohol Epidemic’, (2006) *Journal of Epidemiology and Community Health* Vol.60, p.94.

<sup>47</sup> Plant, Martin, and Plant, Moira, *Binge Britain*, (Oxford: Oxford University Press, 2006), pp. 85-120.

<sup>48</sup> *Ibid.*, p.6.

relatively straightforward for governments to either encourage or control alcohol consumption at a population level”.<sup>49</sup> Historical peaks and troughs in consumption are attributed exclusively to fluctuations in the degree and type of legal regulation and the authors cite two examples as evidence of this mono-causal relationship. It is claimed, firstly, that the “gin epidemic” of the eighteenth century was brought to an end by new restrictions contained within the Gin Act 1751 and that the nineteenth century increase in consumption, cirrhosis and alcoholism was “eventually curtailed by the Defence of the Realm Act (DORA) at the outbreak of World War One”.<sup>50</sup> However, Warner and Nicholls find evidence that levels of alcohol consumption actually rose in the 1750s<sup>51</sup> and it is clear that levels of drinking began to decline in the 1890s, well before DORA.<sup>52</sup> The relationship between levels of consumption or harm and the regulatory actions of governments is not as rational and straightforward as the proponents of the objectivist model suppose.

There are additional questions relating to whether contemporary alarm about drinking can be justified. Plant and Plant draw attention to survey evidence on Britain’s comparatively high levels of both female alcohol consumption and young people’s binge drinking.<sup>53</sup> But these specific patterns must be related to more general trends. To elaborate, 2004 research conducted by the WHO ranked Britain as the 25th largest consumer of alcohol in a sample of 136 countries. This position is middling in European terms; lower than the EU average and, interestingly, lower than the average consumption of countries such as France, Luxembourg and Germany,

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<sup>49</sup> Sheron, Nick, Hawkey, Chris, and Gilmore, Ian, ‘Projections of Alcohol Deaths – a Wake Up Call’, (2011) *The Lancet* Vol.377 (9774), pp.1297-1299.

<sup>50</sup> Ibid.

<sup>51</sup> Warner, Jessica, *Craze: Gin and Debauchery in an Age of Reason*, (London: Profile, 2004), p.207; Nicholls, James, *Politics of Alcohol*, (Manchester: Manchester University Press, 2009), pp.47-48.

<sup>52</sup> Burnett, John, *Liquid Pleasures*, (London: Routledge, 1999), p.128 and p.167.

<sup>53</sup> Plant and Plant, *Binge Britain*, pp.31-44.

who are typically seen as having more relaxed relationships with alcohol.<sup>54</sup> Current consumption is also lower than at other points in history, notably the Victorian peak of consumption in the 1870s.<sup>55</sup> Perhaps more importantly, the amount people drink actually appears to have been decreasing in this country for several years.

According to both survey data on self-reported levels of consumption and data produced by HM Revenue and Customs on the amount of alcohol sold in this country, consumption has been decreasing year-on-year from 2002-2004 onwards.<sup>56</sup>

Empirical support for the idea that drinking is “out of control” is not abundant and so it is pertinent to question whether the basis of current alarm is as rational as certain academics make it appear.

That said, if drinking is decreasing it does not necessarily follow that alcohol-related harm will decline. Moriarty and Gilmore draw attention to the health problems which alcohol consumption is causing, reporting that cirrhosis of the liver has risen tenfold since the 1970s.<sup>57</sup> Furthermore, the NHS Information Centre reports that alcohol was strongly implicated in almost 60,000 hospital admissions in 2005-2006 and directly linked to 6,570 deaths in 2005.<sup>58</sup> Nevertheless, this stark picture is tempered through comparison; the WHO reports that France, Germany and Italy have higher rates of liver cirrhosis and alcohol-related cancer than Britain, and

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<sup>54</sup> World Health Organisation, ‘Global Status Report on Alcohol’ (2004), [www.who.int/substance\\_abuse/publications/global\\_status\\_report\\_2004\\_overview.pdf](http://www.who.int/substance_abuse/publications/global_status_report_2004_overview.pdf) (accessed 11 July 2011), pp.11-12. See also: British Heart Foundation, ‘Alcohol Consumption by Country’, <http://www.ws3.heartstats.web.baigent.net/datapage.asp?id=995> (accessed 31 May 2011).

<sup>55</sup> Harrison, Brian, *Drink and the Victorians*, (London: Faber and Faber, 1971), pp.66-72; Institute of Alcohol Studies, ‘Drinking in Great Britain’, (2007), pp.6-7.

<sup>56</sup> Robinson, Simon, and Bulger, Carolyn, ‘General Lifestyle Survey’, (Newport: Office for National Statistics, 2008); Fuller, Elizabeth, and Sanchez, Marie, ‘Smoking, Drinking and Drug Use Among Young People in England in 2009’, (London: Information Centre, 2009); ‘Alcohol Consumption “continues to fall”’, *BBC News*, 3 September 2010.

<sup>57</sup> Moriarty and Gilmore, ‘Licensing Britain’s Alcohol Epidemic’, p.94.

<sup>58</sup> Information Centre, *Statistics on Alcohol: England, 2007*, (London: Information Centre, 2007).

Croatia, Ireland and the Czech Republic have greater instances of alcohol-related heart disease.<sup>59</sup> The other social problem most commonly connected to drinking is crime and disorder and, although research on alcohol-related crime is methodologically very difficult, both police recorded crime and the British Crime Survey show that overall levels of crime and disorder have been falling in this country since the mid-1990s.<sup>60</sup> It must be noted that these are aggregated, national figures for crime and do not separate crimes in which alcohol may have been a contributing factor from crimes in which it was not. However, the point is not to demonstrate that alarm about alcohol is entirely erroneous but to show that the current state of heightened alarm and comparatively strict laws is not a clear, unambiguous reflection of the evidence relating to consumption and harm.

Much academic writing reproduces an orthodox objectivist approach to the 'drink problem' which is of limited practical use. Regulation and attitudes towards alcohol do not result from either levels of consumption or harm in any direct, mechanistic way; there is clearly some distance between objective behavioural trends and subjective understandings of these trends. The question remaining is if public alarm and action against drink do not stem directly from a worsening or particularly British problem with alcohol, where do they come from? How does a certain type of behaviour come to be seen as a pressing social problem and,

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<sup>59</sup> WHO, 'Global Status Report on Alcohol', pp.57.

<sup>60</sup> Home Office, 'Crime in England and Wales 2007/2008: a summary of the main findings', (2008) <http://www.homeoffice.gov.uk/rds/pdfs08/hosb0708summ.pdf> (accessed 2 January 2012); Office of National Statistics, 'National Statistics – British Crime Survey', (2008) [http://www.statistics.gov.uk/ssd/surveys/british\\_crime\\_survey.asp](http://www.statistics.gov.uk/ssd/surveys/british_crime_survey.asp) (accessed 19/11/08); Nicholas, Sian, Kershaw, Chris, and Walker, Alison, 'Crime in England and Wales 2006/2007', (2007) *Home Office Statistical Bulletin*, <http://www.homeoffice.gov.uk/rds/pdfs07/hosb1107.pdf> (accessed 6 December 2007).

subsequently, how is a course of action then decided upon? The next section will consider the utility of historical research as a means to investigate these questions.

### **3) Historical Research on Attitudes to Alcohol**

British anxiety about alcohol can be located within a broader historical discourse on the negative effects of drink. Concerns about the effects of drink have long been evident; the Alehouse Act 1552 required drink-sellers to obtain a licence from magistrates and in 1606 Parliament sought to tackle the behaviour of drinkers with 'The Act to Repress the Odious and Loathsome Sin of Drunkenness'. In the first half of the eighteenth century, London was famously gripped by the 'gin panics' as the urban metropolitan elite became increasingly anxious about the behaviour and drinking habits of the lower classes.<sup>61</sup> These instances were chronologically isolated, however, and, in the case of the gin panics, restricted geographically to the south-east. It was not until the nineteenth century that the idea of an alcohol problem became widely established as the temperance movement spread across Britain. This public disquiet continued into World War One, when Lloyd George declared alcohol to be more of a threat than the Germans or Austrians.<sup>62</sup> During the 1930s continuing interest in the subject was manifested in the study of public houses (pubs) in the Mass Observations and, after World War Two, the focus shifted towards the problematic aspects of youth drinking. The late twentieth and early twenty-first centuries have seen a more refined concentration on the effects of alcohol on health as well as crime and disorder. This joined-up chronology of post-nineteenth century anxieties about alcohol suggests that this period may have been instrumental in embedding certain attitudes towards alcohol in the national psyche.

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<sup>61</sup> Borsay, Peter, 'Binge Drinking and Moral Panics: Historic Parallels?', *History and Policy*, (2007), <http://www.historyandpolicy.org/papers/policy-paper-62.html> (accessed 11 June 2011), pp.4-5.

<sup>62</sup> Nicholls, *Politics of Alcohol*, p.154.

So why did drink change from being an occasional source of anxiety to the object of a persistent social neurosis in this period? Some general historical research on this period is relevant to drinking: Malcolmson's study of popular recreations from 1700-1850 highlighted the reform of public leisure during this period<sup>63</sup> and Roberts' study *Making English Morals* examined the role of social movements, including temperance, within broader moral reforms from 1787-1886.<sup>64</sup> In respect to the wider research theme of how people understand and seek to regulate the social world around them, the late eighteenth and nineteenth centuries appear as crucial formative periods. The individualising "civilizing process" identified by Elias was well-established and, unlike in the medieval period, eating from communal dishes, bodily functions and nudity had become evidence of coarseness or sources of shame which helped to erect an "invisible wall" of personal manners between one human body and another.<sup>65</sup> Foucault also describes how, in the nineteenth century, new surveillance-based technologies were increasingly used to inculcate certain forms of discipline within individual subjects, thus contributing to the regulation of behaviour.<sup>66</sup> Both perceptions and regulation of individual behaviour, especially in regards to leisure practices, were therefore re-shaped from the late eighteenth century onwards.

But a general climate of discursive and regulatory change is not sufficient to explain the particular issue of drinking. Various histories have more specifically touched on this subject since Wilson's 1940 study of alcohol consumption and examined laws from the medieval period to the early twentieth century. Wilson's detailing of the development of licensing laws is informative but largely descriptive

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<sup>63</sup> Malcolmson, Robert W., *Popular Recreations in English Society 1700-1850*, (Cambridge: Cambridge University Press, 1979).

<sup>64</sup> Roberts, M.J.D., *Making English Morals*, (Cambridge: Cambridge University Press, 2004).

<sup>65</sup> Elias, Norbert, *The Civilizing Process*, (Oxford: Blackwell, 1994), p.56.

<sup>66</sup> Foucault, Michel, *Discipline and Punish*, (London: Penguin, 1991).



and does not focus specifically on the nineteenth century.<sup>67</sup> The same can be said of two more recent social histories of alcohol in Britain: Burnett's *Liquid Pleasures* and Barr's *Drink*.<sup>68</sup> These fascinating studies provide a wealth of information but they concentrate on drinking practices and tastes rather than attitudes explicitly and as such are useful, in this account, primarily for broader contextual information. Nicholl's recent book *Politics of Alcohol* can be similarly categorised; its focus on political debates about alcohol from the medieval period onwards means public attitudes in the nineteenth century do not receive special attention.<sup>69</sup> The differing concentrations of these studies means they do not address the specific questions here considered which relate to the long-term influence of the temperance movement over how we understand and regulate alcohol.

Both Brian Harrison and Lilian Lewis Shiman have tackled these concerns a little more directly.<sup>70</sup> Both historians examined the rise of the temperance movement in the 1830s, its subsequent division into prohibitionist and moral suasionist strands, and its demise at the end of the nineteenth century following the Liberal defeat in the 1895 election.<sup>71</sup> Again, the focus is not on Victorian attitudes *per se*, but by investigating the organisation of different temperance groups, their respective memberships as well as their campaigning aims and tactics, Harrison and Shiman provide valuable insights into how alcohol was understood. Interestingly, Shiman highlights how in the Victorian period drunkenness came to be consistently recognised as a serious social problem and no longer "treated with the good-hearted

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<sup>67</sup> Wilson, George B., *Alcohol and the State*, (London: Nicholson and Watson, 1940).

<sup>68</sup> Burnett, *Liquid Pleasures*; Barr, Andrew, *Drink: A Social History*, (London: Pimlico, 1988).

<sup>69</sup> Nicholls, *Politics of Alcohol*.

<sup>70</sup> Harrison, *Drink and the Victorians*; Shiman, Lilian Lewis, *Crusade Against Drink*, (Basingstoke: Macmillan, 1988).

<sup>71</sup> Although Harrison's timeframe extends only until 1872, his final chapter 'The End' comments on the drink problem after that date and into the early years of the Twentieth Century.

tolerance of former times".<sup>72</sup> Harrison makes a similar point, writing that "the temperance movement forced society to recognize drunkenness as a serious evil".<sup>73</sup> These investigations support the preliminary analysis of the rough chronology of anxieties about drinking; attitudes to alcohol changed in the nineteenth century.

It is tempting to explain the rise of the British temperance movement, documented by Harrison and Shiman, as a straightforward response to the economic needs of the new industrial economy. Some empirical support for this Marxist-influenced account would be available; Shiman describes the largely middle-class beginnings of the temperance movement and Harrison comments on its bourgeois ethics.<sup>74</sup> But this economic reductionism cannot explain why so many working-class people joined the temperance movement and so Shiman examines the functions of the temperance movement. Influenced by Thompson's analysis of Methodism in the same period,<sup>75</sup> she proposes that, as well as serving the economic interests of industrial society by advancing the prospect of a sober workforce, temperance societies provided social bonds for working class individuals. In a period of rural-urban migration when factory discipline usually prevented socialising at work, temperance societies offered the fraternity that many workers lacked.<sup>76</sup> The broader appeal of a middle-class social movement is thus addressed, but Shiman does not explain why drinking became the target of this social movement; surely an anti-drink campaign was not the only forum in which workers could develop fraternal bonds?<sup>77</sup> And if the British temperance movement was primarily a response to urbanisation

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<sup>72</sup> Shiman, *Crusade Against Drink in Victorian England*, p.244.

<sup>73</sup> Harrison, *Drink and the Victorians*, p.28.

<sup>74</sup> Shiman, *Crusade Against Drink*, p.4; Harrison, *Drink and the Victorians*, pp.393-396.

<sup>75</sup> Thompson, E.P., *The Making of the English Working Class*, (Middlesex: Penguin, 1980).

<sup>76</sup> Shiman, *Crusade Against Drink*, pp.1-5 and pp. 244-248.

<sup>77</sup> Borsay casts the gin panics as a response to similar processes of rural-urban migration, but these only led to calls for moderation. Why did the temperance movement promote total abstinence as the solution? See: Borsay, 'Historic Parallels?'

and a need for work discipline, why did many other industrialising countries not experience similar temperance campaigns? Reliance on broad processes of industrialisation and urbanisation does not yield a wholly satisfactory explanation for nineteenth century attitudinal developments.

Harrison's focus is more particular and, commenting that "the vehemence of the nineteenth century attack on drunkenness does not seem to be closely related to the extent of the evil it attacked",<sup>78</sup> stresses the necessity of understanding how the public come to view that behaviour as a problem. Harrison roots the temperance movement in certain contemporaneous changes, particularly the spread of coffee houses (as alternatives to public houses), the activities of American missionaries, the growth of the medical profession, the evangelical revival and the increasing importance of industrialists.<sup>79</sup> No doubt these factors were all important in the emergence of organised temperance, but Harrison focuses on their actions and effects rather than beliefs. For example, the issue of why American missionaries bore a zealous interest in British sobriety goes unaddressed. Equally there is no account of why, although an important feature of the agricultural economy often used to pay labourers,<sup>80</sup> the pioneers of the industrial economy saw a need to eradicate alcohol consumption. As with Shiman, Harrison also neglects that his temperance preconditions, such as the growing power and esteem of medical professionals and industrialists, existed in some other European countries which were not home to an abstinence-based temperance movement. Again, Harrison's work leaves some questions unanswered.

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<sup>78</sup> Harrison, *Drink and the Victorians*, pp.98-99.

<sup>79</sup> *Ibid.*, pp.92-105.

<sup>80</sup> Burnett, *Liquid Pleasures*, pp. 114 -116 and p.124.

The emergence of Protestant evangelicalism, noted by Harrison, is an interesting factor and Boyd Hilton has investigated its wider influence on social and economic thought. Evangelicalism was based on a belief that this world is an arena of moral trials, filled with depravity and temptation, and that the only possibility of redemption, enabled by Christ's atonement on the cross, is through individual conscience.<sup>81</sup> Preoccupation with worldly depravity, personal grace and acts of conversion typified an evangelical mindset which exerted influence within Anglican and Nonconformist churches and, ultimately, outside of both. This vision of the world as an arena of individual moral trial is connected, by Hilton, to the eminence of personal agency underlying the laissez-faire individualism which dominated government for much of the nineteenth century.<sup>82</sup> Interestingly, this concern for individual conduct and the heightened, ascetic currency attached to resisting temptation could feasibly be connected to the rise of a temperance movement which exhorted people to abstain from alcohol. Indeed, several studies have highlighted the role of evangelical, ascetic forms of Protestantism in the development of temperance movements in the USA and Scandinavian countries.<sup>83</sup> Cook's fascinating *Alcohol, Addiction and Christian Ethics* touches on these issues in Britain, but his focus on addiction means that the potential evangelical influence on the construction of the wider drink problem remains largely unexplored.<sup>84</sup> Evangelical influence on understandings and regulation of drinking in England and Wales remains an interesting and relatively open avenue for research.

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<sup>81</sup> Hilton, Boyd, *The Age of Atonement*, (Oxford: Clarendon Press, 1988), p.8.

<sup>82</sup> Ibid.

<sup>83</sup> Levine, 'Temperance Cultures'; Rouse, Timothy P., and Unnithan, N. Prabha, 'Comparative Ideologies and Alcoholism: The Protestant and Proletarian Ethic', (1993) *Social Problems* Vol.40 (2), pp.213-227; Warner, Jessica, 'Temperance, Alcohol and the American Evangelical: A Reassessment', (2009) *Addiction* Vol.104, pp.1075-1084.

<sup>84</sup> Cook, Christopher, *Alcohol, Addiction and Christian Ethics*, (Cambridge: Cambridge University Press, 2006).

A critical engagement with how attitudes to alcohol are formed and how they affect the social world is largely absent from the historical literature. Greenaway's *Drink and British Politics*, which cover the nineteenth and twentieth century, is a case in point. It usefully maps out the partisan battlefields which have characterised parliamentary wrangling over alcohol, but devotes little attention to the origins of political ideologies or popular attitudes.<sup>85</sup> As Matthew Hilton alludes to in a review of Greenaway's study, the motivations, beliefs and agendas of politicians are inextricably tied to a social world far larger and more complex than Westminster.<sup>86</sup> It is this social world and the beliefs, ideas and values which populate it which require analysis in order to comprehend the way in which alcohol is regulated. The historical construction of how we understand and regulate drink is a more promising research orientation than the objectivist, rational approach to explaining public anxieties. But, despite the existence of a variety of historical research on alcohol and temperance which will help inform this thesis, there is currently no detailed study of how the governance of drink, past and present, has been affected by the nineteenth century temperance movement.

#### **4) Sociological Perspectives on Drink**

A gap in the academic literature has been identified and this section will investigate how existing theoretical models, drawn primarily from sociology, may help to plug that gap. This project aims to develop understandings of attitudes to alcohol in Britain that do not merely conflate attitudes with behaviour, reaction with action or subjective with objective. It is necessary to move away from these simplistic assessments and study the values, beliefs and perceptions that construct the

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<sup>85</sup> Greenaway, John, *Drink and British Politics*, (Basingstoke: Palgrave, 2003).

<sup>86</sup> Hilton, Matthew, 'Book Review – Drink and British Politics since 1830', (2004), [www.history.ac.uk/reviews/paper/hiltonM2.html](http://www.history.ac.uk/reviews/paper/hiltonM2.html) (accessed 31 January 2008).

dominant views of alcohol in our society. The purpose of this section is to evaluate existing conceptual frameworks that seek to explain public attitudes and social anxieties.

#### **4.1) Social Movement Research**

The nineteenth century has been highlighted as an important period in the development of attitudes to alcohol and the temperance movement has been mooted as a possible agency of these attitudinal changes. But the outcomes of a social movement, such as the Victorian temperance movement, are not easy to assess. Gamson's work is influential in this area through its focus on political impacts and its separation of policy gains from advances in the level of acceptance or recognition a movement receives.<sup>87</sup> Although this model has been elaborated on considerably, Giugni argues that the majority of research is still typified by a narrow focus on legal/policy goals that overlooks the less visible impacts of movements, such as cultural effects.<sup>88</sup> These neglected areas are particularly associated with 'new social movements' (NSMs), a typology which distinguishes "traditional" labour-based organisations, whose actions were aimed at achieving specific goals, from the post-1960s generation of protest groups, typically occupied as much by culture and identity as by instrumental political goals.<sup>89</sup> However, Calhoun has highlighted the historical short-sightedness of this delineation and demonstrated that groups existing in the early nineteenth century, such as the (American) temperance movement, meet the criteria of NSMs in terms of their aims and actions.<sup>90</sup> Following Calhoun, it is

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<sup>87</sup> Della Porta, Donatella and Diani, Mario, *Social Movements: An Introduction*, (Oxford: Blackwell, 1999), p.228.

<sup>88</sup> Giugni, Marco, 'Was it Worth the Effort? Outcomes and Consequences of Social Movements', (1998) *Annual Review of Sociology* Vol. 98, pp.385-386.

<sup>89</sup> Della Porta and Diani, *Social Movements*.

<sup>90</sup> Calhoun, Craig, "'New Social Movements' of the Early Nineteenth Century", (1993) *Social Science History* Vol. 17 (3), pp.385-427.

imperative that assessments of the outcome of the British temperance movement are not purely focused on law or policy but seek to address the movement's broader and subtler effects.

In this task, however, social movement research is not sufficiently instructive. Kriesi *et al* identify two main challenges which obstruct attempts to assess the impact of social movements. These relate to, firstly, how can success or failure be defined or measured? And secondly, how can particular outcomes be causally attributed to the actions of specific groups?<sup>91</sup> Elaborating on the conceptual tools available to meet these demands, Kriesi *et al* reiterate Gamson's recognition of policy gains and political acceptance as well as borrowing Kitschelt's category of structural impacts, which refers to effects on institutions and alliances such as a political split. The authors also add a fourth effect, "sensitising impacts", which consist of a social movement managing to either place an issue on the political agenda or change public attitudes in some way.<sup>92</sup> While "sensitising impacts" is a relevant concept, Kriesi *et al* are preoccupied with political structures and so do not provide a specific framework through which attitudes may be studied. Regarding the importance of attitudes and culture as well methodological difficulties, social movement research asks some pertinent questions; it does not, however, offer much conceptually to aid a search for answers.

#### **4.2) Explaining Social Problems: Anxiety and Discourse**

From the mid-twentieth century onwards, it became fashionable to use a social constructionist approach to examine the rise of social movements or changes in regulation. In stark contrast to the more orthodox objectivist model, this approach

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<sup>91</sup> Kriesi, Hanspeter, Koopmans, Ruud, Dyvendak, Jan Willem and Giugni, Marco, *New Social Movements in Western Europe: A Comparative Analysis*, (Minneapolis: University of Minneapolis Press, 1995), pp.207-208.

<sup>92</sup> Kriesi *et al*, *New Social Movements*.

recognises the difference between the existence of a certain behaviour and its designation as a problem which must be tackled. As Gusfield explained, social problems are “historical occurrences which emerge or disappear without any necessary relationship to the conditions of their existence”.<sup>93</sup> This approach enabled Gusfield to conclude that the advent of the American temperance movement was primarily the result of middle-class status anxiety deriving from immigration and urbanisation. Temperance, for Gusfield, became a vehicle with which the middle-class could assert their dominance over the working-class urban migrants.<sup>94</sup> Reinerman, similarly, dismisses the idea that any measurable increase in drink-driving was responsible for increasing concerns about drink-driving in late twentieth century America and attributes the inflated salience of the issue to the “moral entrepreneurship” of the Mothers Against Drunk Drivers campaign group.<sup>95</sup> Tenable research projects have been built on the idea that social problems have “careers which ebb and flow independent of the ‘objective’ incidence of the behaviours thought to constitute them”.<sup>96</sup>

The concept of anxiety has been developed, in particular, by moral panic theorists. Ben-Yehuda defines a moral panic as “the creation of a situation in which exaggerated fear is manufactured about topics which are seen (or claimed) to have a moral component”.<sup>97</sup> Similarly, Jenkins states that a moral panic is an official reaction to a certain social phenomenon that is out of all proportion with the actual level of

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<sup>93</sup> Gusfield, Joseph, *Contested Meanings: The Construction of Alcohol Problems*, (Wisconsin: University of Wisconsin Press, 1996), p.12.

<sup>94</sup> Gusfield, Joseph, ‘Status Conflicts and the Changing Ideologies of the American Temperance Movement’, in *Society, Culture and Drinking Patterns* edited by Pittman, David J., and Snyder, Charles R (New York: John Wiley and Sons, 1962), pp.101-120.

<sup>95</sup> Reinerman, ‘The Social Construction of an Alcohol Problem’.

<sup>96</sup> *Ibid.*, p.91.

<sup>97</sup> Ben-Yehuda, Nachman, ‘Moral Panics – 36 Years On’, (2009) *British Journal of Criminology* Vol. 49, pp.1-3.



threat posed.<sup>98</sup> In Cohen's classic version of moral panic theory, the official reaction is targeted at specific groups of people, such as Mods and Rockers, who are transformed into "folk devils".<sup>99</sup> This reaction is not a straightforward response to the target group's behaviour; instead, it is social anxiety caused by broader societal changes which comes to be directed, by the media, politicians and other members of the establishment, at these folk devils.<sup>100</sup> Borsay draws on moral panic theory when examining the Georgian gin panics, highlighting rapid urbanisation, increasing working class affluence and concerns about the breakdown of the family as instrumental factors in producing the social unease which came to be directed at the consumption of spirituous liquor.<sup>101</sup> Gin was a relatively new substance (to Britain) and the connection of its burgeoning popularity to "the wider concerns of society" resulted in a "full blown 'moral panic'".<sup>102</sup> Anxiety is thus the explanatory matrix of moral panic theory.

But the utility of social anxiety as an explanatory concept is dubious. In his study of the Black Act 1723, Thompson criticised the idea that this repressive law, which condemned many people to death for relatively minor criminal offences, could be explained simply by the wave of public concern unleashed by social unrest. A widespread perception of crisis may have led to a consensus that something needed to be done, but "If we agree that 'something' needed to be done this does not entail

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<sup>98</sup> Jenkins, Philip, 'Failure to Launch: Why do some Social Issues Fail to Detonate Moral Panics?', (2009) *British Journal of Criminology* Vol. 49, pp.35-47.

<sup>99</sup> Cohen, Stanley, *Folk Devils and Moral Panics*, (London: MacGibbon and Kee, 1972).

<sup>100</sup> *Ibid.*, pp.1-3. See also: Critcher, Chas, 'Widening the Focus: Moral Panics as Moral Regulation', (2009) *British Journal of Criminology* vol. 49.

<sup>101</sup> Borsay, 'Historical Parallels?'. James Nicholls has also commented that the singling out of female spirit-drinkers for specific attention exhibited "aspects of moral panic". See: Nicholls, *Politics of Alcohol*, p.41.

<sup>102</sup> Borsay, 'Historical Parallels?'

the conclusion that *anything* might be done".<sup>103</sup> In terms of explaining the particular nuances of legal and political responses to certain social problems, the notion of anxiety is insufficient. Hunt, Jenkins and others have extended this argument to ask why certain types of behaviour come to be seen as problematic in the first place.<sup>104</sup> Why, in regard to Cohen's work, did social anxieties in the 1960s become fixed on youth culture? Or, to return to Thompson's example, why were poaching and the felling of trees seen to be such potent threats to the dominant social order in the eighteenth century? How were agitators recruited and support mobilised? For Hunt, analytic attention must be paid to the process of problematisation, whereby a normative judgment is made about the immorality or unacceptability of certain types of conduct.<sup>105</sup> As an explanatory matrix, social anxiety sheds limited light on why certain things become social problems or what is done about them once they are problematised.

Hunt emphasises that social change and accompanying anxiety may provide a context for the emergence of moral outcry but cannot explain the targets of this outcry or the particular configurations of each movement. The crucial object of enquiry thus becomes the discursive formations that identify a social problem, recruit agitators and mobilise support; it is essential to study the discursive construction of social problems and their proposed solutions, rather than simply the structural factors which may cause underlying social anxiety within a population.<sup>106</sup> This theoretical approach is based on a broadly constructionist account of social problems, as articulated by Gusfield and others, and applied in a more refined fashion than is permitted by moral panic theory. Hunt's research corresponds well to

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<sup>103</sup> Thompson, E.P., *Whigs and Hunters*, (Middlesex: Penguin, 1977), p.195.

<sup>104</sup> Hunt, *Governing Morals*; Jenkins, 'Failure to Launch'.

<sup>105</sup> Hunt, *Governing Morals*, pp.19-28.

<sup>106</sup> *Ibid.*

the remit of this thesis; it promotes concentration on the problematisation of certain types of behaviour throughout history and the relationship of this normative process to the governance of human behaviour.

#### **4.3) Explaining Social Problems: Episodes and Processes**

For Hunt, the process of problematisation and its connection to the governance of behaviour is encapsulated in the concept of moral regulation. As the previous section demonstrates, this discursively-oriented concentration on the process of problematisation is differentiated from moral panic theory in a number of ways. This section will explore the relationship of each theory to the timeframe of research in order to assess their applicability to this thesis.

A moral panic is an official reaction to a certain social phenomenon that is out of all proportion with the actual level of threat posed.<sup>107</sup> In Cohen's famous definition, a condition, person or group of people comes to be defined as a threat to societal values and interests with the result that the "moral barricades are manned by editors, bishops, politicians and other right thinking people".<sup>108</sup> This noisy reaction by establishment figures draws public attention to this issue and wider condemnation often ensues. The end result of this panic, according to Cohen, is that "ways of coping are evolved or (more often) resorted to" and consequently "the condition disappears, submerges or deteriorates and becomes more visible".<sup>109</sup> An important criticism arising from this definition of moral panics is that it infers that episodes of moral panic are exceptional rather than routine<sup>110</sup> - as Cohen puts it, societies are only subject to moral panics "every now and then".<sup>111</sup> This presupposition, that there

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<sup>107</sup> Jenkins, 'Failure to Launch'.

<sup>108</sup> Cohen, *Folk Devils and Moral Panics*, p.9.

<sup>109</sup> Ibid.

<sup>110</sup> Critcher, 'Widening the Focus', p.23.

<sup>111</sup> Cohen, *Folk Devils and Moral Panics*, p.9.

is some kind of natural social equilibrium that is occasionally imbalanced by 'immoral' behaviour, has been the source of much debate. For example Rowbotham and Stevenson claim that Victorian and contemporary episodes of moral panic frequently overlap and, in media representations and popular understandings, are often muddled together. Hence, they seek a "less-disjointed approach" to the issues, preferring the term "social panic" which reflects the current endemic state of alarmist public discourse.<sup>112</sup> The idea that moral politics and the broader issues which surround them are encompassed solely within temporary episodes of panic is questionable.

The vision of moral panics as exceptional episodes has the effect of severing them from broader historical processes; they become independent, unitary events which occur "every now and then" before disappearing, leaving little meaningful imprint on society. Borsay's research is useful here as he employs the notion of a moral panic to draw links between intense debates about alcohol in the first half of the eighteenth and in the present day.<sup>113</sup> But Borsay is not seeking to connect these events in any causal or formative way; the exercise is only about providing some historical context to the present day. Although he does not use moral panic theory in the article, the same point might be made about Nicholls' recent article 'Wine, Supermarkets and British Alcohol Policy' in which Gladstone's liberalising policies on wine from the 1860s are used as a comparison to illuminate contemporary debates about off-licence sales.<sup>114</sup> Searching for historic parallels is interesting and valuable but, in a sense, reproduces an idea that episodes of alarm or panic bear little if any

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<sup>112</sup> Rowbotham, Judith, and Stevenson, Kim, *Behaving Badly*, (Aldershot: Ashgate, 2003), p.8.

<sup>113</sup> Borsay, 'Historic Parallels?'

<sup>114</sup> Nicholls, James, 'Wine, Supermarkets and British Alcohol Policy', (2011), *History and Policy*, <http://www.historyandpolicy.org/papers/policy-paper-110.html> (accessed 11 July 2011).

relation to each other. In a formative sense therefore, moral panic theory is an almost ahistorical conceptual rubric in which each moral panic is ontologically distinct from other moral panics. In regards to attitudes to alcohol, this position is at odds with the arguments of Harrison and Shiman about the impact of the Victorian temperance movement on how drunkenness is viewed. Furthermore if, as Rowbotham and Stevenson claim, moral panics are endemic and overlapping, it is quite feasible that they are ontologically related to one another.

Recognising that episodes of alarm are not unitary events opens the door for a more processual understanding of social problems of the sort enshrined in moral regulation theory. The concept of moral regulation originates with Durkheim, to whom it constituted a set of shared values, social roles and moral boundaries which provide social cohesion, thus protecting against the normlessness of anomie.<sup>115</sup> In the 1980s, Corrigan and Sayer borrowed Durkheim's concept but put it to work in a distinctly Marxist arena by emphasising that shared values in capitalist society inevitably embody bourgeois beliefs and interests. They defined moral regulation as "a project of normalizing, rendering natural, taken for granted, in a word 'obvious', what are in fact ontological and epistemological premises of a particular and historical form of social order".<sup>116</sup> Moral regulation was therefore transformed from a means to enhance social integration into a tool for consolidating or reproducing the status quo. Corrigan and Sayer examined the development of the British state which, it was proposed, resulted from a bourgeois cultural revolution over several centuries. Summarising their theory, Ruonavaara postulates that for different forms of the state

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<sup>115</sup> Durkheim, Emile, *Suicide*, (London: Routledge, 1970).

<sup>116</sup> Corrigan, Phillip, and Sayer, Derek, *The Great Arch: English State Formation as Cultural Revolution*, (London: Basil Blackwell, 1985), p.4.

to exist, they must be animated and legitimised by a particular moral ethos.<sup>117</sup> Moral regulation thus creates a social environment amenable to the development of certain societal orders by justifying particular legal regulations and legitimising forms of political, economic and social domination. For Corrigan and Sayer, attitudes, values and beliefs cannot be approached in an episodic way but must be connected to a longer-term project of generating or reproducing certain forms of social order.

Various theorists have expanded on Corrigan and Sayer, notably Dean, who argued that moral regulation is also carried out by non-state actors such as religions and the media,<sup>118</sup> and Hunt, who focused on the moral discourse of campaigning social movements. For Hunt, empirical enquiry should focus on the discursive formations through which a social problem is identified, agitators are recruited and support is mobilised, rather than simply concentrating on the structural factors which unsettle the population. His research on sexual purity movements of the eighteenth and nineteenth centuries highlights this process of problematisation by examining the target, discourse, agency and tactics of these social movements in addition to their political context.<sup>119</sup> As well as incorporating the study of social movements into moral regulation, Hunt also employs a more Foucauldian concentration on the construction of knowledge and the ethical subjectivity of individuals.<sup>120</sup> Self-government, how people see themselves and what, if anything, they decide to do about it, becomes an aspect of moral regulation alongside the legitimisation of certain forms of social order. Moral regulation has become a more diffuse and varied concept than in Corrigan and Sayer's work; it embodies a plethora of social actors,

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<sup>117</sup> Ruonavaara, 'Moral Regulation'.

<sup>118</sup> Ibid.

<sup>119</sup> Hunt, *Governing Morals*, pp.19-28.

<sup>120</sup> See: Hunt, *Governing Morals*; Ruonavaara, 'Moral Regulation'.

including social movements, as well as a concern for self-formation. Large swathes of social action relating to ongoing efforts to compel people to behave differently are encapsulated by moral regulation.

Moral regulation research thus necessitates a processual, developmental orientation which, following Hunt particularly, is concerned with processes of problematisation. On the one hand, this focus sits well with this project as it matches the long history of anxiety about drink in Britain. On the other hand, concern about alcohol has not been constant throughout time; there were and are clear high points in concern. For example, in the early 1870s parliamentary consideration of licensing reforms coincided with a frenzy of temperance activity as well as mobilisation of the drinks industry. Equally, drink debates during World War One were perhaps the zenith of the social movement as temperance activists' long-held fear that intemperance would cause national decline became wildly acute in the context of total war. Moreover, in both these episodes lasting legal reforms emerged from the discursive fever-pitch. The Licensing Act 1921 made permanent certain long-lasting wartime restrictions such as morning and afternoon closure and the Licensing Act 1872 established licensing requirements and drunkenness offences which continue to shape the legal governance of alcohol. Both of these examples will be examined in more depth in Chapters Four and Five, but the noteworthy point here is that the existence and impact of high points of concern within longer-term processes of moral regulation are discernible.

Heated moral debates may not be exceptional (as Cohen claimed), but it does seem feasible that singular episodes of panic are discursive peaks or formative events within longer processes of problematisation and regulation. Reflecting this reasoning, a shift towards a synthesis of moral panic and moral regulation theory is

evident in recent literature. Hier recognises the historical changeability of moral discourses and refers to “the volatility of moralization”.<sup>121</sup> He uses this concept of volatility as a substitute for moral panics, a way to denote “sensational, inflammatory, and spectacular discourses that articulate moral transgressions on the part of diverse individuals and/or social groups”.<sup>122</sup> Critcher, meanwhile, retains the moral panic concept, arguing that such events are significant and require their own conceptual identity. He does, however, argue that moral panics are an extreme and temporary form of moral regulation, high points within an established current of moral concern. Moral panics are thus a constituent part of longer-term processes of moral regulation.<sup>123</sup> Given the long-term yet uneven chronology of the drink problem, Critcher’s conceptual synthesis of concentration on episodes and processes provide a useful model with which research into attitudes to alcohol can be furthered.

McLaughlin’s 1989 PhD thesis on the Scottish drink problem embodies some of this discursive and historical approach<sup>124</sup> and, to some extent, Critcher has researched this area himself. But Critcher’s alcohol research compares contemporary and eighteenth century drink problems and so leaves the formative impact of nineteenth century developments untouched.<sup>125</sup> Kneale covers this timeframe and looks at the moralisation of alcohol use through the development of public space as an area of sober citizenship<sup>126</sup> and the emergence of the public

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<sup>121</sup> Hier, Sean P., ‘Thinking Beyond Moral Panic: Risk, Responsibility, and the Politics of Moralization’, (2008) *Theoretical Criminology* Vol.12 (2), pp.173-190.

<sup>122</sup> *Ibid.*, p.174.

<sup>123</sup> Critcher, ‘Widening The Focus’, (2009).

<sup>124</sup> McLaughlin, *Responding to Drunkenness in Scottish Society*.

<sup>125</sup> Critcher, Chas, ‘Drunken Antics: The Gin Craze, Binge Drinking and the Political Economy of Moral Regulation’, in *Moral Panic and the Politics of Anxiety*, edited by Hier, Sean (Oxon: Routledge, 2011), pp.171-189.

<sup>126</sup> Kneale, James, ‘The Place of Drink: Temperance and the Public 1856-1914’, (2001) *Social and Cultural Geography* Vol.2 (1), pp.43-49.



house as a space in which social discipline is applied.<sup>127</sup> Kneale's work demonstrates the value of relating moral politics to types of regulation, although his geographical concern for space and purely historical timeframe means there is only partial overlap with the project here considered. Dorn's *Alcohol, Youth and the State* aims to place concerns about youth drinking in historical perspective and does, to some extent, consider disciplinary politics.<sup>128</sup> But Dorn's concentration on youth and the fact that his study was published in 1983 means that the influence of the moral politics of the temperance movement over contemporary understandings and regulation of alcohol is not addressed. Valverde's work also exhibits a sustained interest in relating alcohol consumption to broader projects of governance, although her excellent portfolio of research focuses largely on alcoholism, or habitual or compulsive drinking, rather than attitudes towards more normalised forms of consumption.<sup>129</sup> There is, therefore, a lack of formative, discursive studies which examine the historical development of the drink problem in England and Wales and the particular influence of the Victorian temperance movement over that development.<sup>130</sup>

## 5) Law and Morality

This chapter has explained how a discursive, historical approach to researching attitudes to alcohol which draws on moral regulation theory and

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<sup>127</sup> Kneale, James, 'A Problem of Supervision: Moral Geographies of the Nineteenth Century British Public House', (1999) *Journal of Historical Geography* Vol.25 (3), pp.333-348.

<sup>128</sup> Dorn, Nicholas, *Alcohol, Youth and the State*, (London: Croon Helm, 1983).

<sup>129</sup> Valverde, Mariana, *Diseases of the Will: Alcohol and the Dilemmas of Freedom*, (Cambridge: Cambridge University Press, 1998); Valverde, Mariana, 'Slavery from Within: the Invention of Alcoholism and the Question of Free Will', (1997) *Social History* Vol. 22 (3), pp.251-268.

<sup>130</sup> Moral panic and moral regulation theories are further discussed and more explicitly related to the conclusions of this thesis in the following book chapter: Yeomans, Henry, 'Moral Panics or Moral Regulation? Theorising Alcohol in Public Discourse'. This chapter has been accepted for publication in a book provisionally titled *Moral Panics in the Contemporary World*, edited by Jason Hughes.

embodies some of the episodic focus of moral panic theory would improve knowledge of the drink problem in England and Wales. However, the fusion of law and morality contained within moral regulation theory requires exploration.

In the nineteenth century, the involvement of moral concerns in even ecclesiastical courts became somewhat controversial. The Matrimonial Causes Act 1857 made divorce proceedings the jurisdiction of civil rather than ecclesiastical courts and, in a similar attempt to secularise other affairs of government, J.S. Mill used the harm principle to delineate legitimate areas in which the state may intervene in individuals' lives. The principle states that "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others".<sup>131</sup> Attacking "the spirit of puritanism",<sup>132</sup> Mill specifically criticised the temperance movement for attempting to impose religious and moral principles upon individuals who do not share these principles. Similarly, utilitarians Bentham and Austin argued that law and morality should be construed entirely separately, so that "law as it is" is distinct from "law as it ought to be".<sup>133</sup> This separation of the factual and normative aspects of law, as well as use of Mill's harm principle to delimit state activity, was defended in the twentieth century by H.L.A. Hart. Hart refuted that there were always moral choices involved in the application of and obedience to the law although, nevertheless, he did accept that the creation of statutory law may entail the moral values of the legislature becoming law. He also recognised that there was a "penumbra of uncertainty"<sup>134</sup> surrounding much legislation which means, in certain legal cases, neither the letter of the law nor

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<sup>131</sup> Mill, John Stuart, *On Liberty*, (London: Penguin, 1985), p.68.

<sup>132</sup> *Ibid.*, p.72.

<sup>133</sup> Simmonds, N.E., *Central Issues on Jurisprudence*, (London: Sweet and Maxwell, 1986), p.77.

<sup>134</sup> Hart, H.L.A., *Essays in Jurisprudence and Philosophy*, (Oxford: Oxford University Press, 1983), p.64.

judicial precedent will be able to decide the outcome of a trial. Judges may be required, therefore, to make moral judgments about the principle or spirit of the law.<sup>135</sup> In twentieth century jurisprudence, even Hart's legal positivism gives a reasonable platform for morality to impact upon the formulation and application of the law.

Many theorists go further than Hart. Dworkin emphasises the existence and influence of legal principles that guide judicial decisions.<sup>136</sup> Fuller advances this thread further by arguing that the law is a manifestation of social power and proposing that there is an inherent purpose of legal systems which amounts to an inner morality of law.<sup>137</sup> In 1965, Patrick Devlin's *The Enforcement of Morals* propounded the view that the existence of society is predicated by certain moral commonalities. Devlin, whose ideas will be discussed in Chapters Six and Seven, took these moral commonalities seriously and concluded that it is legitimate for the law to enforce certain standards of morality.<sup>138</sup> As well as highlighting the moral functions of the law, some contemporary scholars have also questioned the neutrality of the classical liberal position. Harcourt argued that J.S. Mill's harm principle, central to Hart's theories also, is not value-neutral but coloured by Mill's liberal-infused concern for human self-development. Mill's own partiality is highlighted in Harcourt's description of how recent restrictions on drugs, prostitution and (American) drink shops have been justified by conservatives in reference to harm.<sup>139</sup> Even laws legitimised by the harm principle can be morally charged; legal

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<sup>135</sup> Ibid., pp.64-70.

<sup>136</sup> Simmonds, *Central Issues*, pp.97-100.

<sup>137</sup> Fuller, Lon. L., 'The Morality of Law', in *Essays in Jurisprudence* edited by H.L.A. Hart (Oxford: Oxford University Press, 1983), pp. 343-364.

<sup>138</sup> Harcourt, Bernard E., 'The Collapse of the Harm Principle', (1999) *Journal of Criminal Law and Criminology* Vol.90 (1), pp.109-194.

<sup>139</sup> Ibid.

systems do not, therefore, exist in a social vacuum but are shaped by the beliefs and values of the actors who formulate and enforce them.

The diffuse ubiquity of moral concerns within law raises an important question: what is morality? It is common to see morality as defined by organised religion and so alcohol is a moral issue due to the fact that many people, both past and present, see it as an evil substance and its consumption as immoral. This definition is controversial and has been challenged, amongst others, by Durkheim:

Everything which is a source of solidarity is moral, everything which forces man to take account of other men is moral, everything which forces him to take account of his conduct through something other than the striving of his ego is moral, and morality is as solid as these ties are numerous and strong.<sup>140</sup>

This distancing of morality from absolutist concerns for good and evil is echoed by Hunt, who argues that any division of behaviour into acceptable and unacceptable forms has the effect of moralising particular activities. The labelling of certain types of conduct as immoral does not necessarily come from religious notions of good or evil (although this may be the case), it simply entails a normative judgment that a certain action is not consistent with how people *should* behave.<sup>141</sup> Wiener draws on Humphries to relate this point to the law, stating that “law is not simply a corpus of practical rules, but a part of the ongoing ‘discourse about good and bad states of society’”.<sup>142</sup> The law is preoccupied with the designation of acceptable and unacceptable forms of conduct and, following these arguments, this overriding normative composition means that the law is inherently moral.

That said, it must be highlighted that legal regulation and moral regulation are not coterminous. The state possesses a monopoly on the legitimate use of coercion

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<sup>140</sup> Donajgrodzki, A.P., ‘Introduction’, in *Social Control in Nineteenth Century Britain* edited by Donajgrodzki, A.P (London: Croon Helm, 1977), pp.11-12.

<sup>141</sup> Hunt, *Governing Morals*, pp.7-8.

<sup>142</sup> Wiener, *Reconstructing the Criminal*, pp.3-4.

and so it is possible that certain ethical behavioural changes could be forced upon people. But Emsley argues that the police, at least, prefer to “act by consent” rather than by coercion.<sup>143</sup> To elaborate, the police, amongst others things, are tasked with enforcing laws on drink-driving by detecting offences and sending offenders to the courts for punishment. The state, however, does not rely on detection and punishment of infraction, or the deterrent function which publicising detection and punishment may exercise, as sufficient guarantors of lawfulness. Rather, regular government-sponsored anti-drink-driving campaigns aim to further promote compliance with the law by persuading people that drink-driving is dangerous and unacceptable. Samuel Taylor Coleridge emphasised the importance of government being seen to be legitimate and not just coercive; “Hobbes has said that laws without the sword are but bits of parchment... but without the laws the sword is but a piece of iron”.<sup>144</sup> As described earlier, Corrigan and Sayer specify that moral regulation performs the function of “rendering natural” or legitimate particular interventions in people’s lives and thus producing consent to particular forms of governance. Moral regulation ensures that drink-driving restrictions and other legal regulations are widely accepted and so, as is generally the case in modern Western countries, the Hobbesian sword of governmental coercion can remain largely sheathed.

In Foucauldian terms, moral regulation contributes to the “government of others” by legitimising certain forms of legal regulation. But, for Hunt and Ruonavaara particularly, moral regulation also enables the government of others by promoting desirable forms of self-government. Elias found that, historically, particular social groups have compelled others to voluntarily observe certain types of etiquette

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<sup>143</sup> Emsley, Clive, *The English Police*, (London: Longman, 1991), p.5.

<sup>144</sup> Corrigan and Sayer, *The Great Arch*, p.14.

and this “social constraint towards self-constraint”<sup>145</sup> is mirrored in governance more broadly. Ruonavaara discusses how moral regulation includes efforts to compel people to voluntarily adopt approved behavioural codes through the creation of ethical subjectivities which alter the manner in which people view themselves. For Ruonavaara, moral regulation is primarily about “how people see themselves and their ways of life. Its method is persuasion rather than coercion”.<sup>146</sup> It is, therefore, a “special kind of social control”,<sup>147</sup> a social relation that seeks to alter behaviour largely through non-coercive and thus extra-legal means. The law is a form of moral regulation, but it is not the sum total of moral regulation; moral regulation is a broader category of social actions which condemn certain types of behaviour and compel people to behave differently. Whether generating a moral ethos acceptable of certain state interventions or urging behavioural self-reform, the type of governance characterised as moral regulation frequently extends beyond the coercive parameters of simple legal regulation.

Moral regulation theory therefore provides an appropriate basis from which the temperance movement can be explored. As already described, it is long term, covers state and non-state actors, and crucially focuses on the cultural or ideological effects of social movements, which are mainly advanced by persuasive tactics. Moreover, it recognises the strong moral components of legal regulation while simultaneously enabling a broader discursive focus on extra-legal forms of regulation. It should be noted that the continued occurrence of both drinking and drunkenness places a significant limit on the ultimate success of either strand of temperance. This is an important prerequisite for the discussion as the promotion of total sobriety was

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<sup>145</sup> Elias, *The Civilizing Process*, p.443.

<sup>146</sup> Ruonavaara, ‘Moral Regulation’, p.290.

<sup>147</sup> Ibid.

the ultimate aim of the temperance movement and, in this respect, its effects and moral regulatory potency are significantly compromised. The focus of this thesis is not, however, on behaviour itself but attempts to govern behaviour; it is concerned with the heuristic and governmental impacts which the temperance movement may have engendered. As Rose and Miller stress, "Whilst we inhabit a world of programmes, that world is not itself programmed. We do not live in a governed world so much as a world traversed by the 'will to govern'".<sup>148</sup> The issue at stake here is where the will to govern drinking and related programmes of regulation originated, and how they have developed over time.

## **6) Summary**

Academic literature from a variety of subject areas, unified by a relevance to attitudes to alcohol in England and Wales, has been reviewed. Some of this literature is bounded by a historical focus on a specific time period, concentration on particular social actors such as temperance societies or Parliament, or investigation of countries external to the remit here considered. Very few academic studies explicitly examine attitudes to alcohol in England and Wales as an object of enquiry in their own right and, when this project is attempted, research tends to lapse into a rational, objectivist view of historical development in which public attitudes and legal regulation are explained as straightforward, unmediated responses to objective social problems. Historical and comparative research has exposed some of the frailties of this approach; attributing attitudes purely to behaviour explains little about the acute alarm which continues to infuse public discourse on alcohol. It follows that any attempt at a new explanation for the strict manner in which alcohol is regarded in

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<sup>148</sup> Rose, Nikolas, and Miller, Peter, 'Political Power Beyond the State: Problematics of Government', (1992) *British Journal of Sociology* Vol. 43 (2), pp.190-191.

this country, which caused Orwell such irritation, should avoid this erroneous objectivist approach and fully examine the significance of attitudes, beliefs and values in constructing drinking as a social problem. Moral regulation theory has been found to be particularly relevant to such a project due to its discursive, developmental orientation, although the episodic focus of moral panic theory is also pertinent.

This thesis will focus on both the development of public attitudes and legal frameworks which apply to alcohol. Drawing on the conclusions of historians Harrison and Shiman, the hitherto unexplored impact of the British temperance movement over how we continue to think about and regulate alcohol will be a particular preoccupation. As specified in the Introduction, the key questions under consideration thus relate to the influence of the British temperance movement over the beliefs, values and legal frameworks surrounding alcohol in the nineteenth century as well as the extent of both change and continuity in public attitudes towards drinking and the regulation of alcohol since that period. Answering these questions will rebalance the overly-rational, objectivist slant of much research in this field and foster a better understanding of the moral foundations of discourse and regulation relating to alcohol.



## Chapter Two

### Developing a Methodology for Historical Discourse Analysis

#### 1) Introduction

Chapter One identified the need for a discursive, historical study examining the development of both public attitudes and legal regulation relating to alcohol in England and Wales. Albeit tempered through synthesis with the episodic focus of moral panic theory, the basic premises of moral regulation theory, as espoused particularly by Hunt and Ruonavaara, have been accepted. This thesis will investigate both legal and moral efforts to compel people to change their drinking habits with a specific focus on how, if at all, these efforts were influenced by the Victorian temperance movement. It is the purpose of this chapter to describe and explain how this project will be advanced methodologically. Before the methodology can be specifically detailed, it is necessary to discuss one crucial theoretical issue which is pertinent to the practical undertaking of any historical research.

#### 2) Human Agency and Social Structure

Historical analysis is underwritten by a fundamental tension between human agency and social structure. On the one hand, society is a mass of individuals each possessing corporal and cognitive independence from each other and, on the other, individual thoughts and deeds are structured by collective or supra-individual routines and patterns of behaviour. Abrams usefully elaborates:

The two-sidedness of society, the fact that social action is both something we choose to do and something we have to do, is bound up with the further fact whatever reality society has is an historical reality, a reality in time. When we refer to the two-sidedness of society we are referring to the ways in which, in time, actions become institutions and institutions are in turn changed by action.<sup>149</sup>

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<sup>149</sup> Tosh, John, and Lang, Sean, *The Pursuit of History*, (Harlow: Pearson, 2006), p.223.

This tension is discernible within the literature examined in the last chapter; Cohen's classic moral panic theory emphasises agency through the role of "editors, bishops, politicians and other right thinking people" who ensure that the "moral barricades' are manned"<sup>150</sup> whereas Foucault draws on the structuralist tradition in his view that human beings have no direct authorship over their own actions, as knowledge is socially constructed and individuals are socially constituted.<sup>151</sup> Clearly any attempt to get to grips with history must first consider whether the analytical focus should be on individual and group agencies or more impersonal social structures.

But, as Abrams alluded to, the two sides of society need not be seen as dichotomous and can be viewed as formatively entwined. The mutual importance of both agency and structure was recognised by Marx in his famous statement that "men make their own history, but... they do not make it under circumstances chosen by themselves",<sup>152</sup> as well as by Thompson, a humanist Marxist, who stressed that an individual's experiences and socio-economic position can both shape their identity and beliefs.<sup>153</sup> Historical sociologist Elias makes a notable contribution to this debate with his development of a figurational sociology based around a study of historical processes, human emotions and individual interdependencies:

...plans and actions, the emotional and rational impulses of individual people, constantly interweave in a friendly and hostile way. This basic tissue resulting from many single plans and actions of men can give rise to changes and patterns that no individual person has planned or created. From this interdependence of people arises a social order *sui generis*, an order more

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<sup>150</sup> Cohen, *Folk Devils and Moral Panics*, p.9.

<sup>151</sup> Ruonavaara, 'Moral Regulation', p.282. It should be stressed that, although sharing a rejection of human agency with structuralism, Foucault is a post-structuralist. Structuralists, such as Althusser, downplayed the extent to which individuals controlled their own destiny and highlighted the omnipotence of external social structures. By contrast, post-structuralists argue that an individual's knowledge or understanding of the social forces which govern their destiny are also socially constructed.

<sup>152</sup> Marx, Karl, *The Eighteenth Brumaire of Louis Bonaparte*, (Moscow: Progress, 1934), p.10.

<sup>153</sup> Thompson, E.P., *The Poverty of Theory*, (London: Merlin, 1978), pp.200-201.

compelling and stronger than the will and reason of the individual people composing it.<sup>154</sup>

Elias affords the individual an important place in society as both a rational, emotional being and part of a larger configuration of individuals. But society itself is defined as something more than just the sum of individuals who constitute it demographically; it has an existence of its own which individuals did not necessarily plan and cannot simply control. Elias rejects a concentration on either the atomised, free-thinking individual or monolithic, faceless social structures, alternatively promoting the non-dichotomous study of social relations.

The breakdown of this agency/structure dualism is evident in moral regulation theory. The long-term, processual focus of moral regulation research acknowledges that social phenomenon cannot be explained solely through biographical-type studies of the lives of those involved. Despite their concern for the structural processes through which the bourgeoisie became the dominant social group in England, Corrigan and Sayer also assert that agency must be taken seriously in order to address the consciousness of the subordinated.<sup>155</sup> Additionally, it is clear that Hunt's focus on social movements as instruments of moral regulation is derived, in part, from figurational sociology's insistence on the study of interdependent social relations. His *Governing Morals* investigates the tactics and discourses of campaign groups and their effect on broader institutions such as the law.<sup>156</sup> However, Hunt follows Foucault in regarding individual agency as an invalid object of enquiry and cites the methodological difficulties of retrospectively uncovering the personal

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<sup>154</sup> Elias, *Civilizing Process*, p.444.

<sup>155</sup> Corrigan and Sayer, *The Great Arch*, p.9.

<sup>156</sup> Hunt, *Governing Morals*.

intentions of historical actors as justification.<sup>157</sup> While investigating historical intentions and beliefs is not easy, Weber's *Protestant Ethic* amply demonstrates a capacity to examine the manner in which individuals, such as Benjamin Franklin, as well as groups looked at the world.<sup>158</sup> Ruonavaara draws on Weber to recast moral regulation theory as persuasively advancing the cause of individual, voluntary reform. This shift of focus allows moral regulation to be distanced slightly from structuralist preoccupations and connected to the conscious conducting of one's life<sup>159</sup> and efforts to influence how others consciously conduct their own lives.

Moral regulation thus synthesises a concentration on agency and structure; it is an action theory which examines how people see the world, how they seek to influence it through changing their own behaviour, as well as how they try to alter the behaviour of others.<sup>160</sup> The discursive methodology of moral regulation theory makes some of this synthesis inherent because, as Purvis and Hunt explain, discourse analysis focuses on the terms of engagement within social relations and the semiotic and linguistic vehicles which make sense of social relations.<sup>161</sup> The interplay of various social groups and, following Ruonavaara, individuals will therefore be investigated through a study of public discourse. Moreover, a specific concern for the nineteenth century temperance movement as an agency of behavioural reform will add a further figurational element to this research. With these theoretical issues

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<sup>157</sup> See: Hunt, 'Getting Marx and Foucault into Bed Together', (2004) *Journal of Law and Society* Vol.31 (4), p.605. Also, see: Burke, Peter, *History and Social Theory*, (Cambridge: Polity Press, 1992), pp.150-151.

<sup>158</sup> Weber, Max, *The Protestant Ethic and the Spirit of Capitalism*, (London: Unwin, 1965).

<sup>159</sup> This is encapsulated in Weber's term *lebensführung*.

<sup>160</sup> Ruonavaara, 'Moral Regulation', pp.285-286.

<sup>161</sup> Purvis, Trevor, and Hunt, Alan, 'Discourse, Ideology, Discourse, Ideology, Discourse, Ideology...', (1993) *British Journal of Sociology* Vol.44 (3), p.485.

clarified, this chapter will now turn to the specific methods which will be used to undertake this research.

### **3) Sources**

Chapter One identified the aims of this project as to examine how discourse on alcohol changed in the nineteenth century, before investigating the extent of both change and continuity within public attitudes and the regulation of alcohol since this period. Drawing on moral regulation theory, it has been decided that concentration will be focused on the regulation of behaviour and the qualitative symmetry between legal developments and public attitudes. Broadly speaking, the thesis will take the form of a historical discourse analysis but one that recognises a role for human agency in terms of the need to understand how people viewed the world. A variety of primary sources will be used to help achieve this brief.

#### **3.1) Press Sources**

The press is a crucial component of public discourse, It acts, firstly, as a record of events. Rowbotham and Stevenson have shown that Victorian newspapers were a generally reliable source of reportage of legal developments<sup>162</sup> but, even in the absence of reliability, these reports are still likely to provide useful evidence on how certain events were contemporaneously depicted. Secondly, the press functions as a forum for the expression of opinion. These opinions may belong to journalists, editors or the owners of the newspaper, but the views of prominent public figures are often discussed and, particularly through letters sections, the position of members of the public are also to some extent evidenced. Thirdly, it is clear that certain publications can take particular stances on issues; for example, in 2008 the *Daily*

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<sup>162</sup> Rowbotham and Stevenson, 'Causing a Sensation: Media and Legal Representations of Bad Behaviour', in *Behaving Badly*, edited by Rowbotham, Judith and Stevenson, Kim (Aldershot: Ashgate, 2003), pp.33-46.

*Mirror* launched a “Can It!” campaign which aimed to tackle anti-social behaviour by discouraging young people from binge drinking.<sup>163</sup> The press can thus be discursive agents themselves as well as a source of information and a forum for debate. Given their potential partiality, it will be essential to follow Bryman’s prescription that each newspaper article is scrutinised in terms of its origins, the accuracy of its content, whether its meaning is clear and comprehensible, and whether it is representative of its kind.<sup>164</sup> Providing these analytic tasks are performed, newspaper sources should supply vital evidence on how public attitudes have changed over time.

A further crucial requirement is that the target audiences of publications are considered when their content is being analysed. To elaborate, the manner in which the populist *Lloyd’s Weekly Newspaper* reported nineteenth events could well differ from the coverage of the same events by *The Times*, which had a generally educated, more affluent readership.<sup>165</sup> While reportage may vary between publications aimed at different readerships, this does not mean that newspaper sources can necessarily inform us about the attitudes, beliefs and values of the particular people or social groups who read them. Bingham, drawing on Stuart Hall, explains that while “newspaper articles, like any texts, usually contain a ‘preferred’ meaning, this meaning can be negotiated, resisted, or ignored by the reader”.<sup>166</sup> The media, therefore, neither completely reflects nor totally determines the attitudes of its audience. Notwithstanding scope for negotiation, resistance or ignorance, Bingham elaborates that newspapers do have some influence over the views of their readers

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<sup>163</sup> See: Payne, Will, ‘Mother of ASBO Twins Who Terrorised Estate Backs *Daily Mirror* Can It Campaign’, *Daily Mirror*, 15 February 2008.

<sup>164</sup> Bryman, Alan, *Social Research Methods*, (Oxford: Oxford University Press, 2004), p.381.

<sup>165</sup> See: British Library, ‘British Newspapers 1800-1860’, [http://find.galegroup.com/bncn/page.do?page=BNCN\\_researchguide.jsp](http://find.galegroup.com/bncn/page.do?page=BNCN_researchguide.jsp) (accessed 5 January 2012).

<sup>166</sup> Bingham, Adrian, *Family Newspapers? Sex, Private Life and the British Popular Press, 1918-1978*, (Oxford: Oxford University Press, 2009), p.10.

and “by circulating throughout the nation, they have an important role in the formation of what Benedict Anderson famously called ‘an imagined community’”.<sup>167</sup> The press constructs an arena in which certain political, economic or moral issues are communicated to an audience and so, Bingham argues, is central to the creation of the “public sphere”.<sup>168</sup> Rather than analysing certain historical newspapers in order to retrospectively poll the opinions of its readers, this project aims to understand how alcohol was represented and debated in public forums through time.

Section Five will discuss the type of press sources which will be used. Here it is necessary to specify that, through a qualitative study of the press, this thesis aims to capture the discursive landscape within which people lived their lives at various points in history.

### **3.2) Legal Sources**

The law is a system of social controls which enshrines models of acceptable and unacceptable behaviour. Given this normative basis, an examination of how attitudes and regulations surrounding alcohol have changed over time must necessarily consider legal sources. However, Thompson emphasises that the law is not a simple instrument of social control and that, often, it becomes a forum in which competing social groups and interests meet.<sup>169</sup> Legislation may encapsulate a broad swathe of social relations, from the goals of social movements and the protection of hallowed ideals such as free trade to the criminalisation of other, problematised social groups or forms of conduct. Thompson further emphasises that legal systems require legitimacy in order to function<sup>170</sup> and moral regulation theorists stress the

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<sup>167</sup> Ibid.

<sup>168</sup> Ibid., p.11.

<sup>169</sup> Thompson, E.P., *Whigs and Hunters*, (Middlesex: Penguin, 1977), pp.259-269.

<sup>170</sup> Ibid, pp.263-264.

importance of the discursive or persuasive forms of power.<sup>171</sup> Chapter One described how moral regulation reduces the need for the law to be coercively enforced by generating consent to particular forms of government and promoting acceptance of certain behavioural ideals. Specific Acts of Parliament will, therefore, contain normative stipulations that are animated by a particular moral ethos. It is the purpose of this analysis of statutory law to, in conjunction with the examination of press discourse, ascertain what precisely the moral ethos was at different points in time.

This thesis concentrates mainly on the study of statutory law due to the overriding concern with, as Rose and Miller (quoted in Chapter One) put it, the “will to govern”. The formulation and modification of legislation can illustrate a heightened perception that a certain national problem needs to be dealt with and so demonstrate the existence and the particular character of this “will to govern”. As the primary object of study is attitudes, whether laws are implemented and prove effective or not in reforming behaviour is not directly relevant. The actions of the police, courts and other agencies are focused on incidences of the problem behaviour and, as the previous chapter found, the simple existence of a social problem is not sufficient explanation for why that problem is singled out at certain points in time as a particularly virile threat to society. A thorough examination of attitudes is therefore needed to understand why the careers of social problems “ebb and flow”, to borrow Reinerman’s phraseology, in the manner they do. The use of mainly statutory legal sources is therefore justified theoretically as well as practically, given constraints on time. That said, the manner in which legislation is enforced can be revealing with

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<sup>171</sup> Hunt, ‘Getting Marx and Foucault into Bed Together!’, p.593; Ruonavaara, ‘Moral Regulation’.



regard to the attitudes of the public, the police, the courts and other groups. Furthermore, in English common law the courts can also function as law-makers and it is quite feasible that certain events, such as judicial decisions, will be reported in the press and thus form part of the discourse here studied. It is clear, therefore, that enforcement and case law cannot and should not be ignored. Hence, although statutory law receives more specific analytic attention (for practical reasons), enforcement and case law do form part of this research.

### ***3.3) Temperance Sources***

The temperance movement was identified in Chapter One as particularly significant to this inquiry. It is important to understand how temperance adherents viewed alcohol, why they sought to change society in the manner they did and in what ways they reasoned their goals could be best achieved. Temperance societies were voracious publishers who produced voluminous quantities of records, tracts and other publications, so there is no shortage of temperance sources. But as this thesis aims to map out general discursive landscapes throughout history rather than the particular details of internal temperance discussions, it will draw primarily on examples of temperance views which appeared in formats not oriented toward a largely temperance audience. To elaborate, temperance activists such as Samuel Pope and Dawson Burns (who will be discussed further in Chapters Three and Four) wrote numerous letters to national newspapers in an attempt to access a non-temperance audience and win converts to their cause. These evangelical writings, as well as press reports of public meetings and other activities, will be extensively and systematically utilised in order to facilitate an understanding of both temperance views and the the reactions of non-temperance persons.

The focus on general press sources may not always shed adequate light on the views of temperance activists. Temperance sources drawn from, amongst other resources, the British Library's (BL) Evasion Catalogue of Victorian Ephemera, the British Cartoons Archive, the Royal Mail Archive and the *Preston Guardian*, which was established by teetotal pioneer Joseph Livesey, will be used in certain instances to illuminate the historical analysis. Equally, it will be necessary at some points to draw on examples of health promotion campaigns, advertising and works of art which have been identified as relevant in either other primary sources or secondary literature in this subject area. This approach will ensure that the important views of temperance groups and other significant agencies are both presented and accurately contextualised within broader public debates about alcohol.

### **3.4) Caveat on Sources**

It is worth making a few comments on some historical sources which will not be extensively used, such as the *Hansard* reports on proceedings in the House of Commons and the House of Lords. Much of the information contained within *Hansard*, such as the proceedings of debates on various licensing reforms, would be relevant to this enquiry, although much of it has already been studied in depth by Greenaway, Harrison and others.<sup>172</sup> Moreover, parliamentary discourse is separate to public discourse and, when the two overlap, newspapers tend to report political developments closely. This was certainly the case in the nineteenth century when many newspapers printed detailed, often verbatim reports of parliamentary debates on licensing and, in the present day, the controversy surrounding the Licensing Act 2003 led to extensive media coverage of political issues. It is this press coverage, these public representations and understandings of attempts to govern behaviour,

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<sup>172</sup> See: Greenaway, *Drink and British Politics*; Harrison, *Drink and the Victorians*.

which are of primary concern to this thesis. This thesis does not, therefore, engage in a systematic study of parliamentary debates or, for that matter, examine autobiographical materials such as the personal diaries or memoirs of notable historical figures. Undoubtedly such sources may contain interesting opinions, but the extent to which the author voiced or acted upon these opinions in public may well remain unclear. A mixture of existing literature and the primary focus on public attitudes has thus narrowed the number of potential source materials required for this research project. Concentrating on the press, legal materials and temperance sources will provide an abundance of relevant evidence for analysis.

#### **4) Timeframe**

##### ***4.1) Longitudinal Design***

The central questions which occupy this thesis necessitate the examination of contemporary and historical discourse on alcohol, with a particular concern for nineteenth century developments. The need to understand the long-term development of attitudes to alcohol excludes the possibility of a straightforward comparison and the Victorian and contemporary periods. Such a project would afford ample opportunity to draw parallels between the two periods but neglecting the intervening years would mean that the comparisons would probably be based on separate conclusions about two particular periods. The capacity to reliably make direct developmental connections between attitudes and regulation past and present needs to be prioritised in order to ensure change and continuity can be consistently addressed.<sup>173</sup> Additionally, a study of historical change needs to consider the before as well as the after. It is therefore necessary to research debates on alcohol from the eighteenth century onwards. But herein lies a significant obstacle: how can change

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<sup>173</sup> See: Burke, *History and Social Theory*.

and continuity over approximately three hundred years be studied in sufficient depth to provide reliable conclusions?

One possible solution to this problem might be to concentrate extensively on legal sources and only one or two press sources which span the whole timeframe. *The Times* archive, for example, is searchable from 1785 onwards and so would provide a significant amount of information of how views of drinking have changed. However, the material studied would be very narrow and, as Bingham stresses in his study of how long-term change in the representation of sex and private lives in the media, “it is more useful to compare and contrast the approaches of a range of popular newspapers than to provide a more comprehensive coverage of just one or two publications”.<sup>174</sup> Another solution to this problem would be to produce a series of separate analyses of public discourse on alcohol at various points within the chronological period studied. In social science, this type of approach is called longitudinal and notable examples include the British Crime Survey and the General Household Survey. These surveys are sometimes annual but a continual concentration on the sample of sources is not necessary, meaning that, as in the example of the National Child Development Study, data collection can occur at intervals of several years.<sup>175</sup> The individual surveys provide useful cross-sectional data on selected variables in specific years but, more importantly, the recurrent nature of longitudinal research facilitates comparison of the same variable in previous and future versions of the same survey. Longitudinal research would allow for a variety of sources to be studied at certain intervals of time, thus enabling a detailed, developmental study of change and continuity over time.

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<sup>174</sup> Bingham, *Family Newspapers*, p.7.

<sup>175</sup> See: Bryman, *Social Research Methods*, pp.41-53.

This research design is consistent with the theoretical approach followed by this thesis. Critcher's synthesis of moral panic and moral regulation theory (discussed in Chapter One) positions short-term episodes of heightened anxiety within long-term processes of moralisation. The study of these discursive high points, irregularly spaced within currents of moral regulation, would permit a longitudinal examination of change and continuity. Moreover, these episodes of intense alarm should provide revealing data; Ben-Yehuda describes how moral panics vividly demonstrate certain attitudes and values by helping to "draw the moral boundaries between different symbolic-moral universes".<sup>176</sup> The mobilisation of moral rhetoric, indicative of a moral panic, may also bring some clarity to the issue of agency. Those "manning the moral barricades" will be more active during these episodes and so it is quite feasible that they will be more clearly discernible. Who is drawing the normative line between acceptability and unacceptability, as well as how that line is discursively drawn, can therefore be studied through this longitudinal approach. These discursive, chronological cross-sections can then be compared to each other and assessments made about the extent of historical change and continuity.

A longitudinal research design in which the timeframe is separated into more manageable chronological chunks provides a viable, practical means through which evidence on discourse on alcohol can be collected and studied in a developmental, historical fashion. There is a danger in this methodology that the cross-sections of discourse become isolated from one other and so the project is reduced to being simply a documentation of change and continuity rather than an explanation. However, this danger is mitigated by a study of legal sources which is not bounded by chronological limits and spans the whole period from the eighteenth century

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<sup>176</sup> Ben-Yehuda, '36 Years On', p.3.

onwards. Extensive consideration of secondary literature also reduces the potential for a disjointed historical account and further efforts to address this issue (through particular keyword searches) will be described shortly. But the more immediate question arising from the decision to concentrate the collection of newspaper sources within specific historical episodes is which chronological periods should be focused on?

#### ***4.2) Finding the Episodes within the Processes***

Law and morality are central to the concerns of this thesis. Following moral regulation theory, particular preoccupations relate to the manner in which the law compels people to behave, the normative judgments inherent in legal developments, and the moral ethos which animates changes in the governance of alcohol. It is therefore reasonable to concentrate analysis on several historical periods in which major legal developments occurred. Usefully, the major developments tended to coincide with periods of heightened discursive anxiety, which usually functioned as a reaction to, a justification of, or a factor contributing towards new legal regulations. Focusing on periods of significant legal change will therefore enable analysis of the attitudes, beliefs and values which construct understandings of alcohol. This section will briefly explore the legal history of alcohol in order to delineate chronological periods for intensive study (although legal issues will be examined in more depth later in the thesis).

Given that this thesis coalesces around a study of the temperance movement's legal and attitudinal impacts, it is necessary to consider the period prior to the emergence of organised temperance in the late 1820s. This project will therefore begin by examining the eighteenth century partly in order to foster an appreciation of what legally and attitudinally preceded this era. But additionally, and

as noted in Chapter One, the prevalence of public concerns about drinking, especially gin-drinking, in the first half of the eighteenth century makes the period of special relevance to this project. Warner describes how the 'gin craze' was an early version of the modern "drug scare"<sup>177</sup> and Borsay claims it was "perhaps the first drink-related 'moral panic'".<sup>178</sup> Some licensing laws already existed but, mirroring public disquiet, a succession of Gin Acts, notably in 1729, 1736 and 1751, attempted further restrictions on the trade in spirituous liquors through the imposition of licence requirements, licence fees and duty. Due to both intense levels of public anxiety and increasing legal regulation of alcoholic spirits, the eighteenth century clearly merits attention.

The 'gin craze' will not, however, receive extensive empirical attention in this thesis. This is partly due to the wealth of academic literature on the subject already in existence, including articles by both Borsay and Critcher which explicitly compare the controversy over gin-drinking in the eighteenth century with contemporary concerns about binge drinking.<sup>179</sup> But the reduced focus on the Georgian period is also connected to the particular preoccupation with the Victorian temperance movement. This concentration dictates that it is not necessary to study the 'gin craze' and other contemporaneous events for their own sake; it is, however, essential to understand the similarities and differences between public discourse on alcohol before and after the emergence of the temperance movement in order to make some assessments of impact. The period from 1700-1820 will be studied primarily for its relevance to what came later and, hence, requires slightly less empirical depth. A characterisation of attitudes and laws relating to alcohol in the eighteenth and early

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<sup>177</sup> Warner, *Craze*, p.7.

<sup>178</sup> Borsay, 'Historic Parallels'.

<sup>179</sup> Ibid. And: Critcher, 'Drunken Antics'.

nineteenth century will be provided to supplement a much more detailed study of the same phenomena in the 1820s and 1830s. Additionally, this period is fundamentally important legally and so this detailed analysis will also examine the Beer Act 1830. By scrapping the requirement for those selling beer, ale or cider to obtain a licence, this statute became the basis of the legal governance of alcohol for the next four decades and the focus of much public unease about drinking. The 1830s is therefore doubly significant to this project.

Examining the period immediately surrounding certain legal reforms in depth will allow this thesis to consider the qualitative symmetry between law and public attitudes. As well as exploring the relationship of the Beer Act 1830 to the early temperance movement, it is also necessary to consider the connection of organised temperance to later important reforms. Despite some measures to reduce Sunday opening in the 1850s, the free trade basis of the Beer Act 1830 which had removed the trade in beer from magisterial control was not challenged until the Wine and Beerhouses Act 1869 and, more significantly, the Licensing Act 1872, which reinstated the requirement that licensed premises hold a magistrate's licence and introduced a raft of other regulations. The 1872 Act was accompanied by an upsurge in public debate about drink; a search for the key terms 'drink\* AND licensing' on the BL's nineteenth century catalogue reveals 7,670 hits for the years 1800-1871, and 1,111 hits for the single year of 1872. The power of alcohol to stimulate public discourse in this period was partially related to the Liberal Government's controversial and unsuccessful Licensing Bill 1871 which, due largely to its commitment to reduce the overall number of licensed premises, prompted outcry from sections of the public and the mobilisation of the drinks industry into a



protesting force.<sup>180</sup> In the other corner, temperance campaigning was in full swing at this point of history and developed strands of both moral suasionist and prohibitionist temperance were active in Britain. Understanding both legal and popular discourses on drink during 1872 is, therefore, a vitally important task. Moreover, it may be possible that the influence of the temperance movement will be detectable within public attitudes and legal developments.

The Licensing Act 1872 ended the free trade in beer ushered in by the Beer Act 1830. In the succeeding period, there were some interesting developments to the way in which the criminal justice system dealt with drunken offenders in the Habitual Drunkards Act 1879 and the Inebriate's Act 1898, although Valverde has studied these in some depth.<sup>181</sup> The next major changes to the licensing system occurred during the years 1914-1921. It was noted in Chapter One that there were serious worries about drinking during World War One which were famously articulated by wartime Chancellor and Prime Minister David Lloyd George. Additionally, and as with 1872, this heightened level of concern coincided with changes in the legal governance of drink. A number of wartime restrictions were introduced by the Central Control Board, using powers granted by the Defence of the Realm Act 1914. The opening hours of pubs were restricted, the strength of drinks was limited and civilians were prohibited from buying drinks for soldiers and sailors. More strikingly, in 1916 the CCB began to buy up breweries and pubs in three strategically important areas and running them as an ongoing concern. After the war, the Licensing Act 1921 retained certain wartime restrictions including the operation of an effectively nationalised drinks industry in Carlisle until the 1970s. The period 1914-1921 is

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<sup>180</sup> Harrison, *Drink and the Victorians*, pp.262-278.

<sup>181</sup> Valverde, *Diseases of the Will*.

significant for both discursive and legal developments. Given the longevity of certain wartime measures, it also demonstrates the long-term formative significance of certain short-term episodes of heightened alarm about alcohol.

The prominence of alcohol within public discourse waned after 1921. Legislative changes to rules governing drinking were relatively minor and few. Moreover, keyword searches in *The Times* archive reveal that in the thirty-eight years between 1922 and 1960 alcohol was the subject of roughly seventy-five percent fewer articles than in the previous thirty-eight years.<sup>182</sup> Given the decreased public salience of the topic of alcohol, the next period of enhanced empirical concentration will be the early 1960s. Cohen's famous study of the moral panic about Mods and Rockers during this period illustrates a burgeoning moral discourse about the behaviour of young people.<sup>183</sup> Additionally, there were several notable reforms to drink laws in this period engendered by the Licensing Act 1961, the Licensing Act 1964 and the Road Safety Act 1967. This flurry of law-making and heightened state of general social anxiety suggests that a detailed interrogation of press sources from the 1960s will be fruitful.

In some respects, such as their extension of opening hours, the Licensing Acts 1961 and 1964 were liberalising. This erosion of older restrictions on opening times was continued by the Licensing Act 1988, which scrapped afternoon closure Monday-Saturday, and the Licensing Act 1995, which extended the new hours to Sunday afternoons. These relatively minor changes to the law, in addition to the scale of press coverage, suggest that the next major formative period regarding

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<sup>182</sup> A search for the keywords 'alcohol AND crime' between 1922 and 1960 on *The Times* archive yielded 107 hits. The same keyword search for the previous 38 years, 1884 to 1921, produced 417 hits. For the succeeding period from 1961 to 1985 (when the archive ends), 272 hits were recorded. A similar pattern was revealed by other keyword searches; 'drink AND disorder' produced 585 hits for 1884-1921 but only 148 hits for 1922-1960.

<sup>183</sup> Cohen, *Folk Devils and Moral Panics*.

public attitudes and alcohol regulation from 2003 onwards. Much recent debate has concentrated on the Licensing Act 2003. This statute is perhaps the most significant reform of alcohol laws since 1872 as it transferred the power to grant, revoke and refuse licences from magistrates and to local authorities. Controversially, it also removed statutory restrictions on the hours during which licensed premises could open for business. It will be useful to examine press sources from 2003 onwards in order to study discourse surrounding the passage through Parliament, implementation and reaction to these reforms. This chronological delineation will cover the formation, implementation and aftermath of the Licensing Act 2003. This section of data was collected in the first half of 2010 and so the exact period covered is from January 2003 until June 2010. The episodic longitudinal design will allow for this recent discourse on alcohol to be compared with discourse from other intensively studied periods from the eighteenth century onwards.

There are several broadly discernible phases in the development of laws relating to alcohol since the eighteenth century; the gin phase from 1729 until 1751, the free trade experiment lasting from 1830 until the 1860s, the growth of restrictions from the 1860s through World War One until 1921, the retention of many wartime restrictions from 1921 until 1960, partial liberalisation from 1961 until 2003, and the contemporary period (which Chapter Six characterises as a bifurcated phase of regulation). This rough sketch overlooks a number of historical nuances which will be investigated later in this thesis, but, at this point, it is useful to help refine the focus on the crucial historical periods in which the way alcohol is understood and regulated changed. With a view to understanding the emergence of the temperance movement, the period 1700-1820 is examined developmentally and 1820-1840 is investigated in more depth. 1872, 1914-1921 and 1961-1965 are examined in detail to facilitate

appreciation of the relationship of law to public attitudes. Furthermore, studying the period 2003-2010 enables an analysis of the current 'drink problem' and, given the prior historical research, a longitudinal perspective on the discursive origins of the attitudinal and legal frameworks which regulate the use of alcohol in England and Wales. The next section will address the selection of source materials for each of these chronological periods.

## **5) Selecting Sources**

### **5.1) 1700-1840**

In hindsight, this period appears as something of a golden age of the print press. King and Plunkett reproduce an 1829 source which claims that, in that year, there were 308 newspapers regularly published in the UK and fifty-five in London alone.<sup>184</sup> These publications could attract large readerships; *The Times*, the first major daily national newspaper, had a circulation of 10,000 per day in 1832.<sup>185</sup> Along with periodicals, these mainly local newspapers provided a diverse range of published materials documenting and analysing current affairs. Many of these newspapers are archived at the British Library's (BL) Colindale centre, although searching the physical archives is time-consuming and so the amount of material which can be viewed is reduced. Fortunately, an increasing amount of archived press sources are available in online databases which can easily and quickly be searched using certain keywords. These digital archives make it possible for researchers to efficiently locate, view and analyse large quantities of relevant materials. The press sources used in this study will therefore come primarily from online collections. In regards to the period 1700-1840, the relevant online sources

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<sup>184</sup> King, Andrew, and Plunkett, John, *Victorian Print Media: A Reader*, (Oxford: Oxford University Press, 2005), p.342.

<sup>185</sup> *Ibid.*, pp.339-340.

are the BL's Burney Collection, the BL's Catalogue of Nineteenth Century Newspapers and *The Times* archive (which covers 1785 onwards).<sup>186</sup>

The Burney Collection is a large database of seventeenth and eighteenth century news media. It includes newspapers and periodicals such as the daily *London Gazette*, the periodicals *Tatler* and *Spectator* (for certain years), as well as some provincial titles such as the *Newcastle Courant*. The BL website does note that the Burney Collection is skewed slightly toward London publication but, given that the Georgian 'gin craze' was largely concentrated in the South-East, this may actually enhance the usefulness of the collection. Although extending only until 1804, the Burney Collection will provide a wealth of relevant source materials for the period prior to this. For the nineteenth century, *The Times* and the BL's Catalogue of Nineteenth Century Newspapers can be used in conjunction. The BL's Catalogue is designed to give chronologically even coverage of the whole century, a facility enhanced by the parallel use of *The Times* archive, and balanced representation of the whole country. The forty-nine newspapers which make up the sample were selected to provide an even coverage of the whole century and include local and national titles from all four countries of Britain, such as the *Liverpool Mercury*, the *Ipswich Journal* and the *North Wales Chronicle*.<sup>187</sup> As well as providing good geographical coverage, this sample also covers a range of political standpoints; the provincial radicalism of BL Catalogue titles, such as the *Leeds Mercury*, can be balanced against *The Times*' metropolitan, minimal government politics.

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<sup>186</sup> The *Manchester Guardian* has also been digitally archived but, as it was founded in 1821, offers limited coverage of this timeframe.

<sup>187</sup> This sample was Part 1 of the BL's digitisation project (as Part 2 was not available at the time research was conducted). Also, although Scottish and Irish newspapers are contained within the BL's catalogue, they will not be utilised unless they bear some specific relevance to events in England and Wales.

Within this sample of publications, a variety of keyword searches were performed to reflect both the research questions and the idiosyncrasies of each archive's holdings or search capabilities. Refining the searches in order to produce a suitable quantity of relevant sources was, largely, a process of trial and error. To elaborate, searching for 'drink' or 'drinking' resulted in thousands of hits, the vast majority of which were irrelevant to this subject area. Equally, 'alcohol' was not a commonly used noun during this period and searches for this term, on all three archives, produced few, if any, results. So, with a view to investigating the genesis of temperance, as a movement and concept, searches for 'temperance AND alcohol/drink\*' were made on *The Times* and BL's Nineteenth Century Catalogue for the period 1800-1830. When using the Burney Collection, the abundance of material meant that keywords had to be refined further; for example 'temperance AND drink\* AND vice' was performed and yielded relevant results. In order to locate material pertaining to legislative reforms, several searches were also carried out on the two archives covering the nineteenth century. With some variation by archive, these searches incorporated the terms 'Beer Act' or 'Beer Bill' from 1828-1840,<sup>188</sup> although with increased depth of coverage for the year 1830.<sup>189</sup> A search for 'Beer Act 1830' was also performed on both archives without any chronological limitation, and hence

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<sup>188</sup> It should be noted that, when used on *The Times* and BL's Catalogue, both of these search terms were made keywords rather than simply terms which feature once or more in the whole document (as in the standard search). The standard searches for the same terms produced a huge number of hits, many of which were irrelevant (coincidental co-occurrence of search terms). Hence, search parameters were tightened.

<sup>189</sup> Unfortunately, due to the high number of search results it was not possible to perform identical searches for both databases. The BL's catalogue was searched with 'Beer Act' from 1/1/1828 to 31/12/1840. The 'Beer Act' search on *The Times* archive, as well as 'Beer Bill' searches on both databases, were performed for 1/1/1830 to 31/12/1830 only. To return more focused results, searches for 'Beer Act/Bill AND effects/moral\*' were performed on the BL's catalogue for the calendar year 1830, and on *The Times* with an unlimited timeframe. Some searches involving the term 'intemperance' were also undertaken on *The Times* archive. Additional material was located by searching for 'Joseph Livesey' on the BL's catalogue.

provided useful material relating to how later Victorians viewed this liberalising statute.

## **5.2) 1872**

As with searches performed in the 1820s and 1830s, research on this period draws its sample of newspaper sources from the BL's Catalogue of Nineteenth Century Newspapers and *The Times* archive. Although this provides a large sample of newspapers, it is worth noting that the London press seems generally rather anti-temperance; *The Era*, *Reynolds's Newspaper* and *Lloyd's Weekly Newspaper* all exhibit noticeable hostility towards the temperance movement and many proposed licensing restrictions. This position is balanced out by the inclusion of several publications which expressed more sympathy for the temperance cause, notably the *Preston Guardian*, which was founded by the teetotal pioneer Joseph Livesey. In order to understand particular discursive positions, attempts have also been made to identify and analyse certain temperance writings (which were outside the parameters of my systematic searches). Some of these temperance sources were taken from keyword searches of the BL's Evasion Catalogue of Victorian Ephemera, while others particularly noteworthy sources were specifically located after they had been mentioned elsewhere (either in primary or secondary sources). These temperance sources and the political diversity of the press sample ensure that the issues at stake here, temperance views and licensing restrictions, receive a fairly even treatment.

In order to identify articles relating to attitudes or reactions to licensing reform, the phrases 'licensing bill' and 'licensing act' were employed. However, these terms alone produced massive numbers of hits. Given the desire to make some assessment of the temperance movement's impact within this period, the additional phrases 'prohibition\*', 'suasion\*' and 'teetotal\*' were attached to the original search

terms.<sup>190</sup> Although the searches for ‘licensing bill/act AND prohibition\*/teetotal\*’ were confined to 1872 alone, the number of hits was such that the searches for ‘licensing bill/act AND suasion\*’ could cover the years 1868-1874. These searches were further supplemented by some chronologically broader yet thematically refined research, such as a search of for the keyword ‘intempera\*’ in the editorials and commentaries in *The Times* throughout the whole century. Along with the temperance materials already mentioned, these broad searches ensure that, although 1872 is covered in most depth, the wider historical context of the surrounding chronological period also receives attention.

### **5.3) 1914-1921**

The British Library’s digital newspaper resources stretch only until the end of the nineteenth century and so cannot be used for this period. *The Times* archive covers the whole of the twentieth century and so remains useful, but relying on only one newspaper clearly has the potential to bias any representation of public discourse that is attempted. *The Guardian*, or *Manchester Guardian* as it was known until 1959, is archived electronically from 1821 onwards. It was not necessary to draw on this resource for the earlier time periods concentrated on as the BL’s Catalogue provides a balanced sample of publications, but this archive was useful for examining the period 1914-1921. Similar to the *Leeds Mercury*, the *Manchester Guardian* targeted a politically radical, left-leaning audience in its reportage and so provides some counter-balance to the minimal-government inclinations of *The Times*. But both of these papers targeted an educated and relatively affluent readership and so, in the interests of balance, it is necessary to use the popular press also. UK

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<sup>190</sup> A search for the terms ‘individual action AND drink\*’ was also performed on both archives for the year 1872, and yielded some useful results.



Press Online offers a solution to this problem by archiving the populist titles the *Daily Express*, *Sunday Express*, *Daily Mirror* and *Sunday Mirror* in this period. The *Mirror* was established by Lord Northcliffe in 1903 as a predominantly pictorial publication which targeted a female audience and the *Express* had catered for a largely working-class audience since 1900.<sup>191</sup> Additionally, searches were made of the Reuters/ITN archive of TV news. These combined sources provided a good balance of elitist and populist media (or what we now call broadsheet and tabloid) as well as a mixture of political positions.

There is a potential methodological 'banana skin' in the fact that all four newspapers studied are national titles, in contrast to the abundance of local titles which were utilised for earlier periods. However, Bingham describes how this timeframe corresponds to the period in which national newspapers overtook the local or provincial press in popularity<sup>192</sup> and so the varied geographical sample provided by the BL's catalogue is no longer essential as a smaller number of largely London-based publications were increasingly being read across the country. A sample of national publications may reasonably be expected, therefore, to offer insights into public discourse on alcohol. Within this sample, the search terms again involved various combinations of 'licensing bill', 'licensing act', 'prohibition', 'teetotal' and 'temperance'.

#### **5.4) 1961-1965**

By the 1960s, the popularity of the national newspapers had grown further. Bingham reports that, in the middle of the twentieth century, 85% of people read a

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<sup>191</sup> See: Conboy, Martin, *The Press and Popular Culture*, (London: Sage, 2002); Bingham, *Family Newspapers?*, pp.1-28.

<sup>192</sup> Bingham, *Family Newspapers*, p.16.

paper every day.<sup>193</sup> In the mid-1950s, the *Daily Express* had a circulation of three million and, by 1967, the *Daily Mirror's* circulation has passed five million.<sup>194</sup>

Studying these newspapers thus helps understand the sort of information mass consumed by the British public during this period. Additionally, using *The Times* and *The Guardian*, which had lower circulations but were consumed by audiences of generally higher socio-economic status,<sup>195</sup> helps to provide a more balanced sample of public discourse. Significantly, the two broadsheets in the sample reported extensively on alcohol issues. The continuation of research primarily using the same sample of four newspapers is therefore defensible. The means through which these resources are searched does, however, require alteration. Searches using the terms 'licensing act' and 'licensing bill' still identified material relevant to contemporaneous reforms. But searches involving terms such as 'temperance' or 'prohibitionism' were no longer particularly helpful at this point, given that the organised temperance movement had been in decline for several decades. In order to ensure that a useful quantity of relevant sources was identified, means to adapt the 1960s searches were sought.

A valuable method for locating relevant source materials was to concentrate on specific social problems associated with alcohol. Such an approach can be theoretically justified as the discursive means through which types of conduct are problematised is central to the concept of moral regulation. The question then became, what problems should be focused on? It is clear from investigating current discourse on alcohol that the two main problems associated with alcohol are crime/disorder and ill-health. In a quantitative content analysis of press discourse on

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<sup>193</sup> Ibid.

<sup>194</sup> Ibid., p.19.

<sup>195</sup> Ibid., p.20.

alcohol, Nicholls found that the two most commonly reported consequences of drinking were violence and negative health effects.<sup>196</sup> Keyword searches involving the terms 'crime', 'disorder' and 'health' were therefore used to find relevant press sources from the 1960s. It is feasible that these searches might prejudice the research slightly by leading to an over-use of sources focusing on the problematic aspects of alcohol consumption, but these searches were balanced out by the use of more general search terms 'licensing act' and 'licensing bill'. The employment of several keyword searches on four newspapers means that the amount of sources retrieved will be large. For this reason, the timeframe has been concentrated on the years in which Acts of Parliament were formulated, passed and implemented, namely 1961, 1963, 1964 and 1965.<sup>197</sup> The scope remains relatively large in terms of timeframe and sources, but the use of refined search terms will help to clarify the empirical focus thus making the project practically achievable.

### **5.5) 2003- 2010**

Retrieving relevant source materials from the contemporary period is more straightforward. This is mainly due to the existence of LexisNexis, which provides a digital catalogue of the main national newspapers from 1985 to the present day. LexisNexis includes a number of local newspapers also but, given the modern dominance of the national press over the local press, this thesis will not utilise them. Instead, searches will be made of LexisNexis' national publications, which consist of *Daily Mail*, *The Mail on Sunday*, *Daily Star*, *Daily Telegraph*, *Sunday Telegraph*, *Daily Express*, *Sunday Express*, *The Guardian*, *The Observer*, *Independent*, *Daily*

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<sup>196</sup> Nicholls, James, 'UK News Reporting of Alcohol: An Analysis of Television and Newspaper Coverage', (2011) *Drugs: Education, Prevention and Policy* Vol. 18 (3), pp.200-206.

<sup>197</sup> To elaborate, some of the parliamentary debates on (what became) the Licensing Act 1964 occurred in 1963. 1965 was also included so that the reaction to legislative changes could be gauged.

*Mirror, Sunday Mirror, The People, The Sun, The Times and The Sunday Times.*

This sample of newspapers was searched using the same keyword searches used for the 1960s, involving 'licensing act/bill' and combinations of 'alcohol/drink' and 'crime', 'disorder' and 'health'. Given the longer time period and large range of sources studied here, it was necessary to refine the searches further. For this reason, searches were restricted to articles which mentioned the keywords in their headlines. This process ensures that, although the quantity is still large enough to form a good sample for analysis, the amount is manageable within the time constraints of the project.

In addition to these sources, it has also been possible for the author to take cuttings of recent news stories relating to alcohol as and when they were reported. For this reason, a number of articles not retrieved from LexisNexis, such as those from the *BBC News* website, are also utilised. The period 2003-2010 is thus studied through a wide sample of national news media which encompasses most major national newspapers and some digital media. This sample thus contains politically diverse information consumed by a variety of tabloid and broadsheet audiences.

## **6) Methodological Issues**

The methodology thus far explained consists of five analytical cross-sections of certain time periods within a longitudinal timeframe which facilitates a developmental consideration of change and continuity. There are, however, a number of issues which need to be discussed before this project can be advanced. Firstly, the direct comparability of newspaper sources needs to be addressed. The previous section described how, within the timeframe of this study, there is a shift from the use of largely local newspapers to the use of national papers. Conceivably, this shift may render ineffective any comparison of past with present as the sources

used are not equivalent. Equally, the rise of the tabloid in the twentieth century and the fact that some chapters use different newspaper titles further compounds this potential problem. However, this thesis does not attempt a direct comparison of newspaper coverage at different points in time but instead seeks to use newspaper sources in order to characterise public discourse on alcohol during certain historical eras. Newspapers themselves are not the object of enquiry but are studied for the evidence they supply which is pertinent to attitudes to alcohol. Hence, the issue of how historically equivalent certain sources materials are is not vitally significant.

There is another potential problem within the episodic concentrations of the longitudinal research design. It is feasible that, as this research focuses the collection of press sources on chronological high points of concern about alcohol, that the findings will be skewed slightly toward a general depiction of heightened anxiety about alcohol. Firstly, it must be stressed that these periods are not primarily studied in order to make generalisations about attitudes to alcohol in wider periods, but used to gauge the extent of change and continuity over time. Secondly, a variety of means are employed to contextualise the specific periods studied in depth within broader historical processes. The episodic concentration applies only to the collection of press sources and legal or policy developments outside of these periods are examined in detail. Where suitable levels of focus could be ensured, some newspaper searches were also carried out on longer time periods; for example, the search 'Beer Act/Bill AND effects/moral\*' were performed on *The Times* archive with an unlimited timeframe. Some notable temperance sources and items located on other databases, such as the British Cartoons Archive, also span the whole timeframe of this study. Additionally, further context is provided in each chapter by

exploring existing literature on alcohol or related historical trends. The research will not, therefore, be rigidly episodic but grounded in historical context.

The need for context is matched by a need to connect debates about alcohol at certain points in time to debates about alcohol at other points in time. The first three time periods selected correspond to legal developments as well as particular phases in the life of the temperance movement; the emergence of organised temperance (1700-1840), the social movement in full campaigning mode (1872) and the decline of the organised temperance movement (1914-1921). The next two time periods will, however, be studied in a thematic rather than chronological manner. In line with their previously mentioned discursive eminence, the topics of crime and health within both the 1960s and contemporary debates will be discussed. This focus will allow for the development of the contemporary, post-temperance movement drink problem to be examined in more depth through concentrating on the two primary problems associated with drinking in the current period. This mixture of chronological and thematic structure guarantees that the research is not historically disjointed and a close comparison of attitudes to alcohol at different times is therefore possible.

Finally, it is necessary to point out that this methodology is flexible and adaptive. To elaborate, research conducted on the 1960s was initially focused on the Licensing Act 1964 only as, given that this is more commonly referred to in legal sources, it was deemed to be the most important legal reform of the period. However, on closer analysis it became apparent that the Licensing Act 1964 was primarily a consolidating statute which brought together various provisions from other pieces of legislation such as the Licensing Act 1961. The Licensing Act 1961 attracted significant interest at the time because it extended opening hours and set the legal

age to purchase alcohol in an on-licence or off-licence at eighteen. The research design for that time period was therefore altered to include material relevant to the more controversial reforms of 1961 as well as the consolidating 1964 legislation. This type of methodological adaptation was instigated to ensure that this project properly accounts for the attitudinal and legal frameworks which construct the use of alcohol in England and Wales.

## **7) Summary**

The examination of legal sources relating to alcohol will be accompanied by an analysis of public discourse drawn primarily from press sources. The press sources will be drawn mainly, but not exclusively, from specific periods of time which correspond to both significant reform of the legal frameworks which govern the use of alcohol and a heightened level of public anxiety about drinking. Some additional sources, including temperance materials, will be drawn on to further inform the analysis. This historical, legally-interested discourse analysis will allow the manner in which the problematisation of alcohol has changed and remained constant since the eighteenth century to be studied. It will facilitate analysis of how various historical actors have understood alcohol and what attempts have been made, through legal regulation, temperance campaigns or other means, to influence the behaviour of others. This methodology will therefore shine a light on the ways in which alcohol can be morally regulated and how these are historically constructed. Having put this methodology into practice, the remaining chapters connect the empirical results with the key questions arrived at in Chapter One.

## Chapter Three

### The Genesis of Temperance and the Teetotal Turn

#### 1) Introduction

The focus of this thesis is the development of laws relating to alcohol and their relationship with public attitudes. Within this brief, there is a particular concentration on the effects of the Victorian temperance movement; how did this social movement relate to public attitudes and legal frameworks governing alcohol in England and Wales? Given this focus, it is logical to begin this enquiry by examining the emergence of the temperance movement and the broader historical and legal context in which this occurred. This chapter aims chiefly at attaining an understanding of the discourses of the early temperance movement. In order to achieve this, somewhere in the region of 500 newspaper and periodical sources were considered. Additionally, a number of other sources were used, from Hogarth's 'Gin Lane' and 'Beer Street' prints to *A History of Teetotalism in Devonshire* by the Westcountry temperance activist W. Hunt. This range of sources supplied a large quantity of evidence with which certain key questions can be explored. What were the views of the first wave of temperance followers? How did these differ from eighteenth century concerns about drinking? How did the temperance movement relate to the legal and ideological context of its period?

The emergence of the British temperance movement could feasibly be explained, using either moral panic theory or the rational, objectivist model of alcohol policy, as a straightforward response to a liberal legal stimulus. The first British temperance groups were formed in the late 1820s, before spreading across the country in the 1830s. The advent of temperance societies, therefore, coincided with



a period of licensing reform, most notably engendered by the Beer Act 1830. This was a liberalising piece of legislation which enabled householders to sell beer without the permission of the local licensing justice. This Act, in addition to the gradual replacement of domestic brewing with large-scale commercial brewing,<sup>198</sup> coincided with a surge in the numbers of premises nationwide selling beer and an accompanying increase in the number of arrests for drunkenness.<sup>199</sup> These trends were not unnoticed and, ultimately, the Beer Act 1830 fermented considerable unease about the drinking habits of the population. It was in this context of increased availability of alcohol and apparently diminishing social order that the early temperance movement flourished. So, was the growth of the movement attributable to increasing ‘rational’ concerns about ‘real’ social problems caused by drink? Or did, as moral panic theory might postulate, the British temperance movement tap into a reservoir of social anxiety stored up by a liberalising Act of Parliament or other social changes? Or was there, perhaps, more to it than either of these theoretical positions can encapsulate? Is it worth considering whether the British temperance movement was not a reaction, to either legislation or drinking habits, at all?

## **2) The ‘Second Necessity of Life’**

Alcoholic drinks, particularly beer, have played a central role in British society for hundreds of years. The Assize of Bread and Ale 1267 ranked beer as the “second necessity of life” and created a system of pricing which, by tying the price of beer to the price of grain, ensured that the nation’s favourite drink was always available at affordable prices.<sup>200</sup> Furthermore, “the True Making of Malt” Act 1548 sought to promote the proper manufacturing of beer by condemning swift brewing,

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<sup>198</sup> Burnett, *Liquid Pleasures*, pp.111-140.

<sup>199</sup> Wilson, *Alcohol and the Nation*, pp.99-101; Harrison, *Drink and the Victorians*, pp.64-86.

<sup>200</sup> Burnett, *Liquid Pleasures*, p.111.

poor barrels and other hindrances to overall quality.<sup>201</sup> The idea that beer was an important and normal part of everyday life continued for many centuries: Burnett reports that Queen Elizabeth drank beer at breakfast, in the seventeenth century an average of three pints per day was given to children at Christ's Hospital and St Bartholomew's Hospital, and many workers were paid purely in beer, even after this practice was outlawed in 1887.<sup>202</sup> In 1660, diarist Samuel Pepys described his first encounter at breakfast time with that modern emblem of Britishness the cup of tea, being much more accustomed to drinking wine or ale at that time of day.<sup>203</sup> The passage through Parliament of the "Act to Repress the Odious and Loathsome Sin of Drunkenness" 1606 demonstrates that concerns about excessive drinking did exist. But, beer and other forms of alcohol were socially ubiquitous substances which were viewed as largely unproblematic.

However, by the late eighteenth and early nineteenth centuries, these permissive attitudes towards drinking appeared increasingly inconsistent with the apparent pervasiveness of wider processes of moralisation. In 1787, William Wilberforce persuaded King George III to issue a Royal Proclamation which called upon local authorities to enforce existing laws which aimed to suppress vice and immorality. This new impetus towards moral reform was embodied in the actions of groups such as the Proclamation Society and the Society for the Suppression of Vice which promoted much stricter personal codes of behaviour. Concerned with immorality broadly, these societies condemned, amongst other things, gaming, lewd plays, obscene publications, the breaking of the Sabbath and drunkenness.<sup>204</sup> While drunkenness was not their sole or paramount concern, the greater moralisation of

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<sup>201</sup> Wilson, *Alcohol and the Nation*, p.94.

<sup>202</sup> Burnett, *Liquid Pleasures*, pp.112-124.

<sup>203</sup> *Ibid.*, p.1.

<sup>204</sup> For further information on these groups see: Roberts, *Making English Morals*.

everyday life promoted by such groups does seem at odds with the generally permissive, pre-modern attitudes to alcohol which were popular until well into the nineteenth century. This chapter aims to explore how new moral codes developed around alcohol and how they interacted with dominant attitudes, as expressed particularly through the law.

### **3) Classical Virtues and Georgian Excesses**

Drinking was undoubtedly a major social, legal and political issue in the eighteenth century. Barr describes Georgian outrage about drinking habits and legal efforts to combat this problem behaviour as representing the beginnings of the temperance movement.<sup>205</sup> Is this accurate? What were the key features of public discourse on alcohol in the eighteenth century?

#### **3.1) The Problem of Gin**

The 'gin craze' or 'gin panics' occurred roughly from 1720 to 1750 and were largely centred on London. Gin was a relatively new drink to the British, having arrived with the Dutch King William III after the Glorious Revolution. Although brandy and whisky had been available previously, gin was the first alcoholic spirit consumed on a mass scale and its consumption appears to have increased dramatically from 1700 to 1750.<sup>206</sup> But historians frequently draw attention to additional or alternative reasons why gin became the subject of such frenzied attention during this period. Between 1632 and 1750 the population of London more than doubled<sup>207</sup> and this

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<sup>205</sup> Barr, *Drink*, pp.288-289. Nicholls, similarly, highlights some similarities by saying the eighteenth century gin campaigners articulated same concerns for religious piety, reason and desire to work as Victorian temperance activists and seventeenth century Puritans (Nicholls, *Politics of Drink*, p.44). Nicholls, generally, sees little that is unique about the Victorian temperance movement.

<sup>206</sup> Nicholls, *Politics of Alcohol*, pp.34-37. Although it should be noted that Nicholls points out the difficulty in historically assessing the level per capita gin consumption.

<sup>207</sup> Sennett, Richard, *The Fall of Public Man*, (Cambridge: Cambridge University Press, 1974), pp.50-53.

unprecedented growth is highlighted by Borsay as fostering social anxieties which came to be directed at gin.<sup>208</sup> Nicholls emphasises that in new, crowded urban spaces the sheer visibility of drunkenness amongst the lower classes prompted concern and outrage.<sup>209</sup> Both Sennett and Ehrenreich describe broader efforts to impose bourgeois notions of social order on all aspects of the behaviour of the new urban poor,<sup>210</sup> and Warner links this explicitly to drink by stating that “the debate over gin was a debate over the nature of cities and the different sorts of people who inhabit them”.<sup>211</sup> In this context of rapid urbanisation, shifting demography and a bourgeois desire for social order, more usual concerns about drunkenness came to be articulated with an increased frequency and ferocity.

Gin-drinking thus became the focus of much public discourse. In 1710, *Athenian News* claimed that “drunkenness is a vice epidemical among us”<sup>212</sup> and, in 1745, a letter in the *Universal Spectator* complained that “those who drink only for the sake of Drunkenness... have the peculiar felicity in this Island”.<sup>213</sup> A particular problem was identified in regards to female gin-drinking. Warner describes how, seeing as women drunk and often sold the spirit, gin took on a feminine folk identity as ‘Madame Geneva’ or ‘Mother Gin’.<sup>214</sup> This identity further fuelled alarm; one writer, after expressing dismay at reports that women, “the weaker vessels”, were out-

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<sup>208</sup> Borsay. ‘Historic Parallels?’.

<sup>209</sup> Nicholls, *Politics of Alcohol*, pp.36-37. As well as the increased visibility of drinking in urban environments, it is feasible that the greater anonymity of city life removed some of the stigma associated with drunkenness and thus facilitated heavier consumption. But, as discussed in the Chapter One, an objective increase in drunkenness resulting from urban anonymity would not provide sufficient explanation of how this objective trend relates to understandings and regulation of alcohol.

<sup>210</sup> Sennett, *Fall of Public Man*, pp.48-49; Ehrenreich, Barbara, *Dancing in the Street*, (London: Granta, 2007), pp.105-180.

<sup>211</sup> Warner, *Craze*, p.x.

<sup>212</sup> ‘The Drunken Post’, *Athenian News or Dunton’s Oracle*, 23 May 1710.

<sup>213</sup> Anonymus, ‘From My Own Chambers’, *Universal Spectator and Weekly Journal*, 21 September 1745.

<sup>214</sup> Warner, *Craze*, pp.62-63.

drinking men then asked “What words can prevail on Mankind, when such dreadful Appearances of Drunkenness can’t?”.<sup>215</sup> This gendered preoccupation is apparent in, the most famous record of the ‘gin panics’, William Hogarth’s ‘Gin Lane’ (see Figure One). Amid a grim carnival of brawling, sickness and death, Hogarth’s aesthetic centrepiece is a woman who, too drunk to support it, has dropped her child head-first off some steps.<sup>216</sup> For many, gin and female drunkenness were huge, daunting social problems. A letter in the *Grub Street Journal* claimed that “nothing but an omnipotent Agent can stem the torrent of Vice and Intemperance which rages thro’ the land”.<sup>217</sup>

### **3.2) Contextualising Responses to Gin-Drinking**

Regardless of what the *Grub Street Journal* printed, eighteenth century mortals drew on the old wisdom of temperance in an attempt to reduce gin-drinking. The influence of this concept is clearly apparent in eighteenth century discourse; for example, after his death, Henry Hoare was described by *Covent Garden Journal* as “an example of Temperance” and “every good and aimiable Quality”.<sup>218</sup> But temperance was not just an admirable character trait; a volume advertised in the *London Evening Post*, of “16 discourses upon doctrines and duties more peculiarly Christian; and against the reigning Vanities of the Age”, named temperance as one of several necessary Christian virtues.<sup>219</sup> This advertised text reflected the accepted theological importance of temperance. In the fourth and fifth century drunkenness was attacked as a “a work of the flesh” by Christian scholar Augustine of Hippo, and in the thirteenth century temperance was ranked as one of four cardinal virtues by

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<sup>215</sup> ‘The Drunken Post’, *Athenian News or Dunton’s Oracle*, 23 May 1710.

<sup>216</sup> See: Borsay, ‘Historic Parallels?’.

<sup>217</sup> ‘Proposals’, *Grub Street Journal*, 1 April 1736.

<sup>218</sup> ‘Modern History: Abridged. Saturday’, *Covent Garden Journal*, 10 March 1752.

<sup>219</sup> ‘This Day Was Published...’ *London Evening Post*, 18 June 1754.

Thomas Aquinas.<sup>220</sup> Prior to its codification as a Christian virtue, temperance had been considered highly valuable by the Classical civilisations of Greece and Rome. Moreover, the continued vitality of Classical temperance was apparent, for instance, in 1797 when the *Oracle and Public Advertiser* printed a list of quotes on the subject of drunkenness which featured the likes of Hippocrates, Cicero and Zeno. Zeno's quote, emphasising the need for moderation and balance, captures Classical temperance well: "A wise man will drink wine but will not suffer himself to be intoxicated by it".<sup>221</sup> The Georgian writer Philotechnos's statement that the best kind of life is a "simple, sober and modest Life; adorned with Temperance and Contenance" reflects the eighteenth century popularity of both Christian and Classical notions of temperance.<sup>222</sup>

Importantly, temperance was not just a virtue to be applied to drinking. In 1729, a letter in the *London Journal* defined intemperance as "that Use of Meat and Drink, or whatever the natural Appetite invites to, which is pernicious to the Health and Vigour of any Person, in the Discharge of the Offices of Life".<sup>223</sup> Moderation in eating was also seen as essential and *Lloyd's Evening Post* went as far as asserting that "Intemperance in Eating is the grossest abuse of the gifts of Providence", it decays the body and impairs our "nobler faculties".<sup>224</sup> Additionally, "an injudicious pursuit of sensual gratifications" would make a man "a Fornicator" as well as "a

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<sup>220</sup> Cook, *Alcohol, Addiction and Christian Ethics*, pp.52-66.

<sup>221</sup> 'Original Remarks of Eminent Persons on Temperance', *Oracle and Public Advertiser*, 20 March 1797.

<sup>222</sup> Philotechnos, 'To the Printer of the *Middlewich Journal*, *Schofield's Middlewich Journal or Cheshire Advertiser*, 10 May 1757.

<sup>223</sup> 'Private Vices, no Publick Benefits: To the Editor of the *London Journal*', *London Journal*, 14 June, 1729.

<sup>224</sup> 'Remainder of the Extracts and Tracts on the Choice of Company, and Other Subjects', *Lloyd's Evening Post and British Chronicle*, 21 December 1761.

Glutton, or a Drunkard".<sup>225</sup> A piece in *World* in 1756 claimed that to reform a "luxurious person" you must show him "the deformity of intemperance and debauchery" and then instruct him to "fast and pray, to sleep little, and to avoid the company of women". If these directions are followed, soon "he will scarce bear to hear a female mentioned, and nauseate the very thought of a sumptuous entertainment".<sup>226</sup> Heavy drinking was not, for the most part, the singular concern of those who moralised about personal behaviour. Eating and sexual behaviour were also areas of conduct in which it was necessary to apply the virtues of Classical and Christian temperance.

Drinking was just one aspect of behaviour in which moderation was required, and the alcoholic drink itself was not the primary problem. Prater explains "the Juice of the Grape, when administered from the Cup of Temperance, is an innocent, grateful and salutary Potion. 'Tis Excess only which adulterates it, and renders it a deadly Poison."<sup>227</sup> Drinking was not, therefore, immoral in itself; concerns lay primarily with drunkenness and the kinds of actions it may occasion. As the *Universal Spectator* explained "Drunkenness is a Vice which seldom comes alone, but generally draws after it some other *Shameful Consequences*".<sup>228</sup> Intemperance "makes the Throne of Reason totter from its Basis",<sup>229</sup> meaning the drunken individual is "prepared for the committing of every sin".<sup>230</sup> For *E. Johnson's British Gazette*, drinking affects memory and imagination, and hence tends to disqualify

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<sup>225</sup> 'Venienti Occurite Morbo', *Prater*, 18 September 1756.

<sup>226</sup> Academicus, 'To Mr Fitz-Adam', *World*, 18 March 1756. Although this piece is focused on the male "luxurious person", it should be noted that female drunkenness was a particularly acute public concern in the eighteenth century, especially during the 'gin panics'.

<sup>227</sup> 'Venienti Occurite Morbo', *Prater*, 18 September 1756.

<sup>228</sup> Anonymus, 'From My Own Chambers', *Universal Spectator and Weekly Journal*, 21 September 1745.

<sup>229</sup> 'Venienti Occurite Morbo', *Prater*, 18 September 1756.

<sup>230</sup> 'For the Sunday Monitor: The Consequences of Actions are to be Considered', *E. Johnson's British Gazette and Sunday Monitor*, 18 March 1798.

wealthy drunkards from “intellectual attainments” and leads poor drunkards into “want and wretchedness”.<sup>231</sup> *Athenian News* was more specific about the sort of problems drunkenness leads to and divided them into “inward Dangers”, which cover various sicknesses, and “outward Dangers” such as “being engag’d in deceitful Bargains, firing of Houses, &c”.<sup>232</sup> Excess in drinking therefore, as with food and sex, was dangerous due to its capacity to produce a multitude of sinful behaviour.

The problem, therefore, was gin-drinking and the drunkenness it so readily produced. Hogarth contrasted ‘Gin Lane’ to another print of ‘Beer Street’ (see Figure Two). ‘Beer Street’ is a more orderly and prosperous vision in which alcohol is enjoyed without the horrific consequences depicted in ‘Gin Lane’. Borsay explains how, while gin was often seen as a French drink, beer is represented as patriotic; Hogarth depicts “a weedy Frenchman being manhandled out of the street by a corpulent English artisan holding a jug brimming with beer”.<sup>233</sup> For Hogarth, therefore, the solution to the ‘gin craze’ lay in encouraging the consumption of beer instead of alcoholic spirits. It should be noted that beer consumption was not universally approved of. In 1758, the *London Chronicle* told the story of a Venetian who was “greatly injured” by intemperance and so became abstemious, afterwards living to over 100 years of age.<sup>234</sup> Similarly, a piece in the *Public Advertiser* claimed that “abstinence and sobriety do always fortify observers thereof against many evils”. Praising the water-drinking Rechabites and other biblical ascetics, this article speaks of abstinence, alongside temperance, as a virtuous practice in regard to alcohol, food and exercise. While this piece presents abstinence as a moral positive, the continued association of drinking with food and other aspects of lifestyle suggests

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<sup>231</sup> Ibid.

<sup>232</sup> ‘The Drunken Post’, *Athenian News or Dunton’s Oracle*, 23 May 1710.

<sup>233</sup> Borsay, ‘Historic Parallels?’.

<sup>234</sup> ‘Postscript: To the Editor of the *London Chronicle*’, *London Chronicle*, 10 August 1758.



that the definition of the word may have been different to our modern understanding. Self-denial of food and “a little gentle hunger” which that generates are praised as beneficial, enjoyable experiences, but clearly abstinence from food cannot be permanent. As the author does not separate food and drink, this implies that permanent abstinence from alcohol is similarly unnecessary. Although permanent abstinence was occasionally seen to be efficacious, this was only as a personal remedy for the proven intemperate or as a short-term, Lent-like ritual which, coupled with permanent temperance, would improve bodily and spiritual conditions.

So, alcohol *per se* was not commonly seen as immoral in the eighteenth century. Drunkenness, primarily caused by gin, was seen to be a huge problem with serious consequences. In popular discourse, the remedies to this problem were abstinence from gin or all alcoholic spirits, short-term abstinence from all drink, or, most commonly, the virtuous exercise of temperance in regard to alcohol and all aspects of personal behaviour.

### **3.3) Legislation and Reflection**

There were a few groups, such as the Society for the Reformation of Manners and the Society for Promoting Christian Knowledge which campaigned against gin-drinking. It should be noted that these groups were not concerned only with spirit-drinking, but a whole range of immoral behaviour.<sup>235</sup> Nevertheless, such groups did advocate greater restrictions on the gin trade and their demands were eventually, to some extent, addressed by legislation. For the first time, the Gin Act 1729 restricted the sale of gin to licensed premises in an effort to control the trade. The Gin Act 1736 went much further, increasing the duty on gin as well as raising the annual cost of a gin licence to fifty pounds. Warner and Ivis describe how, given that the fine for

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<sup>235</sup> Critcher, ‘Drunken Antics’.

trading gin illegally was ten pounds, many sellers preferred to take their chances and operate illicitly. So, rather than curbing gin consumption, the Gin Act 1736 spawned only disrespect for the law.<sup>236</sup> The Gin Act 1743 abandoned these counter-productive provisions and lowered the annual cost of a spirits licence, before the Gin Act 1751 fixed the fee at forty shillings. The legislative frenzy, apparent in the quick succession of so many Gin Acts, reveals that a sense of anxiety prevailed until the 1751 legislation provided some alleviation. Nicholls describes how, by restricting spirits licences to premises which cost a minimum of ten pounds per year to rent, the Gin Act 1751 gentrified the gin trade and, to many, made it respectable. Some notion of social order was seen to be restored and the 'gin panics' petered out in the 1750s.

There are two important points to make here. Firstly, although gin was a relatively new substance in Britain, it was constructed and regulated through existing frameworks. Sellers of beer and wine had required a licence granted by a local magistrate since the Alehouse Act 1552 and, in 1729, this control measure was extended to gin. Similarly, the imposition of duty on the sale of gin was consistent with procedures through which other alcoholic drinks were bought and sold. Through these frameworks, governments could employ high licence fees and inflated duties in an effort to manage gin consumption. This involved a higher level of government intervention than Georgian society was accustomed to; for example, the raising of the licence fee to fifty pounds in 1736 amounted to a near prohibition of gin, but these interventions were based on established practices of governance. Government interventions were also based on older moral foundations. They were attempts to promote sobriety by discouraging excessive drinking generally, and gin-drinking

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<sup>236</sup> Warner, Jessica and Ivis, Frank, "“Damn You, You Informing Bitch”: *Vox Populi* and the Unmaking of the Gin Act 1736", (1999) *Journal of Social History* Vol.33, p.4.

particularly. The regular, moderate consumption of beer or wine was not problematic and, as in 'Beer Street', was acceptable or even commendable. The Gin Acts, therefore, are consistent with the dominance of Classical/Christian notions of temperance which prized moderation and balance in worldly affairs.

The second noteworthy point is the apparent consistency of the 'gin craze' with moral panic theory (as discussed earlier). Demographic changes and societal transformations, as discussed earlier, unsettled certain sections of society and gave rise to anxiety which came to be directed at the new drink gin. Gin-drinkers, especially female drinkers, were identified 'folk devils' and Hogarth and others 'manned the barricades' in order to loudly condemn these deviants. After a flurry of legislation, government actions eventually calmed tensions and restored a perception of social equilibrium with the Gin Act 1751. The selection of gin as a target for the release of anxiety does not appear to have been driven by any rational assessment of the harm it caused; Hunt's description of the low-level of prosecutions for drunkenness in London in the early eighteenth century implies the panic about gin bore no clear, direct relationship to the public's actual drinking habits.<sup>237</sup> It is telling in this respect that Warner and Nicholls,<sup>238</sup> find evidence that levels of consumption actually rose in the 1750s, despite the widespread perception, as the *Covent Garden Journal* asserted, the Gin Act 1751 had "very considerable lessened the pernicious Practice of Gin-drinking".<sup>239</sup> The 'threat' of gin, therefore, appears to have been exaggerated; the 'panics' were a disproportionate reaction, an episode of short-term mass hysteria about a type of behaviour. The events of the eighteenth century can thus be readily explained through the moral panic model.

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<sup>237</sup> Hunt, *Governing Morals*, pp.36-38.

<sup>238</sup> Warner, *Craze*, p.207. Nicholls, *Politics of Alcohol*, pp.47-48.

<sup>239</sup> 'Modern History: Abridged. Saturday', *Covent Garden Journal*, 10 March 1752.

There appears some ontological distance between attitudes towards alcohol and actual drinking habits. The rise and fall of a specific social problem is not linked, in any straightforward way, to the objective or measurable occurrences of the problem behaviour. Nor do periods of heightened concern, which may be termed moral panics, necessitate new heuristic or legislative apparatuses. The period 1720-1750 was an episode of public alarm about spirit drinking, but it did not witness the generation of new forms of conceptualising or regulating alcohol use. While outcry was loud, there was very limited organised campaigning for legal change or efforts to reform gin-drinkers. Despite Barr's claims, it is difficult to see the beginnings of an anti-alcohol social movement within this period.

#### **4) The 'Temperance Reformation'**

##### **4.1) *Shifting Attitudes in the 1820s***

Traditional notions of temperance continued to be apparent in the early nineteenth century. In 1814, the *Liverpool Mercury* published the story of Thomas Wood from Billericay who, being affected by "frequent sickness of the stomach... a constant thirst, a great lowness of spirits... and fits of the gout", resolved to become more temperate.<sup>240</sup> As with earlier tales of sickness, Wood's curative regime involved moderating his consumption of meat and initially abstaining from alcohol also. However, Wood soon gave up the consumption of all liquids, including water, suggesting he was motivated more by asceticism generally than a specific problematisation of alcohol. Another personal story in the *Examiner* in 1827 records that "I was sensible from my earliest years, that nothing was so injurious to my health as indulgence in what are commonly termed pleasures".<sup>241</sup> Despite the "raillery and

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<sup>240</sup> 'Miscellaneous Extracts: Extraordinary Instance of Extreme Temperance', *Liverpool Mercury*, 4 February 1814.

<sup>241</sup> 'Newspaper Chat: A Temperate Man', *The Examiner*, 29 July 1827.

facetiousness” of his friends who criticised his lifestyle, the author lived “sparingly and frugally”, giving up wine altogether as it was deemed to be “a poison to my constitution”.<sup>242</sup> Both sources display a slightly harder attitude towards alcohol and the latter, in particular, stresses the need for self-discipline in the face of pressure from others. But both sources include food or meat alongside intoxicating drinks as damaging substances. Intemperance still meant excess in any area of a broader spectrum of behaviour.

The focus on self-discipline in the *Examiner* piece is, perhaps, indicative of a wider valuation of this concept in the 1820s. In 1827, *The Times* published a poem by Mr Nicholson<sup>243</sup> entitled ‘Genius and Intemperance’:

Oh! could I write that I myself could save  
From this one curse, this sure untimely grave,  
This endless want, that soon must stop my breath,  
These flaming draughts, which bring the surest death,  
Then should my Muse upon her wings advance,  
And Genius triumph o’er Intemperance.<sup>244</sup>

The poem describes how drinking is enjoyable at first and attractive to “thousands of hopeful youths” as they begin to mix socially with friends. But, drinking is a “bewitching sin” which eventually “drowns all genius, wealth, and hope”, leaving the drinkers as “starving wretches”. Nicholson views intemperance as a serious, tragic problem: “I could employ my pen for weeks, for years, Write on this subject, wet it with my tears”. The best defence against the corrosive effects of drink “Is well to know the moment to depart... That I may know these ills, and stop in time, Is my last wish, as I end this rhyme.” The portrayal of drinking as essentially corrosive, the tragic depiction of the problem and the plea for self-discipline allude to a new

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<sup>242</sup> Ibid.

<sup>243</sup> As far as I can tell, this refers to John Nicholson, a Yorkshire poet who lived from 1790 to 1843. Interestingly, Nicholson apparently became a drunkard and died after falling into a river in Saltaire - Titus Salt’s teetotal town.

<sup>244</sup> ‘The Yorkshire Poet’, *The Times*, 1 December 1827.

seriousness in debates about alcohol. Interestingly, Nicholson's poem also associates temperance with the use of alcoholic drinks only, making no mention of food, sex or any other potentially de-moralising influence.

Other, more vivid illustrations of changing attitudes to drink were also produced in this decade. In 1826, *The Times* printed a damning report on America's drinking habits which was originally published in the *New York Inquirer*. In this piece, the term 'intemperance' is again discussed only in reference to drunkenness, which is said to be increasing to "a fearful extent" among young New Yorkers.<sup>245</sup>

Drunkenness is said to be "the besetting vice of our country", affecting not just the "low and vulgar" but the well-heeled and educated also. The piece echoes Nicholson: "At first, the practice may be harmless" but it soon becomes "a fixed and pernicious habit" which "deluges the gaming-room and the brothel with their pestilent population".<sup>246</sup> The idea that drunkenness leads to other temptations was not new, but other aspects of the article are novel. Drinking was seen as degrading, it was an "indulgence" and related to "sensualities"; these terms indicate an ascetic suspicion of pleasure congruous with the emerging influence of evangelicalism. Additionally, the piece demands that drunkards be subjected to "a broad and public stamp of moral reprobation"; "Let them point out by name the many and memorable instances of degradation and ruin which have happened in this city".<sup>247</sup> Drunkenness is thus singled out as a specific social threat and, through calls for the societal denunciation of intemperance, a need to thoroughly moralise this behaviour is identified. Warner links changes in American attitudes to alcohol during this period to the evangelical

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<sup>245</sup> 'Drunkards in New York', *The Times*, 16 October 1826.

<sup>246</sup> Ibid.

<sup>247</sup> Ibid.

revival<sup>248</sup> and the coverage of US drink stories in the British press suggests a similar hardening of views may have been occurring on this side of this Atlantic also.

In a similar vein, the *Hull Packet* chose, in 1826, to print an extract by the famous jurist and seventeenth century Puritan Sir Matthew Hale. Hale criticises the young man who “in the full career of his vanities and pleasures” denies himself “no pleasures, can drink, and roar, and debauch, and wear the newest fashions”.<sup>249</sup> This type of person thinks that devotion to God and the practices of religious duty are foolish until, that is, he becomes sick. Now that “his glass is almost out, and but a few sands left in it” he realises his previous ways were “perfect follies” and commits himself to religion, prayer and obedience of God.<sup>250</sup> “Affliction is the school of wisdom” and so only through sickness does the intemperate man learn that “intemperance, wasting of time, unlawful lust” are all sins.<sup>251</sup> The need for self-denial, selfless devotion to God and the association of intemperance with the sinful act of wasting time are all indicative of a puritanical approach to the topic of drinking. Despite the fact that Hale is concerned with the wider indulgences of vain youth and not just drinking, the fact that his ideas were again circulated in the 1820s implies that attitudes to alcohol were becoming more disapproving than in the eighteenth century.

Intensified disapproval of drinking was far from universal, however. Referring to its display in the National Gallery, the *Morning Chronicle* presents a vivid description of David Wilkie’s painting ‘The Village Holiday’ (see Figure Three). The paper describes the painting’s “innocent gaiety” and “rural frolic and hilarity”, scenes

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<sup>248</sup> Warner, ‘Temperance, Alcohol and the American Evangelical’.

<sup>249</sup> ‘Sir Matthew Hale’s Counsels of a Father’, *Hull Packet and Original Weekly Commercial, Literary and General Advertiser*, 14 February 1826.

<sup>250</sup> *Ibid.*

<sup>251</sup> *Ibid.*

which evoke the *joie de vive* of Hogarth's 'Beer Street'.<sup>252</sup> It is also noted that "the beginning, middle, and end of the enjoyment is drinking".<sup>253</sup> But the article on Wilkie's painting is disapproving, stating that "unhappily for rural morals, it is but too faithful a picture of country festivity".<sup>254</sup> The portrayal of individual moral choices perhaps shows that the artist himself shared the *Morning Chronicle's* concern. A woman is shown trying to lead her husband away from the festivities while "he hesitates between the forcible tenderness of his wife, and the seduction of a full bottle".<sup>255</sup> In a similar vein, in 1828 the same paper reported on the apparently hilarious court appearance of a thirteen to fourteen year old boy who had smashed a shop window while drunk. It is reported that the boy explained that he had been drinking "gin, and rum, and Meux" and this caused laughter. When the Lord Mayor asked if he meant Meux water, the boy replied, to even more laughter, "God love you, no. Strong heavy wet. Everybody knows what it is".<sup>256</sup> The amusement at the boy's behaviour felt by many of those present was not shared by the Lord Mayor, who referred to this case as "the most deplorable instance of the increasing immorality of youthful persons he had ever beheld" and "lamented the state that the vice of drinking had become more prevalent of late".<sup>257</sup> While drinking was still viewed in a light-hearted way by some, others saw the problem as both serious and worsening.

Although older, more permissive attitudes to drink persisted, public discourse was certainly becoming more disapproving in the 1820s. Rather than being only one aspect of intemperance, alcohol was increasingly becoming a specific, serious problem in its own right. Within the broader rise of evangelicalism described by

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<sup>252</sup> 'The National (Angerstein) Gallery', *Morning Chronicle*, 8 December 1824.

<sup>253</sup> *Ibid.*

<sup>254</sup> *Ibid.*

<sup>255</sup> *Ibid.*

<sup>256</sup> 'Police', *Morning Chronicle*, 18 December 1828.

<sup>257</sup> *Ibid.*



Hilton,<sup>258</sup> ascetic or Puritan ideas from America or seventeenth century Britain were being circulated and applied to alcohol. Attitudes towards drinking were hardening and the British public would soon come to express their own views on alcohol in similar attitudinal terms to the *New York Inquirer* article and Matthew Hale. But the 1820s was a turning point in which, like the man in Wilkie's painting, public attitudes were torn between, on the one hand, a desire to enjoy the festivities of the bottle and, on the other, an increasing belief in the immorality of drinking.

#### **4.2) Importing the Temperance Society in 1829**

In one sense, events in 1829 represented merely the continuation of the hardening attitudes towards alcohol apparent in the preceding years. The *Morning Chronicle*, for example, recalled excerpts of a sermon by the evangelical Reverend Thomas Chalmers, who claimed that wine “shall bite as a serpent and sting as an adder”.<sup>259</sup> Chalmers' serpentine depiction of this “bacchanalian indulgence” shows echoes of puritanism and an intensification of moral disapproval. More interestingly, in 1829 the British press also reported extensively on the formation of temperance societies in the USA. In August, the *Hull Packet* and *Morning Chronicle* both reported that “the general prevalence of intemperate habits in the United States have at length produced a re-action in the public feeling” and temperance societies are spreading across the Union in order to “put down that destructive practice of hard-drinking”.<sup>260</sup> Both papers report the case of a Massachusetts Judge and war veteran who, despite being initially reluctant to join his local society, soon resolved never “to stand in the way of a measure so necessary for his country as the temperance

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<sup>258</sup> Hilton, *Age of Atonement*.

<sup>259</sup> ‘The Reverend Thomas Chalmers D.D.’, *Morning Chronicle*, 17 April 1829.

<sup>260</sup> ‘Miscellaneous Intelligence’, *Hull Packet and Humber Mercury*, 11 August 1829; ‘News’, *Morning Chronicle*, 5 August 1829.

reformation".<sup>261</sup> The increasingly serious 'drinking problem' and what the Americans were doing about it were given extensive coverage in the British press.

US events were an inspiration to men like John Edgar who, in mid-August, wrote to the *Belfast News Letter* to call for the sanctification of the Sabbath. Primarily this was to be achieved through targeting "the most flagrant and inveterate cause of profanation... The sale and use of intoxicating liquors".<sup>262</sup> Intemperance is described as "the source of evils of incalculable magnitude", a threat to "the temporal and eternal interests of individuals, families and communities", and disastrous for "the moral and religious improvement of men".<sup>263</sup> Moreover, this dire social problem was said to be "widely spreading".<sup>264</sup> Edgar was far from despair, however, and spoke glowingly of the successes of the US temperance societies and their labours to engender "a change in public sentiment", "a renovation of habits of the individuals, and the customs of the community".<sup>265</sup> Inspired by this example of voluntary social action, Edgar ends with a call to arms:

Up then and be doing, men of patriotism, men of piety; a tide of intemperance, rising every hour, is hurrying all moral and religious institutions before it, up and be doing, now, or weep when all is over, on the closed grave of your country's glory.<sup>266</sup>

The efforts of Edgar and others soon resulted in the formation of the Cookstown Temperance Society, the first such organisation in Britain.<sup>267</sup> Although it should be remembered that Edgar only called for collective action against the use of alcoholic *spirits*, these events nevertheless represent an important development.

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<sup>261</sup> Ibid.

<sup>262</sup> Edgar, John, 'To the Editor of the News-Letter', *Belfast News-Letter*, 14 August 1829.

<sup>263</sup> Ibid.

<sup>264</sup> Ibid.

<sup>265</sup> Ibid.

<sup>266</sup> Ibid.

<sup>267</sup> 'Cookstown Temperance Society', *Belfast News-Letter*, 23 October 1829.

Moreover, Edgar was not alone in following the American example. In October 1829, John Dunlop gave a lecture in Glasgow claiming that American consumption of spirits had been greatly reduced by temperance societies and calling for the formation of more temperance societies.<sup>268</sup> Similar assessments of US temperance groups were reported in the *Hull Packet* and *Bristol Mercury*, which both claimed that, in one part of the US, the campaigns had been so successful that 1,500 spirit-vendors had given up the trade.<sup>269</sup> While publishing the sermons of American temperance pioneer Lyman Beecher, the *Leeds Mercury* echoed Dunlop and Edgar's calls for more societies.<sup>270</sup> There was a clear momentum to this trans-Atlantic movement and, by mid-1830, temperance mobilisation was apparent in London, Liverpool and across England and Wales.<sup>271</sup>

This mobilisation reflects how seriously the issue of drink was being taken. In January 1830, the Secretary to the New Ross Temperance Society stated his belief that "a drunkard, though unfit to die, is entirely unfit to live".<sup>272</sup> When the drunkard does die, the author went on to explain that "I would feel upon his death, as I would upon the death of the murderer dying on the scaffold – that he had paid the forfeit of his life to the offended justice of earth and of heaven". By his own admission, the author looks upon drunkenness with "a hatred and abhorrence quite peculiar". But this was not out of step with the prevailing moral climate; attitudes were hardening and those who failed to mend their ways faced not only the worldly ruin of poverty and sickness, but eternal ruin also. In October 1830, the *North Wales Chronicle* related drinking to spontaneous human combustion. The apparent propensity of

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<sup>268</sup> 'Temperance Societies', *Newcastle Courant*, 10 October 1829.

<sup>269</sup> 'Foreign Intelligence', *Hull Packet and Humber Mercury*, 1 December 1829.

<sup>270</sup> 'Latest Intelligence', *Leeds Mercury*, 23 January 1830.

<sup>271</sup> 'Miscellaneous Intelligence', *Hull Packet and Humber Mercury*, 16 February 1830; 'Temperance Society', *Liverpool Mercury*, 23 July 1830.

<sup>272</sup> Carr, Reverend G.W., 'Temperance Societies', *Morning Chronicle*, 6 January 1830.

drunkards to burst into flames was not a new belief; in 1804, for example, the *Derby Mercury* printed Thomas Trotter's case notes from examples of the "igneous quality of the Human Body, in People addicted to the use of Spirituous Liquors".<sup>273</sup> But Trotter's detailed observations of the aftermath of such cases contrasts the alarming reports in the *North Wales Chronicle*. The paper relates how, in his last minutes, the drunkard in question reported that "he was suffering the torments of hell; that he was just upon its threshold, and should soon enter its dismal cavern; and in this frame of mind he gave up the ghost".<sup>274</sup> The old connection of drinking to combustion was therefore reinterpreted; the burning quite literally became the drunkard's descent into hell and damnation represented his eternal recompense for a life of sinful intemperance. In the context of 'the temperance reformation', drinking was much more than just a matter of life and death.

Drunkenness and the consumption of spirits were viewed in increasingly stark terms as a social and moral evil. Moreover, given the coverage of American events, Edgar, Dunlop and others had an idea, based on voluntary association, of what could be done about this deadly, sinful social problem.

#### **4.3) The Teetotal Turn**

From relatively humble beginnings in the 1820s, the temperance movement grew into a huge and fascinating social phenomenon. While Georgian outrage about gin had remained largely confined to the south-east of England,<sup>275</sup> the temperance movement spread across the whole country. England's first temperance society was established in Bradford in Yorkshire, an area which, along with

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<sup>273</sup> 'Morning Address – Animal Combustion', *Derby Mercury*, 15 November 1804.

<sup>274</sup> 'Drunkenness – Spontaneous Combustion', *North Wales Chronicle*, 21 October 1830.

<sup>275</sup> Warner, *Craze*.

Lancashire, became in some respects the heartland of the movement.<sup>276</sup>

Temperance was also particularly strong in Wales as well as Cornwall, which Harrison demonstrates had a higher membership of the British and Foreign Temperance Society per head of population than any other area of England or Wales.<sup>277</sup> Although its popularity and influence varied somewhat across the regions of Britain, the temperance movement was truly national in scope. The British Association for the Promotion of Temperance (BAPT – later the British Temperance League) and the British Teetotal Society (later the National Temperance League) were among the first nationally organised temperance groups,<sup>278</sup> although the UK Alliance, the Band of Hope and the Church of England Temperance Society (COETS) would later follow their lead. By the end of the century, the membership of temperance societies nationwide numbered in the millions.<sup>279</sup> This was a national social movement on a massive scale and so clearly distinct from any previous expression of anti-alcohol sentiments.

Interestingly, the temperance movement was probably weakest in London, the hub of the gin panics in the preceding century.<sup>280</sup> Moreover, while concerns about gin-drinking had been expressed largely by London's social elites, from bishops and physicians to the Middlesex justices,<sup>281</sup> the temperance movement spanned a broader cross-section of British society. Karl Marx, a contemporary of the movement, criticised temperance strongly; he derided it as a "bourgeois infection" constituted of those who wished for "redressing social grievances in order to secure the continued

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<sup>276</sup> See: Harrison, *Drink and the Victorians*, p.109 and p.140.

<sup>277</sup> *Ibid.*, p.109.

<sup>278</sup> Shiman, *Crusade Against Drink*, p.58.

<sup>279</sup> Shiman reports that, at the turn of the Twentieth Century, the Band of Hope alone had three million members (Shiman, *Crusade Against Drink*, p.154).

<sup>280</sup> Warner, *Craze*, p.x.

<sup>281</sup> See: Nicholls, *Politics of Alcohol*, pp.34-50.

existence of bourgeois society".<sup>282</sup> Although clearly a polemical comment, the class-composition of the temperance movement is significant. Shiman describes how the early temperance movement was dominated by the mid-echelons of society,<sup>283</sup> and Harrison explains how it thrived on middle-class benevolence or philanthropy as well as the aspirations of sections of the working class to appear respectable and 'civilised'.<sup>284</sup> This connection to working-class self-improvement explains the strong links of the temperance movement to the early labour movement, as well as other 'progressive' causes such as Chartism.<sup>285</sup> The fact that the temperance movement was radical, national (although stronger in provincial areas), and spanned the middle and working classes again suggests that it bore little relation to preceding anxieties about drink.

The temperance movement was also historically unprecedented due to its high level of organisation. The gin panics were typified by outrage and alarm more than concerted action against drinking habits; but the temperance movement was coordinated at the local, regional, national and even international level. American orators, for example, were often involved in spreading the temperance gospel in Britain as well as Sweden, which received American and British temperance missionaries in the 1840s and 1850s.<sup>286</sup> On a local level, temperance groups were routinely involved in activities such as public meetings and the publication of campaign literature, such as the *Alliance News*. Later in the century certain groups became involved in more innovative means of targeting those most affected by drink;

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<sup>282</sup> Harrison, *Drink and the Victorians*, p.395.

<sup>283</sup> Shiman, *Crusade Against Drink*, p.4.

<sup>284</sup> Harrison, *Drink and the Victorians*, pp.24-26.

<sup>285</sup> Ibid.

<sup>286</sup> Eriksen, Sidsel, 'Drunken Danes and Sober Swedes? Religious revivalism and the temperance movements as keys to Danish and Swedish folk cultures', in *Language and the Construction of Class Identities*, edited by Strath, Bo (Gothenburg: Gothenburg University Press: 1989), pp.55-94.

Shiman describes how the Salvation Army held prayer meetings outside London pubs, Miss Weston established temperance sailors' missions in Portsmouth, Devonport and Keyham, and the COETS established a 'Prison Gates Mission' to help newly released prisoners lead a sober, law-abiding life.<sup>287</sup> In addition to their evangelical focus on new converts, temperance societies provided their members with fraternal support and a social life not centred on the local pub.<sup>288</sup> The level of organisation and the wide variety of tactics reveal that the temperance movement was a sophisticated and multi-faceted campaign.

Perhaps most importantly, the temperance movement came to embody a whole new discourse on alcohol. In July 1832, the *Preston Chronicle* reports on a 'Temperance Tea Party' where guests were offered tea, coffee and cakes, and "nothing was wanting to enliven the scene but a good band of music".<sup>289</sup> It is not especially noteworthy that the party-goers were then addressed on "the evils and dangers of inebriation"; but that they listened to a talk on "the advantages and blessings of abstinence from intoxicating drinks" is remarkable. This tea party, and a subsequent field meeting attended by 2,000 people, constituted some of the early formative stages of abstinence-based temperance. One of the organisers of these gatherings was Joseph Livesey who, in 1832, began administering what are usually accepted as the first teetotal pledges. It is not clear whether teetotalism internationally sprang from Livesey's innovation or whether, as Cook suggests, it emerged simultaneously in parts of Britain and America.<sup>290</sup> But it is evident that the concept of the teetotal pledge spread rapidly on both sides of the Atlantic. Livesey's BAPT and the London-based New British and Foreign Society for the Suppression of

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<sup>287</sup> See: Shiman, *Crusade Against Drink*, pp.104-105 and pp.130-133.

<sup>288</sup> Shiman, *Crusade Against Drink*.

<sup>289</sup> 'Temperance Tea Party', *Preston Chronicle*, 14 July 1832.

<sup>290</sup> Cook, *Alcohol, Addiction and Christian Ethics*, pp.81-82.

Intemperance were both established in 1835 to advance teetotalism<sup>291</sup> and, by 1840, even moderationist pioneer John Dunlop had joined the teetotal ranks.<sup>292</sup> This new temperance, based around total abstinence from alcoholic drinks, represents a clear break from the anti-drunkenness or anti-spirits discourses which had preceded it.

So, how did this discursive mutation, from moderation to abstinence, occur? The key concern is one of causal inevitability. A letter published in *The Times* in 1830 expressed the relationship of alcohol with a variety of nasty eventualities by asserting that “the worst cases of murder, street robbery, housebreaking, seduction, and suicide, may all be traced to this horrid source”.<sup>293</sup> This is not a peculiar comment and, as has been discussed, alcohol had been associated with similar problems since earlier historical periods. But what distinguishes teetotallers from earlier parties concerned with the effects of drinking is that, to Livesey and his followers, moderate consumption of beer or wine was regarded as unavoidably connected to problems like murder and robbery. A moderate drinking habit was conceived as a temporary state; it was, to borrow the words of W. Hunt, the first step on “the highway to drunkenness”.<sup>294</sup> Hunt, a Westcountry teetotal activist, also used the metaphor of a whirlpool to describe how even moderate drinkers soon find that “their giddy heads quickly sink in the deep waters of intemperance – perhaps to rise no more”.<sup>295</sup> Drinking was thus construed as a slippery slope, meaning that the negative potential consequences of alcohol use came to be viewed as the inevitable result of even modest consumption.

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<sup>291</sup> Harrison, *Drink and the Victorians*, pp.139-142.

<sup>292</sup> Ibid.

<sup>293</sup> Homo, ‘Abuse of Spirituous Liquor’, *The Times*, 4 January 1830.

<sup>294</sup> Hunt, W., *History of Teetotalism in Devonshire*, (UK: Western Temperance Advocate Office, 1841), p.14.

<sup>295</sup> Ibid.



Alcohol thus went from being associated with a variety of immoral behaviour, to being conceived as immoral in itself. While intemperance had long been viewed as a sin, Cook describes how, given the inevitability of drinking leading to drunkenness, abstainers such as Dawson Burns came to view any consumption of alcohol as intemperate and therefore sinful.<sup>296</sup> In this moral climate, it became common to refer to drinking as “a terrible evil”<sup>297</sup> of such magnitude that there is not “anything to compare”.<sup>298</sup> Given this conceptualisation of drinking as a negative moral absolute, the previously advised remedies of moderation or abstinence from spirits were incapable of preventing drinkers from descending the slippery slope. In 1834, Livesey claimed that moderation was based on “delusive notions” and produced “baneful effects”.<sup>299</sup> In 1841, the *English Chartist Circular* went further; by claiming that “the only true mode of killing drunkenness and the equally mischievous habits of ‘moderate’ tipping is the adoption of Teetotal pledge”, the publication asserted that moderation was morally tantamount to drunkenness.<sup>300</sup> As drinking rather than drunkenness was increasingly moralised, so abstinence and the teetotal pledge were constructed as the only viable means to escape the “deep waters of intemperance”.

The idea of abstaining from alcohol was not entirely new. As aforementioned, reformed drunkards in the eighteenth century sometimes practised abstinence and, inspired by the water-drinking Rechabites from the Bible, abstinence within small ascetic religious groups was not unheard of. But Livesey’s brand of teetotalism was

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<sup>296</sup> Cook, *Alcohol, Addiction and Christian Ethics*, pp.94-104.

<sup>297</sup> ‘Annual Tea Meeting of the Fisher-Gate Chapel Band of Hope’, *Preston Guardian*, 26 October 1872.

<sup>298</sup> ‘Conference on the Reform of Temperance in the Corn Exchange’, *Preston Guardian*, 16 November 1872.

<sup>299</sup> ‘Lecture on Temperance’, *Preston Chronicle*, 8 March 1834.

<sup>300</sup> ‘Temperance Record’, *English Chartist Circular*, (1841-1844).

not medically-driven but, in his own words, based on the need to disseminate “moral principles”.<sup>301</sup> Plus, and to borrow Weber’s terminology, this was not the cloistered self-abasement of individual ascetics or isolated communities, but the everyday, ‘worldly asceticism’ of ordinary members of society.<sup>302</sup> In actuality, some of the topics explored in Weber’s *Protestant Ethic* thesis resonate strongly with discourses of teetotalism. Weber proposes that the Calvinist belief in predestination shifts people’s focus away from *achieving* a state of grace, which is the abiding concern of Lutheranism or Catholicism, and towards *proving* your own state of grace through such “rational worldly activity” as working hard, saving money and controlling emotional or physical impulses.<sup>303</sup> Calvinism thus inflated the moral currency of thrift and self-control and, it is argued, supplied the ascetic Protestant spirit which was instrumental in the growth of Western capitalism. Although Hilton describes how the centrality of predestination was somewhat diminished in nineteenth century theology, he does argue that a related rationalistic world-view in addition to beliefs in the depravity of mankind and the virtue of self-denial were evident in a wider current of evangelical Protestantism.<sup>304</sup> It is therefore feasible that the ethical valuation of worldly asceticism necessary to sustain a commitment to an everyday routine of self-discipline, such as the teetotal pledge, resulted from the Calvinist-influenced aspects of evangelical Protestantism.

Ascetic values are apparent in much early teetotal discourse. Livesey argued that “a working man, in health, with good food, can work better without ale than with it”.<sup>305</sup> As well as making more productive workers, Livesey believed that teetotallers

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<sup>301</sup> ‘Lecture on Temperance’, *Preston Chronicle*, 8 March 1834.

<sup>302</sup> Weber, *The Protestant Ethic*.

<sup>303</sup> *Ibid.*, pp.98-103 and pp.126-127.

<sup>304</sup> Hilton, *Age of Atonement*, pp.8-9.

<sup>305</sup> ‘Lecture on Temperance’, *Preston Chronicle*, 8 March 1834.

were more ethically sound individuals, a point demonstrated by his description of “the contentment, happiness and independence of a life of industry and sobriety”.<sup>306</sup> Hard-work and abstinence from alcohol were thus crucial qualities of the model of the respectable working man promoted by Livesey and his followers. Just as Weber describes how ascetic Protestantism demands calculative rational actions from its adherents, so Livesey put forward his arguments in a decidedly rational fashion. In the early 1830s he forcefully argued that, as the brewing process extracts sugars and starch in order to produce alcohol, beer had far less nutrition than could otherwise be taken from the materials used to make it. It was also expensive; Livesey claimed that there was not more than one penny’s worth of nutrition in a gallon of ale costing one shilling and four pence.<sup>307</sup> Appealing to the evangelical spirit of rationality, Livesey argued that money could and should be used to purchase more nutritious foodstuffs than beer. If alcohol costs money, disinhibits behaviour and reduces capacity for work (both when consuming and often the next morning), it becomes apparent why it was moral anathema to Calvinist-influenced, evangelical Protestants.

Given these ethical foundations, it is unsurprising that the temperance movement initially drew the majority of its support from more ascetic Protestant groups. Levine documents how abstinence-based temperance movements were popular in countries where Calvinist-influenced groups flourished,<sup>308</sup> and Gusfield describes how the US temperance movement drew support from the same denominations.<sup>309</sup> In Britain, Harrison describes how the early temperance

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<sup>306</sup> ‘Temperance Tea Party’, *Preston Chronicle*, 14 July 1832.

<sup>307</sup> ‘Lecture on Temperance’, *Preston Chronicle*, 8 March 1834.

<sup>308</sup> Levine, ‘Temperance Cultures’.

<sup>309</sup> Gusfield, ‘Status Conflicts’.

movement included large numbers of Methodists, Baptists and Quakers;<sup>310</sup> a point which goes some way to explaining why temperance support was weaker in the more Anglican south-east of England than it was in Wales, Cornwall and the north where more ascetic forms of Protestantism were well-established. This denominational explanation is not total, however, as it must be acknowledged that an evangelical faith in asceticism was apparent in the Anglican Church also; Hilton estimates that in 1850 one third of Anglicans were evangelical. Nevertheless, Hilton states that at the same point in time most Nonconformists were evangelical<sup>311</sup> and, indeed, as late as the mid-twentieth century debates over Welsh licensing reforms were viewed through a denominational lens as a conflict of Church against Chapel.<sup>312</sup> Controversy over the reform of Welsh licensing reforms in the 1960s was seen to pit the “puritanism” or “Calvanism” [sic] of supporters of Sunday closing against the more permissive, pro-reform stance of a group characterised as Anglican.<sup>313</sup> There is, therefore, an enduring sense that the regional profile of the temperance movement owes something to the geographical character of more ascetic, evangelical forms of Protestantism.

The religious background of the temperance movement also helps to explain its qualitative character. Self-deprecatory commentaries were recurrent in temperance discourse. Although in 1745 the *Universal Spectator* compared British drinking habits unfavourably with those of the Spanish,<sup>314</sup> by the mid-nineteenth

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<sup>310</sup> Harrison, *Drink and the Victorians*, pp.179-184.

<sup>311</sup> Hilton, *Age of Atonement*, p.26. It is also worth iterating that Methodism began as a movement within the Church of England and did not separate from the established church until the 1790s, after Wesley's death.

<sup>312</sup> 'Dangers of Disunity', *The Guardian*, 24 February 1961.

<sup>313</sup> 'Right to Drink in Welsh Clubs', *The Times*, 22 March 1961.

<sup>314</sup> 'From My Own Chambers', *Universal Spectator and Weekly Journal*, 5 October 1745.

century references to “our national intemperance” were almost routine.<sup>315</sup> At a temperance meeting in 1872, Mr Heywood spoke of the shame British drinking habits made him feel.<sup>316</sup> This comment evokes the total separation of the divine sphere from the sin and depravity of the earthly realms which Hilton sees as characteristic of nineteenth century evangelicalism.<sup>317</sup> E.P. Thompson quotes the Methodist preacher Jabez Bunting’s claim that “the dust of self-abasement is our place before God”; a point which renders guilt, shame and self-repulsion, as expressed by Heywood and others, as the only emotions suitable to human beings.<sup>318</sup> Given the apparent preponderance of depravity, it might be expected that concerned onlookers would have despaired. But, in keeping with the work ethic Weber identifies, Harrison highlights an evangelical commitment to the notion of ‘the struggle’ which inspired their zealous temperance campaigning. He quotes temperance supporter Sir Wilfrid Lawson saying “we live in a world full of sin, of wrong, and of injustice, and if we are not to struggle, the sooner we are out of this world the better”.<sup>319</sup> Similarly, Richard Passmore Edwards reminded people “that to him that knoweth to do good, and doeth it not, to him it is sin”.<sup>320</sup> Faced with the overwhelming sin and immorality, it was therefore imperative for ascetic Protestants to struggle against it with all the devotion and self-discipline they applied to other worldly labours.

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<sup>315</sup> ‘Permissive Bill Meeting in Leeds’, *Leeds Mercury*, 12 December 1872.

<sup>316</sup> ‘United Kingdom Alliance, Preston Auxiliary’, *Preston Guardian*, 17 September 1870.

<sup>317</sup> Hilton, *Age of Atonement*. It is useful to note that Weber sees this faith in depravity, which has theologially demonstrated by Eve’s “original sin” and the crucifixion of Jesus at the hands of mankind, to result from Calvinism. But whether or not he is correct, it is hard to disagree with Hilton that, by the nineteenth century, a preoccupation with depravity was a characteristic of broader forms of evangelical forms of Protestantism. See: Weber, *Protestant Ethic*, pp. 102-103.

<sup>318</sup> Thompson, *Making of the English Working Class*, p.400.

<sup>319</sup> Harrison, *Drink and the Victorians*, p.377.

<sup>320</sup> ‘Temperance Conference at Portsea’, *Hampshire Telegraph and Sussex Chronicle*, 4 September 1872.

Confronted by evil and convinced of the rewards of hard work, the only option for temperance believers was therefore to fight - and 'fight' is very much how many advocates understood their cause.

Hail Livesey! still onward – the cause is divine,  
Thy zeal over warm – in this war thou dost shine,  
As Preston exulting can tell.  
There Temp'rance hath flourished; the banner is there  
Triumphant displayed; and the glorious war  
Makes patriots bosoms so swell....

To battle with these; may the task still be mine,  
They struggle for freedom, for virtue divine –  
The Temperance watchword is 'On!'<sup>321</sup>

The "battle", repeatedly referred to by Edward Morris, in this piece of 1834, was the battle to convert drinkers to teetotalism and thus reform the behaviour of the population. Imbued with this evangelical spirit, the temperance movement thus set about promoting the teetotal pledge in Victorian society. It was not enough, therefore, for Livesey and others to simply abstain from drink themselves or seek separation from the immoral sections of the population. The hard-working, worldly Protestant was compelled to eradicate any evil he or she perceived, even if the evil lay in the behaviour of other people. The temperance movement thus traverses the divide between what Foucault calls the "government of self" and the "government of others".<sup>322</sup>

Moral regulation projects, according to Hunt, are usually pitched on the interface between the government of self and government of others. The temperance movement fits the mould of a moral regulation project in a number of other ways, including its denunciation of a certain type of behaviour and the promotion of an alternative, teetotal lifestyle. It is apparent that this was not the worried reaction of

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<sup>321</sup> Morris, Edward, 'The British Banner of Temperance', *Preston Chronicle*, 15 November 1834.

<sup>322</sup> Foucault, *Government of Self and Others*.

social elites, but a movement predominantly instigated by the middle-class and focused on the working-class. It thus corresponds to Hunt's typical campaign 'from below' or 'from the middle'.<sup>323</sup> Hunt lists other requisites of a moral regulation project,<sup>324</sup> all of which were fulfilled by the temperance campaign; a target (drinkers), agency (societies), tactics (promotion of the pledge), discourse (abstinence-based) and a political context (the Beer Act). Harrison is, therefore, right that the temperance movement was more organised than any previous instances in which anti-alcohol sentiment became popular; but it also possessed broader national support, refined tactics, more evangelical members, a heightened belief in the need for radical behavioural reform, and a clearer, more distinct discourse than any previous outburst of alarm directed at alcohol. It would be hard to describe the reaction of Hogarth and his Georgian contemporaries to gin consumption as constituent of a movement to morally regulate alcohol (as defined by Hunt).<sup>325</sup> By contrast, the temperance movement was clearly different to what had come before and vividly represents a classic example of just such a moral regulation project.

### **5) The Beer Act 1830**

So, what part did the Beer Act 1830 play in the temperance reformation? Since the Alehouse Act 1552, sellers of intoxicating drinks required a licence granted by a local magistrate and, from 1808 onwards, sellers of beer had further required an excise licence in order to ply their trade.<sup>326</sup> The Estcourt Act 1828 began to loosen some restrictions; it scrapped certain eighteenth century statutory provisions

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<sup>323</sup> Ibid., pp.1-2.

<sup>324</sup> Ibid., p.28.

<sup>325</sup> It should be noted that Critcher has argued that the gin panics equate to the more generalised concept of moral regulation as formulated by Corrigan and Sayer. But, the more discursively-oriented and social movement-focused theory of Alan Hunt has never been applied to the gin panics. See: Critcher, 'Drunken Antics'.

<sup>326</sup> See: Jennings, Paul, 'Liquor Licensing and the Local Historian: Inns and Alehouses 1753-1828', (2010) *The Local Historian* Vol. 40 (2), pp.136-150.

including the requirement for licence applicants to provide character references and recognisance or surety of ten pounds against disorder on their premises.<sup>327</sup> The Beer Act 1830, however, vastly accelerated this liberalising trend by enabling people to sell beer, ale or cider without magisterial permission, requiring only that beer-sellers possess the excise licence (which was obtainable upon the payment of a fixed fee). The legislation was partially motivated by free trade logic. At the time, persistent references were made to the need to tackle monopolies, which breweries had reportedly established in particular areas.<sup>328</sup> It was not believed that the existing system was equipped to tackle this problem; there was a degree of hostility to the “arbitrary and injurious power” of local magistrates.<sup>329</sup> The concentration of licensing power in the hands of magistrates led to widespread fears of corruption and Anderson argues that, in light of this, the Beer Act 1830 should be understood as enacting a desire to replace the murky procedures of magisterial discretion with a more transparent, rule-based system.<sup>330</sup> The Act would, therefore, simultaneously strike a blow against commercial monopolies and for rational governance.

There were also other potential motives behind the Beer Act 1830.

Nicholls notes that Wellington’s Government were facing a general election and increasing the availability of beer may have been seen as a vote-winner.<sup>331</sup> Whether electioneering was a motivation or not, the reform was certainly advocated with reference to free trade ideas as well as older, eighteenth century conceptions of the drink problem. Consistent with the views of their Georgian predecessors as well as

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<sup>327</sup> Ibid.

<sup>328</sup> For example, see: Probus, ‘Sale of Beer Bill: To the Editor of *The Times*’, *The Times*, 21 June 1830.

<sup>329</sup> Mr Western MP, ‘Sale of Beer Bill’, *Morning Chronicle*, 22 May 1830.

<sup>330</sup> Anderson, Stuart, ‘Discretion and the Rule of Law: The Licensing of Drink in England, c.1817-40’, (2002) *Journal of Legal History* Vol. 23 (1), pp.45-59.

<sup>331</sup> Nicholls, *Politics of Drink*, p.91.



their temperance contemporaries, many people continued to view alcoholic spirits as the real problem. During Parliamentary debates of the legislation in 1830, the MP for Shrewsbury, Mr Slaney, argued that “all disorder and immorality consequent on tippling arose from the drinking of spirits, and not from the drinking of beer”.<sup>332</sup> As in Hogarth’s day, beer was still commonly perceived in a morally neutral or positive light; a letter in *The Times* expressed the view that beer was a normal commodity and so asked why its sale “should not be as free as the sale of bread and cheese, or bacon?”<sup>333</sup> Legislative attempts to liberalise the trade in beer were therefore positioned as attempts to reduce the consumption of alcoholic spirits. As Slaney describes, the debate was largely concerned with “a healthful nutritious [sic] beverage and demoralising and destructive spirituous liquors”.<sup>334</sup>

However, the belief that beer consumption was harmless was not universal. The MP for Reading, Mr Monck, argued that the existence of a licensing system shows that common law pronounces “public houses to be public nuisances”<sup>335</sup> which “ought not to be erected in low, retired, and improper situations”.<sup>336</sup> Monck believed that the Beer Bill threatened this state of affairs by carrying “the principle of competition to a new and indefinite extent”.<sup>337</sup> Sir T. Gooch gave some support to Mr Monck, stating that “he was a friend to free trade in beer, but he thought the magistrates ought to have some control over the licences”.<sup>338</sup> Reservations were not restricted to Parliament; the *Hampshire Telegraph* reported on a public meeting in Newport at which it was agreed that the indiscriminate sale of beer would “be

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<sup>332</sup> ‘Sale of Beer Bill’, *Hull Packet and Humber Mercury*, 25 May 1830.

<sup>333</sup> Probus, ‘Sale of Beer Bill: To the Editor of *The Times*’, *The Times*, 21 June 1830.

<sup>334</sup> ‘Sale of Beer Bill’, *Morning Chronicle*, 22 May 1830.

<sup>335</sup> ‘Sale of Beer Bill’, *Hull Packet and Humber Mercury*, 25 May 1830.

<sup>336</sup> ‘Sale of Beer Bill’, *Morning Chronicle*, 22 May 1830.

<sup>337</sup> ‘Sale of Beer Bill’, *Hull Packet and Humber Mercury*, 25 May 1830.

<sup>338</sup> *Ibid.*

productive of serious evil to the morality and good order of society”.<sup>339</sup> During 1830 a number of anti-Beer Bill petitions were presented to Parliament. Although many petitions came from licensed victuallers, who feared that the freeing up of the beer trade would threaten their livelihoods,<sup>340</sup> a petition from the Vicar and Church-Wardens of Isleworth expressed non-pecuniary worries about the “most ruinous effects” the Bill may have.<sup>341</sup> Although Monck and those at the Newport meeting are not reported as raising objections to moderate use and properly regulated sale of beer, they do highlight the potential problems which beer may produce.

Many people soon came to agree with the Vicar of Isleworth’s concerns, mainly as the Beer Act was frequently seen as worsening the very problem it sought to solve. After this legislation came into effect, there was a large increase in the number of premises selling beer<sup>342</sup> and significant decreases in the price of their product.<sup>343</sup> This was not unexpected; but when it became apparent that the consumption of spirits was not significantly reduced<sup>344</sup> and that arrests for drunkenness were rising,<sup>345</sup> the fears of the moralist “who trembles lest our streets should become too narrow for a staggering population” appeared to have been realised.<sup>346</sup> In Parliament in 1839, Mr Pakington referred to “the evils which had resulted from the beer act of 1830”.<sup>347</sup> In the same year, a group of Watford magistrates petitioned Parliament calling for a clampdown on beer-houses,

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<sup>339</sup> ‘To the Printer of the Hampshire Telegraph’, *Hampshire Telegraph and Sussex Chronicle*, 26 April 1830.

<sup>340</sup> See: ‘Imperial Parliament’, *Morning Chronicle*, 27 April 1830.

<sup>341</sup> ‘House of Commons’, *Jackson’s Oxford Journal*, 8 May 1830.

<sup>342</sup> Harrison, *Drink and the Victorians*, pp.64-86.

<sup>343</sup> ‘Postscript’, *Bristol Mercury*, 28 June 1830; ‘London’, *Hampshire Telegraph and Sussex Chronicle*, 4 October 1830.

<sup>344</sup> Harrison, *Drink and the Victorians*, pp.81-86.

<sup>345</sup> Wilson, *Alcohol and the Nation*, pp.99-101;

<sup>346</sup> ‘The New Beer Bill’, *Hampshire Telegraph and Sussex Chronicle*, 25 October 1830.

<sup>347</sup> ‘The Parliament’, *The Examiner*, 24 March 1839.

describing them as those “schools of vice” which have “corrupted” and “seduced” young people into “riotous debauchery”.<sup>348</sup> It became commonplace to echo these sentiments by referring to “the evils of the Beer Act”, a phrase which featured in the *Newcastle Courant* in 1850,<sup>349</sup> *The Era* in 1857, and was used by prohibitionist Dawson Burns as late as 1908.<sup>350</sup> The Beer Act 1830 thus provided a focus for critical social commentaries for some years to come, and, for many people, its very name became synonymous with legislative failure and moral bankruptcy.

Nowhere was criticism of the Act stronger than in the ranks of the prohibitionist UK Alliance. Harrison reports that in the 1860s the Alliance, Britain’s largest temperance society, had three principal aims: the restoration of beer shops to magistrates’ control, opposition to Gladstone’s attempts to open up the wine trade, and opposition to the free licensing policy of the Liverpool magistrates.<sup>351</sup> All of the UK Alliance’s aims relate either to the Beer Act 1830 or the related free trade model of alcohol governance. Interestingly, advocates of free trade were not disheartened by the Beer Act 1830’s apparent lack of success and blamed these eventualities on a surfeit of regulations. A letter in *The Times* in 1860 claimed the statute failed because beer-houses could not compete equally with public houses, which could stay open for longer hours and sell wine and spirits as well as beer.<sup>352</sup> This letter was prompted by Gladstone’s contemporaneous attempts to liberalise the wine trade by reducing duties and encouraging imports. Gladstone, like free traders before him, was motivated by the idea that competition would improve the quality and price of drinks, and so in turn reduce the dangers of adulteration and provide an alternative

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<sup>348</sup> ‘Repeal of the Beer Act’, *The Era*, 3 February 1839.

<sup>349</sup> ‘The Lords’ Committee on the Beer Act’, *Newcastle Courant*, 21 June 1850.

<sup>350</sup> Burns, Dawson, ‘The Licensing Bill’, *The Times*, 1 May 1908.

<sup>351</sup> Harrison, *Drink and the Victorians*, p.348.

<sup>352</sup> A Thirsty Soul, ‘The Brewer’s Monopoly’, *The Times*, 16 February 1860.

to spirit-drinking.<sup>353</sup> This mixture of free trade and anti-spirit/pro-beer ideas thus formed a potent and lasting cocktail. Also, the historical legacy of the Beer Act 1830 clearly structured debates about alcohol for several decades.

It must be remembered that attitudes to drink were hardening several years before the Beer Bill was first debated in Parliament. But, from 1830 onwards, these changing attitudes were increasingly expressed in reference to the Beer Act 1830. The Act did not engender a fundamentally novel discourse of anti-alcohol sentiment. It did, however, create a public discursive arena in which the potentially negative effects of beer-drinking and the need for proper regulation were stressed. Both the traditional idea of beer as healthy and harmless, plus the conception of spirits as somehow different and more malevolent, was challenged. As a piece in the *Derby Mercury* argued, beer was not just a nutritious beverage but potentially a “moral poison” also.<sup>354</sup> By the time legislative amendments were debated in Parliament in 1839, Mr Warburton was able to make a case that beer is an intoxicating drink and should be subjected to the exact same regulations as wine or gin.<sup>355</sup>

## **6) Reflections**

The Beer Act 1830 did not, therefore, instigate the increasing problematisation of alcohol, but it did contribute to a much wider acceptance that beer, as well as spirits, can produce social problems. It is tempting to say that this legislation was, therefore, a necessary prerequisite for the emergence of teetotalism. However, it must be remembered that groups such as the Society for the Suppression of Vice demonstrate that aspects of social life were becoming increasingly moralised anyway. Moreover, this chapter has shown that attitudes to alcohol were already in

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<sup>353</sup> See: Harrison, *Drink and the Victorians*, pp.248-250.

<sup>354</sup> ‘The Beer Bill’, *Derby Mercury*, 14 July 1830.

<sup>355</sup> ‘The New Beer Act’, *The Operative*, 24 March 1839.

the process of becoming harder as more puritanical or evangelical beliefs were increasingly applied to drink, and that teetotalism emerged almost simultaneously on both sides of the Atlantic. The Beer Act 1830 structured debate and perhaps accelerated the problematisation of all alcoholic drinks; but, based on this analysis, it appears only as a local contributing factor within a bigger, cross-national attitudinal shift. This conclusion means that neither moral panic theory, which applies to short-term reactions to social issues which are deemed irrational, nor the rational objectivist model, which refers to logical or defensible responses to identifiable social problems, are suitable heuristic frameworks. The temperance movement was more than simply a reaction to a legislative reform and changing drinking habits. The campaign's emergence from the 1820s onwards embodies some fundamental transformations in understandings of alcohol, a reformation of social attitudes, and the beginning of a new and distinct project to morally regulate the use of alcohol.

The genesis of the temperance movement represents, therefore, the start of a new chapter in Britain's relationship with alcohol. Indeed the very concept of 'temperance', the virtue used to morally regulate consumption, came to be redefined in this period. Victorian usage of the term 'temperance' referred almost exclusively to drinking habits as well as coming to be strongly associated with teetotalism rather than restraint or moderation (which better captures the word's literal meaning). This was a national attitudinal remaking; quite what the results of this remaking were will be explored in the remaining chapters.

Figure 2: *Beer Street* by William Hogarth (1751).



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**Figure 3: *The Village Holiday* by David Wilkie (1809-1811).**



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## Chapter Four

### Balancing Acts or Spirited Measures?

#### The Temperance Movement and Legal Developments

##### 1) Introduction

Academics studying the British temperance movement tend to regard it as having had little effect. Jessica Warner asserted that “the most salient feature of the British temperance movement is how little it was able to accomplish”<sup>356</sup> and James Nicholls’ fascinating history of the drink question seems to regard the temperance movement as something which rose up before falling down, leaving little meaningful imprint on society.<sup>357</sup> More popularly, Ian Hislop’s recent BBC series *Age of the Do-Gooders*, portrayed the Victorian temperance movement as a curious phenomenon which, despite the apparently continuing relevance of its message, sunk without a trace.<sup>358</sup> But is this negative assessment of impact accurate? Did this well-supported, highly-organised and discursively novel social movement really affect no changes in the way British people relate to alcohol?

Building on the argument in the previous chapter that the emergence of the British temperance movement represented the start of a potent movement to morally regulate the use of alcohol, this chapter begins an assessment of the impact of this project. The particular utility of the moral regulation approach is that it enables a concentration on both the legal and moral means through which attempts are made to govern people’s behaviour. Hence this chapter will focus on the legal impacts of the temperance movement as well as the subtler, attitudinal or heuristic changes it

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<sup>356</sup> Warner, Jessica, ‘Are you a Closet Fabian? Licensing Schemes Then and Now’, (2006) *Addiction* Vol. 101, pp.909-910.

<sup>357</sup> Nicholls, *Politics of Drink*.

<sup>358</sup> Hislop, Ian, ‘Sinful Sex and Demon Drink’, (2010), episode 3 of series *The Age of the Do-Gooders*, BBC2, first screened on 13 December 2010.



may have engendered. These attitudinal and heuristic changes are investigated primarily through the study of newspaper sources and, for this chapter alone, approximately 350 articles have been analysed. Drawing on these sources, this chapter will focus on the more immediate effects of temperance campaigning in the Victorian period before subsequent chapters investigate its longer-term impacts.

## **2) 'A New Moralizing Subtext'**

The massive social and economic upheavals of the nineteenth century were accompanied by the expansion of government into new areas of social life. Many previously untouched spheres of social life, from working practices to education, became increasingly subject to government regulation. Moreover, as Emsley highlights, nineteenth century laws tended increasingly to be country-wide rather than local; problems and solutions began to be conceived on a national level.<sup>359</sup> The Education Act 1870, for example, signalled a commitment to the nationwide provision of education by establishing local boards to build and manage schools. Similarly, the Habitual Criminals Act 1869 established a system for centrally recording crime and the Prison Act 1877 transferred control of prisons from local authorities to central government. It is not entirely surprising, therefore, that from the mid-1860s onwards the sale and consumption of alcohol was subject to new, national legislation. Wiener has also described how around the middle of the nineteenth century, the whole spectrum of law was characterised by “a new moralizing subtext, a hardly questioned acceptance of the importance of strengthening the self-discipline, foresight, and reasonableness of the public and of the suitability of law as a medium for expressing and furthering these values”.<sup>360</sup>

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<sup>359</sup> Emsley, Clive, *Crime and Society in England, 1750-1900*, (Harlow: Longman, 1994), pp.11-12.

<sup>360</sup> Wiener, *Reconstructing the Criminal*, p.83.

Given this description, nor is it surprising that the sort of theoretical concerns which occupy this thesis, with their focus on moral discourse, should find a convenient subject in alcohol regulation during this period.

In light of the apparent shift towards more government intervention and greater moralisation, the task in hand then becomes to discern whether changes in the regulation of alcohol from the mid-1860s onwards can be explained solely by this generalised governmental transformation, or whether more specific attention to the discursive configuration of alcohol regulation is required. As useful as Wiener and Emsley are, it is reasonable to consider whether their broad histories of the legal system during this period are sufficient for understanding particular changes in the regulation of alcohol and the role which the temperance movement may (or may not) have played in their creation.

### **3) The Split Personality of Victorian Temperance**

Chapter Three examined how the early British temperance movement was rapidly converted to a doctrine of total abstinence from alcohol which is embodied in the teetotal pledge. The first groups of abstinence-inspired campaigners, such as Livesey's BAPT, are often referred to as 'moral suasionists' due to their preference for persuasive tactics. Livesey described their activities as based on "kindly Christian-like teaching and admonition... visiting the back slums, holding temperance meetings everywhere, and circulating sound information and temperance tracts and publications".<sup>361</sup> But the BAPT and other groups were not only concerned with new initiates; for those already pledged, temperance societies sought to aid continued abstinence. Shiman describes how the societies provided their members, many of whom had recently migrated into cities from rural areas, with a social life not centred

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<sup>361</sup> Livesey, Joseph, 'The Alliance and the Permissive Bill', *Preston Guardian*, 26 July 1873.

on the local pub, and later in the century some provided the kind of financial services associated with friendly societies, such as sick pay and death payments (see Figure Four).<sup>362</sup> Moral suasionists possessed social and financial incentives which might encourage individuals to take the teetotal pledge and stick to it.

More importantly, suasionists used a potent moral discourse to promote their cause. Harrison examines how between 1830 and 1870 the temperance movement promoted a model of the respectable, sober working man and its popularity “flourished on the genuine desire for respectability and self-reliance which prevailed within the working class”.<sup>363</sup> Much of this longed-for respectability could be found in the routine of individual self-denial engendered by the pledge. Livesey spoke in 1873 of the “extraordinary results” of “earnest self-denying labours”<sup>364</sup> and William Harcourt MP espoused the value of denying one’s self “indulgences” in drinking and fostering “voluntary self-control”.<sup>365</sup> Even Lord Stanley, no teetotaler himself, equated the pledge with resistance of temptation and the “conferment of moral strength”.<sup>366</sup> In all three cases, a behavioural routine of self-discipline and self-control is associated with moral or psychological benefits as well as social respectability. In the Victorian period, campaign groups would sometimes commission special envelope designs so that those sending, receiving and handling post would see their message. In 1851, a London temperance group produced an envelope which starkly depicted the chaotic depravities of Hogarth’s ‘Gin Lane’ on one side and an idyllic family scene of Victorian sobriety, social order and restrained prosperity on the other

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<sup>362</sup> See: Shiman, *Crusade Against Drink*.

<sup>363</sup> Harrison, *Drink and the Victorians*, p.367.

<sup>364</sup> Livesey, Joseph, ‘Dawson Burns and the Permissive Bill’, *Preston Guardian*, 26 July 1873.

<sup>365</sup> ‘Mr Cardwell and Mr Harcourt’, *The Times*, 31 December 1872. Harcourt would later perform something of a u-turn and become a fervent supporter of prohibition.

<sup>366</sup> Lord Stanley, ‘Reasons Against Attempting the Total Suppression of the Liquor Traffic’, *The Times*, 2 October 1856.

(see Figure Five). The caption “Intemperance: Bane of Society” encircles a cup from which a snake is emerging. Conquering the serpentine temptation of drink through teetotalism therefore developed and exhibited an enviable level of personal character, ethical backbone and social respectability.

But from the 1850s onwards, questions began to be asked about the efficacy of the teetotal pledge and moral suasionism in general as a means to produce total societal abstinence. In a famous exchange of views with Lord Stanley in 1856, lawyer Samuel Pope did not refute that achieving collective abstinence through self-control was hypothetically desirable, but asked: “how are the people to reach that state – how to acquire that habit in the midst of the sad and sorrowful circumstances which surround them?”.<sup>367</sup> This negative assessment of the social environment was mixed with scepticism over the general moral fortitude of the population; in 1872, *The Times* declared that “there never was a time when the hard-working but thriftless and improvident Englishman was not notorious for want of self-control”.<sup>368</sup> In 1873, Dawson Burns echoed these points when he mockingly asked Livesey “Had all the residents of Preston who have signed kept their pledge, what would have been the temperance condition of Preston to-day?”.<sup>369</sup> Many people would never take the pledge in the first place and, as Burns highlights, there was no guarantee that those who did would stick to it. Voluntary acts of self-denial may have been admirable but, given people’s social circumstances, could not be widely replicated and so were deemed incapable of producing the ‘temperance reformation’ which was envisaged. As Pope argued, “moral force is not enough for the world as it is”,<sup>370</sup> meaning that

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<sup>367</sup> Pope, Samuel, ‘Reply by the Honorary Secretary’, *The Times*, 2 October 1856.

<sup>368</sup> ‘That Portion of the British Public...’, *The Times*, 9 August 1872.

<sup>369</sup> Burns, Dawson, ‘The Permissive Bill Movement’, *Preston Guardian*, 19 July 1873.

<sup>370</sup> Pope, Samuel, ‘Reply by the Honorary Secretary’, *The Times*, 2 October 1856.

moral suasionism's faith in the pledge and the self-reforming power of the nation was fanciful.

Motivated, in the words of the *Newcastle Courant*, by years of “disheartening failure through moral suasion”,<sup>371</sup> Pope and Burns became prominent advocates of a new method for achieving collective abstinence: prohibition. Prohibitionists shifted the focus of temperance discourse away from the moral defects of the individual drinker, which could not be altered, and towards external, social factors which, they argued, held far greater potency as means through which behaviour could be altered. They were not alone in reaching this conclusion; in the mid-nineteenth century Friedrich Engels blamed the social system of industrial capitalism, rather than the individual, for drunken excesses.<sup>372</sup> But for prohibitionists, the primary external factor which fostered intemperance was not a socio-economic system but a legal one; they targeted, in Pope's words, the “legalized system of temptation”<sup>373</sup> which governed the drinks trade. Inspired by the implementation of prohibition in the US state of Maine, the UK Alliance was established in 1853 to campaign for a similar legal intervention on this side of the Atlantic. Its membership numbers and finances swelled rapidly; Brown reports that the Alliance's revenue, in 1881 alone, was more than six times higher than the National Liberal Federation's.<sup>374</sup> The UK Alliance soon became Britain's largest temperance society and a formidable campaigning force.

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<sup>371</sup> ‘The Newcastle Teetotallers and the Licensing Act’, *Newcastle Courant*, 8 November 1872.

<sup>372</sup> In *The Conditions of the Working Class in England*, Friedrich Engels blamed industrial capitalism for the drunken excesses of Victorian workers, as they are “deprived of all enjoyments except that of sexual indulgence and drunkenness, are worked every day to the point of complete exhaustion of their mental and physical energies, and are thus spurred on to the maddest excess in the only two enjoyments at their command”. See: Engels, Friedrich, *The Condition of the Working Class in England*, (1993), p.109.

<sup>373</sup> Pope, Samuel, ‘Reply by the Honorary Secretary’, *The Times*, 2 October 1856.

<sup>374</sup> Brown, James B., ‘The Temperance Career of Joseph Chamberlain, 1870-1877: A Study in Political Frustration’, (1972) *Albion* Vol.4 (1), p.30.

The idea, that if individuals could not or would not regulate their own behaviour then the state must employ the law to do it for them, was a powerful and popular one.

The replacement of a persuasive focus on nurturing individual voluntary change with a more paternalistic and utopian faith in the capacity of the law to reform society, is significant. Incumbent within this change is the creation of new discursive targets at which the moral regulation campaigners could take aim. It was no use targeting individual citizens to tackle what Burns called “temptation under sanction of law”,<sup>375</sup> clearly those propagating or perpetuating this legal arrangement must be confronted. Hence, the UK Alliance was heavily involved in lobbying Parliament, sponsoring Private Member’s Bills and supporting the electoral campaigns of prospective MPs who supported the cause. In this sense, the UK Alliance waged a largely top-down campaign which stands in stark contrast to the bottom-up, conversion-seeking activities of moral suasionists. Additionally, in prohibitionist discourse a new folk-devil was formed in the shape of the landlord or brewer. In a lecture in Preston in 1872, Mr Fothergill said that the current legal system allowed “the rich brewer to tempt the poor sinners to their ruin”.<sup>376</sup> He went on to speak of the injustice of a magistrate punishing “a victim of the liquor seller, and allowing the seller to go free”.<sup>377</sup> Sir Wilfrid Lawson MP claimed that the Alliance were fighting “a system which inflicts as large and as wide-spread human misery as ever resulted from negro slavery”,<sup>378</sup> and so publicans and brewers were constructed as morally tantamount to slave traders; they kept the drunkard “in chains”<sup>379</sup> and sought to profit

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<sup>375</sup> Burns, Dawson, ‘The Permissive Bill Question’, *Preston Guardian*, 23 August 1873.

<sup>376</sup> ‘Second Lecture by the Teetotal Nutcracker’, *Preston Guardian*, 20 April 1872.

<sup>377</sup> Ibid.

<sup>378</sup> ‘Permissive Bill Meeting’, *Liverpool Mercury*, 24 May 1873.

<sup>379</sup> ‘Second Lecture by the Teetotal Nutcracker’, *Preston Guardian*, 20 April 1872.

from his misery. There were clear discursive and tactical differences between prohibitionists and moral suasionists.

Nevertheless, there were discursive congruencies between the two strands of the temperance movement. The *Leeds Mercury* quotes Alliance member Reverend C. Garrett describing how drinking is an insult to God which results in “misery and eternal death”,<sup>380</sup> clearly showing that prohibitionists shared the problematisation of all forms of alcohol which had been advanced by teetotal suasionists in the 1830s. The temperance belief in ‘the struggle’ or ‘battle’ was, if anything, intensified by prohibitionists. Drink was a negative moral absolute and, for people such as Mr Heywood, every aspect of life became a “protest against this evil”.<sup>381</sup> Heywood described how “the question of temperance was one of more progress and triumph of the gospel, and all others sank into insignificance with it”.<sup>382</sup> At a public meeting in Bradford, Reverend Garrett was reported to passionately proclaim that:

The Alliance was simply the vanguard of the army that was marching on... The Alliance had prepared a battering ram to bring down the drinks traffic, the Good Templars had come forward to work it, and the building would fall amidst a rejoicing world.<sup>383</sup>

The Good Templars were a fraternal temperance society often painted as the shock troops of prohibitionism; according to another Bradford speaker, they “neither took nor gave quarter”.<sup>384</sup> The persistent employment of the terminology of warfare belies something about how prohibitionists saw their campaign; this was a holy crusade, both good and righteous, which would lead to huge and radical social improvements.

Despite this aggressively utopian language, the UK Alliance’s main demand was not the full enactment of prohibition but some form of local veto over the liquor

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<sup>380</sup> ‘Bradford Auxiliary of the United Kingdom Alliance’, *Leeds Mercury*, 19 October 1872.

<sup>381</sup> ‘United Kingdom Alliance, Preston Auxiliary’, *Preston Guardian*, 17 September 1870.

<sup>382</sup> Ibid.

<sup>383</sup> ‘Bradford Auxiliary of the United Kingdom Alliance’, *Leeds Mercury*, 19 October 1872.

<sup>384</sup> Ibid.

traffic. A local veto would allow areas of the country to 'go dry' if this measure was supported by a majority (of usually two thirds) in a local referendum, and its preference to the full prohibition of Maine Law is used by Warner as evidence of either the British temperance movement's realism or lack of ambition.<sup>385</sup> However, it should be pointed out that, among the rank-and-file of the prohibitionist campaign, there was little doubt that the local veto would result in full national prohibition. They fervently believed that, in the words of J.H. Raper, the drinks industry was forced "upon the community against the will of the community",<sup>386</sup> and, to quote Wilfrid Lawson, the attendant evils of "pauperism, crime and drunkenness" were also "inflicted upon them".<sup>387</sup> People were imprisoned by cruel, manipulative publicans who used their inability to resist the temptation of drink to keep them in chains. But, given the opportunity, the population would vote overwhelmingly to free themselves from this slavery by 'going dry'. Addressing the obstacle of the Parliamentary majority opposed to the local veto, Lawson confidently stated that "before the breath of an aroused and enlightened public opinion that great majority would melt away like snow upon the mountain side".<sup>388</sup> This unwavering faith was driven by the simple belief that God was on their side and so the Alliance was, in Reverend Garrett's words, "sure to succeed".<sup>389</sup> Drinking was sinful and "No sin against God... could succeed".<sup>390</sup> Given this genuine conviction in the popularity of their cause and the inevitability of its success, relying on the local veto to banish the drinks trade appears utopian rather than pessimistic or realistic.

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<sup>385</sup> Warner, 'Are you a Closet Fabian?'

<sup>386</sup> 'Bradford Auxiliary of the United Kingdom Alliance', *Leeds Mercury*, 19 October 1872.

<sup>387</sup> 'Permissive Bill Meeting in Leeds', *Leeds Mercury*, 12 December 1872.

<sup>388</sup> 'Permissive Bill Meeting', *Liverpool Mercury*, 24 May 1873.

<sup>389</sup> 'Bradford Auxiliary of the United Kingdom Alliance', *Leeds Mercury*, 19 October 1872.

<sup>390</sup> *Ibid.*



By the early-1860s, moral suasionism appeared in decline and the confident, strident campaigning of the prohibitionist UK Alliance took over the reformist momentum.<sup>391</sup> This was not a harmonious shift within the moral regulation movement; moral suasionists and prohibitionists frequently argued vociferously. In July 1873, the *Preston Guardian* featured a lively exchange of letters between Joseph Livesey and Dawson Burns, with the former forcefully rejecting the Alliance view that “the people are unwilling slaves to the traffic, oppressed and yearning for ‘power’ to be delivered”.<sup>392</sup> Livesey argues that the “citizens of this country have a right, if they wish, to drink intoxicating liquors” and that, for the most part, people exercise this right.<sup>393</sup> To presume that these very same people should be allowed to decide the shape of the licensing system is dismissed as folly. In response, Burns criticises Livesey’s view that, because so many people regularly succumb to the “terrible temptation” of drink, that the facility to legally remove this temptation should not exist.<sup>394</sup> Burns cannot understand how someone may believe that the sale of liquor results in evil yet not wish to eradicate the sale of liquor. The exchange also touches upon the suitability of magistrates to make licensing decisions<sup>395</sup> and the effectiveness of various American policies.<sup>396</sup> But, despite their shared concern about drink, there is little consensus between the two; whether the temptation can and should be removed or people can and should be taught to resist it, remained an irreconcilable issue.

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<sup>391</sup> For much examination of the competing fortunes of different temperance strands, see: Harrison, *Drink and the Victorians*.

<sup>392</sup> Livesey, Joseph, ‘The Alliance and the Permissive Bill’, *Preston Guardian*, 19 July 1873.

<sup>393</sup> Ibid.

<sup>394</sup> Burns, Dawson, ‘Dawson Burns and the Permissive Bill’, *Preston Guardian*, 26 July 1873.

<sup>395</sup> Ibid.

<sup>396</sup> Livesey, Joseph, ‘The Alliance and the Permissive Bill’, *Preston Guardian*, 23 August 1873.

The problematisation of alcohol therefore produced two distinct variants of temperance: one preferring internal, voluntary solutions and the other seeking external, legally coercive measures. In 1873, Livesey signed off with a pointed attack on the Alliance, who are accused of “busying themselves with politics”<sup>397</sup> while the teetotal cause loses ground. In 1887, Livesey’s son, Howard, made a similar attack on prohibitionism for allegedly rendering the whole temperance campaign inert by diverting attention towards an unachievable legislative goal.<sup>398</sup> Howard Livesey’s lament, for the replacement of the “preaching of the gospel of abstinence”<sup>399</sup> with aggressively seeking legal compulsion to abstinence, infers that moral suasionist campaigning had, for the most part, expired. If this position is coupled with the ultimate failure of the ascendant prohibitionist movement to achieve their primary legal demand, it is possible to understand Warner’s claim that the British temperance movement accomplished very little.

#### **4) Legal Impacts of the Temperance Movement**

Warner’s classification of the British temperance movement as a failure seems based primarily on the lack of prohibition legislation enacted by Westminster. Comparison with the US, where prohibitionist-temperance dominated and was successful to the extent that the trade in alcohol was outlawed (temporarily from 1919-1933), seems to heighten this perception of lack of accomplishments. A retrospective search for a British equivalent of the American Eighteenth Amendment, which introduced prohibition, will always conclude in the negative. But does this mean that the British temperance movement accomplished nothing?

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<sup>397</sup> Ibid.

<sup>398</sup> Livesey, Howard, ‘The Futile Policy of Prohibition’, *The Times*, 8 January 1887.

<sup>399</sup> Ibid.

#### **4.1) *The Birth of the Modern Licensing System***

Firstly, it must be acknowledged that Parliament voted many times on whether introducing some form of local veto, the principal demand of British prohibitionists, was desirable. In 1864, Alliance member and Liberal MP Sir Wilfrid Lawson introduced the Permissive Bill to Parliament as a Private Member's Bill. The Bill proposed that, with a two-thirds majority in a poll, ratepayers would be able to veto the granting of licences in their local area and it was repeatedly re-introduced to Parliament up until the mid-1880s. Despite being rejected by Parliament at every opportunity, prohibitive measures did seem to be slowly gaining acceptance; the National Liberal Federation endorsed the local option in 1891 and it formed part of the Liberal Party's 1892 electoral platform. Having won the general election, the Chancellor of the Exchequer, William Harcourt MP, introduced a Local Veto Bill in 1893. Harcourt was a convert to the cause, having vigorously opposed licensing restrictions in the 1870s, and was convinced of the need for local parishes to have the legal facility to ban the granting of licences if this was approved by referendum. With heavy opposition from the drinks trade, Harcourt's Bill was defeated in 1893. In 1895, a slightly softer Local Option Bill was debated which would have allowed people to vote for a reduction in the number of licensed premises in their areas as well as being able to vote simply for the continuation or cancellation of all licences. The Bill had full Government backing this time but the administration collapsed and was defeated at the 1895 general election before the measures could be voted on.<sup>400</sup> Defeats aside, the very fact that Victorian Parliaments regularly debated the Alliance's demand for some form of local control of the drinks trade indicates a

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<sup>400</sup> For more details on the 1890s, see: Nicholls, *Politics of Alcohol*.

degree of impact. Their measures may have been rejected, but prohibitionists exhibited some potency in terms of setting the public and political agenda of the day.

Not all local veto-style legislation was unsuccessful; the Temperance (Scotland) Act 1913 was implemented after World War One. Effectively, this statute enacted the UK Alliance's main aim by setting up local polls in Scottish areas on the future of the drinks trade, the results of which would dictate local licensing policy. Warner's dismissal of this Act as the sum total of six decades of prohibitionist campaigning is unfair for two reasons.<sup>401</sup> Firstly, the derisory tone fails to acknowledge that, as described earlier, advocates of the local veto fully expected it to produce uniformly dry parishes. Secondly, while the local veto was never extended south of the border, other temperance demands were met. Sunday closing of public houses was implemented in Scotland in 1853 and Wales eventually followed suit with the passage of the Welsh Sunday Closing Act 1881.<sup>402</sup> This Act survived until 1961 when it was replaced by local veto-style legislation allowing for the enforcement of local Sunday closing in Wales if it was approved by referendum. Sunday opening hours in England were limited by statutes in the mid-1850s<sup>403</sup> but, despite the House of Commons approving a Bill for Sunday closing in England in 1889, prohibition on the Sabbath day was never enacted.<sup>404</sup> Even where it was implemented, Sunday closing may seem a pallid measure when compared to the goal of total sobriety. But Sunday closing was a key demand for some temperance

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<sup>401</sup> Warner, Jessica, Riviere, Janine and Carson, Jenny, 'On Wit, Irony, and Living with Imperfection', (2008) *American Journal of Public Health* Vol.98 (5), pp.814-822.

<sup>402</sup> Interestingly, this was the first piece of legislation since the sixteenth century union of England and Wales to apply to one country and not the other.

<sup>403</sup> The Sale of Liquor on Sundays Act 1854 restricted Sunday opening in England and Wales to only four hours. This unpopular measure, which provoked rioting, was revisited by Parliament in 1855 and who saw fit to allow pubs to open from 1-3pm and 5-11pm.

<sup>404</sup> The exception to this is the county of Monmouthshire, to which the provisions of the Welsh Sunday Closing Act 1881 were applied in 1921. Although whether Monmouthshire is part of England or Wales is a matter of some constitutional debate.

societies; the Central Association for Stopping the Sale of Liquor on Sundays, which was linked to the UK Alliance,<sup>405</sup> was established to further precisely this end.

Measures such as Sunday closing and the local veto in Scotland demonstrate that the temperance movement did achieve *some* of its legislative goals.

In addition to these legal measures, there were other notable changes to the governance of alcohol in the Victorian period. The Liberal Government's controversial 1871 proposal to cap the number of licences granted in any given area was rejected by Parliament, but other reforms were already underway. The free-trade approach to drink, ushered in by the Beer Act 1830 and apparent in Gladstone's reduction of import duties on wine in the 1860s, was eroded from the mid-1860s onwards. The Wine and Beerhouse Act 1869 tightened licensing by requiring all retailers of intoxicating liquors to be of 'good character'. More importantly, this Act also required all persons selling beer, ale or cider to be in possession of a licence granted by a local magistrate, and so replaced the more laissez-faire system of the Beer Act, which required only that sellers obtain an excise licence. Section 3 of the Licensing Act 1872 reaffirmed this governmental shift, stating that "No person shall sell or expose for sale by retail any intoxicating liquor without being duly licensed to sell the same". The maximum penalty for the first breach of this rule was a hefty fifty pound fine or imprisonment with hard labour for up to one month, and rose exponentially with subsequent offences. The restoration of magisterial control and the reasonably harsh sanctions attached to illicit trading illustrate the re-absorption of licensing into the legal system.

During the 1860s and 1870s, liberal rules on public house opening times were also replaced with more restricted hours. While the opening times of beerhouses had

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<sup>405</sup> Harrison, *Drink and the Victorians*, pp.257-258.

been regulated since they were created in 1830, there were no statutory restrictions on pub opening, except on Sundays, until the mid-1860s. The Public House Closing Acts 1864 and 1865 implemented compulsory closure between 1am and 4am on weekdays, and enforced a closing time of midnight on Saturdays. The Licensing Act 1872 tightened these regulations by not allowing any pubs to open between midnight and 5am. Depending on the decision of the licensing justices and to some extent the size of the town or city in which premises were located, pubs would begin trading at some point between 5 and 7am, remain open all day before ceasing trading at either 10pm, 11pm or midnight. In London, the presumption was that pubs would open from 5am –midnight, whereas the Act specified that normal hours in the rest of the country would extend from 6am until 11pm. Sunday hours were also shortened to 12:30-2:30pm and 6-10pm although, if the licensing justices approved, the London Sunday hours, of 1-3pm and 6-11pm could be observed elsewhere.<sup>406</sup> These new stricter rules demonstrate that time was called on the previously rather lax system of alcohol governance.

The Licensing Act 1872 markedly increased both the scale and scope of alcohol regulations. It created the first national, statutory age qualification to British alcohol regulations by banning pubs from selling spirits to under-sixteens.<sup>407</sup> Statutory age restrictions on the purchase of alcohol were tightened in 1886 and 1901, before the legal age for purchase was fixed at eighteen by the Licensing Act 1961 (for both on-licence and off-licence sales). Section 35 of the 1872 Act also

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<sup>406</sup> That said, magistrates could also force pubs to close at 9pm on Sunday if they chose to. Also, exemptions to these restricted trading hours applied where the customers were “bona fide travellers” or the premises was a refreshment room in a railway station. Further extension of trading hours could also be granted to public houses in the vicinity of theatres or markets.

<sup>407</sup> Section 42 of the Metropolitan Police Act 1839 banned the sale of spirits to under-sixteens for consumption on the licensed premises. This statute, however, only applied to the Metropolitan district of London.

increased the powers of the police to regulate drinking by stating that, for the first time, “a constable may at all times enter on any licensed premises”.<sup>408</sup> Significantly, offences of simple drunkenness in “any highway or public place” and drunkenness with aggravation, where a person behaved in a “riotous or disorderly fashion”, were also created by Section 12. Although the penalties incurred have been modified, Section 12 of the Licensing Act 1872 still forms the basis of the modern offences of “drunkenness in a public place” and “drunk and disorderly”. For much of the twentieth century, drunkenness with aggravation was additionally used to police drink-driving as it applies to persons who, as Section 12 specifies, are drunk while in charge of a “carriage, horse, cattle or steam engine”. Legislation relating to alcohol and age, public drunkenness and drink-driving, which will be discussed in more depth in Chapter Six, proliferated massively in the late twentieth and early twenty-first centuries. Suffice to say here, that the Licensing Act 1872 appears strangely prescient. Through criminalising aspects of drunkenness and increasing police powers to discipline sellers and consumers, this statute established significant and enduring frameworks through which the use of alcohol has been governed.

Given the reinstatement of magistrates’ control, the restriction of opening hours, new drunkenness offences, the first age-based prohibition and increased police powers, licensing legislation produced between 1864 and 1872 embodied a new and much more restrictive model of regulating the sale and consumption of alcohol. Moreover, legal frameworks that seek to limit alcohol supply, restrict opportunities for consumption and criminalise its excessive use are all legislative efforts in keeping with the problematisation of alcohol. This sea change in

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<sup>408</sup> It should be noted that these powers were temporarily removed by the Licensing Act 1874.

governmental attitudes, which saw the abandonment of the laissez-faire and free trade inspired Beer Act 1830 model, demonstrates an apparent acceptance of the temperance belief that all forms of alcohol, including beer, are essentially problematic and need regulating. The discourse of the temperance movement legitimated a higher level of state intervention in the drinks trade and, by 1872, the law reflected this.

#### **4.2) A Wishy Washy Tyranny**

Temperance discourse may have legitimated greater legal regulation, but how was this shift represented in public discourse more generally? By far the most common representation of the Licensing Act 1872 was as a balancing act. Temperance groups calling for prohibition, as well as drinks industry representatives who insisted on the maintenance of their commercial freedoms, were both heavily active in lobbying and protesting at this point in time. To both the *North Wales Chronicle* and the *Pall Mall Gazette*, the Government was therefore negotiating a course between “the Scylla of ‘the trade’ and the Charybdis of the alliance”.<sup>409</sup> Similarly, for (pre-conversion) Harcourt the situation was reminiscent of the “unfortunate person I have read of, who found himself between a tiger and a crocodile, both ready to snap him up”.<sup>410</sup> Stuck between “two flat contradictions”,<sup>411</sup> the Government’s response was dismissed as a “patched-up compromise”,<sup>412</sup> a “useless compromise”,<sup>413</sup> and a “milk and water, wishy washy compromise which will really effect little good”.<sup>414</sup> Even those such as Donald Dalrymple MP, who saw the

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<sup>409</sup> ‘The Government Licensing Bill’, *North Wales Chronicle*, 15 June 1872.

<sup>410</sup> ‘Public Meeting in Oxford’, *The Times*, 31 December 1872.

<sup>411</sup> ‘That portion of the British public...’, *The Times*, 9 August 1872.

<sup>412</sup> ‘The Session’, *North Wales Chronicle*, 17 August 1872.

<sup>413</sup> ‘The Licensing Question’, *Derby Mercury*, 24 April 1872.

<sup>414</sup> ‘Ministerial Shortcomings and Backslidings’, *Reynolds’s Daily Newspaper*, 14 July 1872.



Act as valuable, believed that it was only a temporary settlement.<sup>415</sup> The overriding characterisation of the Licensing Act 1872 was, therefore, as a compromise between trade and temperance, or, as one newspaper asserted, between “Good Templars and Good Tipplers”.<sup>416</sup>

Despite the characterisation of the Act as timidly expedient, it did provoke extensive and sometimes furious debate. Geographic variations in opening hours attracted some comment; in regard to tying opening hours to the size of settlement, the *North Wales Chronicle* suggested that there are more “seductions” and “exciting allurements” in towns and cities where hours are being less severely curtailed.<sup>417</sup> The newspaper rhetorically asked have “drunkenness, immorality and crime [been] found to be in inverse ratio to the density of population?”<sup>418</sup> The differing hours which applied to London pubs were referred to as an injustice by some provincial commentators,<sup>419</sup> although London newspaper *The Era* responded by arguing that these reforms had been prompted by the representatives of northern towns who “have presented us with terrible pictures of depravity prevailing in their imaginations among their constituents”.<sup>420</sup> MP for Leeds, Edward Baines, is cited as one of these representatives who have engineered a situation where, through uniform (though uneven) shortening of opening hours, the Government was effectively “visiting the sins of the ‘Tykes’ on the heads of the cockneys”.<sup>421</sup> Uneven opening hours in different areas of the country was clearly a sensitive prospect.

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<sup>415</sup> ‘Temperance Conference at Portsea’, *Hampshire Telegraph and Sussex Chronicle*, 4 September 1872.

<sup>416</sup> ‘Bridgwater’, *Bristol Mercury*, 2 November 1872.

<sup>417</sup> ‘The Government Licensing Bill’, *North Wales Chronicle*, 18 May 1872.

<sup>418</sup> *Ibid.*

<sup>419</sup> See: ‘The Licensing Act – Town Hall Meeting’, *Birmingham Daily Post*, 12 September 1872.

<sup>420</sup> ‘To Licensed Victuallers: The Licensing Question’, *The Era*, 11 August 1872.

<sup>421</sup> *Ibid.*

More pertinent than geographical issues, however, was the accusation that the Licensing Act was a “flagrant piece of class legislation”.<sup>422</sup> This claim was based on the premise that wealthy people, who can afford private wine cellars and membership of private clubs (to which the statutory closing times did not apply), would not be affected by the new rules. Although *The Times* protested that the drinking habits of rich men do not result in “breaches of the Queen’s peace”,<sup>423</sup> *Lloyd’s Weekly Newspaper* branded the Act as a “tyranny” on “the public who have no wine-cellar”.<sup>424</sup> A letter in the *Derby Mercury* derided the reforms as “a disgrace to any civilised community”,<sup>425</sup> while *Reynolds’s Daily Newspaper* described the Liberal Party’s actions towards ordinary people as equivalent to “flagellating them with scorpions”.<sup>426</sup> *Lloyd’s Weekly Newspaper* said the reforms were “uncompromising; dictated by Puritanic and unreasoning spirit” which, nevertheless, reasons it to be efficacious to leave “gentlemen to tipple... as they choose”.<sup>427</sup> These commentators were motivated by a class-conscious conviction that the rule of law was not being properly applied; as one newspaper asserted, the law *should* affect Pall Mall as much as Whitechapel.<sup>428</sup> Towards the end of the year, angry exasperation prompted *The Era* to mockingly report that Henry Bruce and Lord Kimberley, the architects of the Licensing Act, plan to close music halls at 8pm, outlaw smoking and make whistling in the street illegal. The punch-line reads: “The

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<sup>422</sup> ‘The Licensing Act – Town Hall Meeting’, *Birmingham Daily Post*, 12 September 1872.

<sup>423</sup> ‘That portion of the British public...’, *The Times*, 9 August 1872.

<sup>424</sup> ‘Health and Happiness Bills’, *Lloyd’s Weekly Newspaper*, 21 July 1872.

<sup>425</sup> Observer, ‘Mr M.A. Bass and the Licensing Bill: To the Editor of the Derby Mercury’, *Derby Mercury*, 27 November 1872.

<sup>426</sup> ‘The New Licensing Law’, *Reynolds’s Daily Newspaper*, 25 August 1872.

<sup>427</sup> ‘The Operation of the Licensing Act’, *Lloyd’s Weekly Newspaper*, 29 September 1872.

<sup>428</sup> ‘The New Licensing Law’, *Reynolds’s Daily Newspaper*, 25 August 1872.

above regulations will be applicable only to members of working and middle classes who cannot afford to become members of clubs".<sup>429</sup>

As well as geography and social class, the Act was accused of undermining traditional rights of consumption. The *Daily News* struggled with the idea, inherent in the licensing restrictions, that beer must be viewed as problematic; "It was supposed to be the thing which enabled us to fight the French and grow fat and live long".<sup>430</sup> Beer was not viewed by all as possessing quite the patriotic bombast which the *Daily News* attributes it; although many others saw it as a normal part of everyday life. A letter to the *Birmingham Daily Post* from James Penner pointed out that "great numbers of people regard beer as a necessity" and so enforcing the closure of pubs at certain times of day amounts to a "dietary curfew".<sup>431</sup> Lord Stanley supported this characterisation of alcoholic drinks when he described prohibition as "a rule of diet".<sup>432</sup> It follows from these neutral, even positive assessments of beer, that many people still regarded the adulteration of beer as the "real evil" responsible for drunkenness and other problems, not the beer itself.<sup>433</sup> At a public meeting, reported by the *Leeds Mercury*, when Reverend Flood claimed that 60,000 deaths per year are caused by drinking someone in the crowd shouted "adulteration!", to imply that good beer is not responsible.<sup>434</sup> Presumably these persons supported the new penalties on the adulteration of beer, contained within the new Act, but rejected its other provisions as unnecessary. Regardless, the persistence of older, positive

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<sup>429</sup> 'Looming in the Future', *The Era*, 10 November 1872.

<sup>430</sup> 'London – Monday, Jan. 15', *Daily News*, 15 January 1872.

<sup>431</sup> Penner James, 'The Government Licensing Bill: To the Editor of the Daily Post', *Birmingham Daily Post*, 29 June 1872.

<sup>432</sup> 'Lord Derby on Education and Diet', *Pall Mall Gazette*, 10 January 1872.

<sup>433</sup> 'The Sale of Liquor Bill', *Pall Mall Gazette*, 17 April 1872.

<sup>434</sup> 'The Government Licensing Bill. Town's Meeting in Leeds', *Leeds Mercury*, 4 July 1872.

views of beer demonstrates that the teetotal turn in attitudes to alcohol, which problematises all intoxicating drinks, had been far from universal.

The broader implication of this contestation over the character of beer is revealed by *The Times*, when it states that “Parliament is, in fact, going far beyond its proper scope in attempting to restrict the people in their private consumption of an article of diet”.<sup>435</sup> Compulsory closing times, along with greater powers for police and courts to discipline drinkers, were frequently seen as a “meddlesome and mischievous”<sup>436</sup> interference with the everyday lives of ordinary people who, for the most part, “drink when they want, and leave off when they don’t”.<sup>437</sup> Alderman Brinsley saw the Licensing Act 1872 as an “unjust and un-English interference with the requirements of working men”;<sup>438</sup> *The Era* saw these new restrictions as “paternal” and “oppressive”;<sup>439</sup> and Harcourt equated them with the actions of a “grand-maternal Government which ties nightcaps on a grown-up nation by Act of Parliament”.<sup>440</sup> The *Ipswich Journal* attempted some historical perspective, claiming that in former days Englishmen would rather “preserve the liberty he enjoyed, even though it occasionally extended to the liberty to do wrong”.<sup>441</sup> Whether they were normal dietary articles or aids to national security, many people struggled to swallow the problematisation of alcoholic drinks and hence found the new, more interventionist laws entirely unpalatable.

Apparent in Brinsley’s reference to “un-English” measures, aspects of public discourse located the Licensing Act 1872 within a longer-term patriotic narrative. The

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<sup>435</sup> ‘The Licensing Bill was appointed for...’, *The Times*, 7 August 1872.

<sup>436</sup> ‘The Working Men and the Licensing Act’, *Ipswich Journal*, 17 December 1872.

<sup>437</sup> Penner James, ‘The Government Licensing Bill: To the Editor of the *Daily Post*’, *Birmingham Daily Post*, 29 June 1872.

<sup>438</sup> ‘The Licensing Act – Town Hall Meeting’, *Birmingham Daily Post*, 12 September 1872.

<sup>439</sup> ‘To Licensed Victuallers: the New Licensing Act’, *The Era*, 25 August 1872.

<sup>440</sup> ‘Public Meeting in Oxford’, *The Times*, 31 December 1872.

<sup>441</sup> ‘The Session and It’s Lesson’, *Ipswich Journal*, 3 August 1872.

*Ipswich Journal* claimed that “Englishmen have not been so tyrannically treated, since the days of the Norman Kings, as they are being treated by this Act”.<sup>442</sup> Similarly, Penner’s letter in *the Birmingham Daily Post* reminded the reader that “Once upon a time the Norman oppressor decreed that every Saxon should, at the sound of a bell rung in the evening, extinguish his light and cover his fire” before asking “Are we coming back to legislation like that?”<sup>443</sup> These comments evoke what Christopher Hill calls “the Norman Yoke”, a populist creation myth of the English constitution in which essential freedoms are stolen by the Norman conquerors before being partially wrested back from King John in the Magna Carta.<sup>444</sup> In light of this, Penner’s question cannot be taken lightly; the liberty to consume alcoholic beverages free from state interference was central to many people’s conception of traditional English constitutional freedoms. The Bishop of Peterborough most aptly captured this relationship, existing in the public mindset, of the drink politics of 1870s to English history: “Better is a nation of free drunkards” he said, “than a nation of teetotal slaves”.<sup>445</sup>

This powerful sense that traditional, hard-won liberties were being lost made the implementation of aspects of the Licensing Act 1872 difficult. When, in August 1872, drink-sellers had to cease their business at earlier hours there were widespread instances of social disorder. The press reported rioting in Hull, Stalybridge,<sup>446</sup> Taunton, Leicester<sup>447</sup> and Oxford, the latter where teetotalers

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<sup>442</sup> ‘Current Topics’, *Ipswich Journal*, 8 October 1872. The reference to “Englishmen” here may not be entirely incidental; a letter in the *Pall Mall Gazette* equated licensing restrictions with womanly fussing over men’s behaviour. See: *Pall Mall Gazette*, 9 August 1872.

<sup>443</sup> Penner James, ‘The Government Licensing Bill: To the Editor of the *Daily Post*’, *Birmingham Daily Post*, 29 June 1872.

<sup>444</sup> Hill, Christopher, *Puritanism and Revolution*, (London: Panther, 1968).

<sup>445</sup> ‘Shall We Submit?’, *Reynolds’s Daily Newspaper*, 22 September 1872.

<sup>446</sup> ‘To Licensed Victuallers: the Licensing Act’, *The Era*, 10 November 1872.

<sup>447</sup> ‘The Licensing Act’, *Jackson’s Oxford Journal*, 31 August 1872.

reportedly had their windows broken.<sup>448</sup> A widely-reported incident in Exeter saw working-class men gather angrily outside a gentleman's club (which was still serving) after the pubs they had been drinking in had shut at 11PM.<sup>449</sup> As well as those seemingly above the new rules, those enforcing them also came in for criticism too. The *Manchester Times* reported on a Salford magistrate who convicted and fined a man for the new offence of being drunk in a public place, despite the fact that the man had been in his own home.<sup>450</sup> A police officer had pursued the man's co-habitant, who had been observed to be drunk on licensed premises, back to the address before arresting both of them. This rather (il)liberal interpretation of what exactly a "public place" is led to the magistrate being mockingly described, by the *Bristol Mercury*, as a "teetotal solon".<sup>451</sup> Greater vitriol was reserved for the so-called Vigilance Committees, which many temperance groups established to monitor pubs' compliance with the new trading hours. *The Examiner* was particularly scathing, describing the Vigilance Committees as both "a little comical" for taking the functions of amateur policemen upon themselves, as well as "monstrous" due to their "obtrusively obnoxious" practices.<sup>452</sup> The feeling that important liberties were being infringed upon, by law enforcers as well as law-makers, was a salient one.

Evidently, the ability to consume intoxicating beverages as and when you choose cut right to the heart of personal liberty for many people. The furore surrounding the Licensing Act 1872 was partly characterised by debate over whether alcohol in general or beer specifically was as thoroughly problematic as temperance supporters and increasingly politicians supposed. But, equally, there was fierce

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<sup>448</sup> 'To Licensed Victuallers: the New Licensing Act', *The Era*, 20 October 1872.

<sup>449</sup> 'Public Houses and Clubs', *The Examiner*, 24 August 1872.

<sup>450</sup> 'The Right to Get Drunk at Home', *Manchester Times*, 7 September 1872.

<sup>451</sup> 'The New Licensing Act', *Bristol Mercury*, 7 September 1872.

<sup>452</sup> 'The Good Templars', *The Examiner*, 31 August 1872.

conflict over the basic capacity and legitimacy of the law in its aspirations to regulate this type of individual behaviour; can and should people be made sober by Act of Parliament? The repeated accusations of class rule, geographical injustice, Norman tyranny and maternal government, not to mention actual unruly protest at the new closing times, suggest that many people believed the Act aligned the state to a more interventionist position on the issue of drinking. The Licensing Act 1872 may have been a compromise and a weaker version of the previous year's Bill; but, nevertheless, contemporary reactions suggest it remained an important and controversial re-writing of alcohol regulations.

#### **4.3) A 'Popular Awakening'?**

The temperance movement may have created an environment which, although still partially hostile, was more favourable to greater state intervention than previously. But, to what extent did the temperance movement force this intervention? Firstly, a balancing act requires the existence of two opposing forces. Hence, the overwhelming characterisation of these legal reforms as a compromise can be understood partly as a widespread recognition that the temperance movement was involved in instigating them. Legal frameworks that seek to limit alcohol supply, restrict opportunities for consumption and criminalise its excessive use are all legislative efforts in keeping with the problematisation of alcohol. These qualitative affinities are no accident; Harrison highlights that the movement reached its campaigning peak in this period and increasingly influenced the governing Liberal Party. Harrison also points out that the Licensing Act 1872 closely followed the Reform Act 1867 which, he argues, weakened the power of vested drinks trade

interests by expanding the franchise.<sup>453</sup> Perhaps more importantly, electoral reforms also meant that large swathes of the (male) middle class, the bedrock of the social movement, were now enfranchised. Given the level of temperance campaigning and enfranchisement, positing a causal connection of temperance to licensing reform is not unreasonable.

Contemporary commentaries tended to corroborate this connection. Just as the Vigilance Committees were attacked for their role in enforcing the Act, so the temperance movement more broadly was criticised for its role in producing this legislation. The *Ipswich Journal* wrote that Henry Bruce, the Home Secretary and chief architect of the Licensing Act, had been “got at” by teetotalers.<sup>454</sup> Similarly, at a public meeting in Liskeard, E. Horsman MP claimed Bruce had been persuaded to agree with both Permissive Bill campaigners and prominent brewer Mr Bass.<sup>455</sup> Such descriptions were unflattering for Bruce, depicted as weak-willed and easily co-opted, but they were no more complimentary about the temperance movement. For their alleged part in sullyng the minds of Members of Parliament, temperance supporters were described as, at best, “well-intentioned zealots” and, at worst, intolerant fanatics<sup>456</sup> and “lantern-jawed friends of coercion”.<sup>457</sup> For a social movement which prided itself on its struggles for rational social progress and moral advancement, such words were no doubt unwelcome, but, in a sense, they again pay tribute to the influence the movement was believed to possess.

However, it must be pointed out that the provisions of the 1872 statute were far from ideal for the temperance movement. Harrison describes how, although the

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<sup>453</sup> Harrison, *Drink and the Victorians*, pp.259-270.

<sup>454</sup> ‘Current Topics’, *Ipswich Journal*, 16 July 1872.

<sup>455</sup> ‘Parliament Out of Session’, *The Times*, 19 January 1872.

<sup>456</sup> ‘To Licensed Victuallers: The Licensing Act’, *The Era*, 6 October 1872.

<sup>457</sup> ‘The Teetotalers in Leeds’, *The Era*, 25 August 1872.



temperance movement created much of the momentum toward licensing reform in this period, it did not enthusiastically embrace the legislation.<sup>458</sup> The suasionist National Union for the Suppression of Intemperance gave the Act some support<sup>459</sup> and the UK Alliance treated it as a “sign of progress”<sup>460</sup> or a step in the right direction.<sup>461</sup> As these quotes show, support was rather cautious; temperance groups were not entirely convinced by the legislation and tended to regard it, as the majority of others did, as a compromise. But popular opinion, temperance and otherwise, was more assured of the role of the temperance movement in instigating the reforms. At an Alliance meeting, delegates spoke of “a popular awakening to the evils of the liquor traffic” which their campaigning has contributed to;<sup>462</sup> Band of Hope members believed the Licensing Act 1872 “partially embodied” temperance principles;<sup>463</sup> and *The Times* wrote that without an agitation against the drinking habits of the lower classes there would have been no licensing reform at all.<sup>464</sup> In terms of the problems it caused and the regulation that was needed, it seems that the temperance movement shifted the goal-posts of the drink debate so far that, to even play in the same game, the Government had to concede some ground. Even if the Licensing Act 1872 fell short, therefore, of the sort of measures that many temperance supporters desired, it is partly testament to their influence that there were any such measures at all.

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<sup>458</sup> Harrison, *Drink and the Victorians*.

<sup>459</sup> ‘Suppression of Intemperance’, *The Times*, 13 July 1872

<sup>460</sup> ‘To Licensed Victuallers: The New Licensing Act’, *The Era*, 20 October 1872.

<sup>461</sup> ‘The United Kingdom Alliance’, *Daily News*, 16 October 1872.

<sup>462</sup> ‘The United Kingdom Alliance...’, *The Times*, 17 October 1872.

<sup>463</sup> ‘Annual Tea Meeting of the Fisher-Gate Chapel Band of Hope’, *Preston Guardian*, 26 October 1872.

<sup>464</sup> ‘The London Newspapers will be read to-day...’, *The Times*, 17 April 1872.

#### **4.4) Reflecting on Legal Changes**

The temperance movement, therefore, had two significant effects on the regulation of alcohol: the partial or full realisation of some of its campaigning goals and, through its role in preparing the attitudinal ground and forcing the political agenda, the replacement of the minimal intervention-type approach to drink with a more restrictive model of governance. So, to an extent, Warner's conclusion can be challenged by a closer, more relative appreciation of legal and historical developments. Can the sociological insights provided by moral regulation theory shed further light on the issue?

#### **5) Attitudinal or Heuristic Impacts of the Temperance Movement**

The legal impact of the temperance movement as a whole has been examined. This section will examine the public discourse surrounding the licensing reforms of the early 1870s in an effort to understand the qualitative character of the new system of regulation which the temperance movement helped to instigate. Do these legal frameworks owe more to prohibitionism or moral suasionism? And is the impact of either sufficient to refute Warner's judgment that the British temperance movement achieved very little?

##### **5.1) "...to the spirits of just men more perfect"**

Home Secretary Henry Bruce was the chief parliamentary backer of the Licensing Act 1872. Wiener presents Bruce as in agreement with Gladstone's description of the model citizen as possessing "self-command, self-control, respect for order, patience under suffering, confidence in the law, regard for superiors".<sup>465</sup> Gladstone made this remark as a description of those suitable for suffrage, but Wiener depicts Bruce as broadening its applicability to other areas of social life. He

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<sup>465</sup> Wiener, *Reconstructing the Criminal*, pp.144-150.

believed strongly in the use of prisons as correctional facilities and was also interested in reformatory schools for juvenile offenders. Interestingly, the biblical quotation inscribed on the Bruce family cemetery plot evokes this moral mission of social improvement; it reads “To God the Judge of all and to the spirits of just men more perfect”.<sup>466</sup> The crucial issue relating to alcohol was how to make the spirits of men more perfect. Although *The Era* described Bruce as committed to diminishing drunkenness,<sup>467</sup> he opposed prohibitory solutions in Parliament as well as Donald Dalrymple’s 1870 proposal to give doctors the power to indefinitely detain habitual inebriates.<sup>468</sup> The explanation seems to lie in Bruce’s enduring faith in self-command and self-control; he stated that he had “no faith in any remedy for intemperance but the improved intelligence and morality of the people”.<sup>469</sup> For Bruce, individuals were agents of behavioural self-reform rather than products of a deterministic social environment.

This faith in the responsible, self-improving citizen was not necessarily incompatible with the laissez-faire restrictions of the Beer Act 1830; responsible citizens do need to be regulated by the state. But, by the late 1860s and early 1870s, drinking and drunkenness were discussed in increasingly heightened moral tones. For example, *The Times*, which was generally opposed to the temperance movement and licensing restrictions, complained of the nuisance and scandal of “our national drunkenness”.<sup>470</sup> In a similar vein, Bruce was quoted by a group of prohibitionists as saying that intemperance in Britain is “a blot in their social system

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<sup>466</sup> ‘Henry Bruce, 1<sup>st</sup> Baron of Aberdare’, [henry-bruce-1<sup>st</sup>-baron-aberdare.co.tv](http://henry-bruce-1st-baron-aberdare.co.tv) (accessed 24 March 2011).

<sup>467</sup> ‘To Licensed Victuallers: The Licensing Question’, *The Era*, 11 August 1872.

<sup>468</sup> Wiener, *Restructuring the Criminal*, p.297.

<sup>469</sup> Harrison, *Drink and the Victorians*, p.263.

<sup>470</sup> ‘That portion of the British public...’, *The Times*, 9 August 1872.

and a disgrace to their civilisation”.<sup>471</sup> The *Hampshire Telegraph* claimed that “England has always been a drunken nation”<sup>472</sup> and the *Birmingham Daily Post* reported that “the French think we are a nation of drunkards”.<sup>473</sup> The heightened alarm in these statements and their pejorative judgments on British drinking habits evoke both the self-denigration of temperance discourse (identified in Chapter Three) and, more fundamentally, the temperance movement’s belief that all alcoholic drinks are in essence problematic. Public and political discourse was decreasingly hospitable to the old idea that beer was a dietary essential and only adulterated beer and spirits produced social problems. As “our national drunkenness” was seen to result from beer as much as gin, so it was deemed necessary for the Wine and Beerhouse Act 1869 and the Licensing Act 1872 to bring the regulation of beer, ale and cider back into line with the more proscriptive treatment of alcoholic spirits. With the problem treated increasingly seriously, the self-control of the responsible citizen did not supply sufficient regulation.

But the Government was keen to ensure that this expansion of regulation would not be seen to constitute an excessive intervention. There was a pervasive popular belief during this period that you cannot or should not make individuals sober by force of law. The normative and practical aspects of this position often overlapped or coincided. That said, the practical inefficacy of state-enforced sobriety was often highlighted in discussions of the effects of (prohibitionist) Maine law,<sup>474</sup> and the political or constitutional dangers inherent in such a project were articulated as liberal warnings of the possibility that a powerful or popular group (in this case teetotallers)

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<sup>471</sup> ‘The Licensing Act’, *Hampshire Telegraph and Sussex Chronicle*, 17 April 1872.

<sup>472</sup> ‘Portsmouth, Saturday, May 11’, *Hampshire Telegraph and Sussex Chronicle*, 11 May 1872.

<sup>473</sup> ‘Independent Order of Good Templars’, *Birmingham Daily Post*, 10 September 1872.

<sup>474</sup> ‘The Government Licensing Bill’, *Leeds Mercury*, 17 April 1872.

may be able to force their will onto the disempowered or numerically weaker in society.<sup>475</sup> Lord Kimberley, the key promoter of the Act in the House of Lords, thus argued that people cannot be compelled by law to abstain from alcohol<sup>476</sup> and *The Times* supported this position by claiming that “no moral work was ever achieved without personal agencies” and “an appeal to the free will... of our race”.<sup>477</sup> The intensifying view of all alcoholic drinks as problematic meant adhering to the doctrine of minimal government was not feasible, but overly stringent legal measures, such as prohibition, were also rejected. To the Government and *The Times* at least, state-intervention was no worthy substitute for self-improvement.

People could not be coerced into sobriety any more than they could be left to govern themselves. Nevertheless, there was a discernable belief in this period that the state could practically and legitimately use the law to limit the temptations of drink. In Parliament, Bruce complained that:

At present, at most hours of the day, men and women are invited by illuminated Publichouses to spend a few pence on a dram of Liquor. The society and attractions of the House invite them linger, and they are tempted to consume far more than is good for them.<sup>478</sup>

Bringing such premises under magistrates’ control, giving the police the power to enter them and reducing their hours of trade would, it was believed, reduce the “temptation to drink in excess”.<sup>479</sup> In a speech prior to the Preston by-election in 1872, Liberal candidate Mr German claimed that although people cannot be made sober by Act of Parliament it is possible to limit temptation and so make drunkenness more difficult. German went on to support earlier pub closing times by arguing that “the hour between 11 and 12 was a time of temptation, when very often the seeds of

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<sup>475</sup> ‘The Working Men and the Licensing Act’, *Ipswich Journal*, 17 December 1872.

<sup>476</sup> ‘The Government Licensing Bill’, *Leeds Mercury*, 17 April 1872.

<sup>477</sup> ‘That portion of the British public...’, *The Times*, 9 August 1872.

<sup>478</sup> ‘The Licensing Bill was appointed for...’, *The Times*, 7 August 1872.

<sup>479</sup> *Ibid.*

bad habits grew".<sup>480</sup> Reducing rather than removing the temptation of drink was deemed by the Government and their supporters to be a tolerable restriction on personal liberties.

The creation of legal frameworks amenable to behavioural change is relevant to earlier discussion of the causation of drink problems. It was noted that debates within the temperance movement pitted moral suasionists, arguing that intemperance resulted from individual moral failings, against prohibitionists, who believed that the (legal) environment was largely responsible. In a sense, restrictions on the drinks industry engendered by the 1872 Act implicitly attribute some causal importance to the external environment. But in terms of solving the problem of "our national drunkenness", the dominant position reflected a belief that the individual should be the primary unit of social change. During an 1872 meeting on the subject of licensing reform, Mr Straight MP spoke of "the great bulk of the nation" for whom "freedom of action" was a crucial consideration.<sup>481</sup> Equally, *The Times* asserted that "we shall not be able to check, or even much diminish, the continual stream of besotted votaries to the gin palace; at least, not by law";<sup>482</sup> external stimuli cannot effect the sort of moral improvements needed. These arguments, and the form of governance they support, are demonstrable of the belief that individuals are not constituted purely by their environments but are actively engaged in processes of self-formation. As in moral suasionism, behavioural reform is therefore achieved by fostering ethical self-reformation.

So, the reforms of the mid-1860s and early 1870s, culminating in the Licensing Act 1872, established a system whereby drink was governed through

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<sup>480</sup> 'Preston Election', *Preston Guardian*, 7 September 1872.

<sup>481</sup> 'The Government Licensing Bill', *The Times*, 2 July 1872.

<sup>482</sup> 'That Portion of the British Public ...', *The Times*, 9 August 1872.

restriction and encouragement. Contained within these frameworks was an inherent problematisation of all alcoholic drinks, a heightened belief in the gravity of the drink problem, a valuation of persuasive above coercive tactics, and corresponding efforts to reduce rather than remove the temptation of drink (in order to help the self-improving citizen). Given this characterisation, the post-1872 system of alcohol governance begins to appear as distinctly suasionist in flavour.<sup>483</sup>

### **5.2) Moral Obligations and Behavioural Choices**

The fostering of behavioural change did not end with the legal regulation of the temptation of drink. Arguing that people cannot be forced to adopt more moderate drinking habits, Lord Kimberley spoke of the need to persuade individuals to govern their own behaviour.<sup>484</sup> To an extent, the exhortations to self-improvement and the condemnations of drunkenness which are apparent in Bruce's rhetoric, as well as public and political discourse more generally, constitute a form of official persuasion. Similarly, Harcourt's commendation of self-denial,<sup>485</sup> which was strongly reinforced by temperance advocates,<sup>486</sup> may be seen as a stimulus toward behavioural change. Other politicians were more specific in their advice: Charles Turner MP asked workmen "to discourage intemperance by giving the cold-shoulder to any of their fellow-workmen who were addicted to drinking heavily"<sup>487</sup> and Lord Kimberley reiterated that people cannot be forced into sobriety before urging

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<sup>483</sup> That is not to say, necessarily, that Bruce and others were converts to the suasionist cause; rather that when the Government's faith in self-reform met an agenda for licensing reform and a problematisation of alcohol, both of which had been advanced by the dual strands of the temperance movement, the results were far closer to suasionism than prohibitionism.

<sup>484</sup> 'News of the Day', *Birmingham Daily Post*, 13 May 1872.

<sup>485</sup> 'Public Meeting in Oxford', *The Times*, 31 December 1872.

<sup>486</sup> See: Livesey, Joseph, 'The Alliance and Permissive Bill', *Preston Guardian*, 26 July 1873.

<sup>487</sup> 'Conservatism in Lancashire', *Reynolds's Daily Newspaper*, 8 September 1872.

teetotallers to “persevere in spreading the rules of temperance as far as they can”.<sup>488</sup>

It should be stressed that this governmental project to persuade and encourage within restrictive legal frameworks cannot be equated with the liberal notion of free choice. It is significant that even legally permitted forms of drinking could be morally censured. To elaborate, Bruce left individuals with the legal freedom, within certain administrative and behavioural parameters, to drink as much as they wanted; but by stating that drunkenness is “a disgrace to their civilisation”, he left no doubt about the officially designated moral parameters in which this freedom was constructed.

The construction of behavioural choices about drinking with reference to officially encouraged and morally censured forms of behaviour was not restricted to political discourse. Echoing the Temperance Society’s envelope of the 1850s, an *F. Allen and Sons Cocoa Chocolate and Confectionary* advert produced in the 1880s featured illustrations connecting the avoidance of drink to general wellbeing (see Figure Six). The image “Intemperance and Poverty” shows a slouched man, clutching a bottle, in a bare room with a shabbily-dressed, miserable-looking family. This picture is juxtaposed with another of the same family entitled “Temperance and Prosperity”. In the second picture, they appear cheerful and well-dressed, and are sat at a table in a well-furnished room, enjoying (what presumably is) cocoa chocolate and cakes. The implication is clear: the choice of hot chocolate above alcoholic drinks leads to a wealthier, healthier and happier life for you and your family. These examples of political rhetoric and advertising demonstrate that the moral construction of choices about alcohol had ceased to be purely the business of temperance societies. From the 1870s onwards, more numerous and diffuse social

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<sup>488</sup> ‘News of the Day’, *Birmingham Daily Post*, 13 May 1872.



agents were involved in the transposing of binary behavioural categories onto choices about drinking.

So, individuals may have been superficially presented with a behavioural choice, but in moral terms there was no doubt about which type of conduct they should and should not choose. Instead of a legal regime that precludes the possibility of deviance, the Licensing Act 1872 is better understood as a regulatory framework allowing for a series of behavioural choices that are constructed in moral terms as either approved or condemned, right or wrong, or good or evil. Interestingly, 'the wrong choice' about alcohol, which leads to drunkenness, continues to be legally defined in a fashion not unbecoming of the moral suasionist temperance movement. *Neale v RMJE* [1984] decreed that the offences of drunkenness created by Section 12 of the Licensing Act 1872 refer to persons who have taken intoxicating liquor to the extent that "steady self-control" is affected.<sup>489</sup> Subsequent cases, such as *R v Tagg* [2001] and *Carroll v DPP* [2009], have applied the same definition of drunkenness and so the legal eminence of self-control is discernible.<sup>490</sup> The fact that offences contained within the 1872 legislation are still employed shows some legal impact; but the affinity of the dominant legal interpretation of drunkenness with the notion of individual self-control, so evident in Victorian political and suasionist temperance discourse, indicates the deeper qualitative impact which the temperance movement had over the way alcohol is viewed and regulated in this country.

But, can regulatory licensing reform really be connected to the project to morally regulate alcohol? In some ways, these licensing reforms appear diminutive

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<sup>489</sup> *Neale v RMJE* [1984] Crim LR 485.

<sup>490</sup> *Carroll v DPP* [2009] EWHC 554; *R v Tagg* [2001] EWCA Crim 1230. These cases dealt with distinct, separate issues and are cited here purely to illustrate and provide some support for the contention that the definition of drunkenness as loss of "steady self-control" is now legally well-established.

next to the demands of prohibitionists, whose desire for the state to legally restructure social life can appear as a firmer conviction in the need to ethically reform people's behaviour. However, Ruonavaara has sought to distance moral regulation from Corrigan and Sayer's conception of a top-down governmental action and incorporated concerns for self-formation and self-governance of identity and conduct into the concept (as discussed in Chapter One). Ruonavaara thus recognises an enhanced role for non-state actors and persuasive tactics. From this perspective, the official promotion of the temperance movement's model of the sober, respectable working man is an ethical subjectivity that aims to engender, but not force, behavioural change. If a person comes to see himself as disrespectful and immoral due to his drinking, he may be persuaded to change his behaviour. Teetotal suasionist Joseph Livesey argued that alcohol regulation should restrain and not force, citing high duties and licensing controls as examples of legitimate legal restraint.<sup>491</sup> But within these restraints, "people are fit to be made better, and they can be made better",<sup>492</sup> or, to use the terminology of Bruce's epitaph, made "more perfect". The establishment of restrictive, non-prohibitive, legal frameworks around alcohol can thus be seen as an attempt to encourage behavioural reformation. Following Ruonavaara, this project is consistent with the characteristics of moral regulation.

The problematisation of all alcohol, the normative saturation of behavioural discourse and the focus on ethical self-formation all testify to the salience of moral regulation within the model of alcohol governance established by the Licensing Act 1872. Moral regulation must be construed, therefore, as something broader than just

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<sup>491</sup> Livesey, Joseph, 'The Alliance and the Permissive Bill', *Preston Guardian*, 19 July 1873.

<sup>492</sup> Livesey, Joseph, 'The Alliance and the Permissive Bill', *Preston Guardian*, 26 July 1873.

legal regulation. Akin to the legal moralist Lord Devlin (who will be discussed further in Chapter Six), prohibitionists seemed to conflate legal regulation and moral regulation, believing that without the former the latter could not be realised. To suasionists, however, legal regulation was never the sum total of their aims. Their focus on self-denial and self-control indicate that there is a practical and moral currency invested in personal or extra-legal regulations. In 1841, temperance campaigner W. Hunt argued that “every Christian professor is laid under a *moral obligation*... to abstain for his own benefit as well as the benefit of others”.<sup>493</sup> The significance of this quotation is that for suasionists, unlike prohibitionists, a moral obligation takes precedence over a legal obligation. Governance of the drinking habits of the population does not, therefore, end at the boundaries of legal imperatives but extends to broader areas where regulation is constituted largely by moral compulsion. Choices are delineated by legal parameters of permissible and indictable conduct; but within the space afforded by these parameters, the persuasive faculties of moral discourse construct individual behavioural decisions.

### **5.3) Reflecting on Attitudinal/Heuristic Changes**

It is therefore possible to reappraise the impact of the temperance movement. Ruonavaara’s distinction of coercive and persuasive tactics focuses attention on the division in the temperance movement between the externally-driven, coercive social change sought by prohibitionism and the behavioural self-reformation promoted by moral suasionists. It is the latter type of moral regulation which is most pervasive; the system of governance established by the early 1870s appears as an active, moderately interventionist promotion of individual behavioural change by the state. The Licensing Act 1872 in particular sought to aid total sobriety by establishing legal

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<sup>493</sup> Hunt, *History of Teetotalism in Devonshire*, p.33.

rules more amenable to improving the “intelligence and morality” of the population. Given that this statute constituted a significant break with the Beer Act’s model of alcohol governance, it is defensible to assert that the British temperance movement, particularly its suasionist strand, does possess some enduring social legacy.

### **6) *The Legacy of the Temperance Movement***

The idea, propagated by Warner and others, that the British temperance movement achieved very little has been challenged in three main ways. Firstly, a more relative appreciation of legal changes has flagged up the importance of measures such as Welsh Sunday closing and the Scottish local veto. Secondly, the role of the temperance movement in legitimating and instigating licensing reform in the early 1870s must be acknowledged as a form of impact, especially given that the resulting measures controversially and permanently ended the more relaxed regulatory system of the Beer Act. Thirdly, the role of the temperance movement in colouring dominant public attitudes is revealed by the manifold interpretive affinities between temperance ideas and the qualitative character of the system of governance used to regulate alcohol. It is likely that both strands of the temperance movement contributed toward the first two impacts, but moral suasionism was noticeably more important in producing the third. Prohibitionism has thus been shown as something of a distraction which encourages academics to focus on the achievement (or non-achievement) of absolute campaigning goals. This search for a defining temperance victory, a British Eighteenth Amendment, is erroneous; in Britain, the temperance movement placed greater emphasis on individual behavioural solutions, rather than collective legal coercion, and achieved more incremental legal measures. The legal and attitudinal or heuristic impacts of the

temperance movement have therefore been attributed to moral suasionism more than prohibitionism.

Causally speaking, there are three layers of association which connect these legal and attitudinal/heuristic changes to the British temperance movement. Firstly, there is a geographical or international association which suggests that the character of national temperance movements corresponds, to some extent, to the historical legal regime which governed alcohol use. Prohibition was enacted in the US where the prohibitionist strand of temperance dominated; but in Britain, where the character of temperance remained split, a system of legal restrictions and moral compulsion was established. Secondly, there is a chronological association of licensing reform with a period of heightened campaigning activity which further suggests temperance influence. Of course, government in general was changing anyway during this period (as discussed earlier), becoming moralised, increasingly national and more interventionist. But the particular configuration of this post-1872 model of alcohol governance, based around the facilitation and encouragement of individual self-reform, demonstrates that it was, to some degree, infused with suasionist spirit. The problematisation of all forms of alcoholic drinks, recognisable within the new licensing laws, was a discursive feature common to both main types of Victorian temperance. But the increasing concentration on the personal obligation to refrain, as well as the focus on the facilitation of behavioural change through the dual use of legal restrictions and the normative construction of behavioural choices, reveals tangible affinities with the beliefs and tactics of moral suasionists. Crucially, it is these interpretive affinities which help separate more general changes in governance during the period from the discernible historical impacts of temperance campaigns.

The qualitative dimension thus adds ontological substance to the connection of changing regulatory frameworks to parts of the temperance movement.

The governmental frameworks established in 1872, based around legal restriction and moral compulsion, show that the influence of the British temperance movement has been subtler and more complex than its American counterpart, yet not necessarily lesser in magnitude. This argument is based on the premise that moral regulation is not reducible to legal regulation and that the outcome of a social movement refers to more than simply instrumental legal/policy gains (as explored in Chapter One). To assess the success of the temperance movement, it is necessary to look beyond dry assessments of legal developments and consider also the changing qualitative character of the law over time. Without this interpretive appreciation of the normative foundations beneath debates about drink, Warner's conclusion would likely have been more agreeable.<sup>494</sup>

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<sup>494</sup> Some of the arguments here pursued are also covered in the journal article: Yeomans, Henry, 'What did the British Temperance Movement Accomplish? Attitudes to Alcohol, the Law and Moral Regulation', (2011) *Sociology* Vol.45 (1), pp.38-53. The article also more explicitly compares historical and contemporary systems for regulating drink.

Figure 4: Poster Advertising Membership of a Temperance Friendly Society,  
1885.

Evan. 6792

**IMPORTANT NOTICE TO WORKING MEN!**

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INDEPENDENT ORDER OF  
**Odd Fellows' Friendly Society**  
SOUTH LONDON UNITY;  
REGISTERED UNDER THE FRIENDLY SOCIETIES ACT, 1876.

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THE  
**STAR OF TEMPERANCE LODGE**  
HELD AT  
**LOCKHART'S COCOA ROOMS,**  
161, WESTMINSTER BRIDGE ROAD,  
**EVERY THURSDAY EVENING.**

---

Healthy Men under 40 years of age, who prudently desire to make a provision in case of affliction, and wish to join a really substantial Society, are invited to join this Lodge, which, although not confined to Teetotalers, is opened under Temperance principles and not held at a Public House, which is often a temptation to Members, sometimes causing them to spend more money in attending the Lodge than the actual amount of their contributions; it is also a branch of a vast and flourishing Unity having an accumulated capital as a guarantee of its stability. Particular attention is called to the following low scale of **ENTRANCE FEES** :—

18 to 21 Years of Age, 2s. 6d.; 21 to 25, 4s.; 25 to 30, 6s.; 30 to 35, 8s.  
35 and under 40, 10s.

Not less than 2s. 6d. must be paid on or before Initiation, the balance (if any) within three months.

**CONTRIBUTIONS, 7s. PER QUARTER,**  
Which may be paid weekly or otherwise, to suit the convenience of Members.  
**No Fines for Stewards. No Levies or any other Extras.**

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**BENEFITS IN SICKNESS—**

**12s. for 26 Weeks and 6s. for 26 Weeks,**  
**and 3s. as long as illness lasts,**  
With Medical Attendance and Medicine.

<b>Member's Death,</b>	<b>Wife's Death,</b>
<b>£15.</b>	<b>£7 10s.</b>

Members travelling in search of employment will receive travelling checks. **FREE IMMEDIATELY** to Medical Attendance and Medicine; Funeral Benefit in Six Months; to Sick and Travelling Benefits in Twelve Months.

**Medical Attendant—Dr. COPPIN, 138, Westminster Bridge Road.**

Any further information can be obtained at the above Cocoa Rooms any evening in the week; or of the Secretary, P.G.P. ARTHUR IMHOFE, 39, Auckland Street, Vauxhall.

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WILKES & Co., Printers, 63, Newington Butts, S.E.

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Figure 5: Envelope Issued by 'The Temperance Society' 1851 (and approved by Royal Mail).



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Figure 6: F. Allen and Sons Cocoa Chocolate and Confectionery Works c.1880.



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## Chapter Five

### The Apogee of the Temperance Movement:

#### War and its Aftermath, 1914-1921

##### 1) Introduction

The previous chapter identified certain frameworks of moral compulsion which, in addition to purely legal measures, governed consumption of alcohol under the provisions of the Licensing Act 1872. This chapter applies the same concern for extra-legal, normative forms of regulation to the period 1914-1921.

Harrison and Shiman describe how temperance societies were in decline by the turn of the twentieth century; memberships were falling and influence was waning.<sup>495</sup>

Congruously, historians studying drink during World War One tend to overlook the issue of public attitudes or morality and their historical precedents.<sup>496</sup> The

temperance movement is thus largely removed from studies of drink debates during World War One and the consensus opinion is captured by Greenaway's argument that "The outbreak of war in 1914 transformed the whole issue of liquor control... now it was primarily redefined in terms of national efficiency".<sup>497</sup> Greenaway's discussion focuses largely on the rise to dominance of the secular issues of industrial productivity and military discipline. Older moral positions on drink are regarded as of limited relevance; twentieth century drink debates are largely seen as rational and secular.

But were these "rational" concerns for national efficiency really the primary drivers of public discourse on alcohol 1914-1921? Had the British temperance movement and the moral regulation project it initiated ceased to be a significant

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<sup>495</sup> Shiman, *Crusade Against Drink*; Harrison, *Drink and the Victorians*.

<sup>496</sup> See for example: Barr, *Drink*, pp.301-303; Nicholls, *Politics of Alcohol*.

<sup>497</sup> Greenaway, *Drink and British Politics since 1830*, p.91.

feature of public attitudes towards alcohol? Interestingly, Greenaway describes drink debates during World War One as a “moral panic”.<sup>498</sup> On the one hand, this is entirely fitting; a new or redefined social problem, which Greenaway identifies, is the typical subject matter of moral panic theory. In Cohen’s classic theoretical formulation, moral panics are short-term, temporary phenomena which rise up “every now and then”<sup>499</sup> before submerging again as some form of equilibrium is reached or restored. In this classic episodic approach each panic appears, essentially, as an independent event with little or no causal relation to preceding or succeeding historical events. On the other hand (and as described in Chapter One), this classic approach has been criticised; Critcher defines moral panics as high points within established currents of moral regulation<sup>500</sup> and Hier presents them as manifestations of volatility within longer-term processes of moralisation.<sup>501</sup> Following Critcher and Hier, whether a “rational” response or an irrational moral panic, drink debates in any period must be positioned within historical processes of moral regulation.

This chapter will therefore examine whether Greenaway’s consideration of the drink problem 1914-1921 as a largely independent historical entity is feasible. Over 400 newspaper sources from 1914-1921, in addition to legal materials and temperance sources, are used to investigate the important issues relating to attitudes and regulation. To what extent was this an episode in which the discourse relating to the retail and consumption of alcohol was fundamentally redefined by the issue of national efficiency? Do ongoing discursive trends which originated in earlier historical periods shed any light on public discourse and regulation of alcohol during this period? Given the starkly differing contexts of war and peace, this chapter aims

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<sup>498</sup> Ibid., p.97.

<sup>499</sup> Cohen, *Folk Devils and Moral Panics*, p.9.

<sup>500</sup> Critcher, ‘Widening the Focus’.

<sup>501</sup> Hier, ‘Thinking Beyond Moral Panic’.

to fulfil this brief by examining wartime and the post-war years separately before reflecting on developments across the whole period 1914 to 1921.

## **2) Drink as a National Problem**

Between 1872 and 1914, British society and public attitudes changed in several significant ways. From the second half of the nineteenth century onwards, there was a growing interest in the capacity of external social forces to shape individual lives. The emerging labour movement, as well as researchers such as Charles Booth and Joseph Rowntree, promoted a less personal and more structural or environmental focus on social problems such as urban poverty and crime. Wiener describes how, for many, these new social outlooks were daunting and led to individuals feeling dwarfed by their natural and social environments.<sup>502</sup> Given this recognition of environmental influences, it became decreasingly acceptable and even possible to blame, as the original teetotallers had done, individual personal failings for social problems. Wiener identifies that, in issues of social reform, harm reduction began to take precedence over moral culpability.<sup>503</sup> Just as problems became, in this sense, de-personalised or collectivised, governmental solutions became increasingly interventionist. From the rise of compulsory education to the creation of court-appointed probation officers, the role that state activity played in everyday lives was greatly enhanced around the turn of the twentieth century. The individual, in possession of self-command and self-control, was no longer the centre of the heuristic universe; both causes and solutions of social problems were conceived in increasingly environmental or collectivist ways.

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<sup>502</sup> Wiener, *Reconstructing the Criminal*, p.12.

<sup>503</sup> *Ibid.*, pp.337-338.

Wiener elaborates on these changes, describing how early Victorian “fears of a dam-busting anarchy began to be replaced by opposite fears of a disabled society of ineffectual, devitalized and over-controlled individuals moulded by environmental and biological forces beyond their control”.<sup>504</sup> Turn of the century discourse is thus typified, especially in the wake of Britain’s defeat in the Boer War, by a pessimistic obsession with national efficiency and racial degeneration. The effects of these broader changes can be related to alterations in the governance of alcohol. The Inebriates Act 1898 increased the power of the state some of these flawed, ineffectual citizens by allowing courts to order that, if they are deemed to be habitual drunkards, offenders may be confined to an inebriate reformatory. This new therapeutic or welfarist tone was complemented by an increased use of taxation to govern the consumption of alcohol, as evidenced particularly in David Lloyd George’s 1910 budget.<sup>505</sup> While habitual inebriates legislation embodied a focus on a certain group within the population, so tax increases conceivably show an attempt to reduce consumption at a population-wide level and thus alleviate problems of a weak, inefficient nation. Instead of concentrating on morally defective individuals, the shift towards more social and environmental understandings of how individuals are constituted led to the concentration of governance on both problem-populations and the population at large.

Temperance discourse was certainly not insulated from the growth of this increasingly collective or demographically-inspired conception of the nation. In early 1914, Mrs Lloyd George named alcohol as one of the “great evils which were paralysing our national resources everywhere”<sup>506</sup> and, in a piece on new treatment

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<sup>504</sup> Ibid., p.12.

<sup>505</sup> Nicholls, *Politics of Alcohol*, pp.153-155.

<sup>506</sup> ‘The Government and Licensing Reform’, *Manchester Guardian*, 19 January 1914.

programmes for habitual drunkards, the *Daily Express* referred to alcohol as “a great national evil”.<sup>507</sup> This collective ownership of the drink problem corresponded to an enhanced concentration on the wellbeing of children: at a meeting of the Women’s Total Abstinence Union, John Newton declared his desire “to protect the child life of the nation against the contamination of the public-house bar”.<sup>508</sup> Newton articulates the threat to children, the future of the nation, in the medical language of contamination rather than the moral rhetoric of temptation; responsibility for the drink problem is thus located outside of the individual. In her historical study of alcoholism or compulsive drinking, Mariana Valverde identifies an opposition between free will and determinism within popular understandings of what causes and cures these conditions. It is not the case, Valverde argues, that determinism necessarily took total precedence over free will in this period,<sup>509</sup> but it is reasonable to suppose that, given the inflated importance attributed to contamination, demography and the nation, the heuristic scales tipped slightly toward the determinism of external constitution.

For this thesis, the questions arising from these changes relate to the place of the temperance movement within this rebalanced discursive landscape. Were either moral suasionist or prohibitionist ideas still considered valid? And did the legal regime they influenced, instituted by the Licensing Act 1872, survive?

### **3) Responses to War**

In the summer of 1914, the outbreak of war created a new geo-political arena in which issues of governance were played out. Many existing policies and political principles had to be fundamentally re-evaluated in the context of total war and alcohol was by no means exempt. The growing acceptability of more collectivist and

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<sup>507</sup> ‘The Curse of Drink’, *Daily Express*, 27 February 1914.

<sup>508</sup> ‘Women’s Total Abstinence Union’, *Manchester Guardian*, 8 May 1914.

<sup>509</sup> Valverde, *Diseases of the Will*.

interventionist approaches to social problems had been apparent pre-war and was drastically intensified during the war years. From compulsory conscription to requisitioning, previously sacrosanct rights to liberty and property were fundamentally challenged. The relationship between the individual and the state changed (at least temporarily) and the previously unthinkable became increasingly thinkable or indeed actual. Given this new form of wartime governance, in addition to its commitment to the socially curative power of radical legal intervention, prohibitionism became highly plausible once more. This section will examine the enigma of why the temperance movement's primary legal demand was not enacted during World War One and how, in its absence, alcohol use was governed in England and Wales.

### **3.1) *The Enigma of British Alcohol Policy 1914-1918***

To many, war intensified the need for tighter restrictions. Leif Jones MP stated that "If drink was a national danger in peace times it was such tenfold in war".<sup>510</sup> Jones argued that national survival hinged on the combat readiness of large swathes of the young male population and others, such as H.H. Croydon, extended this argument to the "productive classes", whose drinking endangered the war effort by incurring "terrible wastage and loss".<sup>511</sup> Drink "robbed the soldier of his efficiency"<sup>512</sup> and worker of his or her commitment to hard labour. Alcohol was regarded as a threat to both military discipline and industrial productivity and so it became seen as a serious threat to the nation. In February 1915, Chancellor of the Exchequer David Lloyd George declared that "drink is doing us more damage in the war than all the

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<sup>510</sup> 'The Free Churches. National Sobriety: Pledge to Support the Government', *Manchester Guardian*, 11 March 1915.

<sup>511</sup> Croydon, H.H., 'To the Editor of The Times: Temperance Policy', *The Times*, 3 May 1915.

<sup>512</sup> *Ibid.*

German submarines put together”.<sup>513</sup> One month later, he famously proclaimed that “we are fighting three foes, Germany, Austria and Drink: and as far as I can see the greatest of these deadly foes is Drink”.<sup>514</sup> So, given this opprobrium, why did the British Government not enact prohibition?

The demands of war produced tough restrictions on the drinks trade in many countries. Russia, Belgium, Romania and Canada (with the exception of the province of Quebec) were among ten countries that adopted prohibition as a wartime measure. After World War One, prohibition remained a viable legal option; a number of countries, including Finland, Norway and Iceland, upheld its implementation for several years.<sup>515</sup> Most notably, in 1919 the USA amended its constitution in order to make the trade in alcohol illegal. The symbolic significance of this emerging world superpower enacting prohibition is worth note; to many, this type of legislation represented the future.<sup>516</sup> That said, prohibition was not the only wartime drink measure and some countries focused instead on specific drinks which were seen to be especially problematic; France, for example, outlawed absinthe. In addition, Sweden strengthened its existing system of municipal ownership of the drinks industry and introduced an alcohol rationing regime. In the 1910s, the outbreak of war saw strict legal regulation of alcohol become a feasible action in many countries during wartime and beyond. Britain’s failure to implement prohibition, rationing or any other radical measures certainly appears curious.

The peculiar comparative situation becomes doubly strange if Britain’s temperance history is considered. Many of the countries who implemented

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<sup>513</sup> Nicholls, *Politics of Alcohol*, p.154.

<sup>514</sup> Ibid, p.155.

<sup>515</sup> Schrad, *The Political Power of Bad Ideas*.

<sup>516</sup> For example, see: Smith, Robinson, ‘To the Editor of *The Times*’, *The Times*, 16 July 1919.

prohibition during wartime, such as the USA, Canada and Finland, had experienced large-scale abstinence-based temperance movements in the nineteenth century similar to Britain's. Interestingly, despite the decline in temperance mobilisation in the early twentieth century, pre-war temperance sympathies had not dissipated entirely in Britain and proved resurgent during wartime. This was particularly evident in the formation of the Strength of Britain Movement (SOB) in 1916, a prohibitionist group, whose advocates argued that "The use of alcohol lessens the fighting value of men in all ranks and impairs their thinking power and the speed and soundness of their judgement".<sup>517</sup> The SOB's message, that sobriety and hard work were needed to maximise national efficiency, was popular. At a meeting of the 'free churches', Mr Parr claimed that "During the war, patriotism demands prohibition",<sup>518</sup> and, towards the end of the war, the National Liberal Federation came out in favour of full local control of the liquor traffic.<sup>519</sup> There was a tangible sense that, for the sake of winning the war, strict measures such as prohibition may have to be swallowed by a generally reluctant populace. This new wave of patriotic prohibitionism, in addition to pre-war temperance sympathies, suggests that strong legislative action against drink would have commanded reasonable support.

The issue of how to deal with alcohol during the war was complicated by the increased popularity of other radical ideas, particularly the idea that the state should purchase the drinks industry and run it as an ongoing concern. Such proposals were inspired by the Swedish 'Gothenberg Model' of municipal ownership of the drinks trade and had been championed in Britain in the 1870s and 1880s by Joseph

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<sup>517</sup> Surgeon Sir A. Pecree-Gould, 'Food versus Beer: Demand for Prohibition During the War', *Daily Express*, 23 March 1917.

<sup>518</sup> 'The Free Churches. National Sobriety: Pledge to Support the Government', *Manchester Guardian*, 11 March 1915.

<sup>519</sup> 'The Aims of Government', *Manchester Guardian*, 5 September 1918.



Chamberlain.<sup>520</sup> The basic logic to such proposals was that salaried management of public houses by state-appointed persons would free pub managers from the need to generate profit by encouraging excessive drinking. War gave this cause new urgency; the *Manchester Guardian* lent its support to the nationalisation of the drinks trade due to the worry that “our national vice” may become “our national undoing”.<sup>521</sup> A newspaper editorial argued that, although it is more visible in wartime, private vice always impacts upon the state and so state intervention is legitimate. The *Manchester Guardian* went on to claim that state ownership was preferable as it “would for the first time make it possible to legislate other than by mere prohibition on the vice of drinking”.<sup>522</sup> Support for these radical interventions was evident in public discourse about alcohol before, during and after the war.

It should be stressed that prohibition and nationalisation were still contentious proposals. Nationalisation was derided by representatives of the drinks trade as “the rankest Socialism ever invented”<sup>523</sup> and, as the *Daily Express* explained, many temperance supporters were equally hostile to these proposals as they did not want the state to make a profit “in partnership with the devil”.<sup>524</sup> The *Express* also attacked prohibition, evoking the Bishop of Peterborough’s rhetoric from an earlier age by arguing that “It is a free England for which our sons are giving their lives”.<sup>525</sup> Union leader Ben Tillet rejected the broader terms of this debate by arguing that there was nothing within the drinking habits of the working man which required radical reform; Tillet cites the millions of working class men fighting abroad as evidence that this

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<sup>520</sup> See: Brown, ‘Joseph Chamberlain’.

<sup>521</sup> Anderton, W. Stanley, ‘The Drink Problem: To the Editor of the *Manchester Guardian*’, *Manchester Guardian*, 5 May 1915.

<sup>522</sup> ‘The Reform of the Drink Traffic’, *Manchester Guardian*, 17 January 1917.

<sup>523</sup> ‘German Beer for Britons!’, *Daily Express*, 13 April 1915.

<sup>524</sup> ‘Partnership With The Devil!’, *Daily Express*, 14 April 1915.

<sup>525</sup> ‘Matters of Moment: The Barley-water Mow’, *Daily Express*, 9 April 1915.

“was a class to be honoured and not degraded”.<sup>526</sup> But Tillet’s critique represented a minority opinion. The *Express* reports that temperance supporter Reverend Mottram was deeply suspicious of any state purchase of the immoral drinks trade but would accept such an action if it would help the war effort.<sup>527</sup> Also *The Times*, for so long a bastion of free trade resistance to state interventions in the economy, came out in favour of the prohibition of alcoholic spirits in order “to deepen the national efficiency for the purpose of the war”.<sup>528</sup> Moreover, *The Times* accepted that “If further restrictions on the sale of liquor... will help us to this end, let the Government impose them without delay”.<sup>529</sup> Public discourse was overwhelmingly characterised by an acceptance that compromises and sacrifices were necessary and justified in order to win the war.

In addition to the international context and public support for stricter drink laws, the links of the temperance movement to the Liberal Party render the lack of radical reform curious. The Liberals grew closer to temperance groups in the 1870s, although some blamed these associations for electoral losses. In the wake of the unpopular Licensing Bill of 1871 and the Licensing Act 1872, the Liberals lost the 1874 general election heavily. Gladstone blamed the defeat on a reaction to these restrictive reforms, declaring that “we have been borne down in a torrent of gin and beer”.<sup>530</sup> Given Gladstone’s views, it would have been understandable if the Liberal Party had shied away from formulating strict alcohol measures in the aftermath of 1874. But, nevertheless, they continued to maintain links with the temperance

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<sup>526</sup> ‘Class Distinctions: Mr Tillet on Liquor Control’, *Manchester Guardian*, 13 December 1915.

<sup>527</sup> ‘Partnership With The Devil!’, *Daily Express*, 14 April 1915.

<sup>528</sup> ‘The King’s Example’, *The Times*, 7 April 1915.

<sup>529</sup> *Ibid.*

<sup>530</sup> Gutzke, David W., *Protecting the Pub: Brewers and Publicans against Temperance* (Suffolk: Boydell and Brewer, 1989), p.1.

movement and, after once again forming a government in the 1890s, tried unsuccessfully to implement a variant of the (prohibitionist) local option. Not dissuaded, the Liberals included a limit on the number of licensed premises per head of population in the Licensing Bill 1908, although these proposals were rejected by the Conservative-dominated House of Lords.<sup>531</sup> The Liberals did not, therefore, distance themselves from temperance measures post-1874 and actually retained an active interest in strict drink laws up until the outbreak of war. The prominence of Lloyd George in this period, as Chancellor and then Prime Minister, is also significant; coming from a Welsh Methodist background, he had expressed support for the temperance cause and nationalisation.<sup>532</sup> Radical interventions therefore commanded high-level political support.

The British Government's refrain from implementing radical alcohol policies during World War One is not just a curious riddle given the spread of collectivism and the erosion of traditional liberties engendered by war. This central riddle is wrapped in the mystery of the comparative international situation and Britain's temperance history, as well as being concealed within the enigma of public and high-level political support for radical interventions at the time. So if strict measures such as prohibition and nationalisation were avoided, what exactly did the British Government do?

### **3.2) What was the British Government's Response?**

Some aspects of the governmental response were entirely predictable. One such unremarkable measure was the increase in levels of taxation levied on the trade in alcoholic drinks. By the twentieth century, it was well-established that

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<sup>531</sup> Blocker *et al*, *Alcohol and Temperance in Modern History*.

<sup>532</sup> Nicholls, *Politics of Alcohol*, p.155.

taxation could be used to either discourage consumption or raise government revenue; the Gin Act 1729 raised the excise duty on gin in an effort to discourage consumption and Lloyd George's 1910 budget also contained considerable tax rises for both brewer and pub licences.<sup>533</sup> Slightly more novel was the decision, enforced by the Central Control Board (CCB) which oversaw most British alcohol policy during World War One,<sup>534</sup> to limit the strength of alcoholic spirits available for public purchase.<sup>535</sup> Such a measure, not dissimilar to France's banning of absinthe, had never been enacted before, albeit the Gin Act 1736 did inflate the cost of a licence to such an extent that it amounted to a prohibition of gin.<sup>536</sup> Moreover various licensing initiatives, from the Beer Act 1830 to Gladstone's liberalisation of the wine trade in the 1860s, were at least partially motivated by an attempt to wean people off spirits by promoting the trade in weaker alcoholic drinks. Increased taxation and restrictions on the strength of spirits do not, therefore, amount to any radical new departure in alcohol policy.

The same point can be made in respect of one of the key planks of the wartime alcohol policy, restricted hours of sale. During the war, the CCB restricted public houses to opening from Midday to 2:30pm and 6:30pm to 9:30pm.<sup>537</sup> The implementation of morning and afternoon closure was novel, but the idea of restricted hours of sale was not new to the drinks industry. As described in previous chapters, statutory closing times were established in the Victorian period: Beer-houses operated within set hours since their creation by the Beer Act 1830 and public-houses were restricted from mid-1860s onwards. It is now relatively common

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<sup>533</sup> Ibid., pp.36-45 and pp.153-155

<sup>534</sup> The Central Control Board was created by the Defence of the Realm (Amendment) Act 1915 and governed the sale and supply of alcohol during wartime.

<sup>535</sup> Ibid., pp.155-156. Also: Greenaway, *Drink and British Politics*, p.98.

<sup>536</sup> Nicholls, *Politics of Alcohol*, p.36-45.

<sup>537</sup> Ibid., pp.155-156.

to hear it said that closing times were first introduced in Britain during World War One, but they were actually significantly older. Wartime opening hours were stringently reduced but, as with taxation, this was the tightening of an existing regulation rather than the creation of a new one.

Some of the Government's measures had less historic precedents. On the outbreak of war, the 'treating' of soldiers and sailors to drink immediately became a public issue.<sup>538</sup> In September 1914, H.H. Croydon, of the Church of England Temperance Society (COETS), wrote to *The Times* imploring people to refrain from this popular custom.<sup>539</sup> This call was echoed by both the Minister of War Lord Kitchener and his sister, Mrs Frances Parker, who asked people not to 'treat' servicemen in the interests of their "efficiency and wellbeing".<sup>540</sup> While initially the justification for such concerns about treating referred to the need to reduce the consumption of alcohol by servicemen in order to maximise military effectiveness, the terms of the debate quickly encompassed the drinking habits of the civilian population also. In late 1914, a letter in *The Times* from E.F. Chapman asked "Do we, as a nation, realize that temperance is necessary to efficiency in war? Can we understand that it must be adopted by our civilian population as well as by our sailors and soldiers as a national habit?".<sup>541</sup> There was a certain rational logic at work here, as the continued productivity and wealth of a nation becomes particularly important during wartime. Thus, under the auspices of the CCB, treating was banned in 1915. Attracting much comment at the time, this was an unusual measure, historically

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<sup>538</sup> 'Treating' refers to the practice of buying a drink for another person.

<sup>539</sup> Croydon, H.H., 'To the Editor of *The Times*: "A teetotal war"', *The Times*, 26 September 1914.

<sup>540</sup> 'Duration of War Pledge', *Daily Mirror*, 28 October 1914.

<sup>541</sup> Chapman, E.F., 'To the Editor of *The Times*: Social Welfare in War Time', *The Times*, 14 October 1914.

speaking.<sup>542</sup> But if it is compared to some of the measures, such as prohibition or nationalisation, contemplated at the time, it hardly appears radical.

The concentration on maximising the productive capabilities of the civilian population was also behind one truly radical policy pursued by the wartime administration. In certain areas the CCB did enact a type of localised nationalisation of the drinks industry. In 1916, the state began purchasing pubs in Enfield Lock, Cromarty Firth and, on a huge scale, Carlisle and its environs. These areas were selected because they were home to large munitions factories and so the sobriety of the local population, many of whom worked in these factories, was seen to have a strategic importance for the war-effort. In these localities, the CCB replaced the private profit motive with a system of 'disinterested management' and, freed from the pursuit of financial gain, salaried managers began making a number of improvements to pubs. Improvements affected the physical condition and decor of many premises, as well as the provision of food and soft drinks.<sup>543</sup> Pubs were often operated as works canteens, in the hope that the provision of food would mean workers would not opt for a 'liquid lunch'. But this was also an attempt to change the culture of the pub, to make it more comfortable, more respectable, and more family-friendly. According to a post-war letter in *The Times*, these efforts were successful in creating something "like the Continental restaurant... where a better moral atmosphere may reinforce a healthy public opinion and create self-respect".<sup>544</sup> The nationalisation of the drinks industry as an effort to promote sobriety and productivity was, therefore, a radical measure; but it was pursued in only a handful of areas.

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<sup>542</sup> Unusual in the sense that regulating who a person may buy a drink *for* had never been attempted before.

<sup>543</sup> Nicholls, *Politics of Alcohol*, pp.155-158.

<sup>544</sup> Baynes, A. Hamilton, 'Reform by State Purchase: To the Editor of *The Times*', *The Times*, 17 November 1919.

Prior to World War One, Britain already had reasonably restrictive drink laws. It was established practice for British governments to regulate who may sell alcohol, when, and (through taxation) at what price; the governmental response to World War One instigated no paradigmatic shift away from these legal frameworks. The legal response was therefore moderate; it was a mixture of tightening existing restrictions, implementing a new but hardly radical ban on 'treating', and undertaking a radical yet small scale scheme of nationalisation. But were these moderate legal measures the sum-total of ways in which sobriety was promoted in Britain during the war?

### **3.3) 'England Expects Every Man To Do His Duty'**

An examination of popular discourse during World War One provides some fascinating new perspectives on this issue. Press coverage in the early years of World War One reveals that voluntary, as well as legal action was demanded. As with treating, these demands were initially directed at servicemen; Robert B. Batty wrote in the *Manchester Guardian* that "the greatest enemy to military efficiency has been insobriety, and its greatest support abstinence".<sup>545</sup> Batty cited the Russo-Japanese War as evidence, claiming that the humiliating Russian defeat was due to the drunkenness of many of their officers. In another letter to the *Manchester Guardian*, one S.M. Mitra echoes Batty's concerns and calls for military clubs, whose clientele were officers, to stop selling alcoholic drinks. It was seen to be unfair to expect the rank-and-file to abstain from alcohol unless their superiors were prepared to observe the same form of teetotal conduct. Mitra explained that "an example set by a military club would go a great way towards making Tommy a teetotaller and

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<sup>545</sup> Batty, Robert B., 'To the editor of the *Manchester Guardian*: Drink and the War', *Manchester Guardian* 12 October 1914.

would be an object lesson to Germany".<sup>546</sup> There appears, therefore, to have been a strong belief that teetotal soldiers were markedly more effective soldiers. Batty's quotation of the late Field Marshall Lord Roberts encapsulates this point: "Give me a teetotal army", he said, "and I will lead it anywhere".<sup>547</sup>

'Tommy the Teetotaller' was promoted as an aspirational behavioural ideal partly through imploring Britons to follow the example of their allies. Legislative restrictions on alcohol in France and even "Barbarous Russia"<sup>548</sup> had set a "glorious example",<sup>549</sup> imbued with the "spirit of sacrifice".<sup>550</sup> While Britain's allies were viewed as respectable and sober, her German enemies were constructed as beer-drinking savages to be reviled. H.H. Croydon (COETS) contrasted good sober soldiery, as apparently typified by the British campaigns in Egypt, with the alleged drunken savagery of German soldiers. He explained that "the trail of the German troops is marked, as innumerable witnesses testify, by myriads of empty bottles", and went on to claim that "in some measure, the horrors of the German atrocities have had their origin in intemperance".<sup>551</sup> This was not an isolated point: in 1915, John Rae of the National Temperance League connected beer-drinking with the "animal and uncivilised habits" of German soldiers in Belgium.<sup>552</sup> Furthermore, a cartoon by Sidney Strube in the *Daily Express* in May 1915 depicted Kaiser Wilhelm II and Admiral Tirpitz celebrating the death of women and children onboard the *Lusitania* by

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<sup>546</sup> Mitra, S.M., 'To the editor of the *Manchester Guardian*: Prohibition in Military Clubs', *Manchester Guardian*, 6 April 1915.

<sup>547</sup> Batty, 'Drink and the War'.

<sup>548</sup> Wilson, George B., 'Drink and the War: To the Editor of the *Manchester Guardian*', *Manchester Guardian*, 21 November 1914.

<sup>549</sup> Willesden, W.W., 'A Great Opportunity: To the Editor of *The Times*', *The Times*, 24 March 1915.

<sup>550</sup> 'Earlier Closing: A Demand for Drastic Steps', *Manchester Guardian*, 11 March 1915.

<sup>551</sup> Croydon, "A teetotal war".

<sup>552</sup> 'Partnership with the Devil!', *Daily Express*, 14 April 1915.



drinking beer.<sup>553</sup> World War One was not just Britain versus Germany; it was teetotalism versus drink, civilisation versus savagery.

The current of national self-denigration which had been prominent in Victorian discourse on alcohol was thus revised and the boundaries of national respectability and civilisation were redrawn along the lines of wartime alliances. While this national inferiority complex, which had particularly pervaded temperance attitudes, retreated somewhat, the temperance movement's notion of the struggle had never been so relevant. Previous chapters have described how temperance activists had long viewed their campaign as a battle against evil. In 1872, for example, Mr Hayle of Bury applied Admiral Nelson's famous statement of patriotic obligation, "England expects every man to do his duty",<sup>554</sup> to the war against drink. But the shared language of war and the temperance movement was not a mere rhetorical convenience; following Croydon and Rae's descriptions of German soldiers, it is clear that, for many people, World War One represented a very literal rendering of this older conflict between good and evil. The *Manchester Guardian* reports on a "very temperate man"<sup>555</sup> who promoted sobriety by urging a group of Scottish miners to view the national crisis as sportsmen.

We needed every ounce of energy to be thrown into this struggle... and the first thing a trainer did when they put themselves in his hands is to train for any great athletic event was to cut off all kinds of alcohol.<sup>556</sup>

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<sup>553</sup> Unfortunately, the *Express* did not respond to my requests for permission to reproduce this image and so I cannot include it here. The cartoon can, however, be viewed at: [http://www.cartoons.ac.uk/browse/cartoon\\_item/anytext=lusitania?page=1](http://www.cartoons.ac.uk/browse/cartoon_item/anytext=lusitania?page=1) .

<sup>554</sup> 'Conference on the Reform of Temperance in Corn Exchange', *Preston Guardian*, 16 November 1872.

<sup>555</sup> 'Scotland and the Drink Question', *Manchester Guardian*, 20 April 1915.

<sup>556</sup> *Ibid.*

To many people, the war was a physical, geo-political manifestation of the moral and existential struggle against drink which they had long perceived themselves as fighting.

As the appeal to the Scottish miners shows, the strict behavioural standards initially demanded from the military were soon demanded of civilians also. In the early months of the war, the behaviour of British women became a significant issue as the focus shifted from “the temptations put before not only our soldier’s wives but our soldiers in the making”.<sup>557</sup> Given their importance as wives and mothers, the repeated allegation that women were succumbing to the temptation of alcohol, and drunkenness was thus increasing, was particularly scandalous.<sup>558</sup> Acute worry about “women’s duty and honour during this time of war” led Gertrude S. Gow and others to establish a “League of Honour”.<sup>559</sup> The League aimed to combat the “abnormal excitement” which had apparently gripped women and girls through the promotion of “prayer, purity and temperance”.<sup>560</sup> Importantly, the League did not lobby for legal reforms but instead, in a thoroughly moral suasionist fashion, operated through “mutual help, encouragement, and spiritual influence” which was provided by parish branches of this national group.<sup>561</sup> One of the League’s chief “weapons” was a pledge of total abstinence from alcohol for the duration of the war and, in an indirect way, the teetotalism of its female members would help men as “the manhood of our country is raised or lowered by the influence of its womanhood”.<sup>562</sup> Drawing on

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<sup>557</sup> Dransfield, F., ‘Drink and the War: To the Editor of the *Manchester Guardian*’, *Manchester Guardian*, 21 November 1914.

<sup>558</sup> ‘Shorter Hours for Public Houses’, *Manchester Guardian*, 4 November 1914.

<sup>559</sup> Gow, Gertrude S., ‘To the Editor of *The Times*’, *The Times*, 7 October 1914.

<sup>560</sup> *Ibid.*

<sup>561</sup> *Ibid.*

<sup>562</sup> *Ibid.*

teetotal moral suasionism, the League promoted female teetotalism through voluntary means.

Calls for the voluntary promotion of sobriety were not restricted to women as the pledge campaign targeted male civilians also. A letter in *The Times* one week after Mrs Gow's asked "can we understand that it (abstinence) must be adopted by our civilian population as well as by our sailors and soldiers as a national habit?"<sup>563</sup> But this pledge campaign really started to gather momentum when prominent establishment figures began to endorse it. In November 1914, it was reported that a conference presided over by the Archbishop of Canterbury had endorsed a general pledge of abstinence for the duration of the war.<sup>564</sup> Many senior Anglican clergy soon began to echo this call; the Bishop of Durham,<sup>565</sup> the Bishop of London<sup>566</sup> and the Archbishop of York<sup>567</sup> were vocal in their support for this measure. A group of twenty-two Birmingham magistrates were reported as having taken the pledge<sup>568</sup> and, most notably, King George V and later Lord Kitchener forbade the consumption of alcohol in all their households. The *Daily Express* was particularly inspired by the King's example and repeatedly called for MPs to take similar steps.<sup>569</sup> Although MPs did not go as far the King, when they resolved to apply the same restricted opening hours to Parliament's bars as were applied elsewhere in the country the *Express* saluted this measure as a "self-denying ordinance" and a "great sacrifice".<sup>570</sup> The

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<sup>563</sup> Chapman, 'Social Welfare in War Time'.

<sup>564</sup> Harford, Charles F., 'To the Editor of *The Times*: The Liquor Problem', *The Times*, 31 March 1915.

<sup>565</sup> Bishop of Durham, 'A Great Opportunity. The Clergy and the Pledge', *The Times*, 19 March 1915.

<sup>566</sup> London, A.F., 'To the Editor of *The Times*: Drink or War Loan?', *The Times*, 24 December 1915.

<sup>567</sup> 'Lord Kitchener's Pledge', *Daily Express*, 2 April 1915.

<sup>568</sup> 'German Beer for Britons', *Daily Express*, 13 April 1915.

<sup>569</sup> 'Barleywater or Beer for Britons', *Daily Express*, 9 April 1915.

<sup>570</sup> 'Restrictions for MPs', *Daily Express*, 1 March 1917.

highest echelons of British society thus traded voluntary acts of self-denial for a potent patriotic currency.

The Church of England was the main protagonist in the pledge campaign. It promoted the cause by sending pledge cards, adorned with patriotic colours, to churches and large workplaces. The cards featured quotes from members of the clergy as well as the text of the wartime pledge itself: "I follow the King's lead, and promise to abstain from all intoxicating liquors during the war".<sup>571</sup> Leaflets and 'chum cards', which could be given to friends, were distributed and many churches organised special 'Pledge Sundays' to further the campaign. Whether due to grassroots campaigning or public endorsements by national leaders, the pledge campaign gained ground fast and was apparently very effective. Both the *Daily Express* and *The Times* reported that workers were steering clear of pubs.<sup>572</sup> In late 1914, F. Milne claimed that "greater self-control, along with greater self-denial, is expected of every citizen in the land".<sup>573</sup> By April 1915, Milne's wish appears to have been, partially at least, fulfilled.<sup>574</sup>

The 'official' rationale for the pledge campaign, as with treating and teetotalism within the military, was about civilians doing their utmost to help the war effort. The Bishop of London justified the campaign by highlighting that £160m was spent annually on drink, money which could be spent on either paying off the war loan or used to provide relief to Serbia or Armenia.<sup>575</sup> The precise mechanics of this

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<sup>571</sup> 'The King's Lead', *Manchester Guardian*, 15 April 1915.

<sup>572</sup> See: 'Lord Kitchener's Pledge', *Daily Express*, 2 April 1914; 'The King's Example', *The Times*, 7 April 1915.

<sup>573</sup> Milne, F., 'To the editor of the *Manchester Guardian*: Drink and the War', *Manchester Guardian*, 21 November 1914.

<sup>574</sup> Aggregate national alcohol consumption, as recorded by Excise figures, did fall sharply during the First World War. Although with so many young men abroad at the time, this trend does not necessarily reveal greater sobriety on the part of those who remained behind.

<sup>575</sup> London, 'Drink or War Loan'.

proposal, however, were unclear. Firstly, there was the issue of how it was imagined these personal savings would contribute towards the national war effort: would tax, voluntary donations, or something else be used? Secondly, expenditure on drink, unlike the Bishop of London's vague ideas, did make a direct contribution to the nation's coffers due to the high level of duty paid on alcoholic drinks. Industry groups were quick to emphasise this point; an advert in the *Daily Express* stressed alcohol's many advantages, including that it is "a Revenue Producer" and therefore, in an ironic twist, "part of the Strength of Britain".<sup>576</sup> As well as the financial wellbeing of the British state, there were also complaints over falling revenues from wine-exporting allies. A Frenchman wrote to *The Times* in 1914 pleading with the British not to stop purchasing French wine as this would be "another blow to the few remaining trades of France".<sup>577</sup> Similar views were aired at the time about Australia; there seemed a genuine risk that collective teetotalism would deprive both the British Government and some of Britain's allies of much-needed revenue. The 'rational' arguments in favour of the wartime pledge were far from watertight.

Legal or governmental actions did not, therefore, constitute the totality of ways in which drink was governed during the war. This examination of public discourse has highlighted that the pledge campaign embodied a powerful movement of voluntary, persuasive action which targeted all members of society. But, although reduced drinking may feasibly have contributed to improved industrial productivity or military discipline, many of the arguments used to justify the wartime pledge simply do not stand up to scrutiny. Why must those not fighting or working in munitions

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<sup>576</sup> 'The Strength of Britain', *Daily Express*, 25 January 1917.

<sup>577</sup> De L.G., W.H., 'To the Editor of The Times: France and her Wines', *The Times*, 20 November 1915.

factories abstain from alcohol? And why, for that matter, abstinence rather than moderation anyway?

### **3.4) 'An Indefinitely Mighty Force': The Pledge and Providentialism**

Regardless of the dubious economic rationale of the pledge, there was a sense that self-denial in itself, as enshrined within the pledge, would bring benefits. Mrs Parker claimed that if civilians as well as soldiers abstained “then the men who have rallied to the colours would be linked to their wives, parents and families at home by a bond which would be for good of all”.<sup>578</sup> A newspaper letter in 1915 struck a similar note, arguing that “the civilian should feel the sacrifice just as much as the soldier, the rich man just as the poor”.<sup>579</sup> The Bishop of London outlined how many people were asking “is there no sacrifice that I can make, which will at least cost me something, which may help shorten the war for them and save some of their lives?”.<sup>580</sup> The “them” to which the Bishop referred were “our gallant comrades” who, “Up to their waists in cold and muddy water, day by day and night by night”, risk their lives to guard “their country’s honour” and the “freedom of the world”. Given this patriotic military altruism, it was seen to be essential that civilians “make some definite sacrifice to show that the country is to some extent worthy of its defenders”.<sup>581</sup> For many, the civilian pledge was about creating a metaphysical bond of solidarity through mutual sacrifice and, to some degree, enforcing a notional parity in suffering between soldiers and civilians. But the Bishop of London’s comments also demonstrate a preoccupation with moral worthiness; the pledge campaign was,

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<sup>578</sup> ‘Duration of War Pledge’, *Daily Mirror*, 28 October 1914.

<sup>579</sup> Curtail, ‘To the editor of the *Manchester Guardian*: Temperance and the War’, *Manchester Guardian*, 4 March 1915.

<sup>580</sup> London, ‘Drink or War Loan?’.

<sup>581</sup> *Ibid.*

in some ways, about the nation showing itself to be deserving of its armed forces and worthy of the ultimate victory it aimed for.

Concerns with solidarity, shared suffering and national worthiness show that there was a potent moral dimension to debates about the wartime pledge, meaning the campaign looks less like a purely secular and rational means to boost efficiency. But as with efficiency, it was widely believed that the discernable moral, even spiritual, elements involved in the pledge would help the war effort. As the Bishop of Durham explains:

Given a nation virtuous, sober, God-fearing, those combatants will feel an indefinitely mighty force behind them and will be lifted even higher than before in courage and in the moral goodness which is of the soul of the highest forms of valour.<sup>582</sup>

The civilian pledge is therefore connected to providentialism; if we do good, God will reward us. It was not, so far as the sources examined for this chapter show, explicitly justified as an attempt to curry divine favour. But the pledge was certainly a commitment to virtue and goodness that, it was widely believed, would help avoid total destruction. Hunt identifies providentialism as a prominent strand in moral regulation projects from the eighteenth century onwards.<sup>583</sup> It featured in Victorian temperance adherents' vision of a struggle against evil but is more vividly apparent in the pledge debates of World War One, as the fiery end that temperance campaigners had long feared appeared genuinely at hand. Teetotalism, even just a crash course, was seen as a necessary collective defence.

The civilian pledge, as a boost to 'moral goodness', has its roots in the moral regulation project of the temperance movement. The "worldly asceticism"<sup>584</sup> of the teetotal pledge, pioneered by Joseph Livesey in the 1830s, is visible in the routine of

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<sup>582</sup> Bishop of Durham, 'A Great Opportunity'.

<sup>583</sup> Hunt, *Governing Morals*.

<sup>584</sup> See: Weber, *The Protestant Ethic*.

everyday discipline and self-control demanded of soldiers and civilians. Victorian teetotalism was partly about thrift, labour and material self-betterment. But it was also about moral self-improvement; alcohol was viewed as a corrupting influence, an absolute evil that was detrimental to both the drinker's earthly existence and, more importantly, their ultimate prospects for salvation. The temperance movement failed to achieve the total collective sobriety it aimed for, but some of its arguments do seem to have become standard ideological currency. It was common, during World War One, to see the pledge referred to as "voluntary self-sacrifice"<sup>585</sup> or a "heroic act of self-denial".<sup>586</sup> Even when explaining his decision not to take the pledge, Lord Hugh Cecil acknowledged that "all self-denial is admirable".<sup>587</sup> Teetotalism specifically and self-denial generally were seen as positive moral actions, likely to providentially improve your, or your country's, prospects for salvation.

### **3.5) Summary: 1914-1918**

The tradition of promoting voluntary teetotalism was clearly alive and well in Britain in this period. Moreover, such acts of self-denial as the teetotal pledge were invested with a providential currency which forced routines of sobriety, as engendered by more interventionist government responses, could not match. In a different social and moral climate prohibition or nationalisation may have been seen as essential; but in Britain behavioural governance did not end at the limits of the

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<sup>585</sup> Archibald, W.F.A., and Ross, R.E., 'To the editor of *The Times*: Work and Alcohol', *The Times*, 1 April 1915.

<sup>586</sup> 'Parliament and the King's Pledge', *Manchester Guardian*, 21 April 1915.

<sup>587</sup> 'Barley Water or Beer for Britons', *Daily Express*, 9 April 1915.



law.<sup>588</sup> The pledge campaign was, therefore, an extra-legal supplement to the moderate legal response to alcohol during the war.<sup>589</sup>

#### **4) Post-War: What Now?**

The context of war intensified the techniques of both legal restriction and moral compulsion used to regulate alcohol consumption. This section investigates the extent to which the heightened atmosphere of self-denial, self-sacrifice and providentialism continued to influence the governance of alcohol in the years following World War One. How did the law and public discourse change with the outbreak of peace?

##### **4.1) To CCB or Not To CCB?**

In the wake of World War One, the CCB was frequently praised for having provided “consistent and an intelligible” alcohol policy.<sup>590</sup> Measures such as restricted hours and the provision of workers’ canteens had reportedly done “much to diminish the temptation to drink”.<sup>591</sup> Beer consumption was down<sup>592</sup> and convictions for drunkenness, even among women who were tempted by drink in their husband’s absence, had also decreased.<sup>593</sup> Of course, these statistical trends were no doubt influenced by the fact that so many young British men were stationed abroad, meaning their drinking occurred outside of the remit of either Excise figures or police

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<sup>588</sup> Wartime restrictions and the pledge campaign are also explored in: Yeomans, Henry, ‘Providentialism, the Pledge and Victorian Hangovers: Investigating Moderate Alcohol Policy in Britain, 1914-1918’, (2011) *Law, Crime and History* Vol.1, pp.95-108.

<sup>589</sup> It is beyond the methodological scope of this thesis to examine whether or not this dual approach of legal moderation coupled with moral compulsion was a deliberate government policy. But it seems reasonable to suppose that without it, it is likely that harsh alcohol policies would have been seen as more necessary.

<sup>590</sup> ‘Post-War Liquor Control’, *The Times*, 4 December 1918.

<sup>591</sup> Collier M.D., W., ‘A Medical Memorial: To the Editor of the *The Times*’, *The Times*, 1 August 1919.

<sup>592</sup> Pooles, Edmund G., ‘Drink in 1915: To the Editor of *The Times*’, *The Times*, 13 March 1916.

<sup>593</sup> ‘Manchester Licences’, *Manchester Guardian*, 25 January 1918. And: ‘Less Intemperance among Women’, *The Times*, 26 December 1917.

statistics. Nevertheless, there was a tangible sense that there had been an “extraordinary change” in national alcohol consumption across the 1910s.<sup>594</sup> In a letter to *The Times*, Beatrice Picton-Turbervill claimed that “Great Britain is becoming a sober country by a process of natural development” which wartime restrictions had accelerated.<sup>595</sup> The questions which now came to occupy public discourse on alcohol therefore related to whether or not the CCB had a future: should the CCB and its apparently successful regulatory provisions be retained in peacetime?

Firstly, it is necessary to emphasise that the two orthodox poles of the drink debate continued to exist. A letter in *The Times* in 1919 captured the traditional, anti-regulation position well, arguing that “A more wholesome and heartening drink was never made than good English beer”.<sup>596</sup> Evoking Harcourt’s 1872 criticism of maternal government, the letter went on to claim that Englishmen “want beer, and I do not see why we should be treated like children by sour persons who sit all day in an armchair”.<sup>597</sup> In a similar vein, the *Daily Express* consistently argued that the retention of wartime restrictions during peacetime was a form of tyranny; in February 1921 the paper stated that the British people “gave up their rights because they were told that the concession was necessary to beat the Germans. Now they feel that they have been tricked”.<sup>598</sup> This position, mixing patriotism with libertarianism, was countered by the continuing campaigns of prohibitionist temperance. Although the SOB movement petered out post-war, the Alliance remained active and its campaign was boosted in 1919 by the visit of American prohibitionist ‘Pussyfoot’ Johnson; ‘Pussyfoot’, incidentally, briefly became a pejorative synonym for a temperance

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<sup>594</sup> Picton-Turbervill, Beatrice, ‘Prohibition Propaganda: To the Editor of *The Times*, *The Times*, 23 July 1919.

<sup>595</sup> Ibid.

<sup>596</sup> Rouse, W.H.D., ‘Beer: To the Editor of *The Times*’, *The Times*, 27 May 1919.

<sup>597</sup> Ibid.

<sup>598</sup> ‘Our King’s Speech’, *Daily Express*, 15 February 1921.

supporter. Significantly, buoyed by contact with the original 'Pussyfoot' who had been part of a successful prohibition campaign, and encouraged by the looming local veto polls in Scotland,<sup>599</sup> the prohibitionist movement continued to push for an intensification of the CCB's wartime restrictions on drink in England and particularly Wales, where a Local Veto Bill was eventually debated (and rejected) in 1924. The ongoing presence of traditional patriotic and prohibitionist standpoints shows the similarity of post-war alcohol debates to pre-war and Victorian discourse.

Secondly, the new prominence of the topic of state purchase or nationalisation within public discourse differentiates 1918-1921 from the pre-war period. The experiments with direct state control of the drinks trade was favourably reviewed. In the Carlisle district, the number of licensed premises was reduced from 200 to 128 and the number of breweries shrunk from four to two. This considerable diminution of the size of the trade was accompanied by refurbishment and improvement of the remaining premises, particularly in regards to the increased provision of food. The results, reportedly, were improved "physical welfare of factory workers", greater efficiency and reduction in convictions for drunkenness.<sup>600</sup> *The Times* saw fit to describe the Liquor Control Board as "the most successful of all the administrative bodies set up in the war".<sup>601</sup> The Labour Party, rapidly emerging as a serious electoral force, was particularly keen to promote the Carlisle model as an ongoing example of how the state could solve social problems. J.J. Mallon described the Labour position as holding that the drinks trade "ought not to be left uncontrolled in the hands of persons who must live by it and may therefore be tempted to develop

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<sup>599</sup> These polls were created by the Temperance (Scotland) Act 1913 but their implementation was postponed due to war.

<sup>600</sup> 'State Control of Liquor', *The Times*, 8 May 1917.

<sup>601</sup> *Ibid.*

it at the cost of the well-being of community”.<sup>602</sup> Prior to 1914, pubs were characterised as “brutalising” arenas of “pre-war slavery”; they therefore needed to be reformed “if the vision of a better world to live in is to be realised”.<sup>603</sup> The Labour Party was therefore amongst those who wanted localised aspects of the CCB’s wartime regulations rolled out nationwide.

While not everyone endorsed the CCB’s activities with quite the enthusiasm of Mallon and his Labour colleagues, there was a general acceptance that some wartime restrictions would be retained. The Archbishop of Canterbury spoke positively of the “general sobriety which has so far characterized the period of the armistice” and warned against “premature or unwise relaxation of the safeguards now in force”.<sup>604</sup> This recognition was not restricted to Anglican temperance-sympathisers. *The Times* stated that:

No one, for instance, is likely to contend that the abuse of liquor is a good thing, nor would anyone seriously maintain that indiscriminate temptation to excess should be allowed if can be avoided without excessive restriction on the supply of stimulants to those who can make proper use of them.<sup>605</sup>

*The Times* thus recommended that the “middle way” which the CCB had found between the two extremes should be the basis of post-war alcohol policy. More remarkably, even the representatives of the drinks industry accepted that there would be no return to pre-war ways. In 1919 and 1921, trade-sponsored licensing Bills were debated in Parliament; interestingly, both Bills would have enforced closure of public houses at midnight and neither sought to permit more than twelve

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<sup>602</sup> ‘The Public House of the Future’, *The Observer*, 5 October 1919.

<sup>603</sup> *Ibid.*

<sup>604</sup> Cantaur, Randall, Cardinal Bourne, Francois, Selbie, W.B., and Booth, W. Bramwell, ‘Advantages of Present Restriction: To the Editor of *The Times*’, *The Times*, 3 December 1918.

<sup>605</sup> ‘Post-War Liquor Control’, *The Times*, 4 December 1918.

hours of pub opening time per day. As Labour's Arthur Greenwood pointed out, "Even brewers... agreed that there could not be a return to the *status quo*".<sup>606</sup>

Be it shortened opening hours, increased provision of food or disinterested management, there was a general consensus that at least some of the CCB's wartime restrictions should remain in place. After the parliamentary failure of the two brewer's Bills, the onus fell on the Liberal Government to provide a peacetime settlement for the ongoing issue of drink regulation.

#### **4.2) The Licensing Act 1921**

It should be emphasised that there had been changes in alcohol regulations since the armistice was signed. In 1919, the CCB extended evening opening hours slightly, increased beer production and lifted the ban on treating.<sup>607</sup> Other restrictions remained in place and so, regardless of opinions on the level of regulation which was desirable, a more permanent settlement to the drink question was required. A licensing committee, which included those affiliated to both the drinks trade and the temperance movement, was convened in 1921. Shortly after the committee's recommendations, the Government published a Licensing Bill. The Bill passed through Parliament in summer 1921 and was enacted later that year.

The Licensing Act 1921 was an interesting piece of legislation. It was liberalising in the sense that it scrapped the wartime limitation on the strength of alcoholic drinks, but constricting in its clamp-down on the serving of large measures ('the long pull') and its prohibition of the purchasing of drinks on credit ('the slate'). The Act also abolished the CCB yet left the state management of the drinks trade in the Carlisle area intact (where it endured until the 1970s). In most areas, the new

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<sup>606</sup> 'Public House as Social Centre', *The Times*, 18 November 1919.

<sup>607</sup> 'The New Phase of the Liquor Question', *Manchester Guardian*, 15 May 1921.

Licensing Act's greatest significance lay in the hours during which it allowed for licensed premises to open for business. There was a shift in legal approach from specifying hours during which premises must remain closed (which had been the case with the Licensing Act 1872), to prescribing hours during which trade was permitted. In the majority of the country, these new permitted hours allowed pubs to open for a total of eight hours from 11:30am-3pm and 5:30pm-10pm or 10:30pm, if the licensing justices approved. In London, permitted hours totalled nine as licensed premises could open until 11pm; but, again this required the approval of local magistrates. While more relaxed than during wartime, the retention of morning and afternoon closure meant new opening hours were more stringently controlled than they had been in the pre-war system.

In 1872, private clubs had controversially remained un-regulated in respect of their trading hours. But, interestingly, these new opening hours were to apply to private clubs as well as public houses. Similarly, the exemption from statutory closing times granted for the '*bona fide* traveller' by the Licensing Act 1872 was also scrapped; the Attorney-General Sir Gordon Hewart's joke that "A *bona fide* traveller was someone who took a *bona fide* walk to get a *bona fide* drink" implied that the law had been abused and ridiculed.<sup>608</sup> However, exemptions were retained for late meals, or so called 'theatre suppers', which premises may serve. This meant that customers ordering a meal in a hotel or restaurant could purchase an alcoholic drink to go with it up to one hour after the usual time; although, again, this extension required magisterial approval. Other exemptions included the non-applicability of permitted Sunday trading hours of 12:30pm-2:30pm and 6:30pm-9:30pm to Wales, where Sunday closing remained in force, and the contested-county of Monmouthshire, to

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<sup>608</sup> 'The Licensing Bill: House of Commons', *The Times*, 23 July 1921.

which Sunday closing was extended. The scrapping of certain exemptions as well as the expansion of Sunday closing indicate a tougher stance, although the provision for 'theatre suppers' did enable some discretionary extension of drinking time to be exercised.

The Licensing Act 1921 therefore abandoned some wartime measures whilst simultaneously retaining or modifying and retaining others. It created a system of regulations which were looser than during the war, yet tighter than before the war. Interestingly, it also enhanced the discretionary power of licensing justices. How was this nuanced piece of legislation received at the time?

#### **4.3) A 'Return to Freedom'?**

The provisions of the new Act appeared in *The Times* under the headline "Return to Freedom".<sup>609</sup> The legislation would cease the "tyranny" of early closing times and, to Englishmen, represent "a restoration of some, at least, of their ancient liberties".<sup>610</sup> The 'theatre supper' clause was particularly celebrated; the *Daily Mirror* excitedly reported that "London's Dull Evenings Come to an End".<sup>611</sup> For many, the relaxation of wartime controls was welcomed and the retention of some restrictions prudent. But this moderate extension of the liberty to drink was not universally well-regarded; the *Daily Express*, for example, consistently argued that restrictions had been justified during the war, but continuing them afterwards amounted to an unwarranted level of state "interference in the private lives of the people".<sup>612</sup> The Licensing Act 1921 thus provoked some heated arguments.

As the quote from the *Express* intimates, much of this contestation rested on the accusation that the Act was not liberalising enough. The *Express* attacked the

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<sup>609</sup> 'The Return of Freedom', *The Times*, 21 July 1921.

<sup>610</sup> Ibid.

<sup>611</sup> 'London's Dull Evenings To Come To an End', *Daily Mirror*, 21 July 1921.

<sup>612</sup> 'Give Us Back Our Liberty', *Daily Express*, 21 July 1921.

reforms for creating opening hours which were the equivalent of “Seven Sundays a Week By Law”.<sup>613</sup> MPs Mr O’Grady and Mr Clynes both voiced concerns about the facilities available for working men, particularly those finishing late shifts, to obtain sufficient refreshments.<sup>614</sup> As in 1872, there was a suspicion that it would be the working class who suffered by the new rules; private clubs were now subject to the same permitted hours as public houses but, while labourers went without a drink later into the night, wealthy people could exploit the ‘theatre suppers’ provision and continue to drink until late at hotels and restaurants (where they could afford a meal). For Mr Raffan MP, these provisions amounted to “one law for the rich and another for the poor”.<sup>615</sup> But geography was also a sore point for many people; while *The Times* rejoiced in the possibility that Londoners’ liberty to drink would no longer be “squeezed into D.O.R.A.’s tight-laced corsets”,<sup>616</sup> the *Express* complained that there was an “anomalous situation” between London and the provinces.<sup>617</sup> The *Express* continued: “People in the provinces are treated like irresponsible children. They are, in effect, ordered to be in bed by ten o’clock”.<sup>618</sup> For some, the liberties (re)granted by the Licensing Act 1921 were insufficient.

These sentiments, regarding licensing restrictions as class-based, geographically unjust and supported by an over-active state, are all familiar themes identified in Chapter Four. Unlike the 1872 Act, however, this statute also raised issues related to the separate regulation of Welsh drinking. Mr Forestier-Walker MP tabled an unsuccessful amendment to which would have prevented the enforcement of Sunday closing in Monmouthshire, believing such a thing to be “unthinkable in the

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<sup>613</sup> ‘Seven Sundays A Week By Law’, *Daily Express*, 23 July 1921.

<sup>614</sup> Ibid. And: ‘Parliament: The Licensing Bill’, *The Times*, 23 July 1921.

<sup>615</sup> ‘Parliament: The Licensing Bill’, *The Times*, 23 July 1921.

<sup>616</sup> ‘New Drink Hours’, *The Times*, 21 July 1921.

<sup>617</sup> ‘Give Us Back Our Liberty’, *Daily Express*, 21 July 1921.

<sup>618</sup> Ibid.



twentieth century”.<sup>619</sup> It may have been controversial in an officially English county, but MP for Cardiff J.C. Gould took things further by arguing that people in Wales’ large industrial towns were also bitterly opposed to the Sunday closing stipulation which they had lived with since 1881. Welsh town and city folk apparently resented being “dragged at the heels of the agricultural districts”.<sup>620</sup> The *Manchester Guardian* explored this issue further, revealing that Welsh MPs were “receiving shoals of telegrams, petitions and letters” from temperance groups, the drinks trade and club-owners that all demanded differing alcohol policies.<sup>621</sup> The situation in Wales and Monmouthshire was therefore a further reason for critique of the Act.

The final major source of controversy was again absent from debates surrounding the 1872 reforms. The creation of permitted hours, regional differences and ‘theatre suppers’ all contributed towards an enhanced regulatory role for magistrates. The difficulties lurking in this reform were not identified until after the implementation of the Act when some London magistrates seemed reluctant to grant ‘theatre supper’ extensions. In a piece entitled “A Storm in a Wineglass”, the *Manchester Guardian* rather smugly reported that on “the wicked possibility that the cup that seemed to be promised to some Londoners under the new Licensing Act may be snatched from their lips – for a whole half-hour”.<sup>622</sup> These concerns turned out to be more than idle speculation when, in September and October 1921, magistrates in Stoke Newington, Kensington and Tower Hamlets enforced a closing

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<sup>619</sup> ‘Parliament: The Licensing Bill’, *The Times*, 23 July 1921.

<sup>620</sup> ‘Doom of the Bona Fide Traveller in Drink Bill’, *Daily Mirror*, 23 July 1921.

<sup>621</sup> ‘Wales and the Licensing Bill’, *Manchester Guardian*, 27 July 1921. The position of club owners was generally that, given that their premises were excluded from the Welsh Sunday Closing Act, they did not want any relaxation of restrictions on their public-house competitors.

<sup>622</sup> ‘A Storm in a Wineglass’, *Manchester Guardian*, 30 September 1921.

times of 10PM (rather than using their statutory ability to stretch opening until 10:30 or 11PM).<sup>623</sup> Attacking this London lottery, *The Times* complained that:

Visitors to London in the future will need to be careful when and where they order alcoholic refreshment. What is legitimate in Piccadilly may be a serious offence at Kensington, and what is right in the City may be wrong in Holborn.<sup>624</sup>

The *Daily Express* was alarmed that the enhanced power of individual magistrates made them targets for undue influence; the paper reported the Bishop of London using his influence to lobby magistrates for earlier closing times in Hanover Square in a distinctly displeased tone.<sup>625</sup> For the *Express*, a discretionary magistracy allowed for “the last dying joke of Dora”:<sup>626</sup> the spectre of “Pussyfoot on the Bench”.<sup>627</sup>

These debates about the vulnerability of the magistracy to undue influence resurrect the licensing debates which led to the Beer Act 1830 with the notable exception that, in 1921, magistrates were seen (by some) to be in the pocket of the temperance movement not the drinks trade. This prominent concern, in addition to the issues of the varied applicability of the Act to different regions, countries and classes, meant that, although hailed as a “return to freedom”, the Licensing Act 1921 was discursively treated as far from satisfactory.

#### **4.4) A Temperance Victory?**

Given that it relaxed some restrictions while retaining others and pleased some people while infuriating many, the question that remains is whether the post-war settlement established by the Licensing Act 1921 represents, in any sense, an advancement of the moral regulation project of the temperance movement.

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<sup>623</sup> ‘10 p.m. Closing of Publichouses’, *The Times*, 20 October 1921; ‘Hours for Drinks in London’, *The Times*, 3 November 1921.

<sup>624</sup> ‘Hours for Drinks in London’, *The Times*, 3 November 1921.

<sup>625</sup> ‘Drink Hours Muddle’, *Daily Express*, 22 October 1921.

<sup>626</sup> ‘Joke in an Act’, *Daily Express*, 30 August 1921.

<sup>627</sup> ‘Pussyfoot on the Bench’, *Daily Express*, 29 September 1921.

Firstly, it is necessary to point out that this moral regulation project was not a fixed historical entity and frequently adapted in response to the wider context. The high public profile of both the pledge and prohibition campaigns during the war led to repeated accusations that temperance groups were using the “cloak of War” to further their own ends.<sup>628</sup> Whether they were quite so instrumental is debatable, but the temperance movement certainly revised its central message to better fit the context of war. After the war, the COETS singled out health as being particularly negated by drinking and set about addressing this problem via its ‘Merrie England Campaign’. This campaign aimed to improve “social life, housing, food, hygiene and thrift” and thus conceived the drink problem in environmental terms.<sup>629</sup> In addition to health, the COETS and particularly the UK Alliance highlighted the importance of sobriety to national efficiency. The Alliance’s Phillip Snowden claimed that Britons had been “spending 2 ½ times more on drink than upon armaments, and the result was 2 ½ times more destructive”.<sup>630</sup> Snowden thus positioned the temperance movement as “the greatest anti-waste crusade” which would, ultimately, provide the foundations for “industrial prosperity and the lasting glory and greatness” of the British people.<sup>631</sup> The temperance movement was not a fixed and wholly utopian phenomenon; it was discursively adaptive and partially ameliorative.

Nevertheless, the Licensing Act 1921 was largely welcomed by temperance sympathisers due to its enhancement of the legal governance of this moral problem. The *Daily Express* may have regarded the new limitations on opening times as indicative of an interfering, maternal state but, as the Licensing Act 1872 before it,

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<sup>628</sup> ‘The Truth About Alcohol and the War’, *Daily Express*, 14 December 1916.

<sup>629</sup> Harford, Charles, ‘Towards Permanent Reform: To the Editor of *The Times*’, *The Times*, 24 May 1919. See also: Harford, Charles, ‘An Argument to the Sober: To the Editor of *The Times*’, *The Times*, 16 July 1919.

<sup>630</sup> ‘A Year’s Drink Bill’, *Manchester Guardian*, 19 October 1921.

<sup>631</sup> *Ibid.*

many people considered the new Act as a necessary limitation on the temptation to drink at inappropriate hours . For example, Labour MP Mr Clynes spoke of his approval of the 1921 Act's maintenance of morning closure so that workers were not exposed "to the temptation of entering public houses in the early hours while on their way to work".<sup>632</sup> Furthermore, the CCB's brief reign over the alcohol trade provided reasons to re-examine the old idea that the law cannot re-make public morals. The widely publicised decline in alcohol consumption during the war years was seized upon by some as evidence that legal intervention can reform the morals of the population. As *The Observer* explained "The paid and consistent reduction in public drunkenness which followed the progressive regulations of the Control Board, judged from whatever viewpoint, have proved that oft-repeated adage 'You cannot make a nation sober by Act of Parliament' is a fallacy".<sup>633</sup> While *The Observer's* view was not universal, *The Times* in 1921 conceded some ground by arguing that the:

...episcopal preference of a 'free England' to a 'sober England' has become a faded paradox, a withered flower of speech. We are all agreed that the restriction of licences and of the hours of public drinking, the reform of publichouses, the quality of the liquors offered for sale, are matters in which wise legislation can promote temperance.<sup>634</sup>

Freedom was no longer antithetical to restrictions on drink, as it had been for the Bishop of Peterborough and others. There was an increased tendency to accept the temperance argument that alcohol was a deeply problematic moral temptation which must, at least, be *restricted* by law.

Although it fell well short of their aspirations, the UK Alliance regarded the Licensing Act 1921 as "a great advance over pre-war hours".<sup>635</sup> The more stringent application of restrictions to Wales, Monmouthshire and the English provinces would

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<sup>632</sup> 'Parliament: The Licensing Bill', *The Times*, 23 July 1921.

<sup>633</sup> 'Licensing Bill (No.2): A Very Substantial Advance', *The Observer*, 21 August 1921.

<sup>634</sup> 'The Liquor Poll in Scotland', *The Times*, 28 September 1920.

<sup>635</sup> 'Prohibition Work in Britain', *Manchester Guardian*, 17 October 1921.

not necessarily have displeased temperance advocates either. While they aimed for truly national reformation of behaviour, it has been discussed that temperance groups were most popular outside of London. Furthermore, the movement could take heart from the fact that, in certain areas, the magistracy was restricting drinking opportunities to the full extent allowed by statute. By enforcing 10PM closure in large parts of London, these “pussyfoots on the bench” were responsible for, what the *Manchester Guardian* referred to as, a “Temperance Victory”.<sup>636</sup> The newspaper hailed this as an “indication of the trend of public opinion”;<sup>637</sup> “all the moral forces in the Christian community combined to plead for an earlier hour, and Christian citizenship has won a notable victory”.<sup>638</sup> The 1921 statute represented a “mild form of local option” implemented, not by direct democratic influence over the drinks traffic through local polls which Alliance members had long lobbied for, but through the discretionary powers assigned to licensing justices. This was not a resounding, final victory for the temperance movement, but the furthering of (peacetime) restrictions on the temptation of drink was regarded positively. *The Observer* captured this optimistic sentiment by describing the new Act as “a definite stage in the struggle for a measure of constructive temperance reform as one of the main planks of national reconstruction”.<sup>639</sup>

But it must be remembered that the governance of alcohol did not end at the limits of the law; the British faith in the power of voluntary self-reform, abundantly evident in the Victorian period, continued to be apparent throughout the period 1914-1921. In 1915, *The Times* argued “the English race... very specially abhors extreme

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<sup>636</sup> ‘London Licensing Sessions: A Temperance Victory’, *Manchester Guardian*, 18 December 1921.

<sup>637</sup> *Ibid.*

<sup>638</sup> *Ibid.*

<sup>639</sup> ‘Licensing Bill (No.2): A Very Substantial Advance’, *The Observer*, 21 August 1921.

measures enacted by law” but is “willing to follow a voluntary movement free from the flavour of compulsion”.<sup>640</sup> Brewers responded, perhaps unsurprisingly, that the coercive measures of prohibition or local veto were “alien to the principles of a liberty-loving people”<sup>641</sup> and Mr MacQuisten MP stated that “There was no temperance in compulsion”.<sup>642</sup> It is worth reiterating *The Times*’ 1920 claim that, although people cannot be coerced into temperance, “wise legislation can *promote* temperance”. As in the Licensing Act 1872, the role of the law is conceived as promoting not enforcing sobriety. While the greater acceptance of legal intervention hints at the growing influence of prohibitionist ideas, this alliance of legal encouragement and moral obligation more closely conform to the tactical preferences of suasionist temperance. This adapted form of collectivised, national and increasingly medical temperance continued to strongly resonate with the governance of drink in Britain during this era.

### **5) *The Apogee of the Temperance Movement***

During the period 1914-1921, the temperance project took two steps forward followed by only one step back. War led to a tightening of restrictions on the retail and consumption of alcohol and, while peacetime saw some restrictions relaxed, others remained. The pledge campaign did not outlast the First World War, but the model of governance of which it formed a part, embodying legal restriction as well as moral compulsion, was consolidated and strengthened by the whole episode of war. Public discourse clearly shows that teetotalism, as a form of self-denial, was widely constructed as a positive moral action which should be encouraged through restrictive legal interventions and not enforced by prohibitive laws. This

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<sup>640</sup> ‘The King’s Example’, *The Times*, 7 April 1915.

<sup>641</sup> ‘Mitchell and Butler’s Ltd: The Licensing Problem’, *Daily Mirror*, 14 August 1920.

<sup>642</sup> ‘Parliament: The Licensing Bill’, *The Times*, 23 July 1921.

conceptualisation of the law, the valuation of behavioural self-reform and the salience of the notion of 'the struggle' again reveal the discursive fingerprints of moral suasionist temperance. Debates about drink 1914-1921 continued therefore to be shaped by the Victorian temperance movement.

These conclusions reject the idea that this period saw a complete redefinition of the drink problem. Of course, public discourse was not constant and the turn of the twentieth century saw the increasingly environmental definition of social problems and the growing acceptance of higher levels of state intervention. Moreover, there is ample evidence that war did inflate the importance of the issue of national efficiency. But public discourse on alcohol was still overwhelmingly conceived within moral frameworks which owed a formative debt to the moral regulation project initiated by the temperance movement. To return to the question of whether this period witnessed a moral panic about alcohol, it is necessary to give a nuanced answer. If a moral panic is defined, following Cohen, as a largely unitary, isolated historical episode then the period 1914-1921 would not fit this description. If, however, a moral panic is viewed as a high point within a longer term current of moralisation then, clearly, this period matches the definition. War gave new urgency to the struggle for sobriety, but the demands of this geo-political context were mediated through the older discursive frameworks of the temperance movement. It is the task of the remaining chapters to explore what happened to the ideas and the moral regulation project of the temperance crusade after its heyday as a campaigning social movement.

## Chapter Six

### The New Drink Problem Part One:

#### Alcohol, Crime and Disorder

##### 1) Introduction

The previous chapters have explored the historical impact of the temperance movement in England and Wales. It has been argued that the law, particularly the Licensing Acts 1872 and 1921, as well as public attitudes, as evidenced through popular discourse, were profoundly affected by the temperance movement's project to morally regulate alcohol. This social movement declined in the early twentieth century<sup>643</sup> and, although illustrating its enduring influence, the pledge debates of World War One were something of a 'last hurrah' for organised temperance campaigning. Accordingly, the prominence of alcohol within public discourse waned post-World War One. World War Two, interestingly, saw no repeat of the orgy of alcoholic self-denial which had typified World War One and providing the troops with beer actually became seen as an important way to boost morale.<sup>644</sup> The lack of legislative developments between 1921 and 1961, as well as the likelihood that war and economic depression gave people more pressing topics of conversation, compounded the decline of drinking as a major public issue. Interest in alcohol did not cease and the ongoing Carlisle Scheme in addition to the rolling back of strict drink laws in the USA and the USSR in the 1920s and 1930s continued to stimulate public debate. But demonstrations, exhortations, lobbying and pledging were not as common as they had been a generation earlier.

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<sup>643</sup> See: Shiman, *Crusade Against Drink*.

<sup>644</sup> For further details, see: Brown, Pete, *Man Walks Into Pub*, (London: Pan Macmillan, 2004).



So had the wave of moral regulation unleashed by the temperance movement truly broken? Or was this merely a low point in the historical tide of moralising about drink? Broadly-speaking, this chapter will investigate the public discourse on alcohol from the end of the World War Two until the present day. More specifically, it involves a concentration on the relationship between alcohol and crime and disorder as constructed in public attitudes and law. The discursive manifestations of this relationship are intensively studied, due to legislative activity in these periods, in the early 1960s and the period from 2003 to 2010. How has the way in which alcohol is understood and regulated changed? What new issues have arisen and which have remained the same? Is there still any sense in which the temperance movement continues to exert some influence over the governance of alcohol in England and Wales?<sup>645</sup>

## **2) Drink and Crime in Historical Context**

The connection of drink to crime and disorder has long been recognised.

In 1758, the *London Chronicle* wrote that:

Besides impairing the understanding, destroying the health, and shortening of life by intemperance in general; what broils, quarrels, and duels does Excessive Drinking, in particular, frequently occasion? How like idiots or madmen does it make many appear and act? What number of scandalous and fatal amours hath it betrayed multitudes into? What friendships hath it dissolved; and how many murders, even of the dearest friends, hath it occasioned?<sup>646</sup>

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<sup>645</sup> The number of newspaper articles analysed in this chapter was over 1000. The number cannot be precisely quantified because, although only ninety-six newspaper articles from 2003-2010 were sourced through Lexis, a significant number of other articles which have been collected non-systematically over the last three to four have also been examined. From the earlier periods, 388 articles from 1961 and around 545 from 1963-1965 were analysed. Notably, the search 'drink\* AND crime' 1963-1965 produced 110 hits on *The Guardian* archive and seventy-five hits on *The Times*, but on UK Press Online it returned 335 hits. Obviously, analysing search a large number of sources was not feasible and so the thirteen articles in which the keywords appeared on the front page were examined. Subsequently, a random sample of every tenth article from the remaining 322 was used for further analysis.

<sup>646</sup> 'Postscript: To the Author of the *London Chronicle*', *London Chronicle*, 10 August 1758.

These concerns were amplified in the nineteenth century; for the author of a letter published in *The Times* in 1830, drink was implicated in the “the worst cases of murder, street robbery, housebreaking, seduction, and suicide”.<sup>647</sup> Prohibitionist F.W Farrar’s approving quotation of Mr Justice Denman’s remark that “drunkenness is the parent of all crime” shows that for temperance advocates the scope of unruliness attributed to alcohol was even broader.<sup>648</sup> Drink was at the root of almost all violence, aggression or damage to property; it was, as H.H. Croydon argued in 1915, “the most prolific source of poverty, disease and crime”.<sup>649</sup> In order to tackle this troublesome relationship, the Church of England Temperance Society’s established police court missions in the 1870s which aimed to wean offenders off drink and thus prevent reoffending. Such voluntary evangelical efforts contributed to the eventual creation of state-employed probation officers in the Probation of Offenders Act 1907.<sup>650</sup> The connection of drink to crime is thus a well-established issue, although the temperance movement increased the seriousness with which it was treated and helped establish new forms of intervention.

These interventions were not, however, always welcome. While encouraging convicted criminals to stop drinking in order to reduce recidivism was acceptable, other efforts to regulate individuals’ lives were more contentious. This issue rose to prominence in 1957 when the Wolfenden Report famously recommended the decriminalisation of (male) homosexuality. Judge and conservative moralist Lord Devlin was critical of these proposals, arguing that society is based on shared values

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<sup>647</sup> Homo, ‘Abuse of Spirituous Liquor’, *The Times*, 4 January 1830.

<sup>648</sup> Farrar, F.W., ‘Drink and Crime’, *Fortnightly Review*, (1893), Vol. 3 (Jan-June), p.790.

<sup>649</sup> Croydon, H.H., “A Great Opportunity”: To the Editor of *The Times*, *The Times*, 8 March 1915.

<sup>650</sup> Nellis, Mike, ‘Humanising Justice: the English Probation Service up to 1972’, in *Handbook of Probation* edited by Gelsthorpe, Loraine and Morgan, Rod (Cullompton: Willan, 2007), pp.25-58.

and so the criminalisation of behaviour which contravenes these shared values is justified by the need to prevent social disintegration.<sup>651</sup> The liberal jurist H.L.A. Hart defended the Wolfenden Report from Devlin's critique. For Hart, the state can only legitimately intervene in an individual's behaviour if their actions harm others; hence, the law should not seek to regulate consensual sexual relationships. Hart drew extensively on J.S. Mill's 'harm principle' and Devlin's anti-thesis closely paralleled the thoughts of Fitzjames Stephens, with whom Mill famously argued in the nineteenth century.<sup>652</sup> Interestingly, Devlin's position also corresponds to the portrait of society painted by sociologist Emile Durkheim, in which shared norms and values are functionally necessary in order to prevent the slide into the normless, pathological condition of anomie.<sup>653</sup> It was this societal vision which gave rise to the concept of moral regulation as a set of beliefs or attitudes which provide social cohesion.

The Hart-Devlin debate thus resonates with earlier debates about the role of the state in issues of personal morality. Devlin effectively aligns himself with Victorian temperance activists, particularly prohibitionists, who believed that without legal enforcement a system of moral regulation could not sustainably exist. For Devlin and the prohibitionists, maintaining social cohesion was thus an adequate justification for the enforcement of morality. For Hart and Mill, as with Lord Stanley (discussed in Chapter Four), individual liberties were sacrosanct and could only be negated when 'the harm principle' allowed. In respect of homosexuality, Hart won the argument and gay sex was decriminalised in the Sexual Offences Act 1967. The state thus appeared to be retreating from issues of personal behaviour, abandoning

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<sup>651</sup> Harcourt, 'The Collapse of the Harm Principle'.

<sup>652</sup> Ibid.

<sup>653</sup> Durkheim, *Suicide*.

the fortifications of moral regulation and falling back to less aggressive, more utilitarian lines. So, how did this new governmental context affect drinking? Was there a similar retraction of alcohol regulation from the 1960s onwards?

### **3) Drink in the 1960s**

#### **3.1) Baby Boomers as 'Baby Boozers'**

The 1960s are commonly seen as having witnessed something of a national rebirth. Gone was the austerity of the post-war years; in popular parlance, the decade has become synonymous with social change. From The Beatles to the Campaign for Nuclear Disarmament, popular culture and political protest were transformed as the post-war 'baby boomers' came of age. Questioning established values became commonplace and, as the Wolfenden Report partially demonstrates, sexual behaviour and the use of recreational drugs were the subject of particularly inflammatory debates. Much of this social change related to the emergence of youth culture as something recognisably separate to dominant culture in its attitudes, beliefs and social practices. It was in the context of this emerging category of youth that Stan Cohen examined the moral panic centred on Mods and Rockers and their labelling as "folk devils".<sup>654</sup> Cohen's work suggests that the social upheavals of the 1960s provided a fertile breeding ground for moralising discourse. So, how does drink fit in?

Alcohol featured prominently in this debate about the behaviour of young people. In the early 1960s, an increase in drunkenness convictions among the general population was widely reported by the press<sup>655</sup> and soon it became common to refer specifically to the "the disturbing increase in drunkenness among young

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<sup>654</sup> Cohen, *Folk Devils and Moral Panics*.

<sup>655</sup> 'Drunkenness Convictions Twice Pre-War Average', *The Guardian*, 9 May 1963; 'Drink Convictions up by 10,000', *The Times*, 9 May 1963.

people”.<sup>656</sup> In 1961, *The Guardian* reported racist attacks in Middlesbrough perpetrated by “youths who have had something to drink”.<sup>657</sup> In 1964, the *Daily Express* described Mods and Rockers clashing in Clacton under the headline “97 Leather Jacket Arrests”. The arrests were for fighting and vandalism as well as drunkenness, but a local cafe-owner quoted by the paper was clear that “It was a case of too much beer and boredom in most cases”.<sup>658</sup> When, in 1964, the House of Commons debated the issues of juvenile delinquency and hooliganism, Labour MP George Thomas linked the worrying trend to drinking.<sup>659</sup> Similarly, the Attorney General Sir John Hobson claimed that “Most juvenile crime was committed under the influence of alcohol” and “The more opportunity youths had of indulging in drink the more likely they were to get into trouble”.<sup>660</sup> *The Guardian* featured a column by former teacher Arthur Bart who argued that disorder and vandalism committed by young people often “goes with drink” as well as motorbikes and scooters.<sup>661</sup> The moral panic Cohen identifies was closely connected to young people’s consumption of alcohol and its apparently detrimental effect on public order.<sup>662</sup>

But anxieties about youth were not limited by reference to drink. The use of other intoxicants became increasingly controversial as the decade wore on; in 1964, the House of Commons discussed the problem of “purple hearts”, a type of amphetamine which was leading many young people into a “thoroughly murky world

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<sup>656</sup> ‘Buying from Off-Licences’, *The Guardian*, 19 April 1961.

<sup>657</sup> ‘Second Night of Violence’, *The Guardian*, 21 August 1961. The *Manchester Guardian* changed its name to *The Guardian* on 24 August 1959. References to articles used from after this date will be cited as *The Guardian*.

<sup>658</sup> ‘97 Leather Jacket Arrests’, *Daily Express*, 30<sup>th</sup> March 1964.

<sup>659</sup> ‘Parliament – Monday April 27’, *The Times*, 28 April 1964.

<sup>660</sup> ‘Affluence a Cause of Crime Wave’, *The Times*, 5 February 1964.

<sup>661</sup> Bart, Arthur, ‘A Handful of Headlines’, *The Guardian*, 8 August 1964.

<sup>662</sup> It is worth noting that, in some sense, this moral panic was self-justifying. Speaking in Parliament, Mr Gurden MP claimed the fact that newspapers “seemed almost daily to contain reports of incidents of hooliganism” as justification for governmental consideration of the issue. See: ‘Parliament – Monday April 27’, *The Times*, 28 April 1964.

of black-marketeering and intimidation”.<sup>663</sup> Sexual behaviour also received attention and there were serious political debates about how strip clubs were, according to Cyril Black MP, “defaming national life”.<sup>664</sup> Eric Fletcher MP supported Black’s proposal that such premises be outlawed by arguing that they were “conducive, not only to depravity, but to crime”.<sup>665</sup> Extra-marital relations, gambling,<sup>666</sup> and beat music were all implicated as part of a broader social decline responsible for corrupting a generation of young people.<sup>667</sup> *The Times* reported on a new craze of “coffee clubs”, which did not serve alcohol but allowed young people to socialise late into the night, thus providing a new “opportunity for young people to get into trouble”. Customers were described as “teenage tramps” of the sort usually seen “thumbing lifts at the entrances to motorways, equipped with sleeping bag, long hair, and a guitar”.<sup>668</sup> A vivid picture of problematic youth emerges from public discourse but, importantly, it was youth rendered problematic by more than just drink.

This generational moral decline was commonly explained, at the time, as the result of rising affluence. In 1957, Prime Minister Harold Macmillan boldly told the country that they had “never had it so good”<sup>669</sup> yet, for many, this new prosperity was not cause for celebration. Conservative MP J.H. Cordle claimed that “The wind of change of our affluent society has brought in its wake a gust of lust which this country has never seen before”.<sup>670</sup> Cordle was concerned primarily with indecent imagery and, writing in the *Daily Mirror*, Dr H. Mackenzie-Wintle made the related point that high wages for under-educated teenagers contributed to an increase in

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<sup>663</sup> ‘Harder for the Unauthorised to get “Pep Pills”’, *The Guardian*, 1 May 1964.

<sup>664</sup> ‘Ban on Striptease Rejected’, *The Guardian*, 21 April 1961.

<sup>665</sup> Ibid.

<sup>666</sup> ‘Churches Told: Hit Harder at Betting’, *Daily Express*, 4 December 1961.

<sup>667</sup> ‘Music Blamed for Rowdyism’, *The Guardian*, 10 February 1965.

<sup>668</sup> ‘Teenage Trouble in “Coffee Clubs”’, *The Times*, 12 May 1965.

<sup>669</sup> ‘More Production the Only Answer’, *The Times*, 22 July 1957.

<sup>670</sup> ‘No Ban on Club Drinks for Under 18s’, *The Guardian*, 20 June 1961.

illegitimate births.<sup>671</sup> John Hobson linked economic prosperity to increased alcohol consumption and youth crime, describing how “There is far greater temptation in an affluent society”;<sup>672</sup> in the House of Commons, James Griffiths highlighted the amount of money young people have;<sup>673</sup> and, in the House of Lords, the Bishop of Carlisle claimed there has “never been a generation of young people who had so much money and time to spend on pleasurable pursuits”.<sup>674</sup> There is an element of class snobbery to this debate which the teacher writing in *The Guardian*, quoted earlier, elucidates aptly. Affluence amongst the young was not a problem two or three decades ago when its behavioural effects were limited to “the confident, light-hearted destructiveness” of the “young gentlemen of Oxford and Cambridge”.<sup>675</sup> Wider prosperity, however, was the root of many social problems.

Increasing affluence was accompanied by a burgeoning consumer culture. The increased prominence of advertising within public discourse is marked if newspapers from 1914-1921 are compared with those from the early 1960s. From a modern perspective, alcohol adverts also contain some eye-opening messages. A 1965 advert for Cossack’s vodka claimed that the product will improve your life: “Don’t you feel marvellous? People who drink Cossack Vodka do” (see Figure Seven). Perhaps attempting to appeal to those who wish to conceal their drinking from others, the advert then claimed that the product contained “No sweetening. No flavouring. No smell. So? You feel fine! Good morning!”.<sup>676</sup> The connection of alcohol to self-betterment was not unusual at the time and it was common to read that “a

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<sup>671</sup> ‘Tempting for Teenagers’, *Daily Mirror*, 3<sup>rd</sup> October 1961.

<sup>672</sup> “‘Affluence a Cause of Crime Wave’”, *The Times*, 5 February 1964.

<sup>673</sup> ‘Motorways Likely to be Dry’, *The Guardian*, 6 June 1961.

<sup>674</sup> ‘Parliament: Peers’ Ideas on Licensing Reform’, *The Times*, 5 July 1961.

<sup>675</sup> Bart, Arthur, ‘A Handful of Headlines’, *The Guardian*, 8 August 1964.

<sup>676</sup> ‘Cossack’s Vodka’, *Daily Mirror*, 19 March 1965.

WHITBREAD makes the most of you"<sup>677</sup> (Figure Eight) or that "the world is a happier place" when you mix Rose's Lime Juice with gin or vodka<sup>678</sup> (Figure Nine). But did the majority of people possess the moral fortitude to resist these powerful messages? A 1963 advert for Gordon's gin asserted that the product was "cooler, fresher – tempting!"<sup>679</sup> and the level of concern about young people's drinking indicates the belief that most people did not possess sufficient self-control to resist such advertisements (Figure Ten). Prosperity increased the leisure opportunities of ordinary people in the 1960s but also exposed them to temptations which, it was widely believed, they struggled to resist.

To many people in the 1960s, the 'baby boomers' were becoming a generation of violent, disorderly 'baby boozers'. The sense of generational decline in these debates is reminiscent of the late-imperial malaise of the early twentieth century (explored in Chapter Five) and the tangible ascetic undertone evokes the puritanism of the early temperance movement (described in Chapter Three). Affluence was commonly constructed as antithetical to a good moral order, inferring that, as in Victorian discourse, thrift and self-control were the dominant behavioural ideals. But, unlike the Victorian period when drink was singled out as a huge threat to national morality, drugs, sex and gambling took their place alongside alcohol in the firing line of moral regulation. In the public discourse of the 1960s, drinking was one ingredient in a general 'porridge' of social anxieties.

### **3.2) 'Don't ask a man to drink and drive'**

Within this mesh of interconnected moral concerns, it is possible to discern another distinctly drink-related issue. In addition to youth, this was the era in which

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<sup>677</sup> 'Whitbread', *Daily Mirror*, 26 August 1961.

<sup>678</sup> 'Rose's Lime Juice', *Daily Express*, 27 March 1961.

<sup>679</sup> 'Gordon's Gin', *Daily Express*, 11 June 1963.



drink-driving became a major public issue. This was not a completely new issue; *The Times* reported on drink-driving as far back as the 1920s.<sup>680</sup> But with car ownership rocketing in post-war Britain, the potential for criminal behaviour began to draw greater attention. In 1961, public debate of drink-driving concentrated largely on the provisions of the new Licensing Bill. Contained within provisions allowing restaurants to apply for liquor licences was the genesis of some acute concerns. The problem was where these restaurants were geographically situated and, as Cyril Black explained, the Bill suggested “it would not be possible for a Bench to refuse licences on the M1 and similar motorways”.<sup>681</sup> These worries were taken seriously and, in Parliament, an amendment was tabled which would have prevented licences being granted to premises located on motorways. Conservatives also tabled an amendment to prohibit the sale of alcoholic drinks on coaches due to the fear that this practice may result in the coach-driver drinking. Although these proposals were withdrawn or defeated, the salience of the issue of drink-driving within these debates signals its arrival as a significant governmental concern for those drafting licensing laws.

In addition to these issues of safe licensing, there was the supplementary problem of how to enforce the prohibition on driving whilst drunk. Drink-driving had been criminalised since 1872; Section 12 of the Licensing Act 1872 stated that the offence of being drunk and disorderly applied to anyone “who is drunk while in charge on any highway or other public place of any carriage, horse, cattle, or steam engine”. The prohibition of drink-driving was reinforced by the Road Traffic Acts 1960 and 1962 but the problem for enforcement agencies was that the law did not specify

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<sup>680</sup> See: Wilson, Gordon, ‘Definition of Drunkenness: To the Editor of *The Times*’, *The Times*, 18<sup>th</sup> October 1927.

<sup>681</sup> ‘Five MPs Attack Licensing Bill’, *The Guardian*, 25 January 1961.

exactly what constituted drunkenness. Usually, it was necessary for the arresting officer to contact a police doctor who would then be tasked with ascertaining whether or not the person was fit to drive. As many arrests for this offence were late at night, it was often difficult for the police to contact a doctor. Moreover, even if a doctor was contacted, the time lapse was sometimes such that the driver was able sober up. Often, therefore, cases were either dropped or the prosecution hinged on the word of the driver against the word of the arresting officer. In these circumstances, the defence would usually opt for a Crown Court trial as juries were notoriously reluctant to convict drink-drivers. Writing in *The Guardian*, the Chief Constable of Manchester Police, John McKay, reported that in drink-driving cases “only 3.4% of those tried in the magistrates’ courts were acquitted; but 61.6% of those committed to the Crown Court received no conviction”.<sup>682</sup> The problem, he complained, was that there were “shades of drunkenness” and, in the absence of concrete evidence, drivers would usually receive the benefit of the doubt.

This ‘benefit of the doubt’ was symptomatic of a generally permissive attitude toward drink-driving. A light-hearted tone was apparent in much public discourse on the subject; in 1964, the *Daily Mirror* reported on the case of “giggling Wong”, an unusually ticklish Chinese man who could not be examined by the police doctor following his arrest for drink-driving due to him breaking down in fits of laughter upon being touched.<sup>683</sup> Likewise the concern of Cyril Black and others for the effects of alcohol on drivers was far from universal. A letter in *The Times*, for example, claimed that impatience among drivers was the cause of more accidents than drink<sup>684</sup> and Lord Arran, quoted in the *Daily Express*, argued that the poor condition of roads was

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<sup>682</sup> ‘Alcohol Limit as the Test’, *The Guardian*, 22 December 1964.

<sup>683</sup> ‘The Testing of Giggling Wong’, *Daily Mirror*, 24 March 1964.

<sup>684</sup> Sparrow, Gerald, ‘Four Out of Five’, *The Times*, 28 December 1965.

a more significant factor.<sup>685</sup> Research findings discussed in *The Guardian* compounded the problem; it was reported that most road offenders are unremorseful and their actions are tolerated by others.<sup>686</sup> Minister of Transport, Ernest Marples, complained about such attitudes, lambasting people who fail to regard driving whilst unfit as a “social crime”.<sup>687</sup> Marples did, however, believe that attitudes were changing and the appearance in November 1964 of (probably) the first Christmas anti-drink-driving campaign supports this. The advert pictured a person trapped beneath a wrecked car under the headline “Don’t ask a man to drink and drive”.<sup>688</sup> As well as revealing a gendered view of drink-driving, this campaign evidences the increasing public or official condemnation of this behaviour. Generally permissive attitudes towards drink-driving were increasingly being challenged in the early 1960s.

### **3.3) Regulating the New Drink Problem**

In many ways, the Licensing Acts 1961 and 1964 were liberalising measures. The Licensing Act 1961 permitted restaurants and hotels to apply for licences. This was contentious at the time; it was feared that cafes may become dens of drunken iniquity and hives of the “barbaric” practice of “vertical drinking”.<sup>689</sup> In order to quell related fears that proprietors may apply for restaurant licences in order to run a drink-led business, Minister of State for Home Affairs Dennis Vosper had to affirm that only the serving of “substantial refreshment” would warrant a liquor licence.<sup>690</sup> As well as creating restaurant licences, the Licensing Act 1961 also extended permitted hours during which pubs could trade from eight to nine per day, meaning

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<sup>685</sup> ‘Peers Blame Roads’, *Daily Express*, 6 February 1964.

<sup>686</sup> ‘Drivers Against the Law’, *The Guardian*, 12 May 1963.

<sup>687</sup> ‘Last Chance for Drunken Drivers’, *The Guardian*, 5 June 1964.

<sup>688</sup> ‘Don’t Ask a Man to Drink and Drive’, *Daily Express*, 26 November 1964.

<sup>689</sup> ‘Standing to Drink: Bar Barbarism?’, *The Guardian*, 15 February 1961.

<sup>690</sup> ‘Licensing Bill Amendments’, *The Guardian*, 9 February 1961.

that premises across the country could open until 11pm if the licensing justices acquiesced (otherwise closing time would likely be 10:30pm). Moreover, the special certificates which London clubs which provided music and dancing could apply for were implemented nationwide. This meant that such premises could open until as late as 2am in most of the country and 3am in the West-end of London, where a further extension of one hour was implemented. Off-licences were governed by different rules and, although also subject to modification by magistrates, the Licensing Act 1964 allowed such premises to sell alcohol from 8:30am until 11pm. These liberalising measures could be equated with the retraction of state influence and enhancement of individual's moral autonomy in respect to drinking.

The state's retreat from the domain of moral absolutes was perhaps most apparent in the reform of Welsh Sunday closing laws. Implemented in Wales in 1881 and Monmouthshire in 1921, the Licensing Act 1961 replaced Sunday closing with a system of local polls. For many people, this was a system of moral absolutes; the Act was "pernicious" and "insidious",<sup>691</sup> it was calculated to "undermine the Lord's Day in Wales which is one of the bulwarks of our moral and spiritual heritage".<sup>692</sup> But, as Labour MP John Parker makes clear, some people regarded the issue as a matter of "religious principle" "an attempt by sabbatarians to force their religious observances on other people".<sup>693</sup> Labour's Rhys Thomas was more colourful in his argument, arguing that the provision was a necessary part of "liberalizing and emancipating the people of Wales from the cold and chilly grasp of the modern fringe of puritanism".<sup>694</sup> Given the context of the Wolfenden Report, this rejection of morally driven state interferences was in vogue. Although it is worth highlighting that, for many

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<sup>691</sup> 'Sunday Opening Opposed', *The Guardian*, 23 January 1961.

<sup>692</sup> 'Archbishop Resigns Vice-Presidency', *The Times*, 13 February 1961.

<sup>693</sup> 'Sunday Option in Wales', *The Guardian*, 17 March 1961.

<sup>694</sup> 'Right to Drink in Welsh Clubs', *The Times*, 22 March 1961.

contemporaries, this issue was a matter of Church against Chapel, a permissive Anglicanism comfortable with secular government facing a puritanical Nonconformism.<sup>695</sup> The more individualist, harm-driven liberalism of Hart and Wolfenden was conflicting with the religiously-inspired mission of moral improvement which had occupied paternalistic Nonconformist liberals, such as Joseph Chamberlain, in earlier decades. It was in light of this ideological face-off that *The Guardian* described the new Sunday closing polls as confronting “the Liberal ideal with the Non-conformist conscience”.<sup>696</sup> The issue was not so much the state’s retreat from moral issues but its adoption of one form of liberal morality above another.

That said, this new governance was not avowedly non-interventionist. In certain ways, 1960s licensing reforms did tighten regulations. This was, firstly, apparent in reference to youth, the big issue of the day. Historically-speaking, restrictions on the age at which a person can be sold alcohol are a relatively recent phenomenon; the Intoxicating Liquors (Sales to Children) Act 1886 was the first to prohibit sales for on-premises consumption of any alcoholic drink to persons below a certain age. The age limit in the 1886 Act was fixed at thirteen but was raised to fourteen by the Intoxicating Liquors (Sales to Children) Act 1901.<sup>697</sup> Section 119 of the Children Act 1908 then banned under-fourteens from entering licensed premises unaccompanied by an adult and outlawed the consumption of alcohol by under-fives. It was the Intoxicating Liquors (Sale to Persons Under Eighteen) Act 1923 which first raised the age at which a person can purchase an alcoholic drink to eighteen, but

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<sup>695</sup> ‘Dangers of Disunity’, *The Guardian*, 24 February 1961.

<sup>696</sup> ‘War of Attrition over Sunday “Pint”’, *The Guardian*, 5<sup>th</sup> October 1961.

<sup>697</sup> Under this statute, under-14s could still buy alcoholic beverages but only in quantities less than one pint which were contained in a sealed bottle and not consumed on the premises.

only if the drink was to be consumed on the premises. The Licensing Bill 1961 initially proposed no changes to these age limits, meaning that anyone above the age of five would legally be able to purchase alcohol from an off-licence. However, Cyril Black MP proposed banning under-eighteens from any purchase of alcohol and, despite highlighting that in only nine of 1120 cases of young persons convicted of drunkenness was there any evidence of off-licence involvement, government minister Dennis Vosper was forced to re-examine the issue.<sup>698</sup> The result was that Section 21 of the Licensing Act 1961 brought off-licence sales into line with on-licence sales, setting the legal age for purchasing alcohol at eighteen.<sup>699</sup>

These age regulations were consolidated in the Licensing Act 1964 which, like the 1961 Act, was formulated in the midst of heightened unease about youth behaviour. The first age prohibitions on alcohol purchase and consumption were driven largely by an agenda of child protection. Certainly, it has been argued by Stella Moss that the Children Act 1908 was concerned with “the protection of vulnerable minors from effects of drinking and drunkenness in public houses”.<sup>700</sup> But by the 1960s these welfarist measures began to be replaced by a more punitive or preventative preoccupation. Concurrent with the views of Labour MP Charles Royle, who declared that “I am convinced that a great deal of crime we are experiencing today among young people is due to drink”, was commonplace.<sup>701</sup> Just as the moral panic which Cohen identified began to construct youths as “folk devils”, references to

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<sup>698</sup> ‘Motorways Likely to be “Dry”’, *The Guardian*, 6 June 1961.

<sup>699</sup> It should be noted that, under the provisions of Section 169 of the Licensing Act 1964, it is permissible for a person aged 16 or 17 to be served “beer, porter, cider or perry for consumption at a meal in a part of the premises usually set apart for the service of meals which is not a bar”.

<sup>700</sup> Moss, Stella, “A Grave Question”: The Children Act and Public House Regulation, c.1908-1939’, (2009) *Crimes and Misdemeanours* Vol. 3 (2), pp.98-117.

<sup>701</sup> ‘No Ban on Club Drinks for Under 18s’, *The Guardian*, 20 June 1961.

“young thugs” and “hooligans” became more frequent in public discourse.<sup>702</sup> The tightening of age restrictions must be viewed within a context in which young people were no longer “vulnerable minors” requiring protection, but increasingly viewed as a violent, disorderly menace from which the general population must be shielded.

In terms of law and order, this tightening of restrictions was also apparent in regard to the other major alcohol issue of the day: drink-driving. From 1964 onwards there was considerable debate about replacing the system whereby a police doctor was needed to verify a person’s drunkenness with a fixed scientific measure. Dr A.J. Howard called for a statutory limit to be created “above which a *prima facie* case is established of critical impairment”.<sup>703</sup> Howard suggested the limit should be 100 milligrams of alcohol per 100 millilitres of blood although, as he acknowledged, this would mean the legal limit would be different in every person (depending on their tolerance of alcohol). Support for a statutory limit was soon provided by the Lord Chancellor and John McKay who welcomed the prospect of a tougher stance as “One should not expect a sinner to become a saint just because he was driving a car”.<sup>704</sup> In 1965, the British Medical Association recommended a blood-alcohol concentration of no more than eighty mg per 100ml of blood. Although seen as too tolerant by *The Observer*, which claimed that the average person would be able to legally consume five pints of beer or twelve whiskies prior to driving,<sup>705</sup> the BMA’s recommendation was enacted in the Road Safety Act 1967. This Act also made it an offence for any person to refuse to give a blood or urine specimen without “reasonable excuse” and, in the same year, the Government approved police use of breathalysers to indicate level of intoxication. The ability of police to enforce drink-

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<sup>702</sup> ‘16 Sent to Prison for Part in Riot’, *The Guardian*, 22 August 1961.

<sup>703</sup> “‘Intimidation’ Reports Upset Conference’, *The Times*, 15 June 1964.

<sup>704</sup> ‘Alcohol Limit as the Test’, *The Guardian*, 22 December 1964.

<sup>705</sup> ‘Comments’, *The Observer*, 21 February 1965.

drive laws was increased by the replacement of discretionary powers with evidential limits and testing equipment.

The increasing problematisation of youth drinking and drink-driving within public discourse was soon reflected in the prohibition of alcohol sales to under-eighteens and the replacement of the vague, discretionary system of policing with tougher frameworks for dealing with drink-driving (as a strict liability offence). Despite its chronological proximity to the Wolfenden Report, the state's retraction from the issue of personal alcohol consumption was only partial. Restaurant licences, longer drinking hours and Sunday polls in Wales indicate a degree of relaxation; but the intensification of legal regulation around young people and driving suggests that alcohol law was becoming more targeted rather than more relaxed.

### **3.4) *Paint it Black***

But what was the role of temperance groups within this reformulation of the drink question? When the Licensing Bill 1961 was presented to the House of Commons it contained a clause which would enable liqueur chocolates to be sold by unlicensed persons. For Cyril Black this was a dangerous proposal and, to prove his point, he revealed to the House a fifteen inch chocolate egg which, he claimed, “could contain enough liquor to intoxicate a considerable number of members”!<sup>706</sup> This intervention was both amusing and unsuccessful, given that the relaxation of rules on selling liqueur chocolates was upheld. But Black was not a maverick eccentric and held a number of important positions, including chairman of the Moral Law Defence Association, member of the all-party Parliamentary Temperance Group and president of the Band of Hope temperance society. Black sided with Lord Devlin in the debate about homosexuality, arguing that these “unnatural practices, if

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<sup>706</sup> ‘Liquor Not to be Sold on Coaches’, *The Times*, 26 April 1961.



persisted in, spell death to the souls of those who indulge in them” as well as destruction for the great nations who weaken their “moral responsibility” by legalising them.<sup>707</sup> It has already been mentioned how Black raised objections to licensing reforms relating to the licensing of strip clubs, the licensing of roadside premises and off-licence sales to under-eighteens. All of these points provoked considerable debate and controversy surrounding the latter point resulted in the amendment of the Bill. Does this mean Black’s moralising agenda was prominent in the 1960s?

Press coverage of alcohol issues during this period reveals a surprising amount of references to temperance organisations of varying sort. A meeting of the National Temperance Federation to discuss the Licensing Act 1961 was reported in *The Guardian* in January of that year<sup>708</sup> and, the following month, the same paper printed a personal advert from the Federation which read:

The Licensing Bill provides for: MORE drinking and LESS control, MORE road accidents and LESS safety, MORE crime and LESS sobriety, FIGHT IT! By writing to your MP.<sup>709</sup>

Both the Sons of Temperance Friendly Society, originally formed in New York in 1842, and the UK Alliance, formed in Manchester in 1853, were vocal in their criticism of the 1961 Act. The Sons of Temperance argued that relaxing drinking laws was tantamount to encouraging greater consumption and, by 1963, secretary of the UK Alliance H. Cecil Heath was claiming that the Licensing Act 1961 had been a disaster that has brought the nation “almost to the point of ‘free trade in drink’”.<sup>710</sup> In this instance, Heath was commenting on research which found that arrests for drunkenness were twice the pre-war average. The research, which was discussed in

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<sup>707</sup> *Hansard*, House of Commons Debate, 26 November 1958, Vol 596 cc.365-508.

<sup>708</sup> ‘Five MPs Attack Licensing Bill’, *The Guardian*, 25 January 1961.

<sup>709</sup> ‘Personal’, *The Guardian*, 6 February 1961.

<sup>710</sup> ‘Drink Convictions up by 10,000’, *The Times*, 9 May 1963.

*The Times* and *The Guardian*,<sup>711</sup> had been commissioned by the UK Alliance, Heath's own organisation. By a variety of means, temperance groups continued to occupy a respectable and fairly influential position within public discourse on alcohol.

Even outside of temperance contributions, drinking habits were frequently located within a narrative of moral crisis. In April 1964, the House of Commons discussed a recent incident of youth disorder in Clacton. The Home Secretary, Henry Brooke, noted that youth crime appeared to be rising in other countries too and that part of the blame must lie with the parents. But Brooke was also keen to point out that the "moral outlook" of society was negatively affecting young people. He claimed that "We all are playing our part in creating that moral atmosphere of society" and so increasing youth crime must be recognised "as a condemnation of us all".<sup>712</sup> H. Cecil Heath echoed these comments when, addressing the topic of drink-driving, he stated that the nation's problems "were predominantly moral and spiritual rather than economic in character".<sup>713</sup> Both of these diagnoses indicate a deficiency in moral values which has allowed dysfunctional social conditions to develop and both encompass a desire for a new moralisation of drinking (or at least a moralisation of drivers and young people). This moralisation may be realised through an educational drive which brings voluntary behavioural change or, as Heath specifies, it may be necessary to make certain behaviours crimes "subject to severe penalties".<sup>714</sup> In either case, what Heath, Brooke and others are calling for amounts to demanding new forms of moral regulation to quell these problematic behaviours.

This new moral regulation project was not teetotal in nature, but it was, to a fair extent, temperance-inspired. At a meeting of the National Temperance

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<sup>711</sup> 'Drunkenness Conviction Twice Pre-War Average', *The Guardian*, 9 May 1963.

<sup>712</sup> 'Neither Riot nor Warfare', *The Guardian*, 28 April 1964.

<sup>713</sup> 'Drink Slogan Ideal – For Others', *The Guardian*, 29 March 1963.

<sup>714</sup> *Ibid.*

Federation, Reverend Dr Vine claimed that “the campaign was not to promote the witness for total abstinence, magnificent as that was. It was to resist social evils”.<sup>715</sup> In this reformed discourse, the social evils targeted were the behaviour of youth and driving while under the influence.<sup>716</sup> For temperance adherents, alcohol was still an evil substance; but in the 1960s they more actively campaigned against its use by focusing on the specific harms with which it was associated. In doing so, they prepared the ground, attitudinally-speaking, for greater government interventions; the *Daily Mirror*'s and the RAC's cries that new drink-driving laws were “an unjustifiable interference” with the rights of sober drivers seemed to fall on deaf governmental ears.<sup>717</sup> Similarly, although rejected in 1961, Section 167 of the Licensing Act 1964 implemented Cyril Black's demand that under-sixteens be banned from purchasing chocolate liqueurs. The tightening of laws relating to young people drinking and drink-driving also support the idea that temperance groups exerted a degree of influence over legal reforms as well as public attitudes. This enhanced problematisation of drink-driving and youth-drinking corroborates the idea that by the end of the 1960s a new form of moral regulation project, entwined with the older Victorian temperance movement, had effectively painted public attitudes towards alcohol a distinct shade of Cyril Black.

### **3.5) Reflections on the 1960s**

Despite the context of the state's retreat from policing sexual morals, public discourse on alcohol in the 1960s was still characterised by a project of moral regulation. Drink had receded as a threat somewhat and, with sex, drugs and

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<sup>715</sup> ‘Five MPs Attack Licensing Bill’, *The Guardian*, 25 January 1961.

<sup>716</sup> It should be pointed out that, in addition to youth and drink-driving, the addictive properties of alcohol formed a substantial part of moral discourse on alcohol during this period. The problem of addiction will be discussed in the next chapter.

<sup>717</sup> ‘Snap Breath Tests of Drivers Attacked’, *The Times*, 22 December 1965; ‘Snap Drink Test Shock for Drivers’, *Daily Mirror*, 22 December 1965.

gambling all contributing to a more generalised perception of moral crisis, it had ceased to be a singular, paramount concern for the public-minded moralist. But, within this broader discursive anxiety, certain issues may be identified which form the basis of the modern 'drink problem'; youth and drink-driving have been examined, and the third issue, encompassing addiction and health, will be investigated in the next chapter. Importantly, temperance groups and temperance agendas were active in defining this new drink problem and pushing for legal interventions. The Bishop of Carlisle said in 1961, "The battle of temperance was always only won temporarily and the dangers inherent in intoxicating drinks remained".<sup>718</sup> With the drink problem reshaped, the 1960s had seen the first engagements in what was to become a much bigger conflict about the role of alcohol within British society.

#### **4) The Narrative of De-Regulation**

##### ***4.1) Liberalisation and Intoxication***

After the 1960s, the next major reform of drink laws in England and Wales was not until the Licensing Act 2003. Alcohol and licensing did, however, remain important public issues in the intervening period. In 1972, the Erroll Committee made the case for reforming licensing. Arguing that demand should be the most important determiner of drink regulation, the Committee proposed a number of liberalising measures including the reduction of magisterial discretion, the extension of the hours in which alcohol could be sold and the lowering of the legal age for purchasing alcohol to seventeen. In 1973, the Clayson Report into Scottish licensing laws made similarly liberalising recommendations, many of which were implemented in the Licensing (Scotland) Act 1976. This Act abolished the local polls which the temperance movement had finally wrested from the legislature in 1913 as

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<sup>718</sup> 'Parliament: Peers' Ideas on Licensing Reform', *The Times*, 5 July 1961.

well as transferring licensing powers from the licensing courts to the local (council) authorities and allowing for some extension of opening hours. In England and Wales, the recommendations of the Erroll Committee were rejected. Provision to extend opening hours was included in a Private Member's Bill proposed by Conservative Kenneth Clarke in 1976, but this was defeated in Parliament.<sup>719</sup>

The 1980s did see some changes to England and Wales' drink regulations. The Sporting Events Act 1985 addressed rising concerns about the behaviour of football fans. Section 1 of this Act placed restrictions on the consumption of alcohol while travelling to football matches and Section 2 made being drunk in a sports ground during a sporting event a criminal offence. The Road Traffic Act 1988 also increased the punishment for driving while "under the influence" by introducing the minimum penalty of a twelve month driving ban and three penalty points. Most significantly, Margaret Thatcher's Government implemented the Licensing Act 1988 which amended the 1964 legislation. The most significant change in the new Act was contained in Section 1 which stated that the provisions on opening hours in the Licensing Act 1964 necessitating "a break of two and a half hours beginning at three in the afternoon" shall be omitted. Afternoon closing, one of World War One's most enduring legal legacies, was thus abolished and the majority of pubs could remain open from 11am until 11pm. Despite increased regulation of drink-driving and drinking at football matches, a tendency toward de-regulating the drinks industry is certainly apparent in England and Wales in the 1980s (as it was in Scotland in the 1970s).

This narrative of de-regulation is frequently used to explain the contemporary governance of alcohol. Various academics have drawn attention to the role which

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<sup>719</sup> See: Barr, *Drink*, pp.144-146.

governments, both local and national, have played in creating a night-time economy based largely around heavy drinking or ‘binge drinking’. Blinded or seduced by this revenue-providing industry, Hayward and Hobbs argue that governments have allowed the logic of the market to dictate policy.<sup>720</sup> Governments have thus contributed, by fostering this night-time economy, to the manufacture of what Measham and Brain have called “a new culture of intoxication”<sup>721</sup> and so are regarded by Moriarty and Gilmore as at least partially culpable for an apparent “epidemic in binge drinking”.<sup>722</sup> For Martin Kettle, writing in *The Guardian*, the consequences of these policies have been a “national menace” and further liberalisation can only “mean more drinking. And more noise. And more fighting. And more accidents”.<sup>723</sup> Drawing on historical perspectives, this section will consider whether this narrative of de-regulation and depiction of its apparently disastrous effects are accurate portrayals of the contemporary governance of alcohol. It will begin by focusing on New Labour’s biggest and most controversial set of licensing reforms: the Licensing Act 2003.

#### **4.2) Civilising the Alcoholic Nation**

In April 2000, the Government’s White Paper ‘Time for Reform’ was published. Its aims were to reduce alcohol-related crime and disorder, reduce alcohol misuse, encourage tourism and promote self-sufficient rural communities. Echoing the views of the Erroll Committee, the White Paper set out plans to achieve these aims by

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<sup>720</sup> Hayward and Hobbs, ‘Beyond the Binge’. See also: Zajdow, Grazyna, ‘Producing the Market for Alcohol: the Victorian Example’, (2011) *Journal of Australian Studies* Vol.35 (1), pp.83-98.

<sup>721</sup> Hadfield, Phil, and Measham, Fiona, ‘After the Act: Alcohol Licensing and the Administrative Governance of Crime’, (2010) *Criminology and Public Policy* Vol. 9 (1), p.70.

<sup>722</sup> Moriarty, and Gilmore, ‘Licensing Britain’s Alcohol Epidemic’, p.94.

<sup>723</sup> Kettle, Martin, ‘Alcoholic Britain Should Not Be Offered Another Drink’, *The Guardian*, 2 January 2003.

'modernising' the licensing system and reducing unnecessary regulation.<sup>724</sup> This was the basis of what became the Licensing Act 2003 and perhaps the most important measure through which this legislation sought to achieve modernisation was through the abolition of licensing justices. Section 3 transferred the responsibility of dealing with applications for the grant or renewal of licences from magistrates to local councils, who were required to create licensing committees of ten to fifteen members. By shifting the function of licensing from the appointed judiciary to political authorities, this reform represents an effective end to the system of granting licences which the Wine and Beer-house Act 1869 Act had established and a crucial revision of the separation of governmental powers. Although it is probably too early to appreciate the historical significance of this change, the 2003 reform may in time prove to be as important as the Victorian rejection of free-trade inspired alcohol governance in favour of a more legally restricted system.

In other respects, the Licensing Act 2003 was more clearly liberalising. Under Section 18, it is apparent that when dealing with applications for licences the presumption is in favour of their grant, assuming that the application has been properly completed and no "relevant representations" are made. If "relevant representations" are made, which largely constitute the expression of concerns about the suitability of the applicant or the likely effects of granting a licence made by "interested parties" or "responsible authorities",<sup>725</sup> further conditions can be attached to the licence, such as the stipulation that door supervision must be provided. Barring such complications, however, the murky process of magisterial discretion

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<sup>724</sup> UK Government, 'Licensing Act 2003 – Explanatory Notes', (2003), <http://www.legislation.gov.uk/ukpga/2003/17/contents> (accessed 2 January 2012).

<sup>725</sup> Under Section 13, "interested parties" are defined as people living or conducting business in the vicinity of the premises or bodies representing such people. "Responsible authorities" includes a variety of persons such as police chiefs, fire authorities and planning authorities.

was replaced with a basic presumption that, if applied for, a licence should be granted. But the most eye-catching part of the legislation was its failure to specify any permitted hours of trading or mandatory closing times. Under Section 17, applications for licences must specify during which hours it is intended that alcohol will be sold and licensing commissions can accept, amend or reject these applications (subject to aforementioned considerations). But it is quite possible for applicants to apply for a licence for up to twenty-four hours per day. When these new rules were enforced in November 2005, the Licensing Act 2003 meant that, for the first time since the 1830s (when the hours of the newly-created beer-houses were restricted), there were no statutory restrictions on the times during which alcohol could be sold.

Removing statutory limits on opening hours was a controversial move. In January 2003, *The Guardian's* Martin Kettle wrote that "We are Britain, and we are an alcoholic nation... We drink too much, too fast and too young".<sup>726</sup> He went on to attack the Government's response to this problem:

The worst thing the government can do is what it is trying to do – an honest subtitle to the licensing bill would read "the licensing bill is designed to extend the culture of public drunkenness and all the miserable consequences that flow from it."<sup>727</sup>

Kettle was equally critical in May of that year when he claimed that "Only the most sozzled end of the drinks industry now denies that Britain has a drink problem. Or that the heart of the problem is binge drinking by young people, including by under-age drinkers, in the centre of towns".<sup>728</sup> But Kettle aside, debate about the new drinking regulations was distinctly muted when the legislation passed through

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<sup>726</sup> Kettle, Martin, 'Alcoholic Britain Should Not Be Offered Another Drink', *The Guardian*, 2 January 2003.

<sup>727</sup> Ibid.

<sup>728</sup> Kettle, Martin, 'My Name is Britain and I Have a Drink Problem', *The Guardian*, 31 May 2003.



Parliament in 2003. The newspaper coverage from this period suggests that the most contentious part of the Act at the time was not the prospect of ‘twenty-four hour drinking’ but the changes made to the rules regarding the provision of live music.<sup>729</sup>

Concern about drinking rose exponentially during 2004. The *Daily Mail* reported that alcohol consumption had risen by fifty percent since 1970 and this increase was responsible for “a massive rise in crime, violence and disease”.<sup>730</sup> The *Mail* went on to claim that “many city centres turned into virtual no-go areas late at night by drunken yobs”<sup>731</sup> and the cost of drinking to the criminal justice system was placed at anywhere between £1bn and £7bn.<sup>732</sup> During this period, press stories about alcohol abounded with references to “thuggery and intimidation”, “lager loutettes” and “feral children”.<sup>733</sup> Friday and Saturday were reportedly times of “mayhem”, when “the girls in high heels will be puking up” and “the police vans will be full”.<sup>734</sup> The Government responded by announcing a crackdown on irresponsible licensees who encourage binge drinking. Despite (then) Home Office Minister Hazel Blears’ confident declaration that this would “put an end to no-go city centres – reclaiming them for decent, law-abiding citizens”,<sup>735</sup> public anxiety about drinking showed no sign of abating.

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<sup>729</sup> For example, see: Bridge, Richard, Jones, Cheryl, Rodney, Mike and Laurie Watt, ‘Does Licensing Bill Threaten Freedom?’, *Daily Telegraph*, 7 January 2003; Cumming, Tim, ‘Stop that Fiddling’, *The Guardian*, 28 January 2003.

<sup>730</sup> Hope, Jenny, ‘Raise Drink Prices to Fight Crime and Ill-Health, say Doctors’, *Daily Mail*, 5 March 2004.

<sup>731</sup> Ibid.

<sup>732</sup> Jayatilaka, Geethika, ‘Alcohol Misuse Must Be Tackled If We Are Serious About Cutting Crime’, *The Times*, 1 November 2004; Tandler, Stewart, ‘Police Fear Car Crime, Drink and Disaffection’, *The Times*, 22 November 2004.

<sup>733</sup> Hinscliff, Gaby, ‘Bingeing Women Fuel Crime’, *The Observer*, 18 July 2004.

<sup>734</sup> Elliott, Larry, ‘This Crackdown Won’t Cut Drink-Fuelled Crime’, *The Guardian*, 7 May 2004.

<sup>735</sup> Bennetto, Jason, ‘Alcohol Blamed for Soaring Levels of Violent Crime’, *Independent*, 30 April 2004.

It was into this simmering cauldron of social unease that the implementation of longer opening hours was added in 2005. Although muted in 2003, politicians, magistrates, police chiefs and journalists were now vocal in their dismay at the legal reforms. The *Daily Telegraph* reported that the British Transport Police had serious concerns over a likely increase in violence<sup>736</sup> and *The Observer* highlighted how many magistrates as well as senior police officers believed the new laws would increase rape and sexual assault.<sup>737</sup> Shadow Secretary for Culture, Media and Sport, Theresa May, said that “longer drinking hours will mean more crime and disorder”;<sup>738</sup> Liberal Democrat MP Mark Oaten described the plans as “madness”;<sup>739</sup> and Charles Harris QC said the Licensing Act 2003 was “close to lunacy”.<sup>740</sup> Glen Smyth of the Metropolitan Police Federation commented that:

Most nights of the week our officers are overwhelmed by a sea of drunken, violent, vomiting yobs who when they're not fighting each other are falling through shop windows. That's now. What's it going to be like when we have a licensing free-for-all?<sup>741</sup>

Crime and disorder were already popularly seen as ‘out of control’ and this situation could only be worsened by enabling people to drink later into the night.

In the face of mounting uproar about an apparently dangerous policy, Tony Blair’s Government were accused of “staggering complacency” and practising “the politics of neglect” by Conservative MP and barrister Edward Garnier.<sup>742</sup> In response to this fierce criticism, the Government argued that the Licensing Act 2003 would

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<sup>736</sup> Alleyne, R., ‘New drinks law “delays disorder for an hour”’, *Daily Telegraph*, 19 November 2005.

<sup>737</sup> Townsend, Mark, and Hinscliff, Gaby, ‘New drink laws spark rape fears’, *The Observer*, 27 November 2005.

<sup>738</sup> Travis, Alan, Muir, Hugh, and Crown, Rosie, ‘Government admits new drinking hours could lead to increase in offences’, *The Guardian*, 23 November 2005.

<sup>739</sup> Plant and Plant, *Binge Britain*, p.100.

<sup>740</sup> *Ibid.*, p.109.

<sup>741</sup> Hickley, Matthew, ‘How Drink Helped Fuel the Rise in Violent Crime’, *Daily Mail*, 21 October 2005.

<sup>742</sup> *Ibid.*

civilise British drinking culture. Allowing later opening would have the effect of staggering closing times, thus reducing the build-up of people on the streets at 11pm and thereby diminishing disorder. It was also claimed that new rules would reduce drunkenness by ending the rush to drink as much as possible before last orders. Culture Secretary, Tessa Jowell, therefore stated that licensing reform “will make towns and cities safe for all, not a free for all”<sup>743</sup> and Home Secretary, Charles Clarke, spoke of creating a “civilised kind of life as exists in continental Europe”.<sup>744</sup> But the idea of Europeanising British drinking was seen by many as preposterous. Frank Dobson MP claimed that the English “have been binge drinkers since time immemorial”,<sup>745</sup> the actor Tony Booth publicly declared that the British drink in “a more primitive, frightening, Anglo-Saxon way” than our European neighbours,<sup>746</sup> and Charles Harris QC stated that after drinking British people become “pugnacious and bellicose” and “fight at the slightest provocation”.<sup>747</sup> The Government’s logic was rejected in derisory terms and the tone of most public discourse surrounding the licensing reforms remained severe and near-hysterical.

So, the transferral of licensing powers from magistrates to local councils attracted little attention and, by 2005 at least, the overwhelming majority of discussion of the Licensing Act 2003 focused on opening times. The discourse is also notable for the palpable sense of dread which comes to typify anticipation of longer opening hours. In 2003, Martin Kettle’s outraged commentary on the reforms was unusual. But by the end of 2005, this brand of alarming fatalism had become a

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<sup>743</sup> ‘Time will tell’, *The Sun*, 22 January 2005.

<sup>744</sup> ‘Ministers “should rethink 24-hour drinking law”’, *Daily Mail*, 13 January 2005.

<sup>745</sup> ‘24-hour Drinking Reform in Chaos’, *Daily Mail*, 17 January 2005.

<sup>746</sup> Plant and Plant, *Binge Britain*, p.108.

<sup>747</sup> ‘Violence fear over new drink laws’, *BBC News*, 10 August 2005.

sort of discursive white noise; no longer exceptional, it was an omnipresent shrill sound discernible in any public arena in which alcohol was discussed.

#### **4.3) 'Whoops, No Apocalypse'**

The provisions of the new Act were implemented in November 2005 and, despite widespread anxiety about pending disaster, the practical changes were quite limited. Of the 184,000 licensed premises in England and Wales (at this time), only 700 premises, mainly supermarkets, had been granted twenty-four licences.<sup>748</sup> The vast majority of licensed premises opted for rather modest extensions to their trading hours; Hadfield and Measham draw on Government data to report that Saturday night drinking time was extended by an average of just twenty-one minutes. They also show that only one percent of premises which did not previously open later than midnight chose to do so under the new rules.<sup>749</sup> The Department of Culture, Media and Sport's evaluation of the Licensing Act 2003 found no uniform detrimental effects<sup>750</sup> and Home Office aggregate statistics show that national crime levels continued their downward trend from 2005 onwards.<sup>751</sup> Round the clock drinking and the attendant mayhem predicted clearly did not materialise; drinking habits actually changed very little, prompting the British Beer and Pub Association to (rather smugly) comment "whoops, no apocalypse".<sup>752</sup> Given its limited practical effects, the reaction

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<sup>748</sup> Travis *et al*, 'Government admits new drinking hours...'

<sup>749</sup> Hadfield and Measham, 'After the Act', p.72.

<sup>750</sup> Department for Culture, Media and Sport, 'Evaluation of the Impact of the Licensing Act 2003', (2008) <http://www.culture.gov.uk/images/publications/Licensingevaluation.pdf>, accessed 28 April 2011.

<sup>751</sup> Nicholas, Sian, Kershaw, Chris, and Walker, Alison (2008) 'Crime in England and Wales 2007/ 08', *Home Office Statistical Bulletin*, <http://www.homeoffice.gov.uk/rds/pdfs08/hosb0708.pdf>, (accessed 3 May 2009).

<sup>752</sup> British Beer and Pub Association, 'Licensing Anniversary YouGov Poll – Whoops No Apocalypse' (2006), [http://www.beerandpub.com/newsList\\_detail.aspx?newsId=122](http://www.beerandpub.com/newsList_detail.aspx?newsId=122) (accessed 28 April 2011).

to the new Licensing Act 2003 fits the classic definition of a moral panic; a disproportionate reaction prompted by an exaggerated sense of threat.

It must also be recognised that the reaction to the liberalising “politics of neglect” represents broader government actions in an inaccurate or, at best, partial way. To expand, while certain provisions of the Licensing Act 2003 were liberalising, many others were not. Section 155 increased the police’s power to confiscate alcohol from young people and Section 160 gave the police anticipatory as well as reactive powers to close premises. Under this provision and with a magistrate’s approval, the police can close licensed premises in any area “where there is or is expected to be disorder” for up to twenty-four hours. These enhanced police powers are entirely typical of New Labour’s approach to criminal justice. The Criminal Justice and Police Act 2001, for example, had given the police the power to hand out ‘on-the-spot’ fines to persons to persons caught committing a range of relatively low-level offences. Several drink-related offences, including the offence of simple drunkenness created by the Licensing Act 1872, were listed as targets for immediate fines (usually eighty pounds) under Section One of the Act. Handing the police sentencing powers has been controversial and serious questions have been raised about the delivery of justice and implications for the rule of law.<sup>753</sup> More pertinent for this thesis is that such reforms demonstrate that, while certain restrictions have been relaxed, new powers have enabled the stricter policing of other drinking regulations.

As the police’s anticipatory power to close licensed premises in certain areas shows, many of Labour’s new drink restrictions are also preventative and spatially-defined. In addition to ‘on-the-spot’ fines, the Criminal Justice and Police Act 2001

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<sup>753</sup> See: Morgan, Rod, *Summary Justice: Fast - but Fair?*, (London: Centre for Criminal Justice Studies, 2008).

created Designated Public Place Orders (DPPOs). DPPOs enable local authorities to delimit certain areas, typically town and city centres, within which restrictions can be placed on public drinking. It is not illegal to drink alcohol within such areas but the police can ask people to cease consuming alcohol in that area. Failure to comply with such a request constitutes a criminal offence under Section 12 of the Act. As a result of Section 30 of the Anti-Social Behaviour Act 2003, local authorities can also create Dispersal Orders which allow police officers, within designated areas, to require groups of two or more people to leave the designated area immediately if the actions of the group “has resulted, or is likely to result, in any members of the public being intimidated, harassed, alarmed or distressed”.<sup>754</sup> Further to these anticipatory powers, the Violent Crime Reduction Act 2006 enables local authorities to reclaim some of the costs of additional law enforcement from areas in which alcohol-related disorder is common (although reports suggest these powers have barely been utilised).<sup>755</sup> In the last decade, the means through which local authorities can deal with public drinking have clearly proliferated and the discretionary powers of the police have likewise been increased.<sup>756</sup>

These new powers were largely used on the “feral children” who occupy “no-go areas”. While dispersal notices can be given to people of any age, a report by Crawford and Lister found that they are most commonly used on young people.<sup>757</sup> Other new regulations have more explicitly targeted the behaviour of young people. The Licensing (Young Persons) Act 2000 outlawed so-called ‘proxy-buying’ of

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<sup>754</sup> It is interesting to note that while the discretionary powers of the magistracy over licensing were being scrapped, the police’s discretionary powers to discipline drinkers were being vastly inflated.

<sup>755</sup> Prince, Rosa, ‘No Takers for Alcohol Disorder Zones’, *Daily Telegraph*, 22 July 2009.

<sup>756</sup> Again, this enhanced discretionary power has been controversial. See: Crawford, Adam and Lister, Stuart, *The Use and Impact of Dispersal Orders*, (Bristol: Policy Press, 2007).

<sup>757</sup> Ibid.

alcohol, where an adult buys drinks for an under-eighteen from an off-licence (Section 169C), and also stipulated that under-eighteens are guilty of an offence if they consume alcohol on licensed premises (Section 169E). The Licensing Act 2003 raised the age at which a person can enter licensed premises unaccompanied by an adult from fourteen to sixteen and the Criminal Justice and Police Act 2001 also amended the Licensing Act 1964 so that the police are authorised to carry out 'test purchasing'. Test purchasing is a means of checking that licensees are trading legally which entails police sending a person under-eighteen into a licensed premises to attempt to buy alcohol. Under the mandatory code created by Gordon Brown's Government, drinks retailers are also obliged to ask anyone who looks as if they may be under-eighteen for identification. Many large retailers, including Tesco, Asda and Morrison's, currently operate a more rigorous 'Challenge Twenty-Five' policy whereby people suspected of being under that age, even if they are not suspected of being under-eighteen, must provide identification before they can purchase alcohol. The New Labour years, from 1997-2010, thus witnessed an intensification of the project of restricting young people's drinking opportunities which was evident in the policies of the 1960s.

The last decade or so has also seen an increase in the responsibilities placed on licensees and their staff (paid or unpaid). The Licensing Act 2003, for example, highlighted the duties of licensees and bar staff by creating new offences of allowing disorderly conduct on licensed premises (Section 140), selling or allowing the sale of alcohol to someone who is already drunk (Section 141) and allowing unaccompanied children (under-sixteen) to be on the licensed premises without taking "reasonable

steps” to ascertain their age (Section 45).<sup>758</sup> The mandatory code, created by Brown’s government, was implemented between April and October 2010 and contained several further restrictions on the drinks industry. “Irresponsible promotions”, such as ‘all you can drink for £10’ or ‘women drink for free’, were banned. Licensed premises were also required to provide free tap water and offer smaller measures of beer, wine and spirits (alongside larger measures).<sup>759</sup> The Licensing Act 2003 may have increased the hours during which alcohol can be sold, but accompanying and subsequent regulations have stressed the legal responsibilities of licensees and bar-staff as well as reducing, to some extent, their commercial freedoms.

As well as failing to appreciate the negligible practical impacts of changes to opening times (which, admittedly, are easier to recognise in retrospect), the moral panic surrounding the Licensing Act 2003 was also based on a mis-conceptualisation of New Labour’s drink policies. From 1997 to 2010 changes to England and Wales’ alcohol laws were clearly not all about liberalisation and, in a number of significant ways, the regulation of drinkers and drink-sellers was significantly increased while the powers of police and local authorities also grew. There has certainly not been a total de-regulation of the drinks industry; partial liberalisation has been accompanied by greater legal restrictions. Recent changes to how alcohol is legally regulated are, therefore, best described as a bifurcated process.

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<sup>758</sup> In slightly different forms, these offences are present in the Sections 172, 173 and 168 of the Licensing Act 1964.

<sup>759</sup> Home Office, ‘Tough New Powers to Tackle Alcohol Crime Announced’, (2010) <http://webarchive.nationalarchives.gov.uk/+http://www.homeoffice.gov.uk/about-us/news/powers-tackle-alcohol-crime.html> (accessed 20 July 2011).



## 5) The Attitudinal Heritage of Victorian Temperance

So, if the practical effects of licensing changes were limited and the narrative of de-regulation is overstated, how can this outburst of anxiety be explained? Can this bifurcated process of changing the way alcohol is governed and the discursive furore which surrounded it be connected to the temperance movement and the moral regulation project it engendered?

### 5.1) *The Drunk Man of Europe*

While opening hours were being extended in November 2005, a parallel news story revealed traces of an underlying morality which affects attitudes to alcohol. The story revolves around the attempted prosecution of Ruairi Dougal for rape at Swansea Crown Court. The case against Dougal fell apart when the complainant admitted in court that she had been too drunk to remember whether she had consented to sex or not.<sup>760</sup> As later affirmed by the Court of Appeal in *R v Bree* [2007],<sup>761</sup> drunken consent is still consent and, in the absence of clear evidence that consent was not given, the defendant could not be convicted. For some this was simply an issue of reliable evidence (or lack of it), but for others these cases demonstrated the salience of the view that women who drink bear at least some responsibility for any harm they suffer. Lawyer Marion Smullen complained that juries are reluctant to convict in rape cases where the victim was (voluntarily) drunk.<sup>762</sup> Furthermore, in 2008, *The Guardian* reported that the Criminal Injuries Compensation Authority had been cutting payments to rape victims who were drunk at the time the crime was committed. This situation echoes Victorian period; in a

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<sup>760</sup> Dickson, E. Jane, 'It's Not a Crime for Women to Get Drunk. It's Just Not Very Clever', *The Independent*, 26 November 2005.

<sup>761</sup> *R v Bree* [2007] EWCA Crim 256.

<sup>762</sup> Dickson, E. Jane, 'It's Not a Crime for Women to Get Drunk. It's Just Not Very Clever', *The Independent*, 26 November 2005.

rape case which came before Judge Willes in Northampton in 1856 there were said to “some doubts” over whether “the offence of rape could be committed upon the person of a woman who had rendered herself perfectly insensible by drink”.<sup>763</sup> A woman’s decision to drink continues to represent the wilful lowering of her moral profile; the consequences deriving from this decision are thus regarded as at least partially her fault.<sup>764</sup> Within this web of culpability and respectability, alcohol use becomes a definer of the victim’s moral worth.

Echoes of Victorian ideas were also apparent in debates about licensing reforms. Focusing solely on the liberalising aspects of the legal changes, public discourse tended to paint the Licensing Act 2003 as set to open the floodgates of crime and disorder. On the eve of the Act coming into effect, *The Sun* reported in battle-ready terms the creation of a “field hospital” in Newcastle-upon-Tyne to handle the imminent “casualties of 24-hour drinking”.<sup>765</sup> Employing vocabulary which usually denotes unavoidable physical catastrophes, *The Sun* spoke of casualty units being “swamped” by victims of alcohol-related violence and accidents<sup>766</sup> as well as “the inevitable swarm of drunken youngsters” who bring disorder to the streets<sup>767</sup>. Of course the press may be prone to sensationalism, but it was not just the *Daily Mail* who believed that “the binge is about to become an uncontrolled riot of drunkenness”.<sup>768</sup> David Blunkett MP described the Act as “a leap in the dark” that risked worsening crime problems<sup>769</sup> and Mark Oaten MP claimed that “when the problem is running out of control in our town centres, extending drinking hours to

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<sup>763</sup> ‘Midland Circuit’ *The Times*, 6 December 1856.

<sup>764</sup> This may be the case in instances of male rape also but, in the reports I found, the victims were female.

<sup>765</sup> Perrie, Robin, ‘Revellers “field hospital”’, *The Sun*, 23 November 2005.

<sup>766</sup> Wooding, David, ‘Medics fear 24-hour pubs’, *The Sun*, 3 January 2005.

<sup>767</sup> Kavanagh, Trevor, ‘Cops’ late drink warning’, *The Sun*, 10 August 2005.

<sup>768</sup> ‘A drink sodden law that no one wants’, *Daily Mail*, 12 January 2005.

<sup>769</sup> ‘Blunkett voiced concerns over 24-hour drinking’, *Daily Mail*, 16 January 2005.

twenty four hours a day is madness”.<sup>770</sup> In all of these comments, a preoccupation with rationality and control, as well as the threat drink poses to an apparently fragile social order, is palpable. Evoking the memory of the ‘slippery slope’ which temperance activists described, many people felt that the line between order and chaos was as thin as a few extra hours of drinking time.

References to “swarms” and being “swamped” also serve to depict this liberalising legislative disaster in entirely deterministic terms. In the “rising tide” of alcoholic excess,<sup>771</sup> Tessa Jowell was cast as “the Ministerial equivalent of ‘King Canute’” trying vainly to prevent the inevitable.<sup>772</sup> The implication that longer drinking hours unavoidably mean more crime and disorder embodies what Plant and Plant describe as “the availability theory”.<sup>773</sup> This theory indicates that an increased availability of alcohol leads to increased consumption and inflated social harm – premises which Plant and Plant provide some support for by citing the increase in alcohol consumption and certain alcohol-related harms which followed the proliferation of drink-selling premises enabled by the Beer Act 1830. Sumner and Parker argue that the availability theory rests on the assumption alcohol is a disinhibiting drug which, when consumed, unlocks a Freudian dungeon of aggressive, violent and sexual impulses.<sup>774</sup> Although their research was funded by the drinks industry, Sumner and Parker’s point resonates with reactions to the prospect of longer opening hours; David Davis MP warned of “anarchy on the streets”<sup>775</sup> and

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<sup>770</sup> Plant and Plant, *Binge Britain*, p.100.

<sup>771</sup> Linklater, Magnus, ‘The Terrible Cost of Not Raising Drink Prices’, *The Times*, 17 March 2009.

<sup>772</sup> ‘Slack, James and Hinkley, Matthew, ‘Drink Crime: It Will Go Up’, *Daily Mail*, 16 November 2005.

<sup>773</sup> Plant and Plant, *Binge Britain*, p.124.

<sup>774</sup> Sumner, Maggie, and Parker, Howard, *Low in Alcohol: a Review of International Research into Alcohol’s Role in Crime Causation*, (London: Portman Group, 1995).

<sup>775</sup> ‘24-hour pub cop fury’, *The Sun*, 8 July 2004.

John Yates of the Association of Chief Police Officers talked of a likely increase in rape and sexual assault.<sup>776</sup> Allowed unrestricted access to alcohol therefore, humans will swiftly descend a slippery slope, act on their innate urges and commit bestial acts. Without legal fetters, people will quite literally become the “urban savages”<sup>777</sup> of Charles Harris QC’s rhetoric.

The modern availability theory therefore parallels the temperance idea of a slippery slope and, in either case, the first sip of alcohol or unrestricted availability of alcohol is made problematic by a critical lack of self-control. This apparent deficit in the Victorian period was explored in Chapter Four and it is similarly evident in contemporary discourse. In 2010, as *Daily Express* columnist Theodore Dalrymple argued that Britain is rapidly becoming “a nation without sufficient self-respect to control itself”.<sup>778</sup> For temperance activists, this situation could be rectified by the adoption of the teetotal pledge or, for those sceptical of individuals’ fortitude, the implementation of prohibition. Contemporary solutions also attempt to inculcate self-control. In 2008, the Government launched a major anti-binge drinking campaign which, in the words of then Home Secretary, Jacqui Smith, aimed to “challenge people to think twice about the serious consequences of losing control”.<sup>779</sup> The campaign featured TV adverts depicting young people vomiting, damaging their property and injuring themselves before text asks “you wouldn’t start a night like this, so why end it that way?”<sup>780</sup> Once again, the development of self-control is the

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<sup>776</sup> Townsend, Mark, and Hinscliff, Gaby, ‘New drink laws spark rape fears’, *The Observer*, 27 November 2005.

<sup>777</sup> Britten, Nick, ‘Judge says 24-hour drinking will create “urban savages”’, *Daily Telegraph*, 11 January 2005.

<sup>778</sup> Dalrymple, Theodore, ‘Our binge drinking culture is a living hell for everyone’, *Daily Express*, 13 August 2010.

<sup>779</sup> ‘Binge Drinking Adverts Launched’, *BBC News*, 4 May 2008.

<sup>780</sup> Home Office, ‘Alcohol – Know Your Limits’, (2008). Can be viewed at: <http://news.bbc.co.uk/1/hi/uk/7457746.stm> .

preferred means of halting the slide towards drunkenness, savagery and victimisation.

It should be stressed that this deficiency in self-control is associated almost exclusively with British people. It was described earlier how the Government's ambition of creating a "civilised" European drinking culture was criticised by Tony Booth and Charles Harris. Given the parallels with temperance discourse being drawn, Booth and Harris' comments can be reinterpreted as demonstrating an almost puritanical disgust with the recreational with the habits of the British. Equally, references to "booze Britain"<sup>781</sup> and "binge Britain"<sup>782</sup> have become almost ubiquitous features of discourse on alcohol, serving to emphasise that Britain is the depraved exception to the general European rule of sobriety. Comparisons with other, apparently more-civilised, countries further reinforce this idea; Geethika Jayatilaka of Alcohol Concern said that "extending licensing hours are more likely to turn our town centres into Faliraki than Florence"<sup>783</sup> and academic Victor Robinson asserted that "we are not a Mediterranean people and have not been socialised into the respect for alcohol those cultures have".<sup>784</sup> Europe, and particularly southern Europe, is constructed as a beacon of civilisation standing in stark contrast to Britain's alcoholic depravity. This discursive framework resonates strongly with the nationally self-deprecatory temperance commentaries of the Victorian period which Chapter Three rooted in the self-repulsion of evangelical Protestant beliefs.

The idea that Britain alone is mired in a swamp of drink and debauchery corresponds to temperance activist Sir Wilfrid Lawson's belief that he lived in "a

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<sup>781</sup> 'Warning Over Booze Britain', *Sunday Express*, 15 April 2007.

<sup>782</sup> Taylor, Ben, Hickley, Matthew, and Narain, Jaya, 'A Year On, This is Binge Britain', *Daily Mail*, 16<sup>th</sup> October 2006.

<sup>783</sup> '24-hour pub opening "a disaster"', *BBC News*, 18<sup>th</sup> October 2005.

<sup>784</sup> *Ibid.*

world full of sin, of wrong, and of injustice”.<sup>785</sup> The overriding tone of 2005’s surfeit of apocalyptic commentaries was not, however, generally despondent and many rallied for concerted action against alcohol consumption. Writing in *The Observer*, liver specialist Professor Roger Williams depicted the situation as extremely serious and spoke of the numerous “adverse consequences of our drinking culture”.<sup>786</sup> But reflecting the pervasive belief of the temperance movement that it is imperative to struggle against these overwhelming evils (described in Chapters Three and Four), Williams’ belief in the grave seriousness of the current situation becomes an impetus towards action. Williams thus calls for higher drinks prices, warning labels on bottles and cans, and more money for preventative educational programmes and treatment facilities. An article in *The Sun* reflects this position, stating simply that “doing nothing isn’t an option”.<sup>787</sup> The language used to discuss the modern ‘drink problem’ may be secular, the attitudes and understandings appear underpinned by the Nonconformist notion of the struggle.

Of course, this idea of Britain as peculiarly debauched, as the drunk man of Europe, ignores the alcohol problems faced by many other European countries. In actuality, research has found that levels of alcohol-related mortality, liver disease<sup>788</sup> and overall consumption are relatively low in this country when compared with more ‘civilised’ European countries.<sup>789</sup> The *Independent* was probably the only newspaper to pick up on this point in 2005, arguing that the Government’s plan to reproduce the drinking culture of other European countries may make things worse; “if we do end up with a wet drinking culture, the toll in terms of health problems will be grave” as

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<sup>785</sup> Harrison, *Drink and the Victorians*, p.377.

<sup>786</sup> Williams, Roger, ‘Sober lessons about drink’, *The Observer*, 27 November 2005.

<sup>787</sup> ‘Time Will Tell’, *The Sun*, 22 January 2005.

<sup>788</sup> Burroughs, A., and McNamara, D., ‘Liver Disease in Europe’, (2003) *Alimentary Pharmacology and Therapeutics* Vol. 18 (3), pp.54-59.

<sup>789</sup> World Health Organisation, ‘Global Status Report on Alcohol’, pp.11-12.

consumption and harm will likely rise.<sup>790</sup> Despite this evidence to the contrary, the Victorian idea that Britain alone is typified by a dysfunctional relationship with alcohol remains. This belief receded somewhat during the patriotic bombast of World War One (described in Chapter Five) and appears to have been subdued during the 1960s. But public discourse studied here, from 2003 to 2010, shows abundant signs of a resurgent faith in Britain's exceptional alcoholic depravities.

The reaction to the extension of opening times in 2005 therefore shows considerable qualitative affinities with the discourse of the Victorian temperance movement. The similarities are also more pronounced and more specifically attached to alcohol than in the vividly moral and noticeably ascetic discourse of the 1960s. The connection of drink to respectability, the idea of a slippery slope of consumption and the belief in a national deficit of self-control as well as a national surplus of depravity all illustrate the manifold interpretive links of contemporary alcohol discourse with the Calvinist-influenced rhetoric of the nineteenth century. Calvinist ideas, which Chapter Three located within wider nineteenth century evangelicalism, were important in the transition from moderationist to teetotal temperance and, although receding in influence somewhat in the mid-1960s, they remain a clearly discernible component of attitudes to drinking to this day. In this attitudinal and heuristic universe, the arrival of twenty-four licensing, the provision which dominated discussion of the Licensing Act 2003, cannot possibly elevate Britain to the level of consumptive sophistication displayed by our near neighbours. In the absence of sufficient self-control, the reforms could only be understood as sure to worsen

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<sup>790</sup> Fickling, David, 'Alcohol Consumption': Raising a Glass to the Health of a Nation', *Independent*, 28<sup>th</sup> October 2005.

existing problems by removing remaining (legal) constraints on our essential national depravity.<sup>791</sup>

## 5.2) 'Please Drink Responsibly'

When the booze-fuelled apocalypse failed to materialise, anxiety about alcohol did not go away. References to the “new menace”<sup>792</sup> of binge drinking were still common and the *Daily Telegraph's* statement that “alcohol-fuelled violence and gratuitously vicious behaviour have become part of our national life” was fairly typical of public discourse on drink in 2006 and 2007.<sup>793</sup> In 2008, the British Medical Association publicly referred to the “binge drinking epidemic”<sup>794</sup> and the Archbishop of Canterbury claimed that there is “a whole culture of alcohol abuse which this country has failed to tackle”.<sup>795</sup> The continuation of concerns about drinking is a reminder that 2005 was not an isolated outburst of anxiety in the form of the classic, exceptional moral panic described by Stan Cohen. This was a high point of concern within longer term processes of moralisation which, as the qualitative connections presented in the last section show, stretches back to the nineteenth century. Building on this point, this section will consider the extent to which the contemporary governance of alcohol can be considered a project of moral regulation.

Chapter Four argued that the crucial discursive innovation of the temperance movement was the problematisation of alcohol and, through tightening of legal controls, the period 1864 to 1872 saw this idea pass into law. It has already been

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<sup>791</sup> The connections between the reaction to the implementation of the Licensing Act 2003 and the ascetic Protestant character of the British temperance movement are further explored in: Yeomans, Henry, 'Revisiting a Moral Panic: Attitudes to Alcohol, Ascetic Protestantism and the Implementation of the Licensing Act 2003', (2009) *Sociological Research Online* Vol.14 (2), <http://www.socresonline.org.uk/14/2/6.html> .

<sup>792</sup> Hickley, Matthew, 'Faliraki UK', *Daily Mail*, 10 February 2006.

<sup>793</sup> 'The Alcohol Culture and a Spiralling Rate of Crime', *Daily Telegraph*, 6 February 2007.

<sup>794</sup> Bates, Daniel, '24-hour Drink Laws Crime Soaring', *Daily Mail*, 23 February 2008.

<sup>795</sup> Beadles, Jeremy, 'Reply Letters and Emails', *The Guardian*, 5 February 2008.



stressed that liberalisation only formed one part of New Labour's approach to drinking, but it is important to highlight the grounds on which this liberalisation was justified. The Government did not argue, as Victorians often did, that beer and wine are harmless and so many existing restrictions are unnecessary. Under Section 4 of the Licensing Act 2003, licensing authorities must consider four licensing objectives when dealing with applications; these are the prevention of crime and disorder, the improvement of public safety, prevention of public nuisance and the protection of children from harm. Many of the social problems associated with alcohol, including crime and disorder, are therefore at the heart of the reform and the centre of the new licensing system it established. Additionally, while opposition parties attacked the Licensing Act 2003, they opposed the means the Government chose to deal with alcohol rather than contesting the categorisation of alcohol as a problem. Many Conservatives, for example, favoured alternative policies such as London Mayor Boris Johnson's ban on drinking on London transport introduced in 2008. The 2003 Act may have represented a challenge to the availability theory of drinking but it actively reproduced the conception that alcohol is inherently problematic.

Alcohol's enjoyable, non-harmful effects are rarely acknowledged in public discourse.<sup>796</sup> New restrictions mean that the sort of adverts which in the 1960s proclaimed that "a WHITBREAD makes the most of you" are not permitted, and my research found no light-hearted equivalents of the "giggling Wong" story. That said, the idea of abstinence from alcohol, already unpopular in the 1960s, has fallen further out of favour. Both Conservative and Labour parties have dismissed the idea of minimum pricing (which will be discussed in more detail in the next chapter); *The Guardian* reports (then) Work and Pensions Secretary, James Purnell, saying that it

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<sup>796</sup> At least, in the political and press discourses I examined.

would penalise the “responsible majority” of drinkers.<sup>797</sup> David Poley, Chief Executive of the drinks industry representative the Portman Group, echoed this political message claiming that minimum pricing would “have a marginal effect on harmful drinkers but force hard-working families to pay more for a drink”.<sup>798</sup> Moderate drinking is, therefore, permissible for most people who can be trusted to control themselves and not contribute to any social problems. This is the new official behavioural ideal; the hard-working family-person who enjoys a drink occasionally but heeds the increasingly widespread warning on the bottle which exhorts them to “drink responsibly”.<sup>799</sup> As with the Victorian model of the respectable, sober working man, such rhetoric is a classic example of what Foucault calls a “dividing practice” and a key feature of moral regulation projects.<sup>800</sup>

The counter-point in this dividing practice is the irresponsible, harmful drinker. As Matthew Elliott of the Taxpayers Alliance said in the *Daily Telegraph*: “Responsible drinking in local pubs has been a cornerstone of British society for centuries. Binge drinkers who wreak havoc should be targeted”.<sup>801</sup> It is these binge drinkers who are commonly blamed when, to quote the *Daily Mail*, “gutters are awash in blood and vomit”, when “sodden, brutal excess” turns town centres into “no-go areas for families”.<sup>802</sup> In line with the emergence of the issue of youth in the 1960s, these problematic binge drinkers are portrayed as young. As Martin Kettle explained in 2003, “the heart of the problem is binge drinking by young people,

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<sup>797</sup> Hencke, David, and Sparrow, Andrew, ‘Gordon Brown Rejects Call to Set Minimum Prices for Alcohol’, *The Guardian*, 16 March 2009.

<sup>798</sup> ‘Plans for Minimum Alcohol Price’, *BBC News*, 15 March 2009.

<sup>799</sup> ‘Alcohol Warnings Could Become Compulsory’, *The Guardian*, 15 February 2010. Such warnings were part of the voluntary code of measures which the Government agreed with drinks industry groups in 2007, although was not universally implemented.

<sup>800</sup> Hunt, *Governing Morals*.

<sup>801</sup> Whitehead, Tom, ‘Alcohol-fuelled Crime Costs UK £13bn a Year’, *Daily Telegraph*, 26 December 2009.

<sup>802</sup> ‘A drink sodden law that no one wants’, *Daily Mail*, 12 January 2005.

including by under-age drinkers, in the centre of towns".<sup>803</sup> By 2007, the Government expressed a similar position in their alcohol strategy document *Safe, Sensible, Social*. The Government pledged to concentrate attentions on the "significant minority who don't know when to stop drinking" and defined this minority as constituted by under-eighteen drinkers, eighteen to twenty-four year old binge drinkers, and harmful drinkers.<sup>804</sup> Critcher has argued that the binge drinker "does not make an impressive folk devil" as their identity is not defined solely in reference to this activity.<sup>805</sup> Nevertheless, it is clear that the press and political discourse tends overwhelmingly to attribute the social problems associated with the "significant minority" of young binge drinkers.<sup>806</sup> It is certainly feasible that inflamed moralising discourse about youth drinking has paved the way, in both the 1960s and the New Labour years, for the tightening of legal restrictions on young people and alcohol described earlier. Certain forms of behaviour committed by particular social groups are problematised discursively and then regulated legally; ongoing problematisation is then necessary to justify this remodelled social order.

This analysis corresponds to Corrigan and Sayer's theory, in which moral regulation provides the attitudinal foundations upon which levels and forms of state intervention can be built and defended.<sup>807</sup> But, following Ruonavaara particularly, moral regulation is not just about legitimising state actions and also encompasses

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<sup>803</sup> Kettle, Martin, 'My Name is Britain and I Have a Drink Problem', *The Guardian*, 31 May 2003.

<sup>804</sup> UK Government, *Safe, Sensible, Social*, (London: Department of Health, 2007). "Harmful drinkers" are defined as women who drink more than 35 units of alcohol per week and men who drink more than fifty units per week.

<sup>805</sup> Critcher, Chas, 'Moral Panics: A Case Study of Binge Drinking', in *Pulling Newspapers Apart* edited by Franklin, Bob (Oxon: Routledge, 2008), pp.154-162.

<sup>806</sup> The challenge which health professionals have posed to this dominant position will be explored in the next chapter.

<sup>807</sup> Corrigan and Sayer, *The Great Arch*.

attempts to influence the self-formation of others.<sup>808</sup> In 2008, former Justice Secretary, Jack Straw, exemplified this point by describing the Government's intention to create a "moral imperative"<sup>809</sup> for young people to avoid alcohol. As with Victorian teetotaler W. Hunt's desire to create a "moral obligation" of abstinence, the intimation is that the law cannot or should not be the sole arbiter in these affairs and that where the law finishes, at probably the clearest boundary of state influence, moral obligations or imperatives should continue to provide some form of governance. To elaborate, binge drinking or getting drunk is not against the law *per se*. Nor is it illegal for those over the age of five yet below the age of eighteen to consume alcohol. The law, in these respects, remains restrictive and not prohibitive. So in this respect, the Government's promotion of the ideal of the "responsible majority" of hard-working, moderate-drinking family persons is an attempt to govern beyond the law; the process of self-formation is shaped by the implicit condemnation of deviance from the specified norm. For the Victorian temperance movement, respectability without sobriety was ruled out. Likewise, the attribute of responsibility and normalisation through membership of the majority is currently constructed as impossible for binge drinkers. Through these mechanisms it is hoped that individuals will become resolved of the need to reform their behaviour.

This form of governance embodies the belief that the individual should be the primary unit of social change. Chapter Four found the system of regulation established by the Licensing Act 1872 effectively corroborated assertion by *The Times* that "no moral work was ever achieved without personal agencies".<sup>810</sup> In some cases persuasion may be necessary where the individual drinker is not motivated to

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<sup>808</sup> Ruonavaara, 'Moral Regulation'.

<sup>809</sup> 'Drink Campaign to Target Parents', *BBC News*, 1 June 2008.

<sup>810</sup> 'That portion of the British public...', *The Times*, 9 August 1872.

change; Charles Turner MP was quoted earlier asking workmen “to discourage intemperance by giving the cold-shoulder”<sup>811</sup> to their heavy drinking colleagues. The Government’s *Safe, Sensible, Social* document parallels this strategy by insisting that everyone must take responsibility for creating a “sensible drinking culture”.

Vernon Coaker’s ministerial forward states that:

Parents and guardians should look at the example they set in their drinking habits, as well as know what their children are up to outside of the home. Friends of anti-social and harmful drinkers must exert influence. Business and industry should reinforce responsible drinking messages at every opportunity.<sup>812</sup>

Persuasion, therefore, remains a crucial means to influence individual action and, perhaps, a substitute for a more interventionist legal regime. Following Ruonavaara’s theory, which gives greater recognition to non-legal, non-coercive attempts to influence the behaviour of others, this can be seen as an integral part of moral regulation.

Within the permissible bounds of conduct specified by law, behavioural ideals and persuasive projects are brought to bear upon those deemed to be problem-drinkers. It must also be noted that official rhetoric continues to separate the choices individuals can make about their own conduct into normatively distinct categories. Just as Henry Bruce, Victorian Home Secretary, structured legally mandated personal choices through his condemnations of drinking, so modern politicians seek to influence such decisions. Tony Blair called heavy drinking a “new British disease”<sup>813</sup> and Gordon Brown said “binge drinking is unacceptable”.<sup>814</sup> Both former premiers thus gave clear moral direction to individual choices about alcohol; the

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<sup>811</sup> ‘Conservatism in Lancashire’, *Reynolds’s Daily Newspaper*, 8 September 1872.

<sup>812</sup> UK Government, *Safe, Sensible, Social*.

<sup>813</sup> ‘Alcohol the “New British Disease”’, *BBC News*, 20 May 2004.

<sup>814</sup> Roberts, Bob, ‘Gordon Brown Exclusive: Any Shop Twice Caught Selling Alcohol to U18s Should Lose Its Licence’, *Daily Mirror*, 3<sup>rd</sup> October 2008.

'right choice' is not legally compulsory but making the 'wrong choice', as Blair and Brown demonstrate, will attract the moral censure of the dominant morality. O'Malley and Valverde state that "when governments value desired actions as pleasant and undesired as unpleasant, they are attempting to 'govern at a distance'".<sup>815</sup> The concept of 'governing at a distance' or 'governing through choice' is borrowed from Rose and Miller who see it as a central means through which liberal governments seek to exercise power over spheres of human action which they do not wholly control.<sup>816</sup> The replacement of the older binary oppositions of good and evil with responsible and irresponsible or acceptable or unacceptable therefore shows that discourse about alcohol has become more secularised. But additionally, it is clear that this discursive phenomenon evidences the continued efforts of powerful social actors to govern the behaviour of others.

So, a powerful, ongoing project to morally regulate the use of alcohol is evidenced in the legitimisation of interventions targeting specific social groups (mainly young people) as well as a wealth of discursive attempts to govern individual choices.

### **5.3) *The Temperance Project Continued***

The relaxation of opening hours for licensed premises was not just accompanied by the intensification of police powers, responsibilities for licensees and clampdowns on youth drinking and public drinking identified earlier. It also coincided with a broader social context in which moralising discourse has framed a variety of extra-legal attempts to govern the consumption of alcohol, such as the

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<sup>815</sup> O'Malley, Pat, and Valverde, Mariana, 'Pleasure, Freedom and Drugs: The Uses of Pleasure in Liberal Governance of Drug and Alcohol Consumption', (2004) *Sociology* Vol. 38 (1), pp.27-28.

<sup>816</sup> Rose and Miller, 'Political Power Beyond the State'.

construction of behavioural choices with dividing practices and moral imperatives. These attempts form part of a general project to morally regulate the use of alcohol (through influencing the actions of others in a specific direction). But the survival of more historically specific phenomenon, such as Calvinist-inspired nineteenth century ideas of the slippery slope as well as the problematisation of all forms of alcohol which resulted from the teetotal turn in the 1830s, show that contemporary efforts to morally regulate the use of alcohol bear some discursive relation to the campaigns of the nineteenth century temperance movement. This social movement thus left an attitudinal heritage which continues to shape public discourse on alcohol.

### **6) Reflections: The Resurgent Tide of Moralisation**

The period 1921 to 1961 was a low point in the historical tide of moralising about drink. The waters of public disapprobation receded in the inter-war years before beginning to rise slowly post-World War Two. From 1961 to 1965, alcohol once again became a major public concern due to the increased recognition of its debilitating effects on driving, rising concern over its detrimental effect on health and, most importantly, its seditious influence over apparently rebellious, amoral young people. The moral crisis about the nation's youth was connected strongly to sex and drugs also; drink was one factor in this public anxiety. Alcohol remained a source of social unease during the 1970s, 1980s and 1990s, and during the period 2003-2010 emerged once again as a singular, pressing concern for public-minded moralists. Partly prompted by the extension of licensed premises' opening hours in 2005, a moral panic emerged about the seemingly new phenomenon of binge drinking and the disastrous effects this was having on crime and disorder. This episode was a peak in moralisation but continued anxieties post-2005 show that the project to morally regulate alcohol continues unabated.

Although highlighting continuity in the existence of moralising discourses, it is important to recognise that certain discursive changes have occurred over time. Change has occurred, firstly, between the 1960s and 2003-2010; drink-driving barely featured in the recent discourse examined. It has become subject to increasing legal censure and intense moral disapproval; thoroughly problematised, it has slipped out of view somewhat as an area of discursive contention. This hardening of attitudes to drink-driving in the late twentieth century remains a monument to the power and scope of attitudinal change. Secondly, there have been longer term changes. The rise to prominence of youth drinking in the 1960s and the more recent emergence of binge drinking as an issue, usually associated with young people, represent a shift in the target of moral regulation. In the nineteenth century and up until World War One, attempts to encourage behavioural reformation were concentrated on the working class, mainly men, with very little reference made to age. It was also established in Chapter Five that, during the period 1914-1921, teetotalism was recognised as a positive moral action, widely lauded if not universally practised. While teetotal temperance groups continued to have a say in drink debates in the 1960s, the discourse becomes more concentrated on specific social problems associated with alcohol. Between 2003 and 2010, the problems of crime and disorder were largely attributed to the problematic practice of binge drinking rather than alcohol *per se*. However, the licensing objectives of the Licensing Act 2003 as well as the overall tone of public discourse show that alcohol is still viewed as inherently problematic, even if the “responsible majority” are able to restrain their consumption enough to prevent the slide down the slippery slope of immorality.

The contemporary prevalence of the concept of a “responsible majority” has been clearly linked to ongoing efforts to morally regulate drinking. It has been



identified, along with general persuasive tactics and the normative construction of behavioural choices into absolute categories, as evidence of efforts to 'govern at a distance'. Such efforts are necessary due to the survival of the regulatory frameworks of the Licensing Act 1872. Despite the state's withdrawal from certain areas of personal morality in the era of Devlin and Hart in addition to the dominant contemporary narrative of de-regulation, laws affecting drinking remain restrictive. In the 1960s and under New Labour, liberalisation has been accompanied by greater restrictions. The proliferation and tightening of many legal regulations on alcohol described in section four and the intense moral discourse described in section five suggest that, although prohibition is largely unpalatable, the political establishment does not want the state to entirely cede control of choices about alcohol consumption to the individual. Hence, a model of governance based around legal restriction supplemented by moral compulsion continues to exist. As Chapter Four argued, this 1872 model of governance was partly brought about by temperance campaigns and resonates qualitatively with moral suasionist sections of the movement. Legally and attitudinally, therefore, the temperance movement was an influential historical force. Although changes have occurred since the nineteenth century, the way in which we think about and regulate alcohol have been decisively shaped by the Victorian temperance reformation.

Figure 7 – Cossack Vodka (1965)

PAGE 20 DAILY MIRROR, Friday, March 19, 1965

# Don't you feel marvellous?

People who drink Cossack Vodka do.  
Because Cossack Vodka is 100% pure.  
No sweetening. No flavouring.  
No smell. So? You feel fine!  
Good morning.

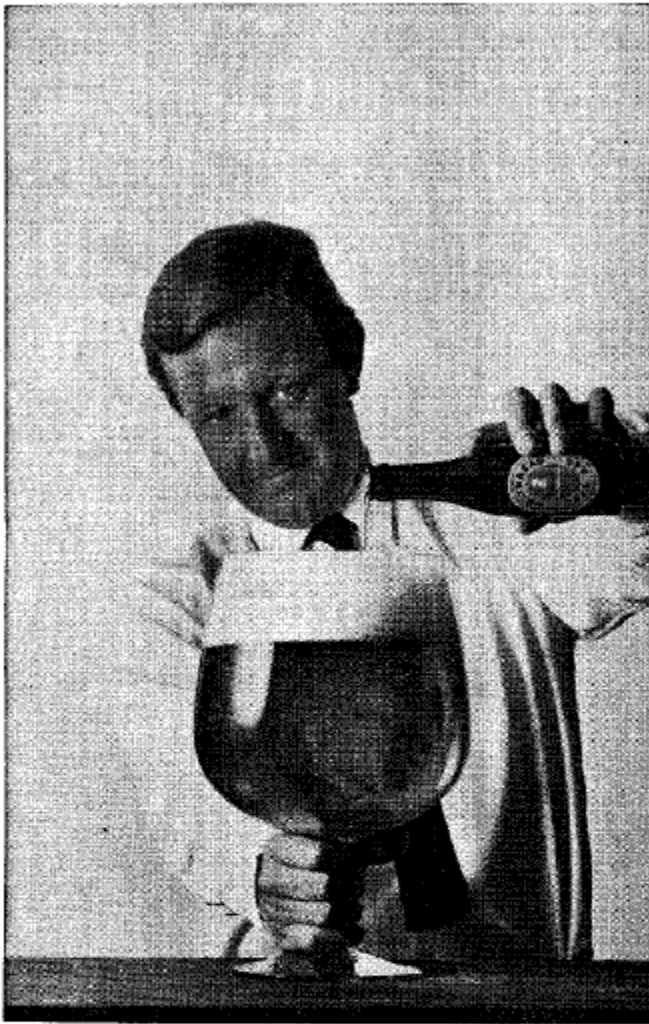


Find out more about Vodka and recipes for mixing it.  
Send a postcard for "The Book of Vodka" to Publicity Department (2),  
57-61 Clerkenwell Road, London E.C.1

*Daily Mirror*, 19 March 1965.

Figure 8 – Whitbread Beer (1961)

PAGE 10 DAILY MIRROR, Saturday, August 26, 1961



**Whitbread flavour:  
there's more of it per glass!**

A little Whitbread goes a long, long way. Because it has the kind of taste you want to linger over. On a hot day you can chill a Whitbread till the bubbles bite like specks of ice—but *you can't chill out the strong, refreshing flavour.* On a cool day you can drink your Whitbread just as it comes—the *flavour is as good as ever.* No wonder, Whitbread is British brewed to suit the British climate. Ask for a "Whitbread" by name wherever you are.



**a WHITBREAD makes the most of you**

*Daily Mirror, 26 August 1961.*

Figure 9 – Rose's Lime Juice

Nothing improves the spirit\* like...



**Rose's lime juice**

\* However you view the world, there's one sure way to improve the view. All you do is take some Rose's, some gin or vodka, ice and a glass. Mix about 1 part of Rose's to 2 parts of spirit. Taste it. At once the world is a happier place. Rose's also mixes refreshingly with lager, soda water or plain cold water for ...



... the most refreshing drink in the world

© 1961 Rose's Ltd. London

Daily Express, 27 March 1961.

Figure 10 – Gordon's Gin

BY APPOINTMENT  
TO HER MAJESTY THE QUEEN  
GORDON'S GIN & TONIC

# Gordon's

Cooler,  
fresher  
tempting!

Yours for the asking.  
Throughout the world  
most people prefer Gordon's  
because it has such a  
subtle, delicate character

**Gordon's**  
STANDS SUPREME

Made  
from  
100%  
Grain  
Spirit

*Daily Express*, 11 June 1963.

## Chapter Seven

### The New Drink Problem Part Two:

#### Health, Harm and Risk.

##### 1) Introduction

Chapter Six explained how the legal and heuristic frameworks which connect alcohol to crime and disorder still exhibit the formative fingerprints of the Victorian temperance movement. Along with crime and disorder, the other major social problem associated with alcohol in contemporary public discourse is ill-health. Alcohol is consistently connected to a variety of health problems, such as liver disease, foetal alcohol spectrum disorder (FASD) and certain types of cancer. It has also been connected to spectacular afflictions such as an apparent increase of “exploding bladders” amongst female binge drinkers; although, on closer inspection, this news story was based entirely on a short piece published in the *British Medical Journal* in which only three cases of this kind were discussed.<sup>817</sup> To deal with some of these problems, there has been a promotion of abstinence from alcohol for under-fifteens,<sup>818</sup> demands for forceful clampdowns on the number of licensed premises entirely in so-called “binge towns”<sup>819</sup> and, most persistently, calls for a minimum price to be levied on alcoholic drinks. The significance and prevalence of alcohol-related health problems has been a magnetic topic for public debate in recent years.

This public agenda is strongly linked to the high profile recommendations of the former Chief Medical Officer (CMO) Sir Liam Donaldson and the activities of the

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<sup>817</sup> Dooldeniya, M.D., Khafagy, R., Mashaly, H., Browning, A.J., Sundaram, S.K., Biyani, C.S., ‘Lower Abdominal Pain in Women after Bring Drinking’, (2007) *British Medical Journal* Vol. 335, pp.992-993. See reaction in: Atkins, Lucy, ‘If You Thought Your Hangover Was Bad...’, *The Guardian*, 20 November 2007; ‘Women Drinkers Fit to Burst’, *BBC News*, 9 November 2007.

<sup>818</sup> Donaldson, Sir Liam, ‘Guidance on the Consumption of Alcohol by Children and Young People’, (London: Department of Health, 2009).

<sup>819</sup> Johnston, Lucy, ‘Ban Alcohol in Binge Towns’, *Sunday Express*, 22 March 2009.

newly-established Alcohol Health Alliance (AHA), which incorporates groups such as the Royal College of Physicians, the British Liver Trust and the Institute of Alcohol Studies. The prominence of medical professionals within this new health-focused discourse might suggest that a less moralistic and more evidence-based approach to the social problem of alcohol is emerging. Such a transformation would be consistent with the apparent triumph of the harm-based libertarianism of Hart over the legal moralism of Devlin in the 1960s. It also resonates with the macro picture of social change painted by sociologists Ulrich Beck and Anthony Giddens, in which the rise of a social order dominated by rational, secular assessments of catastrophic risk serves to sideline more traditional moral considerations.<sup>820</sup> In regards to alcohol, to what extent is this accurate? Does this new medical lobby espouse a historically novel, scientific approach to alcohol? Or is the influence of the Victorian temperance movement once again evident in contemporary discourse?

This chapter will examine the development of drinking as a health problem.<sup>821</sup> It will consider the issue from the eighteenth century onwards but, in order to facilitate an enhanced understanding of change and continuity in recent attitudes to drink, it will mirror Chapter Six's concentration on the years 1961-1965 and 2003-2010.<sup>822</sup>

## **2) Drink in Historical Context**

Social scientists studying health policy tend to identify a new approach to public health which has developed since the mid-twentieth century. In respect of

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<sup>820</sup> See: Ericsson and Doyle *Risk and Morality*.

<sup>821</sup> Alcoholism tends to be defined in a medical sense and so (for the purposes of this chapter at least) will be investigated as a health problem linked to drinking.

<sup>822</sup> Systematic searches of the newspaper archives returned 840 items which were read and analysed with respect to the issues discussed in this chapter. It is worth mentioning that 333 of these items were identified using searches for 'licensing act/bill' in 1961 and 1963-1965 and hence have already been utilised in Chapter Six. It is also noteworthy that a number of newspaper clippings made by the author over recent years have been used in this chapter.

alcohol, a concentration on prevention and a project of facilitating informed individual choices about behaviour are said to have replaced the “value-based morality” of the temperance movement.<sup>823</sup> Nicholls describes how “the moral argumentation” of temperance activists was replaced by the apparently “morally neutral language of science” in which the consequences of drinking are awarded primary importance.<sup>824</sup> This apparent secularisation or “normative neutralization”<sup>825</sup> of health discourse occurs during the same period as the Wolfenden Report was promoting greater individual autonomy in sexual relationships through the de-criminalisation of homosexuality. Do these developments indicate that, in the 1960s, the salience of moral considerations as crucial factors in the problematisation and governance of alcohol was in decline?

## **2.1) *The Emergence of Public Health***

### **2.1.1) *The ‘Ulcer in the Social Body’***

For much of history, alcoholic drinks were regarded as healthy. In part, this was because beer provided a safer alternative to water. The reasons water was often unsafe only began to be understood when Dr John Snow linked the outbreak of cholera in London in 1848-1849 to the contaminated water supplied by the Broad Street Pump. But, as Barr describes, people all over the world had been aware that drinking water was potentially hazardous long before Snow’s research; indeed, the Chelsea Waterworks Company began filtering their water supply in 1829.<sup>826</sup>

Alcoholic drinks were not just safer beverages, they were widely regarded as possessing certain health benefits too. Whisky, for example, was believed by many

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<sup>823</sup> Sulkunen, Pekka, ‘Ethics of Alcohol Policy in a Saturated Society’, (1997) *Addiction* Vol.92 (9), pp.1120.

<sup>824</sup> Nicholls, *Politics of Alcohol*, p.206.

<sup>825</sup> Sulkunen, ‘Ethics of Alcohol Policy’, p.1120.

<sup>826</sup> Barr, *Drink*, p.255.



to ward off influenza until at least the early twentieth century<sup>827</sup> and beer was seen as an “article of diet”,<sup>828</sup> a normal foodstuff, for much of the nineteenth century. Burnett provides some support for the latter idea by calculating that, in the seventeenth century at least, beer provided twenty to twenty-five percent of an average person’s required calorie intake.<sup>829</sup> Alcohol, beer particularly, was healthy and nutritious; the brewers were not, therefore, discordant with many people’s opinions when they claimed that beer is a “food beverage” and “part of the strength of Britain”<sup>830</sup> during World War One. It is perhaps a legacy of this viewpoint that the word “Pussyfoot”, first the name of a US prohibitionist campaigner and then a pejorative word for a temperance supporter, has come to mean indecisive, timid or frightened in modern parlance. Drinkers, by implication, were strong, brave and decisive.<sup>831</sup>

Nevertheless, alcohol has also been connected to a variety of health problems since at least the eighteenth century. In 1729, the *London Journal* discussed how excessive consumption of meat or drink was “pernicious to the Health and Vigour of any Person, in the Discharge of the Offices of Life”.<sup>832</sup> Later in the century, a letter from ‘Setaymot’ in the *Public Advertiser* reiterated these beliefs, stating that health of the body and mind could be improved with “sobriety, gentleness,

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<sup>827</sup> Harford, Charles F., ‘To the Editor of *The Times*: Alcohol for Medicine’, *The Times*, 5 March 1919.

<sup>828</sup> ‘The Licensing Bill was appointed for...’, *The Times*, 7 August 1872.

<sup>829</sup> Burnett, *Liquid Pleasures*, pp.114-115.

<sup>830</sup> ‘The Strength of Britain’, *Daily Express*, 25 January 1917.

<sup>831</sup> The *Daily Mirror* corroborated this point in 1919, stating that: “In the past our great battles on land and sea were won, and our Colonies were acquired, by men who were by no means teetotallers. In the late war not one successful admiral or general denied himself a glass of wine, and doesn’t today. The fact is a man who is unable to command himself cannot command others.” See: ‘Pussyfoot’, *Daily Mirror*, 16 September 1919.

<sup>832</sup> ‘To the Author of the *London Journal*: Privates Vices, not Publick Benefits’, *London Journal*, 14 June 1729.

and temperance in meats, drinks, and exercises”.<sup>833</sup> These habits of cleanliness and sobriety, Setaymot continues, bestow virtue upon the observer; it is through this “inward principle” that such persons “are not subject to indispositions, nor molested with fevers; their heads are not dulled with fumes, nor their stomachs oppressed with fainting fits, or windy gripping humours; they rise fresh as the morning sun”.<sup>834</sup> It was common for excessive drinking to be connected to such broad, ill-defined health complaints, although some commentators were more specific about the ailments they associated with alcohol. On the subject of drink in 1710, the *Athenian News* asked “How many Diseases flow from that vitious [sic] fountain? How many are fed and nourished by it?” before specifically identifying gout, which can “bring Pain enough with it, so as to make a few Years seem an Age”, as one such disease.<sup>835</sup> The *Athenian News*, however, points out that gout is a “Danger of Drunkenness” and a product of intemperance. The good and bad properties of alcohol were thus mediated by the concept of temperance, defined as restraint or balance in personal diet and lifestyle.

In 1754, the *Public Advertiser* noted that “Health is, more than is commonly thought, in a Man’s own Power” and the reward of temperance is that “one immediately feels its good Effects”.<sup>836</sup> If general personal restraint improves wellbeing, then health (and ill-health) is in the hands of the individual. Writing in *World*, ‘Academicus’ elaborates further:

The thinking part of man being allowed to be a modification of matter, it must be supposed to be a part of the body... Hence it will indisputably follow, that all powers of the mind, even the moral faculties, are inseparably connected with the temperament and habit of that body, of which she is part. Insomuch that prudence (the foundation of all morality) as well as justice, fortitude and

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<sup>833</sup> Setaymot, ‘To the Printer of the *Public Advertiser*’, *Public Advertiser*, 18 July 1789.

<sup>834</sup> Ibid.

<sup>835</sup> ‘The Drunken Post’, *Athenian News or Dunton’s Oracle*, 23 May 1710.

<sup>836</sup> ‘London’, *Public Advertiser*, 2 January 1754.

temperance (the other cardinal virtues) and their opposites entirely depend upon the constitution. It will therefore become the province of the physician to extirpate the vicious habits of mankind, and introduce the contrary; to suppress luxury, and create chastity; to make the foolish prudent; the proud humble... And all this is easy to be done, by the assistance of alternative medicines, and by a properly adapted regimen, that shall be perfective of each virtue, and repugnant to each vice.<sup>837</sup>

The body and mind were inseparable and morality of the body, expressed through the “properly adapted regimen”, was believed to improve the virtuosity of the mind. Individuals were responsible for their own physical and mental wellbeing; a virtuous life leads to good health and, by inference, an intemperate life leads to ill-health. Either way, health was fused to moral health.

So, the virtuous practice of temperance mediated between the purported good and bad effects of alcohol in the eighteenth century. To an extent, this approach continued to be evident in the nineteenth century; in 1830, the *Derby Mercury* recognised alcohol’s two faces by attacking the Beer Bill on the grounds that it would discourage working men from taking beverages home to their families where they would be consumed as a “bodily nutrient, and not a moral poison”.<sup>838</sup> But the rise of the temperance movement and the turn to teetotalism in the 1830s signified a hardening in attitudes as alcohol became associated with a larger number of often serious conditions. Some of these aetiological connections, such as the *Morning Chronicle*’s statement that a man’s consumption of spirits would “ruin his health by destroying his liver”,<sup>839</sup> are now well-established. Others have been discredited, as Barr highlights by describing how in the 1830s and 1840s temperance supporters blamed alcohol for the cholera epidemics.<sup>840</sup> In addition to highlighting alcohol’s negative effects, teetotal pioneer Joseph Livesey sought to repudiate the positive

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<sup>837</sup> Academicus, ‘To Mr Fitz-Adam’, *World*, 18 March 1756.

<sup>838</sup> ‘The Beer Bill’, *Derby Mercury*, 14 July 1830.

<sup>839</sup> ‘Sale of Beer Bill’, *Morning Chronicle*, 22 May 1830.

<sup>840</sup> Barr, *Drink*, p.255.

nutritional value of beer. In his famous 'Malt Lecture', Livesey endeavoured to extract the "spirit" from beer and then burn it in order to show its lack of value. He argued that the brewing process removes nutrients from beer, leaving only one penny's worth of nutrition in a gallon of beer worth one shilling and four pence.<sup>841</sup> Although faith in alcohol's positive effects survived, they were increasingly challenged in the nineteenth century with the negative effects conversely emphasised.

For Victorian teetotalers, a temperate lifestyle was still a route to health and virtue as it had been for the Georgians. But as Livesey and others dismissed the merits of moderate drinking or beer drinking, temperance was redefined as abstinence from all forms of alcohol. In 1841, W. Hunt claimed that alcohol is a poison which cannot be digested; it remains in the body and, in a twist on the temperance preoccupation with 'the struggle', becomes engaged in a "war of extermination" with capillaries.<sup>842</sup> Lawrence Heyworth echoed these points in *The Times* in 1856, stating that alcohol is an indigestible and "virulent poison".<sup>843</sup> This characterisation of alcohol problematises any form of consumption; W. Hunt quotes Dr Charles A. Lee claim that even "the moderate use of, so called, alcoholic drinks tends directly to debilitate the digestive organs, to cloud the understanding, weaken the memory, unfix the attention, and confuse all the mental operations, besides inducing a host of nervous maladies".<sup>844</sup> As Geo. A. Smith explained, all drinking was poisonous and so moderate drinking was simply "moderated indulgence in a narcotic-acrid poison".<sup>845</sup> Interestingly, these medical or scientific claims mirror the moral discourse of the time. Chapter Three described how, as drinking was

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<sup>841</sup> 'Lecture on Temperance', *Preston Chronicle*, 8 March 1834.

<sup>842</sup> Hunt, *History of Teetotalism in Devon*, pp.7-9.

<sup>843</sup> Heyworth, Lawrence, 'The Temperance Movement: To the Editor of *The Times*', *The Times*, 18 October 1856.

<sup>844</sup> Hunt, *History of Teetotalism in Devon*, p.12.

<sup>845</sup> Smith, Geo. A., 'To the Editor of *The Times*', *The Times*, 25 September 1891.

constructed as a slippery slope to intemperance, all drinking became tantamount to intemperance and therefore sinful. Equally, as alcohol became understood as an indigestible poison, so even moderate consumption is seen as damaging to individual health.

As well as an individual problem, the effect of drinking on health soon became viewed as a social problem. It was in the Victorian period that public health became a major concern for government. In 1842, Edwin Chadwick presented his *Report on the Sanitary Condition of the Labouring Population of Great Britain* to Parliament and called for much greater state involvement in the improvement of sanitary conditions in towns and cities.<sup>846</sup> The subsequent Public Health Act 1848 authorised the formation of local boards in certain areas who would be tasked with improving facilities such as sewage systems, but it was not until the passage of the Public Health Act 1875 that more robust requirements for authorities to provide drainage and water supply were implemented. In the wake of work by Snow as well as Louis Pasteur, diseases became increasingly recognised as either contagious or connected to the social environment. So the new approach to public health could be justified in utilitarian terms as compromising the autonomy of some for the benefit of the many.<sup>847</sup> Many people, however, were distinctly displeased at the transformation of their bodies into a political subject to be shaped and governed; the Anti-Compulsory Vaccination League campaigned against the tendency for governments, as demonstrated by the Vaccination Acts 1853 and 1867, to engage in what

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<sup>846</sup> Chadwick, Edwin, *Report on the Sanitary Condition of the Labouring Population of Great Britain*, (Edinburgh: Edinburgh University Press, 1965).

<sup>847</sup> Fulton Phin, Nicholas, 'The Historical Development of Public Health', in *Key Concepts in Public Health* edited by Wilson, Frances, and Mabhala, Mzwandile (London: Sage, 2008), pp.5-10.

Rowbotham calls “legislating for your own good”.<sup>848</sup> It has already been described how temperance advocates promoted the idea that alcohol was a purely negative influence on health in this period. Given the emerging eminence of what Foucault calls “bio-politics”,<sup>849</sup> alcohol increasingly became a public health problem as well as a threat to the individual.

This new bio-politics is partially expressed in the language used to describe drink problems. Kneale examines how, in Victorian temperance discourse, “the wider context is reproduced as a dangerous space of seduction... as an environment contaminated by drink”<sup>850</sup> and his research found further evidence to suggest that, by the early twentieth century, the semantics of contamination were used more widely. In 1914, the *Manchester Guardian* reported on a meeting of the Women’s Total Abstinence Union at which John Newton spoke of the need to “to protect the child life of the nation against the contamination of the public-house bar”.<sup>851</sup> Similarly, the same paper reported that in 1921 a group of teachers met with government ministers and, citing medical evidence that alcohol use by adolescents harms their brains and nerves, called for a prohibition on sales of drink to under-eighteens. These teachers, who were not identified as temperance-supporting, argued that without greater legal restrictions the effects of expanding education would be undone by “the lure of drink and the contamination of the tap-room”.<sup>852</sup> Worryingly, the contaminating potency of drink was not believed to be limited to the drinker and constituted a threat to the drinker’s children and grandchildren. Fred Mackenzie claimed that the great-grandsons of “three-bottle men” are now paying for their forebear’s excesses in

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<sup>848</sup> Rowbotham, Judith, ‘Legislating For Your Own Good: Criminalising Moral Choice. The Echoes of the Victorian Vaccination Act’, (2009) *Liverpool Law Review*, Vol. 30, pp.13-33.

<sup>849</sup> Hunt, *Governing Morals*, p.25.

<sup>850</sup> Kneale, ‘The Place of Drink’, p.52.

<sup>851</sup> ‘Women’s Total Abstinence Union’, *Manchester Guardian*, 8 May 1914.

<sup>852</sup> ‘Adolescents and Peril of Alcohol’, *Manchester Guardian*, 16 April 1921.

“hereditary gout”.<sup>853</sup> Public houses were no longer just a “terrible temptation”<sup>854</sup> to the individual drinker, but posed the threat of contamination to present and future generations.

The dominance of the Classical or Christian concept of temperance in the Georgian discussions of health shows that alcohol consumption was positioned within a moral context. But the emphasis on alcohol’s negative properties propagated by teetotalers, and the conception of the issue in public health terms, led to the decline of temperance as an individual mediator of alcohol’s apparent advantages and disadvantages. In the nineteenth century, individual’s bodies were positioned within a legal or political context and redefined as potential sites for government intervention.<sup>855</sup> Drink became, as *Lloyd’s Newspaper* put it, “the ulcer in the social body”.<sup>856</sup>

### **2.1.2) The Spreading ‘Social Disease’**

In the early 1960s, the expansion of health conditions with which alcohol was linked is noticeable. The *Daily Express* connected alcohol consumption with heart disease,<sup>857</sup> and *The Times* reports on WHO research which links drinking to cancers of the mouth, larynx and oesophagus.<sup>858</sup> In 1963, *The Guardian* described alcohol, malnutrition and syphilis as the “major known environmental causes” of mental illness<sup>859</sup> and, in 1965, the same paper reported that alcoholism is, in some degree,

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<sup>853</sup> Mackenzie, Fred A., ‘Is there a Cure for Drunkenness? An Interview with Canon Fleming’, *Windsor Magazine*, 1901-1902.

<sup>854</sup> Burns, Dawson, ‘Dawson Burns and the Permissive Bill’, *Preston Guardian*, 26 July 1873.

<sup>855</sup> To elaborate, all politics is problematising and so all politics is necessarily moral. But, as not all problematisation engenders government intervention or demands for intervention, hence not all moral discourse is political.

<sup>856</sup> ‘Questions for the Recess’, *Lloyd’s Daily Newspaper*, 25 August 1872.

<sup>857</sup> Grosvenor, Peter, ‘Walk Further... Live Longer!’, *Daily Express*, 20 May 1965.

<sup>858</sup> ‘Lipstick Warning in Cancer Survey’, *The Times*, 10 December 1963.

<sup>859</sup> ‘Disorders of Mind’, *The Guardian*, 14 February 1963.

a product of “mental disturbances”.<sup>860</sup> *The Times* reported on a lecture by Dr B.G.B. Lucas at the Royal Institute of Public Health and Hygiene in which he claimed that drinking “was a form of escapism” which, by allowing man “to climb down his genealogical tree occasionally”, enables some form of temporary evolutionary regression.<sup>861</sup> As well as these direct effects of personal harm and temporary de-civilization, drinking and alcoholism particularly were also connected to wider, indirect harm inflicted upon people other than the drinker. *The Times* claimed that alcoholism is an “industrial liability” which costs the economy £30-£40m per year in absence from work<sup>862</sup> and, speaking at the General Medical Council, Lord Cohen claimed that “The victim of alcoholism gradually loses his efficiency as a worker and a spouse”.<sup>863</sup> Cohen says this loss of efficiency leads to family breakdown which in turn produces juvenile delinquency. Partially supporting this point, Edgar Myers wrote in *The Observer* that wives must therefore play a part in supporting alcoholic husbands and encouraging them to change their behaviour.<sup>864</sup> Alcohol was linked to a variety of direct and indirect harms.

Alcohol also featured heavily in an emerging topic of diet and fitness. In 1963, the *Daily Express* quoted Russian distance runner Vladimir Kuc warning that “Even the smallest dose of vodka or wine taken before a competition becomes the long-distance runner’s deadliest foe”.<sup>865</sup> But it was not just elite athletes who should use alcohol warily; the *Daily Express* claimed that alcohol slows the rate at which the

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<sup>860</sup> ‘Average Stay in Mental Hospital Six Weeks’, *The Guardian*, 6 September 1965.

<sup>861</sup> ‘Drink and Drugs “Necessary”’, *The Times*, 11 April 1961.

<sup>862</sup> ‘New Approach to Alcoholism’, *The Times*, 13 November 1964.

<sup>863</sup> ‘Back to the Hard Stuff – Like 40 Years Ago’, *The Guardian*, 11 August 1964.

<sup>864</sup> Myers, Edgar, ‘Alcoholics’, *The Observer*, 14 June 1964. The strongly gendered nature of Myers’ comments were criticised by correspondents in subsequent issues of the newspaper who emphasised the problem of female alcoholism. See: ‘Alcoholics’, *The Observer*, 28 June 1964.

<sup>865</sup> ‘Kuc Talks’, *Daily Express*, 10 July 1963.



body burns surplus fat<sup>866</sup> and another article stressed the impact on bodily weight of the calorie content of most alcoholic drinks.<sup>867</sup> There appears to have been a growing recognition that regular drinking may compromise both fitness and figure. The *Daily Mirror* reported on an exclusive Texan “beauty farm” where rich women pay to be transformed through, amongst other things, abstinence from alcohol.<sup>868</sup> In 1964 and 1965, the *Daily Express* repeatedly insisted that moderation or abstinence from alcohol was necessary to lose weight and acquire “a perfect body”.<sup>869</sup> A column by a “family doctor” also advised husbands that “If a woman’s plump and jolly put her on a diet” which includes decreased drinking.<sup>870</sup> Alcohol was seen to contribute to excess weight and lack of fitness and, concomitantly, reduced alcohol intake was repackaged as part of a regime of physical wellbeing which particularly concentrated on women.

As with crime and disorder, many of the health problems connected to alcohol were specifically associated with young people. A report published by the British Medical Association in 1961 described the situation:

With their scooters, motor cycles, and even cars, well-lined wage packets and sense of liberation from the constricting discipline of school, today’s young people saw themselves as able to enjoy their youth for a few brief years before being submitted to the maturer discipline of marriage.<sup>871</sup>

But this newfound freedom bore consequences; Dr N.A. Ross blamed an increase in venereal disease (VD) among teenagers on “American servicemen, too much money,

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<sup>866</sup> Pincher, Chapman, ‘Careful All You Carboholics’, *Daily Express*, 28 December 1965.

<sup>867</sup> ‘How Not to Kill Your Wife’, *Daily Express*, 7 October 1964.

<sup>868</sup> Delano, Tony, ‘Welcome, Girls, to the Platinum-Plated Beauty Greenhouse’, *Daily Mirror*, 7 October 1965.

<sup>869</sup> Hickey, William, ‘Now it’s Boom Time Among the Body Shrinkers’, *Daily Express*, 31 August 1964; ‘Wanted: A Perfect Body’, *Daily Express*, 3 September 1964.

<sup>870</sup> ‘How Not to Kill Your Wife’, *Daily Express*, 7 October 1964.

<sup>871</sup> ‘BMA Urged to Start Training Courses for Parents’, *The Times*, 24 March 1961.

alcohol and lack of sex education”.<sup>872</sup> Other articles expanded on the “well known relationship”<sup>873</sup> of drink to VD which was encapsulated by the story of Joan. Featured in the *Daily Mirror*, Joan was “a lively and jolly secretary who passed her GCE and left school only a few months ago”. Joan had never had sex and “had never touched alcohol before” but, after having a few drinks at a party, ended up having sex and contracting VD.<sup>874</sup> A rise in illegitimate births was also seen as a problem growing from teenage sexual promiscuity; Dr H. Mackenzie-Wintle blamed high wages paid to under-educated teenagers for this trend.<sup>875</sup> The drink problem was thus connected to the emerging demographic category of youth and the broader moral crisis, exacerbated by affluence, which was seen to be affecting this group.

As well as affluence and lack of education, Mackenzie-Wintle attributes these problems to teenagers being “ceaselessly bombarded by pornographic literature and films, and shouted at from every hoarding to drink more alcohol”.<sup>876</sup> In a letter to *The Guardian*, Wilfrid Winterton similarly attacked “the continuous high-pressure salesmanship to promote social drinking”<sup>877</sup> and the influence of advertising was discussed in a House of Lords debate on why young people become alcoholics.<sup>878</sup> This comment has some resonance given the positive messages described in Chapter Six, such as “Don’t you feel marvellous? People who drink Cossack Vodka do”, which suffused drink advertising during this period. A page of the *Daily Mirror* in 1963 captures this point aptly by featuring an article connecting alcohol to heart disease, “the greatest killer in Britain today”, directly adjacent to an advert for

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<sup>872</sup> ‘Mums Rush to Send Girls to Sex Talks’, *Daily Mirror*, 29 September 1961.

<sup>873</sup> Marcus, Abraham, ‘Syphilis Increase Shock’, *The Observer*, 27 December 1964.

<sup>874</sup> ‘What Can We Do or Say to Protect Our Children?’, *Daily Mirror*, 4 September 1963.

<sup>875</sup> ‘Tempting for Teenagers’, *Daily Mirror*, 3 October 1961.

<sup>876</sup> Ibid.

<sup>877</sup> Winterton, Wilfrid, ‘Letters to the Editor: Alcoholics’, *The Guardian*, 29 April 1963.

<sup>878</sup> ‘£300m Lost Through Alcoholism’, *The Guardian*, 3 December 1965.

Gaymer's cider which reads: "Have Gaymer's, Have Fun... For a quick trip to feeling on top of the world – have Gaymer's!"<sup>879</sup> (see Figure Eleven). This odd juxtaposition reflects the flat contradiction between discourse on health, which increasingly connected alcohol to a variety of direct and indirect harms, and advertising's which featured brazenly positive representations of specific products and the effect they would purportedly have on your life. Furthermore, the salience of concern about this type of advertising constructs the individual drinker or the troublesome teenager as something of a victim; a product of lax regulation and a generally permissive society.

In 1961, *The Times* discussed a report by the British Medical Association (BMA) which argued that young people were not to blame for the "moral climate of our day". Churches had ceased to be attractive to young people and so the report stressed "a great need to encourage the development of a higher standard of morality and a greater reward for spiritual values in the home". Parents, as well as schools and doctors, were therefore called upon to ensure that "Alcohol and drinking at an early age were to be deprecated".<sup>880</sup> Speaking at a BMA conference in 1964, advisor to the Ministry of Health, Dr Ambrose King, argued that problems such as increasing VD among young people were symptomatic of a deeper moral problem:

...if we fail to provide some substitute for religion we must be prepared to face the fact that in spite of material prosperity, the numbers in our midst of those with inadequate personalities, the unloved and unloving, the anti-social and the delinquents will continue to increase... Apart from venereal disease and illegitimacy the results are to be seen in aggressive and antisocial behaviour, criminal abortions, broken marriages, neglected children, alcoholism and drug addiction. This is the spreading social disease... which leads to the denial of rights to others and to the decay and destruction of our society.<sup>881</sup>

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<sup>879</sup> 'The Human Heart', *Daily Mirror*, 13 June 1963; 'Gaymer's Cider', *Daily Mirror*, 13 June 1963.

<sup>880</sup> 'B.M.A. Urged to Start Training Courses for Parents', *The Times*, 24 March 1961.

<sup>881</sup> 'Sex Education Urged as Part of School Syllabus', *The Guardian*, 9 November 1964.

Health problems amongst young people are vividly connected to an apparent moral vacuum at the heart of an increasingly secular society and, in an echo of the temperance mentality of ‘the struggle’, King further argues that it is “personal duty” of everyone “to consider what could be done to combat these evil forces in our society”.<sup>882</sup> King’s views clearly resonate with the legal moralism of his contemporary Lord Devlin, who argued that shared values must be enforced to prevent social disintegration, as well as the theoretical position of Durkheim, who saw moral regulation as functionally necessary to prevent society becoming anomic.

In the early 1960s, alcohol was therefore connected to a variety of health problems, from terminal illness to (women) being “plump and jolly”, which affect the individual drinker as well as their family and employers. The consistent connection of alcohol to youth also positions the issue within a broader discourse relating to a perceived crisis of declining social morals. Through indirect harm as well as the influence of a permissive moral climate over a specific generation, the drink problem in the 1960s was undeniably a problem for the whole of society. Alcohol remained the “ulcer in the social body” or, to quote Ambrose King, the “spreading social disease”.

## **2.2) *The Disease Model of Alcoholism***

This bio-politics of public health indicates the endurance of normative concerns for public behaviour. But are discourses relating to alcoholism or alcohol dependence equally permeated by both moral and medical ideas?

### **2.2.1) *The Marriage of Medicine and Morality***

The relationship between the moral and the medical is significant in understanding heuristic developments relating to, what Nicholls calls, alcohol’s “habit

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<sup>882</sup> Ibid.

forming tendencies".<sup>883</sup> Kneale elucidates this point, describing how alcoholism was recognised as a disease by many European countries in the mid-nineteenth century but not until much later in Britain.<sup>884</sup> Harrison further explains that the Victorians had difficulty separating alcoholism from drunkenness and the word 'alcoholism', although coined in the 1860s, was not widely used until the twentieth century.<sup>885</sup> The problem behaviour is generally identified as an individual's lack of control over their own alcohol consumption and, at various points in time, this has been attributed to moral frailty, the disease of inebriety or the disease or addiction of alcoholism. Furthermore, there have been debates over whether this condition is a disease in itself or a symptom of another affliction such as monomania or dipsomania.<sup>886</sup> The discourse surrounding the emergence of alcoholism is a key site in which the medical ideas about drinking have been advanced.

W. Hunt and Heyworth's depiction of alcohol as an indigestible poison show that, as long ago as the 1840s, temperance supporters sought to justify their views with reference to physiological science (even if the medical evidence presented is questionable by modern standards). But from the mid-nineteenth century onwards, a more developed medical strand of campaigning began to emerge. The rise of prohibitionism in the 1850s and 1860s had made it common to relate drinking to causes other than individual weakness, and Donald Dalrymple MP and others shifted the focus from a permissive socio-legal environment to the medical arena. Dalrymple was involved in the 1872 Select Committee which recognised habitual drunkenness as a disease, a product of physical pathology rather than moral frailty. Subsequently, the Habitual Drunkards' Act 1879 allowed for the detention of drunkard criminals in

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<sup>883</sup> Nicholls, *Politics of Alcohol*, p.161

<sup>884</sup> Kneale, 'The Place of Drink', p.52.

<sup>885</sup> Harrison, *Drink and the Victorians*, pp.21-22.

<sup>886</sup> Valverde, *Diseases of the Will*.

specialised facilities but only if they agreed to such a sentence. The Inebriate's Act 1898 strengthened these powers by enabling the compulsory detention of such persons.<sup>887</sup> Valverde examines the facilities where inebriate criminals were detained and finds that they varied in form; there were pastoral private retreats which catered for aristocratic men whose drinking was viewed as characteristic of excess virility, as well as more punitive state reformatories for working class men seen as degenerate or women found guilty of prostitution offences.<sup>888</sup> The differing facilities and divergent models of the problem-drinker reveal that medical definitions of compulsive drinking remained structured by class, gender and moral concerns.

The use of inebriate reformatories to regulate the behaviour of certain groups undermines the potentially de-stigmatising effects of the disease model. This potential, housed in the disease model's removal of habitual drunkenness from the ambit of individual culpability, was further undermined by the hybrid nature of most treatment programmes. In 1901-1902, for example, Canon Fleming told the *Windsor Magazine* about the Keeley method of treating drunkenness as a disease, administering a "cure" which produces aversion to alcohol.<sup>889</sup> But this instance seems to be a rare example of a treatment programme which was decidedly medical; most treatments were only partly medical. In 1914, Sir Owen Seaman lambasted the Church of England Temperance Society as their own treatment failed to acknowledge that "the fact that alcoholism is a physical disease that often renders its victim unamenable to religious influences". Seaman goes on to describe his preference for the Normyl Treatment, which involves the patient taking a vegetable-based medicine which "renews the will power, and so restores the patient so that he

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<sup>887</sup> See: Nicholls, *Politics of Alcohol*, pp.161-179.

<sup>888</sup> Valverde, 'Slavery from Within'.

<sup>889</sup> Mackenzie, 'Is there a Cure for Drunkenness?'

should not therefore be liable to relapse through sudden temptation”.<sup>890</sup> Treatments based on the disease model still drew on older understandings of drink as a temptation and often possessed distinctly moral components, such as the fostering of willpower.

Valverde uses this juxtaposition of medical and moral as evidence of the continuing relationship of habits of consumption to morality. She describes how the *British Journal of Inebriety* allowed adverts for non-alcoholic drinks in its pages “as if by drinking Cadbury’s cocoa one directly imbibed moral resolve along with nutritious matter”.<sup>891</sup> This point is reminiscent of the 1880 *F. Allen and Sons Cocoa Chocolate* advert discussed in Chapter Four; whether it is through the alleged properties of the drink or simply its substitution for beer, non-alcoholic beverages often claimed to improve morality. Valverde’s most striking elaboration of the moral/medical overlap is provided by Alcoholics Anonymous (AA), who espouse the belief that alcoholism is a disease at the same time as prescribing the profoundly religious ‘Twelve Steps’ treatment. This programme, written in the 1930s, includes such steps as making “a decision to turn our will and our lives over to the care of God as we understood him” and humbly asking “Him to remove our shortcomings”.<sup>892</sup> AA is now a respected, multinational organisation, regarded as possessing considerable authority on the subject of addiction. Its popularity is testament to the survival of the idea that alcoholism is at least partially a “disease of the will”,<sup>893</sup> an issue of personal fortitude as well as a physiological affliction.

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<sup>890</sup> Seaman, Owen, ‘The Curse of Drink’, *Daily Express*, 27 February 1914.

<sup>891</sup> Valverde, *Diseases of the Will*, pp.63-64.

<sup>892</sup> Alcoholics Anonymous, ‘The Twelve Steps of Alcoholics Anonymous’, [http://www.aa.org/en\\_pdfs/smf-121\\_en.pdf](http://www.aa.org/en_pdfs/smf-121_en.pdf) (accessed 13 September 2010).

<sup>893</sup> Valverde, *Diseases of the Will*.

By the 1930s, habitual heavy drinking was beginning to be seen as separate to mere drunkenness and commonly defined as alcoholism. But, as Valverde argues, alcoholism was never fully medicalised and remained at least partially constructed by distinctly moral discourses. This confused diagnosis reflects a broader social context in which, in the eighteenth, nineteenth and early twentieth centuries, the idea of mental or physical health was inseparable from the notion of moral health. Although the temperance movement redefined virtuous self-restraint as teetotalism, the inseparability of mind and body so apparent in the Georgian period continued to ensure that medical and moral understandings of alcohol were entirely fused until at least the twentieth century.

### **2.2.2) *Separating the Medical and the Moral?***

The classification of alcoholism became more widespread and more refined in the 1960s. Of particular influence was the work of American academic E.M. Jellinek, who drew on earlier knowledge of habitual or compulsive drinking to devise a five-part classification of alcoholism. This taxonomy consisted of: *alpha alcoholism*, which is caused by an underlying personality disorder; *beta alcoholism*, which is not a disease but can produce health problems; *gamma alcoholism*, in which the drinker is addicted, although able to abstain for periods, and loses control when drinking; *delta alcoholism*, where an addicted person tipples constantly but remains in control of himself; and *epsilon alcoholism*, characterised by heavy bouts of drinking.<sup>894</sup>

Valverde comments that Jellinek's typology is eclectic and sometimes contradictory, incorporating a harm-based focus (*beta*), the disease model (*gamma*, *delta* and *epsilon*), the older idea that alcoholism may be a symptom of another condition (*alpha*), as well as a crucial concern for the notion of self-control (*gamma* and *delta*)

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<sup>894</sup> Glatt, Dr M.M., 'Alcoholism Redefined', *The Observer*, 12 March 1961.



popular with the old temperance movements as well as AA.<sup>895</sup> Despite these ambiguities, Jellinek's work coincided with an advancement of the disease model of alcoholism; it became more common to claim, as the medical correspondent for *The Times* did in 1964, that "alcoholism is a disease, just as much as diabetes or tuberculosis".<sup>896</sup>

*Delta alcoholism* where men tittle for most of the day was seen as typical of France whereas *gamma alcoholism*, involving the loss of control during heavy bouts of drinking, was seen to characterise North American and British problem drinking.<sup>897</sup> The scale of this habitual loss of control was frequently discussed. In 1961, estimates placed the number of British alcoholics between 200,000-350,000<sup>898</sup> and, in 1965, the WHO placed the number at 300,000-500,000 of which 100,000 were said to be "socially crippled".<sup>899</sup> The lack of precision around the exact numbers of alcoholics was seen, by Edgar Myers and others, as partially due to the "moralistic atmosphere we have created".<sup>900</sup> The alcoholic was until recently "regarded as a sinner"<sup>901</sup> and, according to the Bishop of Chester, the issue is still "bedevilled" by moralistic attitudes.<sup>902</sup> The Bishop further argued that, once alcoholism is recognised as a disease, the drunkard can be treated and become a "respectable citizen". He must have been encouraged by Lord Cohen's words, later in 1964, when he spoke of a recent survey which "had shown that alcoholism was widely regarded as distinct from drunkenness, a disease in which psychological, physical and possibly genetic

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<sup>895</sup> Valverde, *Diseases of the Will*, pp.110-115.

<sup>896</sup> 'New Approach to Alcoholism', *The Times*, 13 November 1964.

<sup>897</sup> Glatt, Dr M.M., 'Alcoholism Redefined', *The Observer*, 12 March 1961.

<sup>898</sup> Ibid. And: Petschek, Willa, 'Alateens', *The Observer*, 17 September 1961.

<sup>899</sup> McGlashan, Colin, 'Helping the Man in the Shabby Suit', *The Observer*, 17 October 1965.

<sup>900</sup> Myers, Edgar, 'Alcoholics', *The Observer*, 14 June 1964.

<sup>901</sup> Ibid.

<sup>902</sup> 'Call for Reappraisal of the Welfare Services', *The Guardian*, 23 April 1964.

factors were involved”.<sup>903</sup> With the increasing eminence of the concept that compulsive or habitual drinking is separate to drunkenness and more problematic, the possibility of bringing these diseased *gamma alcoholics* back into the fold of respectability arose.

Consistent with the increased profile of alcoholism, there were a number of new initiatives in the 1960s aiming to tackle this problem. In 1964, AA was reported to be expanding its operations in Britain<sup>904</sup> and, often in conjunction with AA, the newly-formed voluntary group the National Council on Alcoholism (NCA) had also begun establishing advice centres across the country. The first of these was in Liverpool<sup>905</sup> and centres in Leeds, Brighton and Gloucester soon followed.<sup>906</sup> In the same year, the Department of Health seemingly accepted that alcoholism was a disease by setting up several specialist treatment units oriented towards, in the words of Minister of Health Anthony Barber, the “treatment of alcoholism as a chronic disease”.<sup>907</sup> These initiatives were deemed inadequate by many and there were calls for further interventions. Writing in the *Daily Express*, Wilfred Winterton called for school-children to be given “scientific guidance” on alcohol,<sup>908</sup> putting warning posters in pubs was discussed in the House of Commons,<sup>909</sup> *The Times* reported on the possibility of banning alcohol and tobacco advertising,<sup>910</sup> and at the Royal Society of Health Congress, Dr Griffith Edwards called for courts to treat rather

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<sup>903</sup> ‘Liverpool Unit for Alcoholics Praised’, *The Times*, 11 August 1964.

<sup>904</sup> ‘Sober Facts about Alcohol’, *The Times*, 28 December 1964.

<sup>905</sup> ‘New Centre for Advice to Alcoholics’, *The Guardian*, 23 July 1963.

<sup>906</sup> Perfect, P., ‘Letters to the Editor: Help for Alcoholics’, *The Guardian*, 20 April 1965.

<sup>907</sup> ‘Special Units for Treating Alcoholics’, *The Guardian*, 10 December 1963.

<sup>908</sup> Winterton, Wilfrid, ‘Letters to the Editor: Alcoholics’, *The Guardian*, 29 April 1963.

<sup>909</sup> ‘Warning Smokers of the Risks’, *The Times*, 9 May 1964.

<sup>910</sup> Platt, Robert, and Fletcher, Charles, ‘To the Editor of *The Times*: Why Advertising is Harmful’, *The Times*, 1 December 1964.

than punish alcoholics who come before them.<sup>911</sup> The spread of advice and treatment facilities as well as, to a fair extent, the calls for greater legal intervention testify to the growing influence which the disease model of alcoholism had over how alcohol was governed.

So, did the rise of the disease model signify the advent of a new value-free, scientific approach to drinking? Firstly, the issue of agency must be addressed. Writing in *The Guardian*, the Administrative Officer of the NCA, P. Perfect, was at pains to highlight that “this council is not a temperance organisation” and is “not against the alcohol”.<sup>912</sup> Nevertheless, it must be pointed out that the NCA was an initiative of the Church of England Temperance Society<sup>913</sup> and between 1972 and 1980 the Director of the NCA was Derek Rutherford, who later became chief executive of the United Kingdom Temperance Alliance.<sup>914</sup> Furthermore, *The Guardian* reported in 1963 that local churches were a constituent part of the Merseyside council running the new advice centre,<sup>915</sup> and were working nationwide with the NCA and AA. In terms of agency, the medical drive to treat alcoholism as a disease and its accompanying policy initiatives (both government and voluntary), were at least partly undertaken by members of groups who had long been involved in a project to morally regulate alcohol consumption.

Perfect also argued that “alcoholism is a disease, like any other disease, and not a moral failure”;<sup>916</sup> yet much of the discourse surrounding alcoholism undermines Perfect’s position. It is worth reiterating that while rejecting the idea of

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<sup>911</sup> ‘Force and Persuasion in Curing Addictions’, *The Guardian*, 30 April 1964.

<sup>912</sup> Perfect, P. ‘Letters to the Editor: Help for Alcoholics’, *The Guardian*, 20 April 1965.

<sup>913</sup> ‘Alcoholics Still in Need of Help’, *The Guardian*, 9 November 1963.

<sup>914</sup> See ‘Institute of Alcohol Studies’ and other entries in: Blocker *et al*, *Alcohol and Temperance in Modern History*.

<sup>915</sup> ‘New Centre for Advice to Alcoholics’, *The Guardian*, 23 July 1963.

<sup>916</sup> Perfect, P. ‘Letters to the Editor: Help for Alcoholics’, *The Guardian*, 20 April 1965.

alcoholism as sinful, the Bishop of Chester nonetheless linked recovery to the normative code of social respectability. It has also been noted that Jellinek's taxonomy of alcoholism draws on the temperance movement's preoccupation with individual self-control which, it was suggested in Chapter Three, owes some formative debt to the absolute morals of ascetic, evangelical Protestantism. This valuation individual ethical conduct seems at odds with Perfect's attempts to absolve the individual alcoholic of culpability for their condition. Winterton's comments further elucidate this peculiar hybrid discourse by calling for schools to provide children with "scientific guidance" about "the effects of alcohol upon the human body, mind, and spirit".<sup>917</sup> The notion that science may provide spiritual guidance was not inconsistent with the broader frameworks within which debate was constructed; in 1963, delegates at the Church Assembly spoke of the need to tackle alcoholism, which is described as "a social and moral – as well as a medical problem".<sup>918</sup> The medical and moral were still fused, revealing that, in terms of both agency and discourse, the newfound eminence of the disease model of alcoholism did not overwhelm older understandings of alcohol.

Although the Victorians struggled to differentiate alcoholism from drunkenness, it is clear that by the 1960s a more refined understanding of alcoholism as a disease was being advanced and used as a basis for certain interventions. However, at least two centuries of public attitudes had fused notions of mental and physical health with the normative category of moral health. And what history had brought together, the disease model could not or would not tear asunder.

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<sup>917</sup> Winterton, Wilfrid, 'Letters to the Editor: Alcoholics', *The Guardian*, 29 April 1963.

<sup>918</sup> 'Alcoholics "Still in Need of Help"', *The Guardian*, 9 November 1963.

### **2.3) Reflections**

Despite the apparent decline of the organised temperance movement and the reduction of state intrusion into personal affairs, individual drinking habits remained morally charged. The new issue of youth and the increased prominence of the disease model in the 1960s indicate a degree of discursive change since the earlier time periods studied. But exponents of the disease model did not manage to completely medicalise alcoholism and the condition remained mired in normative issues of individual culpability. Based on the sources and time period studied, public health discourse from the 1960s continued to show a preoccupation with the regulation of the behaviour of certain social groups, in this case mainly young people affected by a moral vacuum apparently left by the demise of religion. So the manner in which drinking was connected to various health problems continued to be infused with issues of blame, notions of self-control and the perception of declining moral standards (as a precursor to social disintegration). The emerging medical discourse on alcohol did not engender a clean break with the past; health was still inextricably linked to the moral health of the individual and society.

## **3) Debates about Alcohol and Health, 2003-2010**

### **3.1) *The Apple and The Tree***

Both this chapter and the last have highlighted how discourse on alcohol in the early 1960s was dominated by three main social problems: crime/disorder, drink-driving and addiction. Debates differed from earlier periods studied in that they did not focus on the evil of alcohol as such but largely concentrated on the specific social evils that alcohol was seen to cause. Although still morally-laden, alcohol was increasingly understood in a consequentialist rather than teetotal fashion; the issue at stake was the results of drinking not drinking *per se*. Various efforts were made to

reduce the consequences of alcohol consumption and banning alcohol sales to under-eighteens, tougher drink-driving laws and the expansion of treatment facilities can all demonstrate this more consequentialist or problem-focused approach to the governance of drink. Despite this shift in governmental and discursive focus, the fundamental elements of the existing system of regulation remained in place. The consumption of alcohol was restricted by law and, as section two emphasised, constructed as a social practice within clearly moral frameworks.

Since the 1960s, this model of governance has consistently been challenged by exponents of what Sulkunen calls the “total consumption theory”.<sup>919</sup> The 1956 research of demographer Sully Ledermann seemed to show that a strong relationship between total per capita alcohol consumption of the whole population and the number of heavy drinkers; overall alcohol consumption was thus regarded as the most important factor determining the quantity of problem-drinkers in society.<sup>920</sup> Following Ledermann, it was apparent to many that focusing interventions on the few ‘bad apples’ who become alcoholics or criminals would be markedly less effective than concentrating on the social tree which produces these problem-drinkers. This position grew in popularity in the 1960s and 1970s and, in 1979, was endorsed by the Royal College of Psychiatrists who argued for government interventions to prevent the consumption of alcohol increasing above its existing level.<sup>921</sup> The 1981 Department of Health report ‘Drinking Sensibly’ rejected calls for greater intervention and espoused what Nicholls describes as “the classic liberal argument in which moral responsibility is tied to individual freedom”.<sup>922</sup> Nevertheless, in 1987 the Department of Health, acting on the advice of the Royal College of

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<sup>919</sup> Sulkunen, ‘Ethics of Alcohol Policy’, p.1120.

<sup>920</sup> Nicholls, *Politics of Alcohol*, pp.206-207.

<sup>921</sup> Ibid.

<sup>922</sup> Ibid., p.209.

Physicians, instituted official guidance on how much people can safely drink; twenty-one units per week for men, fourteen for women. The governance of alcohol therefore began to focus on the whole population as well as problem-drinkers.

The rise of total consumption theory means that current discourse on alcohol is under-written by conflicts of treatment versus prevention, cause versus consequence, and individual problem versus social problem. But are total consumption theory and the dilemmas it engenders a new development? How, if at all, do they relate to the older temperance discourse on alcohol?

### **3.2) *Passive Drinking***

Chapter Six investigated how public alarm about drinking did not disappear after the widely-predicted disastrous effects of the Licensing Act 2003 failed to materialise. Public discourse continued to feature regular references to the “national epidemic”<sup>923</sup> of heavy drinking which was apparently “getting worse”.<sup>924</sup> In 2008, Penny Cook of the Centre for Public Health stressed the cost of drinking was “violence and other disturbances” as well as “increased short and long term risks to the health of young people”.<sup>925</sup> Alcohol was connected to teenage under-performance at school,<sup>926</sup> mental health disturbances in children<sup>927</sup> and suicide.<sup>928</sup> These were all part, as the *Daily Mirror* described, of “the crime and health issues linked to reckless boozing” in 2009.<sup>929</sup> Compared with debates around drink in 2004-2005 (which were examined more fully in the last chapter), the subsequent years

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<sup>923</sup> Armstrong, Jeremy, ‘All You Can Drink Offer Slammed by Experts’, *Daily Mirror*, 28 January 2009.

<sup>924</sup> Palmer, Alun, ‘Should We Ban Cheap Booze?’, *Daily Mirror*, 16 March 2009.

<sup>925</sup> Armstrong, Jeremy, ‘All You Can Drink Offer Slammed by Experts’, *Daily Mirror*, 28 January 2009.

<sup>926</sup> Stoppard, Miriam, ‘Save Teens from Alcohol Tragedy’, *Daily Mirror*, 22 July 2009.

<sup>927</sup> Hall, Sarah, ‘Child Mental Health Disorders Have Soared’, *The Guardian*, 21 June 2006.

<sup>928</sup> Bowcott, Owen, ‘Recession Drives Suicide Rate up 6%’, *The Guardian*, 29 January 2010.

<sup>929</sup> Palmer, Alun, ‘Should We Ban Cheap Booze?’, *Daily Mirror*, 16 March 2009.

saw an increased recognition of the health problems associated with drink. This discursive shift reflects the increased prominence of total consumption theory and its preventative, population-based programmes of reform.

Among the keenest exponents of this approach has been Sir Liam Donaldson, who has expressed his desire to change public attitudes to drinking in the same way that attitudes to smoking have, apparently, been altered in recent years. Donaldson served as Chief Medical Officer for England from 1998 until 2010 during which time he used the *Annual Report of the Chief Medical Officer 2008* to highlight the significance of “passive drinking”,<sup>930</sup> which he defines as the “collateral damage” of alcohol consumption:

The many people who drink regularly to excess cause damage far beyond their own bodies. Directly and indirectly they affect the well-being and way of life of millions of others... They include harm to the unborn foetus, acts of drunken violence, vandalism, sexual assault, and a huge health burden carried by both the NHS and friends and family who care for those damaged by alcohol.<sup>931</sup>

Alcohol consumption has been connected to harm inflicted on individual health since at least the eighteenth century. But Donaldson argues that the effects of drinking go beyond damage to the health and wellbeing of the individual drinker; this is “a problem for everybody” which affects “many spheres of life and leaves no communities untouched”.<sup>932</sup> Drinking should be understood in the same way as smoking increasingly is, as a practice which is not socially insulated and has a powerful negative effect on the rest of society.

Donaldson’s argument is immediately reminiscent of that articulated by the Victorian temperance movement, especially its prohibitionist strand. Prohibitionists equally highlighted that the consequences of alcohol consumption were social, rather

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<sup>930</sup> Donaldson, ‘Annual Report 2008’.

<sup>931</sup> *Ibid.*, p.17.

<sup>932</sup> *Ibid.*, p.22.



than individual, problems. In 1856, Secretary of the UK Alliance, Samuel Pope, explained how the drinking of others:

... destroys my primary right of security by constantly creating and stimulating social disorder. It invades my right of equality by deriving a profit from the creation of misery I am taxed to support. It impedes my right to free moral and intellectual development by surrounding my path with dangers, and by weakening and demoralising society, from which I have a right to claim mutual aid and intercourse.<sup>933</sup>

Likewise, the preamble to Sir Wilfrid Lawson's Local Veto Bill, presented to Parliament regularly between the 1860s and 1880s, reads:

The common sale of intoxicating liquors is a fruitful source of crime, immorality, pauperism, disease and premature death, whereby not only the individuals who give way to drinking are plunged into misery, but grievous wrong is done to the persons and property of Her Majesty's subjects at large, and the public rates and taxes are greatly augmented.<sup>934</sup>

In all three examples, the extent of the harm and its effects, which stretch far beyond harm to the individual drinker, is paramount. Some of the central tenets of prohibitionism are evident in Donaldson's rhetoric.

It must be stressed that Donaldson and other exponents of this population-based approach do not consider harm to the whole of society to result only from the actions of problem-drinkers. Liver specialist Ian Gilmore, Professor Jon Rhodes of the British Society of Gastroenterology and Dr Nick Sheron of the Royal College of Physicians wrote to *The Times* in 2010 criticising the Government's concentration purely on binge drinking and urging a wider appraisal of drinking habits.<sup>935</sup>

Donaldson elaborates this position, explaining how drinking above the recommended weekly limits increases the risk of heart disease and stroke, how any amount of drinking is linked to osteoporosis and reduced fertility, and, in regard to the risk of

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<sup>933</sup> Pope, Samuel, 'To the Editor of *The Times*: Further Reply by the Hon. Secretary', *The Times*, 2 October 1856.

<sup>934</sup> Taken from: Farrar, F.W., 'Drink and Crime', *Fortnightly Review*, (1893), Vol.3, p.789.

<sup>935</sup> Rhodes, Professor Jon, Gilmore, Professor Ian, Sheron, Dr Nick, 'Nation's Health At Risk from Cheap Alcohol', *The Times*, 24 May 2010.

cancer, “there is no safe alcohol limit”.<sup>936</sup> This message was repeated recently by Professor David Nutt, former member of the Advisory Council on the Misuse of Drugs, who stressed the toxic and addictive properties of even small amounts of alcohol in an attempt to dispel “the myth of a safe alcohol dose”.<sup>937</sup> Even moderate drinking can therefore produce the “health burden” to friends, families and the NHS which Donaldson highlights. This medical discourse does not overtly promote abstinence as a solution but, like the Victorian prohibitionists, it is evident that all consumption of alcohol is regarded as inherently problematic.

Donaldson, Gilmore and other public health activists generally conform to the ‘availability theory’ of alcohol consumption, which states that availability is the primary determinant of levels of consumption and, following Ledermann, levels of consumption are the primary determinant of alcohol-related harm.<sup>938</sup> In the *Daily Mirror*, Donaldson was reported claiming that alcohol is sixty percent cheaper in real terms than in 1980 and associating this increased affordability with an apparent doubling of alcohol-related mortality since 1990.<sup>939</sup> Phil Woolas MP also criticised the “disgraceful” all-you-can-drink offers available in some Oldham clubs<sup>940</sup> and, while announcing plans to crack down on drinks promotions, former Home Secretary, Jacqui Smith, spoke of her “duty to crack down on irresponsible promotions that can fuel excessive drinking”.<sup>941</sup> The availability of cheap alcohol is constructed as a temptation to excess, an environmental cause of alcohol-related problems, inferring

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<sup>936</sup> Ibid., p.19.

<sup>937</sup> Nutt, David, ‘There is No Such Thing as a Safe Level of Alcohol Consumption’, *The Guardian*, 7 March 2011.

<sup>938</sup> Plant and Plant, *Binge Britain*, p.124.

<sup>939</sup> Moss, Vincent, ‘Can It!’, *Sunday Mirror*, 15 March 2009.

<sup>940</sup> Armstrong, Jeremy, ‘All You Can Drink Offer Slammed by Experts’, *Daily Mirror*, 28 January 2009.

<sup>941</sup> Rose, David, ‘Alcohol Abuse Curbs Will End “Get One Free” Wine Deals’, *The Times*, 4 December 2008.

that people lack the requisite self-control to resist such offers. While prohibitionists worried about the “legalized system of temptation” which permitted the trade in alcohol, the new medical lobby concern themselves largely with a legalised system of temptingly cheap drinks.

Following Ledermann and the availability theory, greater restrictions are the best means to tackle such problems; if alcohol is made less affordable (and hence less available), consumption and its corollary harm will decrease. It is on these grounds that the medical lobby advocate a minimum price per unit of alcohol, usually fifty pence. Donaldson proposed this idea in his *Annual Report 2008* and it has been endorsed by a variety of groups, including the National Institute of Clinical Excellence,<sup>942</sup> the Parliamentary Select Committee on Health<sup>943</sup> as well as the Scottish National Party who tried unsuccessfully to implement a forty-five pence minimum price in Scotland in 2010. After the zenith of its international popularity in the period 1914-1921, prohibition was abandoned by the USSR in 1924, Finland in 1932 and the USA in 1933. Although there are still ‘dry counties’ in the US, it is only in Islamic countries, such as Iran and Saudi Arabia, that prohibition continues to be a viable national policy option. That said, the idea that even moderate drinking harms the rest of society and that only strong legal intervention can reduce this harm shows clear affinities between the beliefs of the Victorian prohibitionists and the new medical lobby.

### **3.3) *The Slippery Slope of Risk***

So, even moderate consumption is increasingly linked with a variety of health problems which affect both the individual drinker and society at large. This section

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<sup>942</sup> Bowcott, Owen, and Campbell, Denis, ‘NICE Backs Minimum Pricing on Alcohol To Cut Harmful Drinking’, *The Guardian*, 14 October 2009.

<sup>943</sup> Campbell, Denis, ‘MPs Back Alcohol Price Control to Curb Drinking’, *The Guardian*, 12 December 2009.

will examine the contemporary eminence of risk, as the mechanism through which the relationship of alcohol to these harms is expressed, and consider its historical precedents in Victorian prohibitionism.

For the Victorians, alcohol was understood as predisposing people to inflict harm on either themselves or others. Pope claimed that drinking “tempts to crime” and others linked it to “the worst cases of murder, street robbery, housebreaking, seduction, and suicide”.<sup>944</sup> Through either provision of opportunity or weakening of moral resolve, drinking entailed the “temptation” to do wrong”.<sup>945</sup> An equivalent notion, regarding the propensity of drink to predispose towards harm, is identifiable in contemporary discourse. Writing in *The Times*, Alcohol Concern’s Nicolay Sorensen stated that “people who binge drink or drink excessively are more likely to be victims of violent crime, require emergency treatment or damage their health in the long term”.<sup>946</sup> In 2004, a Cabinet Office report highlighted how binge drinkers expose themselves to a higher risk of accidents, alcohol poisoning and sexual assault, as well as making themselves more likely to both suffer or commit violent crime. Additionally, the report describes how “chronic drinkers” are threatened by a high risk of, for example, cirrhosis, cancer and suicide, at the same time as increasing the risk that they will commit drink-driving or domestic violence.<sup>947</sup> In modern parlance, it is the *risks* rather than *temptations* to which alcohol exposes its consumers which is troubling. Despite linguistic change, the underlying discursive features remain intact.

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<sup>944</sup> Homo, ‘Abuse of Spirituous Liquor’, *The Times*, 4 January 1830.

<sup>945</sup> Burns, Dawson, ‘The Permissive Bill Question’, *Preston Guardian*, 23 August 1873.

<sup>946</sup> Sorensen, Nicolay, ‘Should alcohol carry health warnings?’, *The Times*, 28 November 2008.

<sup>947</sup> Cabinet Office, ‘Alcohol Harm Reduction Strategy for England’, (London: Strategy Unit, 2004).

As well as increasing the risks of certain harms, alcohol is also conceived as a risk in itself by prohibitionists and the new medical lobby alike. Dawson Burns and other prohibitionists believed that drinking was a slippery slope; it may begin as a moderate habit, but eventually a person will become intemperate. Intemperance was considered sinful and so, if all drinking leads to intemperance, all drinking is therefore sinful (and hence abstinence is required).<sup>948</sup> In a similar vein, the insistence of Donaldson, Nutt and others that there is no “safe limit” below which alcohol consumption does not increase the chances of developing cancer, displays an equivalent problematisation of alcohol *per se* (rather than excessive drinking). The Government’s recent ‘Units – They All Add Up’ TV campaign reflects this medical view. The campaign aims to encourage lower consumption amongst moderate, regular drinkers whose health may be threatened in the long term. One of the adverts features a middle-aged, apparently middle-class woman who manages to exceed her recommended daily limit of two-three units through seemingly harmless activities such as enjoying a gin and tonic with a friend at lunchtime and sharing a bottle of wine with her partner on a Friday evening. We are told at the end of the advert that such routines of regular consumption “could add up to a serious health problem”.<sup>949</sup> Alcohol itself is therefore constructed as a dangerous substance; it no longer endangers the mortal soul but even moderate consumption threatens long term wellbeing by exposing the drinker to lethal eventualities.

The modal verb usage within the statement that moderate drinking “*could* add up to a serious problem” alludes to some ambiguity within the medical problematisation of alcohol. To elaborate, the Office of National Statistics state that

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<sup>948</sup> See: Cook, *Alcohol, Addiction and Christian Ethics*.

<sup>949</sup> See advert at: <http://www.guardian.co.uk/media/video/2008/may/19/alcoholunits> .

there were 8,664 “alcohol-related deaths” in 2009; but this category of “alcohol-related deaths” includes “all deaths for chronic liver disease and cirrhosis (excluding biliary cirrhosis), even when alcohol is not mentioned on the death certificate”.<sup>950</sup> Considering that these conditions can be caused by a variety of factors, including obesity, prescription drugs and viral infections, it is not always possible to isolate the precise aetiological influence of alcohol. This means statistics for alcohol-related mortality tend towards estimation rather than measurement. Similarly, the recommended daily alcohol limits of twenty-one units for men and fourteen for women were taken from the Royal College of Physician’s 1987 report ‘A Great and Growing Evil: The Medical Consequences of Alcohol Abuse’. One of the authors of this report told *The Times* in 2007 that the recommendations had been “plucked out of the air” as there was very limited evidence available on what was and was not safe.<sup>951</sup> Furthermore, in 2007 the Department of Health changed the official guidance on alcohol consumption given to pregnant women from suggesting that one or two units once or twice per week was safe to advising teetotalism. Lowe and Lee explain that the change in guidelines was not driven by any new research or knowledge; instead uncertainty about the probability of harm was re-interpreted as danger.<sup>952</sup> As with the unit limits and mortality rates, scientific uncertainty is circumvented by associating any alcohol consumption with harm.

It appears that risk has ceased to be understood as a probabilistic assessment about the likelihood of harm and has become something understood as dangerous in itself. Risk is the discursive legacy of temptation and contamination, a

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<sup>950</sup> Office for National Statistics, ‘Statistical Bulletin: Alcohol-Related Deaths in the United Kingdom, 2000-2009’, (Newport: Office for National Statistics, 2011).

<sup>951</sup> Norfolk, Andrew, ‘Drink Limits “Useless”’, *The Times*, 20 October 2007.

<sup>952</sup> Lowe, Pam K., and Lee, Ellie J., ‘Advocating Alcohol Abstinence to Pregnant Women: Some Observations about British Policy’, (2010) *Health, Risk and Society* Vol.12 (4)., pp.301-311.

malevolent external force that continually threatens the individual.<sup>953</sup> Chapter Three found the conflation of drink with harm to be a crucial reason why the temperance movement turned teetotal in the 1830s and now risk is understood to mean danger, the usage of alcohol once again leads inevitably to a variety of personal and social harms. Just as temperance campaigners focused on all consumption because moderate drinking was the start of the “highway to drunkenness” and sin, so any drinking now entails the risk of developing cancer, requiring emergency treatment or, as Sorensen highlighted earlier, becoming a victim of crime. Armstrong argued that contemporary understandings of health attribute huge importance to the long-term formative impact of lifestyle; an individual’s physical and mental wellbeing, both present and future, is in a state of “perpetual becoming”, constantly affected by daily decisions about alcohol, food, exercise and other factors.<sup>954</sup> This emergent understanding demonstrates a shift away from the consequentialism of problem-focused alcohol discourse and relates to the emergence of lifestyle as the primary determinant of long-term health. In this temporal spectrum of risky uncertainty, we no longer have a healthy moderate drinker only a potential liver disease patient. Hence, everyone’s alcohol consumption, not just that of young people and those dependent on alcohol, is seen as problematic.

This new paradigm is a secular rendering of the religious struggle to lead a virtuous life which, for the largely Protestant pioneers of temperance, involved the opposition of sinful indulgence and individual self-control. The slippery moral slope, which the Victorian temperance movement believed resulted from lapses in self-control, is now a continuum of risk within which harm becomes more real with every

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<sup>953</sup> See: Burgess, Adam, 'Passive Drinking: A Good Lie too Far?', (2009) *Health, Risk & Society* Vol.11, pp.527-540.

<sup>954</sup> Armstrong, David, 'The Rise of Surveillance Medicine', (1995) *Sociology of Health and Illness* Vol.17 (3), pp.393-404.

sip of an alcoholic drink. In alcohol discourse, risk is constructed within older heuristic frameworks, shaped by the public attitudes of previous eras.

### **3.4) *Regulating Risk With Precaution***

The new prominence of this continuum of risk within alcohol discourse is connected to the rise of the AHA. Formed in 2007 from a plethora groups such as the British Liver Trust, the Royal College of GPs and Institute of Alcohol Studies, this broad coalition has pursued a reasonably unified agenda, typified by Sorensen's 2008 piece in *The Times*. After describing how alcohol increases various risks, Sorensen stresses that without sufficient information about these risks people will be unaware of the potential dangers of alcohol and so unable to "make the choice".<sup>955</sup> But are choices about drinking as individual and calculative as Sorensen suggests?

Sorensen, Donaldson and others ensure that public discourse is animated by persistent references, many of which have already been cited, to the risks which alcohol consumption entails. Evidence about risk, however, often seems to be used in a selective or inflammatory fashion; Lowe and Lee describe how, in 2007, the Department of Health borrowed the highly questionable statistic that 6,000 babies per year are born with FASD from an American lobby group. Although outside of the timeframe of this thesis, a 2011 article in *The Lancet* by Ian Gilmore *et al* arguing that up to 250,000 people could die from liver disease in the next twenty years was widely reported in the press. But their projection was based on a continuation of the current trend of increasing liver deaths which made no allowances for the effects which recent decreases in alcohol consumption could have on future liver deaths.<sup>956</sup>

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<sup>955</sup> Sorensen, Nicolay, 'Should alcohol carry health warnings?', *The Times*, 28 November 2008.

<sup>956</sup> Sheron *et al*, 'Projections of Alcohol Deaths'. Also: Campbell, Denis, 'Drink Deaths: Failure to Act Will Cost an extra 250,000 Lives by 2031, say Doctors', *The Guardian*, 21 February 2011.



Both survey data and HM Revenues and Customs data suggest alcohol consumption has declined year-on-year from 2002-2004 onwards.<sup>957</sup> Given this statistical trend, the logic of total consumption theory, which Gilmore subscribes to, suggests that alcohol-related harm such as liver disease (which takes years to manifest itself) will decline in the future. Downward trends in alcohol consumption, along with Britain's middling consumption levels in European terms and comparatively low instances of alcohol-related male deaths,<sup>958</sup> are rarely acknowledged in public discourse. It is more typical to read journalists claiming that drinking is "out of control"<sup>959</sup> or hear 'experts' such as Russell Viner claim that Britain's drinking problem is "pre-eminent in Europe".<sup>960</sup>

This discursive imbalance was attacked by social scientist Andrew Bengry-Howell in *The Observer* in 2008. Specifically, Bengry-Howell criticised the 'Alcohol: Know Your Limits' campaign's website which allows people to go on a virtual night-out. The website highlights the disastrous potential of drinking; "In one scenario", Bengry-Howell explains, "after drinking four shots a woman gets into an unlicensed taxi and is sexually assaulted".<sup>961</sup> By singling out drinking as a factor in victimisation, this virtual night-out advances the paramount need for preventative action by potential victims above, say, the need for better policing of taxi licensing. Additionally,

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<sup>957</sup> Robinson and Bulger, 'General Lifestyle Survey'; Fuller and Sanchez, 'Smoking, Drinking and Drug Use Among Young People'; 'Alcohol Consumption "continues to fall"', *BBC News*, 3 September 2010.

<sup>958</sup> Burroughs and McNamara, 'Liver Disease in Europe'.

<sup>959</sup> Stoppard, Miriam, 'Save teens from alcohol tragedy', *Daily Mirror*, 22 July 2009.

<sup>960</sup> Boseley, Sarah, 'Expert Blames UK Drink Culture for Youth Deaths', *The Guardian*, 11 September 2009. Interestingly, although Viner was co-author of a large comparative research project to which *The Guardian* referred, the article in *The Lancet* on the findings of this project makes scant reference to alcohol. It is unclear what exactly Viner is basing his claims on. See: Patton, G. C., Coffey, C., Sawyer, S. M., Viner, R. M., Haller, D. M., Bose, K., Vos, T., Ferguson, J. and Mathers, C. D., 'Global Patterns of Mortality in Young People: a Systematic Analysis of Population Health Data', (2009) *The Lancet* Vol. 374 (9693), pp.881-892.

<sup>961</sup> Asthana, Anushka, and Campbell, Denis, 'Binge Drink Scare Tactics "Do Not Work"', *The Observer*, 11 May 2008.

while promoting knowledge of risks attached to alcohol consumption, the campaign also clearly ignores the majority of cases in which drunk people make their way home safely. As the previous section argued, risk is not being constructed as a matter of probability to be calculated in relation to personal behaviour; this simulation highlights the terrible yet fairly unusual consequences above the more routine. Elucidating a similar point in relation to personal security, Haggerty describes how decisions are rarely made in reference to a probabilistic notion of risk and are more often based on a situational rationality of precaution which prioritises the need to avoid the worst-case scenario.<sup>962</sup> The example of the 'Alcohol: Know Your Limits' campaign shows that government policy can seek to inculcate this worst-case scenario, precautionary logic above probabilistic assessments of the likelihood of harm.

Burgess stresses that this precautionary risk logic, as well as other information and expert opinion which informs individual decisions, may be supplied by groups with a motive that is ulterior to simply facilitating choice. Donaldson was on the Government's payroll until 2010 in his position as CMO. Sorensen, quoted earlier, represents Alcohol Concern, whose campaigns for policy changes have, since their formation in 1985, been largely funded by the Department of Health.<sup>963</sup> Certain key players in the medical lobby are therefore engaged in the project of behavioural governance on a daily basis. The Institute of Alcohol Studies (IAS), a constituent of the AHA, is not government-funded and so proudly describes itself as

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<sup>962</sup> Haggerty, Kevin D., 'From Risk to Precaution: The Rationalities of Personal Crime Prevention', in *Risk and Morality*, edited by Ericson, Richard V., and Doyle, Aaron (2003), pp.193-214.

<sup>963</sup> Burgess, 'Passive Drinking'.

“an independent voice on alcohol policy”.<sup>964</sup> However, the IAS was formed in 1983 by Alliance House Foundation, which until the mid-twentieth century was the UK Alliance – the prohibitionist behemoth of Victorian society. The IAS claims that it exists to advocate “for the use of scientific evidence in policy-making to reduce alcohol-related harm”,<sup>965</sup> a position which the rest of the AHA would no doubt agree with. But given their historical origins and institutional affiliations, the sometimes selective or sensational use of data by some of these agents begins to appear more suspect. The same might be said of Hope UK’s mission to educate children and help them make “drug free choices” when it is acknowledged that this group used to be known as the Band of Hope temperance society.<sup>966</sup> There are clearly questions about the impartiality of the understandings of alcohol which groups such as this champion. Choices about drinking are, therefore, partly structured by discursive agents involved in behavioural governance or linked to historical temperance.

Although the campaign for minimum pricing on alcohol, spearheaded by the AHA, has thus far been unsuccessful, a more preventative focus on total consumption has not been totally rejected. The promotion of the recommended levels of consumption has already been mentioned as an example of policy which targets general drinking habits rather than problem drinkers. Furthermore, Chancellor Alistair Darling’s 2009 budget implemented a tax escalator, which ensures that all drinkers are affected by annual increases in the duty on alcohol of two percent above the rate of inflation.<sup>967</sup> These measures correspond to a shift in policy focus in recent years. In the foreword to the Government’s ‘Alcohol Harm

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<sup>964</sup> Institute of Alcohol Studies, ‘Who We Are’, [http://www.ias.org.uk/aboutus/who\\_we\\_are.html](http://www.ias.org.uk/aboutus/who_we_are.html) (accessed 12 July 2011).

<sup>965</sup> Ibid.

<sup>966</sup> Hope UK, ‘Home’, <http://www.hopeuk.org/> (accessed 7 July 2011).

<sup>967</sup> Smithers, Rebecca, ‘Budget Raises Alcohol and Cigarette Prices’, *The Guardian*, 22 April 2009.

Reduction Strategy 2004', Tony Blair supports the idea that most drinking is harmless by stating that "Most of us enjoy drinking with few, if any, ill effects. Indeed moderate drinking can bring some health benefits".<sup>968</sup> But in a context of ongoing anxieties about alcohol-related crime and disorder and increasing alarmist discourse about the impact of drink on health, the foreword to the 2007's 'Safe. Sensible. Social' was rather different. Then Public Health Minister, Caroline Flint, stated that "Our relationship with drink in this country is complicated.... Most of us do drink sensibly (although we may drink more than we think we do at times)".<sup>969</sup> As well as reinforcing the old idea that British drinking culture is peculiar, Flint replaces the idea of harmless drinking with sensible drinking. The document explicitly acknowledges that "the risk of harm... increases the more alcohol you drink"<sup>970</sup> and that "alcohol misuse may not only harm the drinker".<sup>971</sup> The shifting policy context thus incorporates an intensified focus on all drinkers and all forms of drinking.

It must be stressed that this policy shift is far from total and continues to be contested. *The Observer* reported in 2010 that three quarters of the population opposed minimum pricing<sup>972</sup> and letters in the *Daily Telegraph* expressed anger about a policy proposal which would punish the poor more than the rich, the young above the old, and the responsible majority for the actions of the irresponsible minority.<sup>973</sup> The latter point embodies the precise reasons given by both main

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<sup>968</sup> Cabinet Office, 'Alcohol Harm Reduction Strategy', p.2.

<sup>969</sup> UK Government, 'Safe. Sensible. Social.', p.2.

<sup>970</sup> *Ibid.*, p.3.

<sup>971</sup> *Ibid.*, p.10.

<sup>972</sup> Cohen, Nick, 'This New Puritanism would Drive Anyone to Drink', *The Observer*, 10 January 2010.

<sup>973</sup> 'Letters to the Editor: Raising the Price of Drink Hurts the Majority While Public Disorder Goes Unpunished', *Daily Telegraph*, 15 January 2010.

political parties for their own rejection of minimum pricing.<sup>974</sup> But this faith in the “responsible majority” to drink sensibly is increasingly countered by a belief that the health lobby’s argument that even moderate, apparently sensible consumption entails risk. Within these competing currents, it seems that governance is increasingly distanced from the libertarian ideals of J.S. Mill and Hart. The issue is perhaps not with the harm principle as such, but what type of harm principle we use. Harcourt has argued that in recent years legal discourse has been characterised by a “cacophony of competing harm arguments”;<sup>975</sup> as Donaldson demonstrates in reference to drink, harm is conceived as extensive, pervasive and often passive. The extent of potential harmful acts means precautionary measures are increasingly seen as necessary to neutralise the threats posed to and by individuals. The libertarian harm principle of Mill and Hart which served to delimit the functions of the state is being superseded by a precautionary harm principle which necessitates the increased regulation of risky behaviours.

In the context of uncertainty becoming understood as risk and risk being conceived as danger, there is an increased faith in forms of governance based on the total consumption and availability theories. The AHA have actively promoted this agenda and policy changes cited have been identified which show the Government have started to look more favourably on these ideas. It is too early to say whether these alterations amount to a decisive paradigm shift in governance, from focusing on bad apples such as problem-drinkers to problematising all forms of alcohol consumption. It is clear, nonetheless, that current discourse contains competing

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<sup>974</sup> Hencke, David, and Sparrow, Andrew, ‘Gordon Brown Rejects Call to Set Minimum Prices for Alcohol’, *The Guardian*, 16 March 2009.

<sup>975</sup> Harcourt, ‘The Collapse of the Harm Principle’.

currents and that the precautionary logic of the temperance-influenced medical lobby appears to be in the ascendant.

#### **4) Good Health!**

Chapter Six described how the choices individuals make about alcohol are made within restrictive legal parameters and guided by explicit moral directions, often from politicians, regarding the acceptability of certain courses of action. This chapter has investigated how, within these legal and moral parameters, decisions are also made with regard to the increasing regulation of pricing structures, the advice of 'experts' to avoid "high risk behaviour",<sup>976</sup> and well-publicised information on the various health risks associated with drinking. Much of this risk information is imbalanced and spread by agencies with a clear role in behavioural regulation or even, as in the cases of the IAS and Hope UK, organisations with historical links to the temperance movement. The heuristic overlaps between Victorian prohibitionism and the new medical lobby, evidenced in the reinterpretation of risk as a slippery slope, are not coincidental; through organisational and discursive consistency, the new medical lobby have continued the temperance movement's project to morally regulate all forms of alcohol consumption. If, as the last chapter argued, the legal and moral frameworks currently governing drink owe a formative debt to moral suasionism, then this belief in legal restriction and moral compulsion is being challenged by the neo-interventionist policies of the new medical lobby. Once again, disputes about how to regulate alcohol rest on conflicting faiths in the virtue and efficacy of either the individual or the state to reform behaviour.

There are differences between Victorian and contemporary discourses on alcohol. Abstinence, for example, is no longer insisted upon, although any other

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<sup>976</sup> Donaldson, 'Annual Report 2008', p.13.


consumption habit is deemed risky. The 1960s, moreover, saw an increased focus on alcoholics and the drinking habits of young people. Additionally, the language in which the problematisation of alcohol is reproduced differs, with the new semantics of risk replacing the explicitly moral frameworks of temptation and sin. But the broader discursive frameworks of temperance remain intact; just as the prohibitionists Pope and Lawson used utilitarian discussions of harm to advocate a coerced form of abstinence, so the new medical lobby use the rhetoric of risk to posit government intervention as the best vaccination against the wholly problematic substance alcohol. Such interventions will act as a substitute for self-control, vastly reducing the temptation or risk posed by alcohol and allowing individuals to lead more virtuous, harm-free lives. This chapter thus rejects the idea that the rise of rational and secular notions of risk displaced moral considerations; as Hunt, Burgess and others have argued, risk is subsumed within older, more explicitly moral discourses.<sup>977</sup> Public health discourse about alcohol is not based on a 'scientific' or value-neutral expression of risk as a probability of harm. Risk reproduces the fusion of the moral and the medical; it is a normatively charged concept which differentiates the acceptable from the unacceptable, the responsible from the irresponsible. It is, therefore, a crucial component of contemporary efforts to morally regulate the consumption of alcohol.

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<sup>977</sup> Burgess, 'Passive Drinking'; Hunt, Alan, 'Risk and Moralization in Everyday Life', in *Risk and Morality*, edited by Ericson, Richard V., and Doyle, Aaron (Toronto: University of Toronto Press, 2003), pp.165-192.

Figure 11: Gaymer's Cider

PAGE 16 DAILY MIRROR, Thursday, June 13, 1963




**HAVE GAYMER'S**  
**HAVE FUN**



**GIVE YOURSELF**  
**THAT PARTY FEELING** with Gaymer's  
Olde English cyder! Strong and sparkling in the  
flagon, or strong and still in the handsome jug, it's  
the drink for people who enjoy life! For a quick  
trip to feeling on top of the world — have Gaymer's!

As supplied to  
H. M. Forces by Order  
of the War Office  
William Gaymer & Son Ltd.  
Attleborough, Norfolk

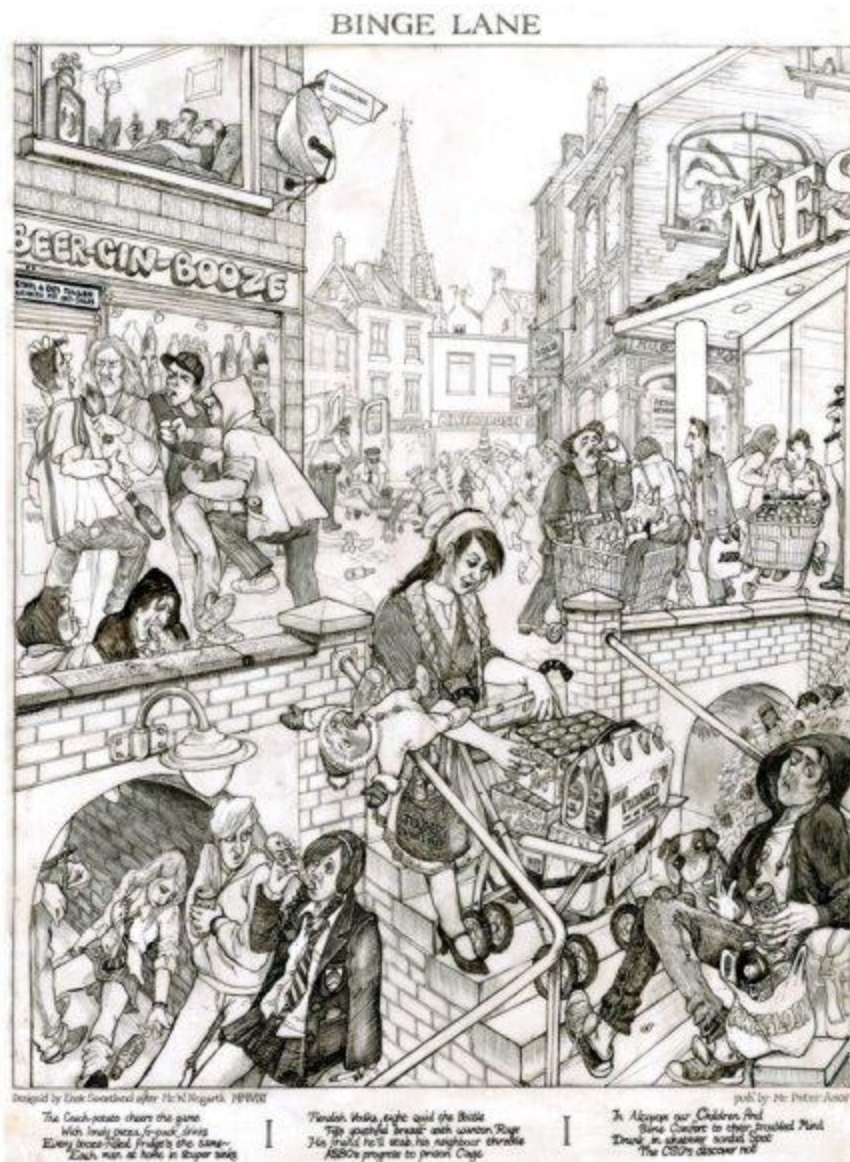
**WILLIAM GAYMER & SON LIMITED, ATTLEBOROUGH, NORFOLK**



*Daily Mirror*, 13 June 1963.



Figure 12 – *Binge Lane* by Society of Independent Brewers (2008)



© Peter Amor (Society of Independent Brewers).

## Conclusion

### Moral Inheritance and the Temperance Movement

#### 1) From 'Gin Lane' to 'Binge Lane'

In 2007, the Society of Independent Brewers (SIBA) produced a pair of drawings as part of a campaign to promote their products. The drawings were reinterpretations of Hogarth's famous depictions of Georgian London. 'Gin Lane' was re-imagined as 'Binge Lane'; the central image of the mother dropping her child remains except that in 'Binge Lane' the mother is not slumped on a flight of steps but upright and pushing a shopping trolley filled with cans and bottles (see Figure Twelve). The contemporary contrast to this depravity is provided by 'Pub Street' and the order, industry and conviviality apparent in Hogarth's 'Beer Street' is reproduced (see Figure Thirteen). Politically, the production of such images is an attempt by independent brewers to connect the harms associated with alcohol to supermarket-fuelled binge drinking rather than the consumption of smaller brands of beer in local pubs. But SIBA also provide an appropriate visual accompaniment to the main thrust of the argument here pursued. This thesis has investigated the legal and attitudinal means through which, just as SIBA's political argument is made through the medium of eighteenth century imagery, certain historical developments continue to shape how we think about and regulate alcohol.

This thesis began with the basic hypothesis that there may be some connection between the historical occurrence of abstinence-based temperance movements and contemporary manifestations of acute unease about alcohol apparent in either restrictive legal regulation or public alarm. The Introduction and Chapter One drew on existing literature to outline how this relationship is visible internationally, as non-temperance countries such as France often appear to have

much more relaxed relationships with alcohol, as well as chronologically, in the sense that drinking in Britain began to be viewed much more seriously during the Victorian period in which the temperance movement was active. Chapter One also considered the challenge of causality which Kriesi *et al* see as facing any research assessing the impact of a social movement; how can certain campaigning actions be connected to particular reactions manifested in law, policy or public attitudes?<sup>978</sup> Geographical and chronological associations allude to a potential relationship between historical phenomena but they do not empirically connect the action to the reaction. Hence this thesis, through the study of public discourse and legal developments, has been primarily concerned with whether there is any ontological substance to the association of an abstinence-based temperance movement with contemporary anxieties about drink.

## **2) Governmental Legacies of the Temperance Movement**

### **2.1) *Under the Influence: Legal Regulation***

Chapters Three, Four and Five concentrated on the development of the British temperance movement. Chapter Three investigated the genesis of the movement and argued that it must be viewed as something historically distinct from previous expressions of anxiety about alcohol. The emergence of organised campaign groups specifically targeting alcohol and the novel discourse attached to the teetotal turn separate the nineteenth century temperance movement from earlier concerns about drinking as manifested, for example, in the Georgian 'gin panics'. It has been found that attitudes to alcohol were hardening in the 1820s and posited that the Beer Act 1830 accelerated this hardening as the proliferation of beer-houses prompted an enhanced recognition that beer, as well as alcoholic spirits, was a

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<sup>978</sup> Kriesi *et al*, *New Social Movements in Western Europe*, pp.207-208.

problematic substance. The advent of organised temperance in the late 1820s and the teetotal turn of the 1830s effectively created a new project to morally regulate all types of alcohol and all forms of drinking.

Chapter Four examined the split of this moral regulation movement into moral suasionist and prohibitionist factions and considered their respective relationships to certain legal reforms. The Licensing Act 1872 was identified as a significant piece of legislation as it effectively normalised the idea that the law will regulate who can sell all types of alcohol, at what time it may be sold and who, in terms of age, can buy it. It also increased police powers to tackle drunkenness and enter licensed premises. In addition to these legal changes, the rhetoric of Henry Bruce, Lord Kimberley and others also made it explicitly clear that, within these legal parameters, individuals were expected to further reform their own behaviour. The Act also, therefore, normalised the expectation that individuals will exercise a fair degree of self-regulation in regards to alcohol. Interestingly, while prohibitionists were active in setting an agenda for licensing reforms, this governmental project of legal restriction coupled with moral compulsion towards self-reform bears much more in common with the voluntary, persuasive preferences of the moral suasionists. It is thus proposed that the temperance movement exercised a relatively significant amount of influence over setting the agenda for licensing reform and further contended that the character of these reforms was imbued with a considerable amount of moral suasionist spirit.

Subsequently, Chapter Five found these suasionist temperance views to be abundantly evident during the period 1914 to 1921. The orthodox historical view that the issue of drink was redefined during World War One in terms of national efficiency was challenged primarily through the exploration of the previously overlooked

wartime pledge campaign. This campaign clearly illustrated that the moral and heuristic frameworks of the Victorian temperance movement, in which teetotalism specifically and self-denial generally are unequivocally positive moral actions, attained a heightened and almost unquestioned currency during this period. Such extra-legal behavioural compulsions reinforced the governmental model established in 1872; the Licensing Act 1921 tightened restrictions on alcohol but left behavioural space in which the exercise of self-restraint was normatively required. Chapters Four and Five show, therefore, that the temperance movement was not an unqualified failure. Tightened legal controls reflected an acceptance of the originally teetotal idea that all types of drinking were problematic and broader public discourse reveals a general, hegemonic belief in the value of voluntary self-reform which relates strongly to the ideas of moral suasionist temperance groups.

These historical analyses form the basis of the more contemporary empirical investigations pursued in Chapters Six and Seven. These chapters identified that the contemporary drink problem, based primarily around the issues of youth drinking, drink-driving and alcoholism, rose to prominence in the early 1960s. These developments occurred in a generally more permissive legal environment, as Lord Wolfenden and H.L.A. Hart urged the state to withdraw from areas of personal morality. While some liberalisation of opening times did occur in the Licensing Acts 1961 and 1964, Chapter Six found that a number of regulations, particularly those affecting young people, were tightened. The extension of the legal age for purchase of eighteen to off-licences occurred within a discursive landscape in which a moral crisis about the behaviour of young people was evident. This bifurcated trend of partial liberalisation and the tightening of certain restrictions was similarly identified within the period 2003 to 2010. Statutory limits on opening times were removed by

the Licensing Act 2003 but many other regulations, such as alcohol free zones and dispersal orders, have been introduced. As well as greater criminalisation of certain types of drinking, the heightened level of contemporary public opprobrium surrounding alcohol and binge drinking has been found to equate to an intensification of the project to morally regulate alcohol. New imperatives for young people to avoid alcohol or for adults to 'drink responsibly' represent a moral regulation project in which desired codes of behaviour are promoted and behavioural alternatives are discursively devalued. Despite the relaxation of some statutory rules relating to the alcohol trade, the model of governance instituted in 1872 has broadly been continued and the use of moral compulsion enhanced.

The emergence of medical discourse based around issues of public health and addiction (or dependence) has been examined in Chapter Seven. In particular, attention is drawn to the increasing medical preference for risk management measures aiming to reduce the alcohol consumption of the whole population instead of just the consumption of 'problem-drinkers'. In no small degree, the reverberations of this shift from consequentialism to population-based strategies have unsettled the dominant model of governing alcohol. Disillusioned with the abilities of people to effectively regulate their own drinking and convinced of the serious health risks engendered by even moderate habits of consumption, the health lobby have pushed for much greater restrictions on the availability and price of alcoholic drinks. The increasing prominence of precautionary measures against alcohol, such as former Chancellor of the Exchequer Alistair Darling's alcohol duty escalator, suggests that the epidemiologically-oriented arguments of the medical lobby have begun to influence the legal governance of drink. The way we think about and regulate alcohol is, therefore, contended in current popular discourse. Importantly, the model of

governance advanced by the medical lobby has been found to equate strongly with the agenda of the Victorian prohibitionists; both groups promote tough legal restrictions on the sale of the inherently problematic substance alcohol in order to prevent or reduce the extent individuals are exposed to harm or risk of harm. The governmental preferences of modern-day medical groups, such as the Alcohol Health Alliance, are thus reinterpreted in light of their association with older, prohibitionist temperance views.

Current contention about how the law should regulate drink is not, therefore, a new historical occurrence but the latest manifestation of the Victorian temperance battles between those who see behavioural reformation as an individual, voluntary action and those who favour a societal behavioural remaking engendered by legal coercion. The dominant form of contemporary governance, based in no small part on the reforms of the 1860s and 1870s, is partially moral suasionist in flavour, whereas the medical lobby's counter-argument can be seen as a form of neo-interventionism or, perhaps, neo-prohibitionism. Contemporary visions of how alcohol should be legally regulated are, therefore, firmly rooted in the temperance history of the nineteenth century.

## ***2.2) Under the Influence: Extra-Legal Regulation***

Chapter One defined morality as a normative judgment regarding the acceptability of certain forms of conduct and moral regulation is classified as any attempt to, in light of this normative judgment, reform a person's behaviour. The law, or at least the criminal law, is therefore inextricably linked to moral regulation; it consists of regulations which problematise certain forms of conduct and, through

punishment, deterrence or other mechanisms, seek to reform behaviour.<sup>979</sup> So, in a sense, it is not surprising to assert that a project to morally regulate drinking exists; as long as laws on licensing or drunkenness exist it might be possible to argue that this amounts to a form of moral regulation. But the primary contention of this thesis is that the current project to morally regulate alcohol was begun by the temperance movement in the nineteenth century and is, in part, continued today, knowingly or unknowingly, by a variety of government and non-government agencies. As analysis of the modes of governing alcohol from 1872 onwards has shown, this project to morally regulate drinking involves legal restrictions in addition to extra-legal compulsions to behavioural self-reform. Following the writings of Hunt and Ruonavaara,<sup>980</sup> these extra-legal means through which people are persuaded or encouraged to change their behavioural ways are a crucial form of moral regulation.

Extra-legal attempts at moral regulation are apparent in the structuring of individual decision-making regarding alcohol. Largely through the frameworks established in 1872, the law forms part of these efforts by imposing restrictions on the sale, purchase and consumption of alcohol. Legal regulation also censures certain types of behaviour which may result from drinking, such as drink-driving or public drunkenness. Within these legal parameters, normative weighting is given to certain behavioural choices. Politicians, journalists, doctors and others are active in the manufacture of moral imperatives and social obligations for people to avoid binge drinking or other forms of consumption viewed as unsafe and irresponsible. These irresponsible drinkers are contrasted to the “responsible majority” of moderate, law-abiding drinkers who feature heavily in political rhetoric. The use of approved notions

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<sup>979</sup> Or, in a Durkheimian sense, seek to denounce a certain type of behaviour and thus reinforce the normative boundaries of the dominant moral order.

<sup>980</sup> Hunt, *Governing Morals*; Ruonavaara, ‘Moral Regulation’.



of respectability or responsibility to encourage certain behavioural decisions is an example of the practice of “governing through choice” and indicative of state efforts to govern “at a distance”, as Rose and Miller would say, without necessary recourse to forms of legal coercion.<sup>981</sup> In the twentieth century, the idea of giving individuals the information with which they can make rational informed choices about their conduct became a favourite government mantra, especially in the field of health promotion.<sup>982</sup> But in this analysis, choices are not free but normatively weighted toward certain socially approved outcomes.

The contemporary division of drinking into responsible and irresponsible forms parallels the Victorian promotion of the model of the respectable, sober working man. But Chapter Seven uncovered more than mere parallels between contemporary and Victorian discourses on drink by investigating how individuals are encouraged to make choices about alcohol in relation to various associated risks relating particularly to crime and health. These long-term, non-probabilistic risks were found to equate discursively with the slippery slope of sin, death and damnation on which temperance activists believed the drinker was positioned. Similarly, Chapter Six found much of the furious reaction to the Licensing Act 2003 to be based on the ‘availability theory’ of alcohol consumption, in which the greater availability of alcohol necessarily entails greater consumption and greater social harm. This theory was similarly found to rest on the contention that individuals cannot regulate their own drinking and their own behaviour and hence the state is required to use the law to do so instead. Increasing the availability of alcohol again places the drinker on a

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<sup>981</sup> Rose and Miller, ‘Political Power Beyond the State’.

<sup>982</sup> Davison, C., & Davey-Smith, G.. ‘The Baby and the Bathwater: Examining Sociocultural and Free-Market Critiques of Health Promotion’, in *The Sociology of Health Promotion: Critical Analyses of Consumption, Lifestyle, and Risk*, edited by Bunton B., Nettleton, S., and Burrows, R. (London: Routledge, 1995), pp. 91-103.

slippery slope which ends in harm to himself/herself and others. The logic of risk and availability which is used to structure individual choices and influence government policy displays the clear heuristic fingerprints of the Victorian temperance movement.

The connection of the contemporary and Victorian temperance problematisation of alcohol is, in a sense, clearly visible in the origins of certain agencies within the drink debate. Chapter Seven explored how the Institute of Alcohol Studies grew from the prohibitionist UK Alliance, Hope UK is the new moniker of the Band of Hope temperance society, some members of the National Council on Alcoholism were temperance activists, and Alcoholics Anonymous espouses a mixture of medical and religious rhetoric. The relationship of Victorian proponents of explicitly moralistic temperance views with more contemporary, apparently scientific opinions may seem contradictory. But Chapter Seven also explored how Victorian temperance groups sought to justify their beliefs with reference to medical and other scientific evidence. Moral and medical discourses on alcohol have, therefore, long been overlapping. In addition to the existence of a dominant model of alcohol governance influenced historically by suasionist temperance, this fusion of moral and medical provides further evidence that the Victorian temperance movement still exerts significant influence over how we think about and regulate alcohol. Many discursive and organisational aspects of moral compulsion, an integral part of this model of alcohol governance, are clearly part of the temperance movement's legacy.

The idea that all types of alcohol are essentially problematic, the conception of drinking as a slippery slope, and the normative weighting of individual choices as a means to govern behaviour are no longer matters for public or personal contemplation. These historically contingent ideas, beliefs and values have become

entirely orthodox, barely-questioned artefacts of 'common sense' which are embedded in the national psyche. To return to Kriesi *et al's* challenge of causality, it is these enduring discursive frameworks, as well as organisational connections and legal legacies, which provide the ontological substance which links the nineteenth century temperance movement to the continued existence of comparatively strict drink laws and tangible public anxiety about alcohol in England and Wales. We are, therefore, suffering a regulatory and heuristic hangover from the Victorian period.

### **3) Theoretical Implications**

It is contended that the temperance movement has been crucial in the historical establishment of a model to govern alcohol based around legal restriction and moral compulsion. It is important to note that this type of regulation could be seen as indicative of the concept of neo-liberalism, popular in much current social science literature. Neo-liberalism refers to an ideological preference or form of governance in which state influence is retracted and regulatory responsibilities are largely devolved to individuals (who are required to exercise these responsibilities in an expanded marketplace). Neo-liberalism requires that, as is apparent in discourse on drink, we each become involved in governing our own behaviour by drawing on official guidance, rational knowledge and expert advice to make personal decisions.<sup>983</sup> The enhanced tendency to govern "at a distance" which Rose and Miller identify within contemporary politics broadly may well mean that moral regulation and the attendant compulsion toward certain behavioural decisions is inherent within neo-liberalism. If this is the case, is the project to morally regulate alcohol which has been identified and analysed simply neo-liberalism applied to alcohol? Is there anything unusual about the way drink has been regulated?

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<sup>983</sup> See: Haggerty, 'From Risk to Precaution', p.193.

Firstly, the tendency to govern alcohol “at a distance” pre-dates the advent of neo-liberalism, which is usually seen to originate with the New Right of the 1980s. The use of moral compulsion as a component of alcohol regulation was rooted more in the 1870s, and so closer to the period of classic liberalism. Interestingly, as Chapter Five investigated, this liberal model of governance was also retained throughout the first half of the twentieth century when more collectivist, interventionist responses to social problems were favoured. Secondly, as outlined in the previous section, efforts to weight normative choices and compel individuals to make particular decisions about alcohol draw much of their qualitative character and aspects of their agency from the Victorian temperance movement. As Chapter Three described, this movement initially drew most of its support from the ascetic Protestant middle classes. The project to morally regulate is not, therefore, the result of macro-governmental shift towards neo-liberalism but largely the result of a vociferous drive for social change “from the middle” in the nineteenth century.<sup>984</sup>

The consistency of the current governance of alcohol with wider types of neo-liberalism is a contemporary feature of a much longer set of historical processes which have moralised the use of alcohol. It has been argued that, while moral discourse about alcohol was apparent in the eighteenth century, it was the nineteenth century temperance movement which created the first substantial project to morally regulate all types of drinking in England and Wales. This project is enduring yet by no means constant; both the qualitative character and the public profile of moral discourse on alcohol have varied over time. For example, the religious morals which underpinned the Victorian idea of the slippery slope of alcohol

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<sup>984</sup> According to Hunt, this socio-economic genesis is typical of many moral regulation movements. See: Hunt, *Governing Morals*, pp.1-2.

have been replaced by the secular morality of risk and, in current medical-dominated discourse on alcohol, the urgency and sense of immediate pending disaster which pervaded public discourse on alcohol during 2005 and World War One have receded somewhat. But the constancy of certain discursive formations, organisational groups and the governmental model of legal restriction and moral compulsion demonstrate a discernible congruity between anxieties about alcohol past and present. The project to morally regulate alcohol illustrates both discursive continuity and change. To borrow from Hier, a discursive “volatility” within processes of moralisation is evident,<sup>985</sup> or, to draw on Critcher, there is evidence of high points within existing moral currents which might be called moral panics.<sup>986</sup>

The findings of this thesis thus reinforce the theoretical synthesis discussed in Chapter One, in which Critcher and Hier conceive of moral panics as inextricably connected to longer term processes of moral regulation. Chapter Five explored how, when placed in historical perspective the idea of a moral panic is slightly problematic because, in Cohen’s classic formulation, episodes of panic are exceptional and temporary. If this is the case, how can one outburst of public anxiety influence subsequent ideas or shape the next episode of moral panic? In this respect, moral panic theory can almost be seen as ahistorical or, to borrow Hunt’s phrase, “presentist”.<sup>987</sup> Within this emerging synthesis of moral panic and moral regulation theory it is important that a clear concern with the legal and discursive legacies, which certain moral panics and social movements may bequeath to their successors, is conceptually central. This thesis has uncovered a significant moral inheritance left by the Victorian temperance movement which is evident in how we continue to think

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<sup>985</sup> Hier, ‘Thinking Beyond Moral Panic’.

<sup>986</sup> Critcher, ‘Widening the Focus’.

<sup>987</sup> Hunt, *Governing Morals*, p.196.

about and regulate alcohol. It is this moral inheritance which separates the contemporary project to morally regulate alcohol from a general trend towards neo-liberalism and connects it instead with the moral regulation movement instigated by nineteenth century temperance groups. This notion of moral inheritance must, therefore, remain a consideration within historical social sciences and the study of social problems more generally.

#### **4) Future Directions**

Historiographically, this thesis raises the possibility that the temperance movement could be considered, alongside the anti-slavery, feminist, Chartist and labour movements, as one of the great reform movements of the nineteenth century. It is widely accepted that these movements had some effect on the laws and attitudes of the land and so, given the argument here pursued, including the temperance movement in the same bracket is feasible. In terms of future research, it may be fruitful to consider the connections of the temperance movement to other social movements of the day. For example, the links of the temperance movement to the anti-slavery movement were noted in Chapter Four and, organisationally and discursively, it may be useful to explore the interaction between these campaigns further. Equally, Chapters Three, Four and Five repeatedly noted the close relationship between British and American temperance movements which saw the exchange of ideas, tactics and even personnel. Further research into the linkages of the temperance movement to other social movements home and abroad would help facilitate a wider understanding of the attitudes, beliefs and values of Victorian reformers and ultimately enhance our comprehension of the contemporary world they helped shape.

The means through which these Victorian reformers influenced contemporary society has been explored here through the study of public discourse, as evidenced in the press, and an examination of legal and policy sources. Rose and Miller stated that “we do not live in a governed world so much as a world traversed by the ‘will to govern’”<sup>988</sup> and, due to the sources here examined, this thesis has investigated the desire and endeavour to govern the world of drinking. This is an important task but, equally, it would be useful for further research to examine evidence pertaining to whether or not we live in a “governed world”. Behavioural choices are publicly constructed using heuristic frameworks which are, in no small measure, the moral inheritance of the temperance movement. But do individuals make personal choices about alcohol with reference, knowingly or unknowingly, to temperance concepts such as the essential problematisation of alcohol or the concept of a slippery slope? The rationales which drive the governance of alcohol may be a legacy of the nineteenth century, but are the situational rationalities with which people make choices about drinking similarly historically constructed? Empirical research into these questions, likely through an interview-based or ethnographic methodology, would provide a fascinating supplement to this thesis.

Finally, there are certain ongoing social and political changes which require empirical attention. In May 2011, a coalition government took power in Britain with its main party, the Conservatives, having promised an “overhaul” of the Licensing Act 2003 in their election manifesto.<sup>989</sup> So far, they have announced plans to give greater powers to police and local authorities to remove or refuse to grant licences to premises seen to be causing problems and double the maximum fine for selling

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<sup>988</sup> Rose and Miller, ‘Political Powers Beyond the State’, pp.190-191.

<sup>989</sup> Conservative Party, *The Conservative Party Manifesto 2010*, (2010), viewed at <http://www.conservatives.com/Policy/Manifesto.aspx> (accessed 14 July 2011).

alcohol to persons under eighteen years of age (to £20,000). Despite Conservative promises, strengthening controls on problematic premises and toughening age restrictions demonstrates little intent to deviate from the basic governmental tenets employed by New Labour during their years in office. Interestingly, the Coalition Government appear to be working more closely with the drinks industry; in 2011, it was announced that drinks manufacturer Diageo are funding the training of midwives to give advice to pregnant women about alcohol consumption. This was part of the Government's "responsibility deal", but the responsibility for regulation is manifested in the encouragement of self-regulation among individual drinkers.<sup>990</sup> There has, therefore, been no paradigm shift away from the dominant and established governmental model of promoting self-regulation within restrictive legal parameters.

Despite this current governmental consistency, it is possible that England and Wales are approaching something of a crossroads in respect to how drink is dealt with. Chapter Seven identified a shift towards more precautionary, population-based forms of governance and cited the will to reduce the overall alcohol consumption of all drinkers contained within the Alcohol Health Alliance's calls for minimum pricing and Darling's 2009 duty escalator as evidence. The Coalition Government has thus far resisted medical demands for a minimum price of fifty pence per unit, but it has announced plans to ban the sale of alcohol at below cost-price (defined as VAT plus duty) and discussed the imposition of higher levels of duty on so-called 'binge drinks' such as cider.<sup>991</sup> Section 104 of the recent Police and Social Responsibility Bill also adds Primary Care Trusts and Local Health Boards to the list of "responsible authorities" who, under the system established by the Licensing Act 2003, can raise

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<sup>990</sup> 'Drinks Firm Diageo Funds Pregnancy Health Initiative', *BBC News*, 12 June 2011.

<sup>991</sup> See: Home Office, 'Business Plan 2011-2015', (2011), <http://www.number10.gov.uk/wp-content/uploads/HO-Business-Plan1.pdf> (accessed 8 July 2011).

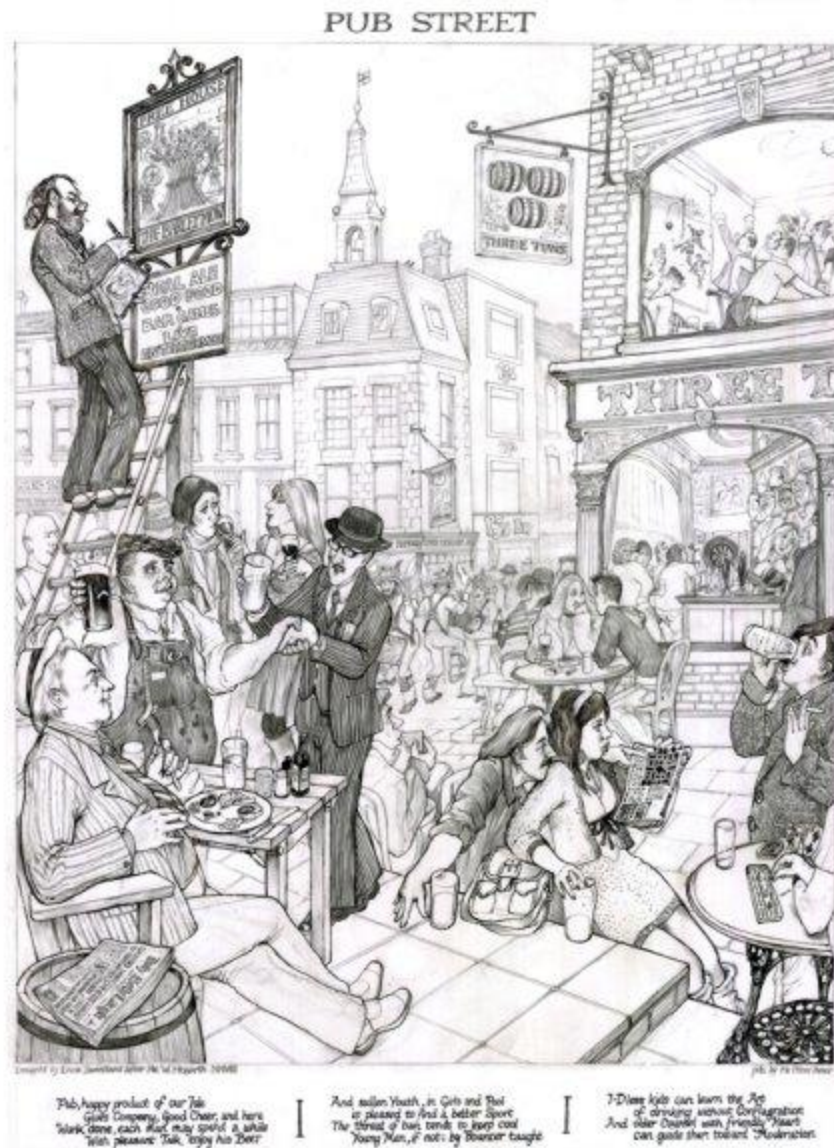


objections about the granting of new licences to certain premises. Of course, changes to the existing system of regulating drink are interesting in themselves. But the Coalition's increased use of pricing and health-oriented measures are particularly noteworthy as they may represent the downgrading of a primary governmental concern for youth drinking and addiction (or dependence) which has been evident since the 1960s and its replacement with an intensified precautionary, population-based approach to governing alcohol. The data collection for this project ceased in June 2010, but clearly continued attention to government actions regarding alcohol is required.

Like most pieces of research, this thesis feels very much like a beginning. The questions identified in Chapter One regarding the extent of the temperance movement's immediate and ongoing impact over how alcohol is conceived and regulated have been answered, and a more critical, discursively-focused counterpart to the generally rational, objectivist accounts of the drink problem in England and Wales has been provided. But other questions remain or have arisen as new knowledge has been generated or, as in the case of the recent change in government, historical circumstances have altered. Knowledge of alcohol has been shown to be historically contingent and it is essential that the dominant means of understanding and regulating drink continues to be questioned. It is hoped that in the future, further research projects will enable the creation of a rounded, rigorous and empirical understanding of public attitudes and regulation of alcohol in England and Wales. If this happens, it may eventually be normatively acceptable for individual and governmental decisions relating to drinking to be made with reference to ideas, beliefs and values which have little or no relation to our Victorian past. Until that day,

how we think about and regulate alcohol remains bound up within the moral inheritance of the British temperance movement.

**Figure 13 – Pub Street by Society of Independent Brewers (2008)**



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