

Individual liberty and the liquor traffic.

Contributors

United Kingdom Alliance.

Publication/Creation

Manchester : United Kingdom Alliance, Between 1860 and 1879?]

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INDIVIDUAL LIBERTY

AND THE

LIQUOR TRAFFIC.

It is a characteristic of our times that a high value is set upon Individual Liberty, and a wise jealousy felt of whatever seems to threaten its existence, either by direct attack or insidious undermining. A nation may be free to appoint its own rulers—which is Political Liberty ; or it may have social equality carried to Democratic completeness, and to Communist ultraism ; and yet Individual Liberty may be dwarfed and reduced to miserable dimensions. The opinion expressed by Mr. J. S. Mill, in his “Essay on Liberty,” that the tendency of this age is to discourage personal independence of thought and action, derived no support from the favourable reception given to that essay. Nothing is more common than to hear denunciations levelled against any proposals that are believed, however erroneously, to jeopardise the freedom to which each individual member of society may lawfully lay claim.

It is, for example, one of the most frequent objections to the policy of the Alliance, and the enactment of the Permissive Prohibitory Liquor Bill, that Individual Liberty would be infringed ; and those who advance this objection do so with a pertinacity, not to say bitterness, that proves full well their sense of its value as a means of influencing the public mind against the Prohibition of the Liquor Traffic. The appeal is made, and often with success, to a just and most creditable sentiment, the strength of which no true friend of the Alliance would desire to see impaired. On the contrary, in proportion as that sentiment is upheld, and its application is intelligently directed, not only will the objection to Prohibition founded upon it be dispelled, but a resistless argument in favour of Prohibition will be provided.

We shall endeavour to show—First, that the suppression of the liquor traffic would not transgress the proper limits of Individual Liberty ; and, Secondly, that, on the contrary, this liberty cannot be exercised and enjoyed as fully as it should be until that suppression is secured.

I.—The Alliance agitation is opposed on the ground that, if successful in effecting the exclusion of the liquor traffic from distinct districts by a Permissive Act, or from the whole country by a general and peremptory

law, Individual Liberty would be sacrificed ; and, in the view of some, the maintenance of this liberty is more important than any benefit which increased sobriety would confer. "Better free than sober" is a recent expression given to this preference ; but the sophistry of the epigram is not hidden by its sparkle. It is incumbent upon those who affirm that Individual Liberty would suffer from the Prohibition of the liquor traffic to make good their affirmation ; but they have found it easier to reiterate the statement in round and thundering phraseology than to show cause in its support. Just liberty is another name for right of action ; if no right exists in any particular case no liberty can be claimed, and if no right is attacked no liberty would be lost. Let us imagine the sale of liquor excluded from a district, large or small—what individual right is assailed or made away with ? Amidst the cloud of words, which often envelopes the discussion of this subject, the only pertinent answer to the inquiry now put is contained in the assertion, that the liberty of using intoxicating liquors would be destroyed ; and when it is pointed out that the Alliance seeks only the interdiction of the sale of strong drink, it is rejoined, that without sale there could be no use, and that as liberty of use would be valueless without sale, prohibition of sale is really as much opposed to liberty of use as would be a direct prohibition of use. It will be observed, therefore, that the opponents of Prohibition extend their definition of Individual Liberty from liberty of use to liberty of sale, and not only to liberty of sale but to necessity of sale ; for unless the sale is made necessary, how, on their own principle, can the liberty of use be preserved intact ? To this position, and each section of it, there is a conclusive reply. (1) Mr. Mill himself admits that traffic is to be classed among social acts, and not among those self-regarding acts with which Individual Liberty is concerned. Were it then admitted that drinking is a strictly self-regarding act, and that each person should be free to perform or abstain from it, it would not follow that another act, not self-regarding but social, could be claimed in order to the exercise of the other. If Society has no right to say to the Individual "Thou shalt drink," or "Thou shalt not drink," just as little right has the Individual to say to Society, "You must permit drink to be sold." If the Individual Liberty is a domain not to be invaded by Society, Social Liberty is a domain not to be invaded by the Individual. The Individual is to be free to decide what self-regarding acts are best to be done or left undone ; so Society must be free to decide what social acts are best permitted or prohibited. If the Individual pleads, "My self-regarding act of drinking cannot be done without a liquor shop," Society may plead, "Opening a liquor shop will lead to social consequences against which we are entitled to defence." In any case, the distinction must be preserved ; and for the Individual to claim to decide for Society is quite as clear a violation of Liberty, as for a party in a suit to claim to represent both sides, and bring in a verdict for himself. But (2) the case of the opponents of Prohibition is even

more extravagant, and, therefore, more contrary to reason, than the above argument makes apparent. If the right to use liquor involves the right to purchase it, not only should the sale be permitted, but it should be permitted whenever the purchaser may desire to purchase. If, for public reasons, the State may forbid the sale at certain times, for the same reasons it may forbid the sale at other times; and Mr. Mill frankly confesses that a right of restriction, with a view to diminish consumption, carries with it a right to Prohibition. If Society has a right to decide what sale is desirable, it has a right to decide whether any is. But the plea of Individual Liberty is plainly untenable if liberty to purchase is subject to social conditions; and that it is so subject, ninety-nine out of every hundred persons are agreed. (3) A still stronger argument remains. If use depends on sale, and liberty of use is absolute, Society is bound to take care that sale shall exist in order that liberty of use may not be destroyed. Suppose a district in which every person but one is an abstainer—the one dissentient has liberty of use, but the liberty is worthless (he says) unless there is the sale; so that the sale must be set up for the sake of securing his individual liberty to use intoxicating liquor! Some one must be compelled to sell—that is, have his own liberty sacrificed—in order to maintain some other's liberty of drinking! Who would not say that such a result would prove that the theory of Individual Liberty had run mad, and that Society had gone mad in order to maintain it? If, however, a right to use liquor does not involve the claim to have it sold, the argument against Prohibition fatally breaks down, and the question of sale will have to be determined, not by any wild theory of Individual Liberty, but by Society, deliberating and acting with a paramount regard to the common welfare. Were any other consideration needful, it would be found in the reflection that, if liberty of use involves liberty to have liquor provided, not only would Prohibition by any new law be wrong, but Prohibition by any existing authority would be open to condemnation, and should be made impossible. If, as the objection implies, the law should make liquor purchasable in order that liberty of drinking may be sustained, the law should forbid landowners and other parties to hinder the sale on their estates. Ground landlords and house-owners may now combine to prevent the sale over large areas; and to this extent they render nugatory the individual liberty for which the opponents of the Alliance contend as inviolable. Are they, then, prepared to demand that Prohibition shall be impossible, and that some sale of liquors shall be provided in every district of the kingdom? They know that such a demand, if made, would be scouted, not from any alleged right of proprietors to do what they will with their own property (for no such rights are recognised by the Common Law of England), but from the conviction that the demand would be utterly unreasonable, and unreasonable expressly because Individual Liberty, however liberally construed, does not include the right to insist upon the sale of intoxicating liquors. Individuals who want to use such liquors have all the freedom they can properly demand

when the use itself is not interfered with. More liberty than this they cannot claim, except such facilities for procuring the liquors as the interests of society will permit.

II.—That the Liquor Traffic is inconsistent with Individual Liberty, and must be removed if that liberty is to be perfectly attained, is made evident by no closet speculations, or ingenious refinements, but by the demonstration of facts. Social liberty includes liberty of defence against known causes of social suffering, deterioration, and oppression; and in proportion as these causes are diminished, the benefits enjoyed socially are, in substance, so many additions to the enjoyments of the individuals composing society, and so much enlargement of that Individual Liberty which is justly prized.

What happens where the Liquor Traffic prevails? This: that drinking is also prevalent in its worst forms and with its worst results of misery, disease, want, vice, and every evil work. These results are not confined to the persons drinking, but are visited upon families and districts, and become a heritage of weakness, disgrace, and expense to the community at large. The liberty of society to be sober, saving, prosperous, moral, and happy, is thus interfered with in a degree that is scarcely conceivable, and ought to be felt intolerable; and this loss of liberty signifies a loss of Individual Liberty ranging from the extortion of needless taxation to the sacrifice of life through the intemperance of others.

If the Liquor Traffic did not exist what would happen? This: that every element of social wellbeing would be multiplied, and the progress of society towards a higher state of civilisation (in the widest sense) would be rapid and immense. With little or no drunkenness, and all that drunkenness entails, there would be liberty to live, and to live happily—liberty to breathe a purer atmosphere, and to reap the full reward of honest work—liberty to train children more safely, and to give them a better start in life—liberty to save what now is wasted to pay the costs of the Liquor Traffic—liberty to do more good, and to do it without the risk of seeing much of it undone by the “dreadful drink”—liberty to be the citizens of a more peaceful, prosperous, and Christian country than can exist while the Liquor Traffic is licensed in its midst; and this is Liberty, the attainment of which vindicates the demand for Prohibition, and justifies the Alliance in appealing for the immediate and whole-hearted support of all who believe that Personal Liberty, worthy of the name, can never thrive upon the calamities of the State.