

**The tom-foolery of the permissive bill / [a Templar].**

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# THE TOM-FOOLERY

OF THE

# PERMISSIVE BILL.

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*Nottingham Journal, April 19th, 1872.*

The 'Grandmother' of our local-press has spoken, and respect for her advanced *age*, requires that we should notice her mutterances; and after all, they are not *more* confused, or *more* inconsequential, than the usual utterances of the Publican-press on this be-muddling theme of drink. The epithets of the Old Lady—such as "*rabid and rampant* followers" and "*social fanatics*"—are uncommonly strong indeed, but then her arguments hold an inverse relation to the strength of her terms. The epoch of 'maundering' however has its excuses, and we shall treat the venerable scold with the greatest possible suavity and tolerance. Writers who are strong in logic, have no need to be virulent in language.

That the *Journal* has not quite reached dotage is plain, for she clearly perceives two or three important facts. For example, she confesses the vast interest of the question, the vast evils connected with drinking, and the unselfish sincerity and undying enthusiasm of the men who are sworn to destroy the evil by uprooting its *causes* :—

"When men have made up their minds that God sent them into the world to convert other people to their *opinions*, it is astonishing what lengths they will go in their desire to do *what they conceive to be right*. They have all the zeal of missionaries, and all the ardour of apostles."

"No doubt drink is a curse, no doubt it ruins hundreds of households. No doubt it crams our workhouses with paupers, our goals with criminals, and our streets with prostitutes. It is to be feared that nothing less than some step on the road towards the wholesale prohibition of drink, or some movement by which the sale of liquor shall be trammelled to an *extraordinary* extent, will ever fully satisfy the 'Alliance.'"

\*The *Journal* says—"Gentlemen and ladies who pin their faith to the Alliance." But it knows very well that we are not the people given to accepting words for facts, and opinions for evidence. The Alliance is a body of men and women who have convictions, founded on facts, not opinions founded on fallacies, like the party of the *Journal*; and how, dear Granny, can people pin their faith to themselves!



Exactly so! For the propagation and the defence of the Truth every *true* man, as the Saviour taught the Pharisees and Tories of Judea, came into the world; and it is 'astonishing' to the worldling to "what lengths" martyrs and missionaries, apostles, patriots, and enthusiasts, *will* go in "their desire to *do* what they conceive to be right." They will go to the prison, the scaffold, the battlefield, the stake—or even the Cross. Editors and moral sceptics, who regularly say their Prayers by rote, as parcel of their Conservatism, read of this in Church,—and when they come out into the world, and find self-denying men *living* that creed, and *voting* it, are just as much puzzled and astonished as their Prototype of old,—that Pontius Pilate who asked, *What is truth!* and, consenting to the crime of tolerating the murder of the Innocent, vainly washed his hands of the blood, and infamy, and guilt that eternally cling to him! Not all the Editorial washings and objurgations of the supporters of the blood-stained Traffic, can ever get rid of the guilt that clings to it. The wails of orphans and the sighs of widows; the outraged wife, the degraded husband; the raving lunatic and murderous criminal—furnish a dreadful testimony against the cruel Traffic, which must and will bring down upon the nation a providential judgment, as it imposes upon all concerned a moral responsibility that cannot be for ever evaded. We know that this conviction of ours is 'astonishing' to the *Journal*—but for all that, "God is not mocked," and "whatsoever men sow, *after that sort* shall they also reap."

The *Journal* is quite right in assuming that the *extraordinary* and for ever-increasing evils of the liquor-traffic *do*, in our judgment, require *extraordinary* remedies; for have not a series of ordinary ones been tried for a series of centuries, and failed? Nothing but an *effectual* remedy will satisfy the Alliance: and the Permissive Bill ought, therefore, to be at once passed into law. If any measure *short* of prohibition should *prove* effectual, then the prohibitory power will not be used; and is, therefore, unobjectionable; and if an amended License System in the future fails to be satisfactory to the community, will even the *Journal* maintain that no effectual remedy shall be applied? If it do, then we have the satisfaction of knowing, at least, that society will not much longer tolerate such dog-in-the-manger legislation, whether from real Tories, or Sham Liberals. The *Journal* "fancies there will be some considerable opposition on the part of the Permissive Bill people, to the *very moderate measure* of the Government." Yes! it is full of fancies; but the fact is, that the Alliance does *very*



*moderately support* the measure as an instalment of 4d. in the £1; or rather, as the lift of a mile on the road from Nottingham to Westminster! It will probably, if well worked, have reduced, at the end of five years, our pauperism, lunacy, and crime, one or two per cent! and surely, the *Journal* does not expect us to get up our enthusiasm for a measure which treats the Publican so tenderly, and refuses to the public the smallest power of self-help? We ask for *bread*, and are treated with fine-speeches *and a crumb* from lordly tables!

Grandmother, all through her column of scolding, confuses together two things that differ: namely, the grounds of *personal* abstinence from *strong drink*; and the grounds of legislation in regard to the *Liquor Traffic*. Teetotalism, in England, is quite a modern discussion; but legislative attempts to get quit of the evils of tippling-houses is a part of our medieval history. Granny, therefore, mistakes the point in debate: we will not say purposely, poor dear, but weakly and innocently. Ladies, not to say old ladies, have not the reputation of being logical and sticking to the point—unless it be the point of the needle: so we excuse her, but all the same correct her infirmity of judgment.

She says:—"Teetotalers struggle to *thrust their notions* down our (granny's) throat."

Now, with some knowledge of the dear lady's capacity of 'swallow,' we should infer that there was no possibility of *thrusting* notions—for even large things tumble down easily into wide apertures. Our difficulty is in quite another direction—namely, how to thrust *notions* at all, even down the mental and metaphorical throat of one's maternal ancestor! Our 'notion' is, that 'notions' penetrate reasonable souls only through the *throat of evidence*—and how are you to 'thrust' evidence? Evidence does not admit of being used violently; and so the dear granny cannot be troubled by 'struggles' that are impossible. If we knew, indeed, *how* to force our notions into the mental throats of mankind, as we force a bolus down a donkey's gullet, we might in pity try the plan upon that portion of the genus *homo* that has not yet ascended into the reasoning scale of development—but as this process of "thrusting notions" is unknown to us, we cannot, however willing, extend the benefit and help of the truth to the *Journal* and her unfortunate clan!

Grandmother further doles forth her antique misconceptions, thus:—

"The principle of the teetotalers—a principle which no amount of concession seems to have made more tolerant—appears to be, that in matters of *diet* the majority shall dictate to the minority."

Now, in fact, the dear old lady never made us any 'concession' at all—never gave us a single sugar-plum of any sort,—so that we must ascribe this statement to a lapse of memory: and softening of the brain is no uncommon complaint of age. Besides, the



teetotal principle is not *a matter of diet* at all, but a negation—namely, voluntary abstinence from what the Physicians of the Royal College have recently called “a powerful drug,” on the very sane and common sense ground that drugs are rather hurtful than necessary to breakfast, dinner, and tea! Teetotalers continue to live; and how, dear *Journal*, can they live *without diet*? And what classes of food, fibrinous or albuminous, oleaginous or farinaceous, do Teetotalers dictate the disuse of by others, or abstain from themselves?

The old lady, fairly excited by her own stimulant, rattles away:—

“Political fanatics are bad enough, heaven knows! Religious fanatics have a fashion of parcelling out the next world in a way of their own, *sending* friends to the ‘regions of bliss,’ and enemies to regions by no means blissful, at their own will and pleasure. But your genuine *social fanatic* caps them all in his desire to make you good in spite of yourself, and in his eagerness to treat poor human nature as if it were a dog, and were all the better for being chained up in a kennel of the social fanatic’s devising.”

The excitement over, we may frankly assure her that these were the mere fancies of a fevered, weakened brain; Teetotalers more than any other class, decry all attempts to *impose* goodness upon people, like the almshouse, soup-kitchen, stereotyping fraternity of politicians; teetotalers, most of all, teach that even God can only help *those who help themselves*; and teetotalers, therefore, of all men acknowledge, as preliminary to any great amelioration of Society, the necessity of Temperance, Education, and the power of *Self-protection* against demoralizing agencies. The Permissive Bill-men complain that they should be chained-up in the locality of *Licensed-Kennels*, by a clique of Magistrates who take precious care that no such dens shall annoy and disturb the neighbourhoods in which *they* dwell. When even a Clifton can prohibit the drink kennel for himself, is it *so* unfitting that the Community should be able to do so for itself?

“But, ‘she continues’ to *imagine* that by throwing *ridiculous legislative obstructions in the way of the sale of drink*, you can alter, *at once*, the current of human nature, seems to be utterly nonsensical and preposterous.”

Then why does the poor *Journal* imagine the folly? It is not the ‘Alliance’ that proposes ‘ridiculous’ obstructions, unless Granny calls the *will of the community* ridiculous. It is not the ‘Alliance’ that “asks the *Government* to put a stop to the sale of drink,”—it asks the Parliament to allow the people to do *as they please*, so that they may have the power (if they have the will) to prevent Justices of the Peace “thrusting tippling temptations” upon them. It is not the ‘Alliance’ that imagines that “local opinion” would ‘at once’ change even the entire drinking-habits of the nation, much less the “current of human-nature,” whatever Granny imagines that to be! The precise and special virtues of the Permissive principle is, that it can only come into operation where the people are *prepared* for it, and choose it by their own will, and therefore must come, *not at once*, but very gradually.



"The Government Bill is *not* perfection; indeed, no human legislation can lay claim to perfection; but, at least, it might be regarded as an *honest* attempt to face a very great difficulty. It says that it *will not encourage the sale of drink*\* by affording INCREASED FACILITIES for the transfer of money out of the pockets of the labourer into the till of the publican; but, on the other hand it says, just as plainly, that it will not lend itself to the schemes or plans of those who want to *taboo* all drink."

Here a bit of the good-sense that marked dear Granny in her youthful days, peeps out: though a little muddled by her 'drops,' The 'aim' and 'honesty' of the Bill we do not question; but its power to meet the evil. When a doctor gives an infinitesimally mild pill to remove a vast chronic obstruction, his honesty does not get rid of his imbecility, nor give potency to his prescription. To the patient who is dying of his doctor, the honesty of the treatment makes no amends for the quackery. The Nation doesn't just now need a prescription for the evils of "increased facilities" of disease and drunkenness,—it will need them when they come,—it is complaining of, and suffering from, the needless, over-powering, monstrous and multitudinous *facilities that already exist*, and the Bill of the Government is cruelly, contemptuously, and audaciously *silent* in regard to a remedy against *their* evils.

Our 'Grandmother' was always a bit of a tuft-hunter: and having recently kept company with Lord Derby, she has "lost her head," and fairly "pinned her faith" to the sleeve of the noble Lord. Poor Granny! it is not *thou* that speakest—but a scion of the House of Stanley: With *him*, therefore, we will proceed to tilt a few rounds:—

1. "If the majority conceive that a certain *course of conduct* shall be held injurious to the minority, they will seek to stop that conduct. One year they would fight against drink: the next against Australian mutton. Nay, it is possible to conceive that, if the Permissive Bill principles were to be in the ascendant, we *should soon see* (!) interferences with individual liberty such as now seem hardly possible!"

In the first place, will any sane man or woman tell us what it is a community has a *right to do*, if not to stop *injury*? Will any sane person say, that a minority have a right to prevent injury, but not a majority? Are all agreed? If so—we have only to determine what *particular* "course of conduct" is so seriously injurious as to make it worth while to stop it. The drink-traffic is, admittedly, an institution that justifies an attempt to stop its evils—and *so* hundreds of attempts have been made, and the Government Bill is the latest example of the sort. For hundreds of years, our 'Grandmothers' and 'Grandfathers' too, have fought against *English drink-shops*,—trying to limit them in their numbers, hours, and customers,—did they ever "fight against *English mutton*?" If, for three centuries, the limiting of drink-shops has *not* led to the limiting of butcher's-shops, why should it all at once begin to do so now? Especially, why should the perception of the evils of English-beer lead to a crusade against Australian-beef? With all due deference to Lord Derby and our Grandmother,

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\* But why NOT encourage the sale of a good thing?



though it is "*possible* to conceive" the monstrous social-state supposed, it is so very *difficult* to do so, that it just amounts to the foolish conception that a generation of sane people, having prohibited *the greatest curse of the age*, is strangely succeeded by an insane generation that prohibits its *daily bread*! If my Lord Derby were to assure us that the logic of the two courses was precisely the same, he would simply demonstrate his own utter want of logic—to say nothing stronger and truer. One answer suffices for all the false parallels, so foolishly paraded. If the sale or exhibition of mutton, Notts or Australian, or *anything else*, produces *the same evil effects as the tippling-shop*, or even a tithe of them, *then* a sane community *will* treat them *in the same fashion*. If not—*not*. Lord Derby's miserable paralogism amounts to this—"If a pear tree *be* an Upas tree, you may cut it down!" Or to this—"If good things *be* bad ones, you may prohibit them." But this is mid-summer madness—not reasoning. Convictions must follow the differences of things, and law must follow both. If the drink-traffic be good, then it ought not to be prohibited, either in part or whole. If it be bad, it cannot be made good, or better, by idiotically *supposing* yourself that some really good thing is bad—or by supposing that somebody else might suppose it to be bad.

2. "*Opinions* of a certain kind in religion and politics *might be very objectionable to a majority*; therefore, why not suppress them, or prevent their diffusion. Why not, as LORD DERBY said, permit a Tory majority to hinder the publication of a Liberal newspaper; *it would be very easy to persuade them* that the perusal of Liberal opinions were [was] quite as detrimental as the drinking of spirituous liquors."

No doubt it would be very easy to persuade selfish and bad people into many *false* positions; but is that any reason, my Lord Derby, why wise and enlightened men should not legislate on *true* positions? This objection can only mean one of two things—either the absurdity just refuted, or that it is *only* an *opinion* that the Drink-traffic is a social evil and nuisance. To this, we reply—law is not to be based upon 'opinions,' but upon FACTS—facts carefully ascertained, as in matters of sanitary law and trade: and no fact is better established than the fact of the universal and permanent evil of the drink shops. As a rule, an adverse opinion does me no *wrong*; and, therefore, gives me no right to repress it, but if the publication of an opinion *does tend* to upset morals, society, or government, as the doctrine of treason, and the English law of libel assume—then such publication is prohibited. If Toryism, or Liberalism, really do produce crime and confusion in society, *then* let them be suppressed, because they do the same things as other prohibited courses,—and if they do *not*, then let them live and flourish as they best may. "So long as they do not interfere with *me*, wrongfully and injuriously, I have no wish to interfere with them." This is the position of every citizen, in regard to everything.

3. "*Why not* allow the majority to punish the minority for not going to Church on Sundays, or for holding opinions not strictly in accordance with the Thirty-nine Articles."



Why not? Because, in the first place, their Church-going does me good rather than harm, for it tends to foster good principles, and people ought not to be punished, but praised, for doing good. Because, in the second, their holding opinions does me no harm, and does not interfere with the same liberty in myself. And because, in the third, if there was any evil in Church-going, or in holding 'opinions' not in unison with somebody else, punishment would not *alter* the opinion, but rather confirm and intensify it. Adapted evidence is the only proper remedy for erroneous opinion—and thumb screws, blazing faggots, and "notices to quit" are *not* evidence. All infliction of pain that has no tendency to amend, is simple cruelty and devilism.

4. "If we once gave way to *the thin edge of the wedge*, there is no knowing in what direction we might be led, or to what absurdities we might be committed."

This, when translated, runs as follows:—"If we once do anything, we may do everything! If we let a wedge into a rock, we may split up the globe! If we legislate against a great and palpable curse, there is no knowing but we may next, *and therefore*, legislate against a great and obvious *blessing*! If we think rightly, we may think wrongly! If we act wisely, we may act foolishly! *Ergo*, we will do nothing, split nothing, legislate in nothing, think nothing,"—and thus proclaim our own insanity.

What was insanity in the lord, becomes terror in the lady, who finally fulminates the following fears:—

"But there is another light (!) in which we should look at the efforts of the teetotalers. If you give way to them on the score of the *sale* of drink—if *the tom-foolery known as the Permissive Bill were to become the law of the land*,—who can say whether the *spirit of intolerance* shown in the Permissive Bill might not be extended beyond the limits of the *liquor-trade*; and that we might not see crop up other efforts to force us into the *ruts* in which *any number of ignorant zealous persons* might wish us to run."

Now, let us look steadily at this long, lumbering sentence. The Bill proposes that two-thirds of a community may have power to *prevent* drink-kennels being planted in their midst. Is two-thirds "any number?" Is it conceivable that *such* a number could be got to protest against a licensed 'tippling-house' through *ignorance* and *without very good reason*? Do not "other efforts to force us into ruts crop-up" already? Does not the law say, thou shalt not steal? kill? gamble? libel? forge? coin? make drunk? keep lotteries? sell certain books and pictures? etc. Are these "efforts to force us into the ruts" of honesty, purity, and peace, all to be repealed out of a verbal fear, or abstract possibility, that "any number of ignorant or zealous persons might wish us to run into some *other* rut?" It is quite clear that Granny has talked too much, and that her *effete* mind is now wandering. We, therefore, leave her for the present, to the rest and mental refreshment which her poor brain needs so badly.

A TEMPLAR.



