

II.—*On the Principles on which Plans for the Curative Treatment of Habitual Drunkards should be based.*—By Miss Isabella M. S. Tod.

[Read Tuesday, 15th December, 1874.]

I do not intend to offer any scheme in detail for the curative treatment of habitual drunkards, nor do I intend to criticise any other scheme in detail. My object is only to suggest upon what principles any such scheme should be based, and what very serious dangers should be avoided.

Taking the deepest interest in the cause of temperance, as a part, and an essential part, of the progress of the world both in civilization and Christianity, and feeling keenly the misery caused by the ravages of intemperance, I have more than once been led to consider this question. The first impulse of any one who sees a dreadful evil in any portion of society, is to think that the state, the embodiment of society, both can and ought to interfere, and forcibly arrest the wrong-doer in his mischievous career. Yet the old distinction between sin and crime is a real one; and if the line of demarcation is not always plain, at least we can distinguish clearly up to very near that line, on which side of it certain actions fall. Now, drunkenness has never in this country been treated as a crime, but as a sin and a vice. The moral obliquity which is the cause of it in many cases, the moral weakness which is the cause of it in more, are sins, and as such offend in the sphere of religion, not in that of which either society or the state can take cognizance. But the degradation to which intoxication gives rise, the gross sensuality which in due time is sure to follow in its train, and the neglect of family and other duties, bring it eventually into the social sphere, and make drunkenness not only a sin, but a vice. So far, other people have no right to use any other than moral means to stop the evil habit which is ruining its victim.

But there is a farther point, which varies, not always with the degree of turpitude in the drinker, but with his circumstances and relationships, at which drunkenness does become a crime. The general rule is, that any action which injures another person, in a marked and provable manner, is a crime—that is, a thing punishable by law; with, however, a very great diversity of application, which is by no means always just or wise. The converse is more acknowledged—that an action which does not come under this definition however heinous, is *not* a crime. The only exception I remember is in the case of attempted suicide, which is punished as a form of murder, whether any other person would be injured by the death of the suicide or not. Thus, therefore, the only right the state can have to interfere with drunkards is when, and as far as, others are sufferers by their conduct, in such a manner as could be proved in a court of law. This is not the case with drunkenness pure and simple, though we associate cause and effect so closely as to confuse them a little. It is not the drinking which the law recognises as a crime; but the noise and disorder, or the incapacity for work undertaken, or the assaults and violence, or the neglect and desertion of the fa-

mily, or other overt acts of wrong, which are the direct consequence of it. Undoubtedly, these and other offences arising from drinking ought to be punished more severely.

Our first step is thus to consider the limitations under which alone the state should act. For it seems to me that the tendency of much modern legislation is most dangerous, interfering with individual liberty, without which political liberty is worthless—interfering not only with conduct, but through conduct, with the growth of thought, the formation of the judgment, the training of the will, and with the very existence of the moral sense—laying a coarse and unwieldy hand on the finest springs of human action, and bringing physical force into a region where it can do nothing but harm. Before trying to drive the whole power of the legislature straight at any desirable end, we must recall ourselves, and remember that to *supersede* the conscience is to *weaken* it. And in this connection I mean the conscience not only of the inebriate himself, but of his family, his relations and friends, his spiritual guides, his medical advisers, his associates in business, and all others who come into association with him. That association is responsible association; we all owe something to every person we have to do with, and must see to it that our words and actions are such as to influence them for good. I see a tendency on the part of some to expect the state to coerce people into right-doing, in order to save themselves the burden of having to speak and act so as to *lead* them into right-doing. I have been a total abstainer all my life, on the ground, that in this country at least, temptations to the abuse of stimulants are so great, that we ought to abstain from them wholly as beverages for the sake of others. But I see some who, even in the presence of those who they know need support to act rightly, will not abstain from the ordinary use of such things; and yet will call out to the state to exercise a large amount of restraint and coercion upon the same persons when they have fallen. Such should very carefully consider whether they have any right to ask for such coercion, until they have done their duty from the social point of view.

But with those who abstain themselves, and in their distress at the horrible evils around them, think every weapon fair which is directed against intemperance, I have very great sympathy. It requires an effort to disengage one's mind from the magnitude of the work, to look at the justice of the mode of doing it. Yet if we are to do good and not harm, and not create a new evil, and a precedent for worse evils on the ruins of the old, this is what we must do.

I dare not, therefore, accept such suggestions as those of the Habitual Drunkards' Bill, which was laid before the House of Commons a couple of years ago, by the late Dr. Dalrymple. In their haste to suppress drinking which had grown offensive in any particular case, the framers of the Bill ignored both the moral nature, that is the human nature, of the guilty persons, and the rights which are built upon their possession of such a nature. It is not needful to bring each of its provisions under review. First of all, there is the danger of coercive provisions being made engines of tyranny, either against those who are not inebriated at all, or against those whose inebriety

is only an occasional or accidental thing. It is no answer to say that such a thing is highly improbable. Improbable it may be, but impossible it must be. Next, there is the danger of overbearing the action of conscience and will in those who have only gone a certain length in the evil habit. There is not time to enter into a lengthened statement on this head; but it must be evident that, with every higher faculty already weakened and disordered, the inebriate will be only too glad to shift over to the public, as represented by the officials of this machinery, and the friends who are to invoke their aid, the responsibility of saving him. Last, there is the grave danger of bringing in the state as the arbiter of right and wrong in a region outside governmental duties; with the inevitable result of weakening the moral fibre of the nation, and of giving a tacit sanction to a thousand wrongs, lies, and sins, with which, in the nature of things, it *cannot* interfere. On all these points there are many powerful arguments to be adduced, for which there is not time now.

To conclude. I believe that the only curative treatment of habitual drunkards must be with their own consent, and that obtained under circumstances in which terrorism is impossible. It is to moral means I look for both cure and prevention, and first, and most, to total abstinence on the part of all right-minded men and women.

III.—*Municipal Government and Taxation.* By Joseph T. Pim, Esq.

[Read Tuesday, 19th January, 1875.]

THE wide and complicated question of local government and taxation, probably occupies more public attention at the present time than any other question of home politics.

It is my purpose this evening to consider only that portion of the subject which relates to the government and taxation of municipalities. The government of counties, though equally deserving of attention, and perhaps more urgently requiring the interference of the Legislature, could not be satisfactorily treated of in the same paper with the government of towns, within the limits of time assigned to essayists by the rules of this Society; and moreover my acquaintance with county affairs is not such as to warrant me in attempting to deal with so important a subject.

In considering the question of municipal government and taxation, whilst endeavouring to treat the subject on general principles, I have naturally looked at the matter with especial reference to the city of Dublin, which I know best, and in which I am most interested. But I apprehend that whatever principles as to the incidence of taxation, the distribution of electoral power, and the constitution of the governing body, are considered the true ones in the case of Dublin, will be found to be suited also to the requirements of other large towns. A survey of the history of municipal corporations would be an interesting subject for an essay; but having to deal with the present and future, rather than with the past, I shall commence at once