

# Temperance

## INTRODUCTION

**M**OST outstanding figures in history, most heroes of legend or fiction, are men of strong passions, of ambition, and of pride. They are driven by desires which tend to be limitless. Few exemplify moderation. Few stop short of excess in anger or love, or in their striving for power and pleasure. They may curb their appetites in one direction, only to indulge them without rein in another. They do not follow in all things the counsels of temperance, expressed by the ancient maxim "Nothing overmuch."

Achilles is not temperate in his wrath, nor does Odysseus, for all his craft and cunning, exhibit self-control when his vanity or curiosity is at stake. The tragedies of Euripides, more perhaps than those of Sophocles and Aeschylus, embody the hubris, or pride, which is common to all tragic figures in some particular form of intemperance, such as the boundless hate of Medea or the abstemiousness of Hippolytus. One play especially, *The Bacchae*, takes intemperance for its central theme and sets the disciples of the Dionysiac spirit in mortal conflict with the puritans and their prohibitions. Comedy as well as tragedy flows from intemperance, as when we smile at the exaggerated sentimentality, or frown at the excessive sensuality, of the lovers described by Cervantes and Molière, Chaucer and Shakespeare, Voltaire and Balzac, George Eliot and Jane Austen, James Joyce and Marcel Proust; or find merriment in the indulgences of Sir John Falstaff, or Pantagruel and Panurge.

The great books of history add their evidence. They make fiction seem pale by comparison with the excesses of cruelty and sensuality which, if they were not presented as fact, might be dismissed as unimaginable. Page

after page of Tacitus, Gibbon, and Huizinga often describe, in an unrelieved sequence, human debauchery, brutalities, and revelries ingeniously designed to reach some new extreme in order to procure, through novelty, satisfaction for appetites already overindulged and weary of familiar pleasures.

Nor is the historian's panorama of intemperance limited to the uncontrolled indulgences of the few—the oriental despots described by Herodotus, or the Caesars and their retinues in the imperial court of Rome. Armies in the field and the mob-formations of civilian life are depicted in wanton and riotous behavior. Whole peoples are described as being given to luxurious living or as wanting in standards of public decency. The few exceptions in antiquity, such as Spartan rigor or the chastity, if not the sobriety, of the primitive Germans, only accentuate by contrast the immoderate tenor of life in most ancient societies.

DARWIN SEEMS TO think that a much greater degree of self-control characterizes modern life, both public and private, though his opinion on this score may give undue weight to the conventions so much insisted upon in England under Queen Victoria. Temperance, according to him, is a virtue peculiar to civilized life. "The greatest intemperance," he writes, "is no reproach with savages."

Darwin places temperance along with prudence among the "so-called self-regarding virtues, which do not obviously, though they may really, affect the welfare of the tribe" and which "have never been esteemed by savages, though now highly appreciated by civilized nations." That Darwin has modern society in mind when he speaks of "civilized nations,"

may be inferred from his remarks about the sensuality of the Greeks and Romans. This seems to be confirmed by his statement that "the hatred of indecency . . . which is so valuable an aid to chastity, is a modern virtue, appertaining exclusively . . . to civilized life."

What may be noted here and questioned—in addition to the validity of Darwin's comparison of modern and ancient culture—is the tendency to identify temperance with chastity, or at least with restraint, if not abstinence, in the sphere of the sexual impulses. In our day, the general notion of virtue is often restricted to the virtue of chastity, as when we use the words "virtuous woman" to signify one who is chaste, or "woman of easy virtue" to signify one who is not. But spectacles of gluttony and drunkenness, of avarice or greed, are ever present to remind us that man can be intemperate in more ways than one. Darwin's implication of progress from licentious to moderate living may have less justification when we consider all the forms which intemperance can take.

Darwin, furthermore, seems to distinguish between courage and temperance in relation to the level or degree of civilization. Unlike temperance, courage, he thinks, is demanded by primitive as well as civilized life because it concerns the welfare of society as much as the well-being of the individual. Since "no man can be useful or faithful to his tribe without courage, this quality," he says, "has universally been placed in the highest rank." On the point of this comparison between the two virtues, Freud appears to disagree. Though he too considers temperance or self-control largely in the sphere of the sexual instincts, he seems to think that any form of organized social life, whether regarded as primitive or civilized, exacts certain restraints from the individual for the sake of the common good. Temperance no less than courage serves the tribe or the state.

"Civilization has been built up," Freud writes, "under the pressure of the struggle for existence, by sacrifices in gratification of the primitive impulses, and that is to a great extent forever being re-created as each individual, successively joining the community, repeats the sacrifice of his instinctive pleasures for the common good. The sexual are amongst the

most important of the instinctive forces thus utilized; they are in this way sublimated, that is to say, their energy is turned aside from its sexual goal and diverted towards other ends, no longer sexual, and socially more valuable."

Society may depend on the temperance of its members without being able to exact temperance from them. Writers like J. S. Mill, for example, question the right of society to enforce temperance upon its members by the enactment of sumptuary laws, especially with regard to food and drink. The supposition seems to be that the intemperate man injures only himself—to do which is the prerogative of his personal liberty—whereas the unjust man injures others. We shall return to the consideration of this issue later, after we have examined the nature of temperance and its relation to other virtues, such as justice, courage, and wisdom or prudence.

IF THE POETS AND the historians describe the prevalence and the range of man's intemperance, the moralists tend to be unanimous in recommending self-control or moderation. There is hardly any variety of moral theory—whether developed in terms of law and duty or in terms of happiness and virtue, whether appealing to *a priori* principles or to criteria of utility empirically applied—which does not recommend the discipline of desire by reason and which does not condemn sensuality, self-indulgence, unchecked appetites, or passions run wild.

The word "temperance" itself is not always used, nor is the technical notion of virtue always implied, by those who advocate what Milton calls "the rule of not too much, by temperance taught." For some writers, on the other hand, temperance and virtue are almost identical. They think the essence of temperance is moderation and the virtuous life is the reasonable one. It is one in which reason moderates the passions and limits the pursuit of pleasure.

For example, Freud's theory of the reality principle seems to reflect traditional notions of temperance. A person dominated by the pleasure principle is infantile in character. "The transition from the pleasure-principle to the

reality-principle," he points out, "is one of the most important advances in the development of the ego." When "the ego learns that it must inevitably go without immediate satisfaction, postpone gratification, learn to endure a degree of pain, and altogether renounce certain sources of pleasure," it "becomes 'reasonable,' is no longer controlled by the pleasure-principle, but follows the reality-principle," which seeks "a delayed and diminished pleasure, one which is assured by its realization of fact, its relation to reality."

So, too, Spinoza's doctrine that human bondage consists in being subject to the tyranny of the passions, whereas human freedom stems from the rule of reason, can be read as an apostrophe to temperance. Descartes's maxim, "to try always to conquer myself rather than fortune, and to alter my desires rather than change the order of the world," is still another expression of the insight that peace of mind comes from self-control. Though Kant does not think temperance deserves "to be called good without qualification," he does affirm that "moderation in the affections and passions, self-control and calm deliberation, are not only good in many respects, but even seem to constitute part of the intrinsic worth of the person."

Nietzsche stands alone as being completely against any form of temperance. *On the Genealogy of Morals* is an extensive critique of the ascetic spirit in western culture. In *Beyond Good and Evil*, he mocks various types of temperance, "whether it be that indifference and statuesque coldness towards the passionate folly of the emotions which the Stoics advised and applied; or that no-more-laughing and no-more-weeping of Spinoza, that destruction of the emotions through analysis and vivisection which he advocated so naively; or that depression of the emotions to a harmless mean at which they may be satisfied, the Aristotelianism of morals." Nietzsche calls all such doctrines "Morality as Timidity."

IT IS MONTAIGNE WHO magnifies temperance beyond virtue, and makes it the measure of the sound pursuit of every sort of good, even virtue itself. Without temperance, he writes in

his essay "Of moderation," we can "corrupt things that of themselves are beautiful and good. We can grasp virtue in such a way that it will become vicious, if we embrace it with too sharp and violent a desire." Montaigne opposes "those who say that there is never any excess in virtue." On the contrary, he thinks that "a man may both love virtue too much, and perform excessively in a just action . . . I like temperate and moderate natures. Immoderation, even in the direction of the good, if it does not offend me, astonishes me and gives me trouble to name it."

As with virtue, so with wisdom or philosophy. He quotes Plato to the effect that we should be soberly wise, not try to be wiser than befits our natures. Regarding philosophy, we should not "plunge into it beyond the limits of profit . . . Taken with moderation, it is pleasant and advantageous." There is, in short, no pleasure "so just that excess and intemperance in it are not a matter of reproach."

Montaigne sees temperance as augmenting the pleasure of life rather than diminishing it. He subscribes to Plato's statement in the *Laws* that "the temperate life is in all things gentle, having gentle pains and gentle pleasures; whereas the intemperate life . . . has violent pains and pleasures, and vehement and stinging desires, and loves utterly insane; and in the temperate life the pleasures exceed the pains, but in the intemperate life the pains exceed the pleasures in greatness and number and frequency." To overlook this, Montaigne elsewhere suggests, is to suppose that "the regimen that stops the drinker short of drunkenness, the eater short of indigestion, the lecher short of baldness, is an enemy of our pleasures." Yet, in his love of "temperate and moderate natures," Montaigne repeatedly counsels us to avoid being overzealous even about temperance itself. The maxim "Nothing overmuch" applies to virtue as well as to the pleasure-seeking that virtue tries to control.

CONSIDERED IN TERMS of Aristotle's theory that all the moral virtues consist in a mean between excess and defect, Montaigne seems to be identifying moderation with the observance of the mean, so that moderation becomes an

aspect of every virtue, including temperance itself as one virtue among others. Thus the courageous man is one who fears neither too much nor too little, but is moderate with respect to peril and pain. Accordingly, a man cannot be too courageous, but only too fearless, and so rash or foolhardy.

But it may be supposed that if moderation enters into all the virtues, such virtues as temperance and courage are not distinct. Holding them to be distinct in regard to the objects with which they deal, Aquinas admits that each of the major virtues can be "taken to denote certain general conditions of virtue," so that in a sense "they overflow into one another." He defines temperance as "a disposition of the soul, moderating any passions or acts, so as to keep them within bounds," and fortitude as "a disposition whereby the soul is strengthened for that which is in accord with reason, against any assaults of the passions or the toil involved in any work to be done." So conceived, Aquinas thinks it is possible to see how temperance and fortitude are in some sense one.

The man who can curb his desires for the pleasures of touch is more able to check his daring in the face of danger, "and in this sense fortitude is said to be temperate." The man who is able to stand firm against the dangers of death is more able to remain firm against the onslaught of pleasures, and so "temperance can be said to be brave." Thus temperance enters into other virtues, insofar as it leads men to "observe the mean in all things," just as fortitude enters into temperance because it strengthens men against "the enticements of pleasure" as well as against the fear of pain.

The general theory of virtue, in terms of which the several virtues are distinguished and their connections traced, is discussed in the chapter of VIRTUE AND VICE; and the special virtues to which temperance is related are considered in the chapters on COURAGE, JUSTICE, and PRUDENCE. Here we must be concerned to observe how the general conception of virtue is exemplified in the definitions of temperance given by those who, like Plato, Aristotle, and Aquinas, consider it to be, not the whole of

virtue, but one of the major virtues and distinct from the others.

THOUGH PLATO AND Aristotle do not conceive virtue in the same way, and though they diverge in analyzing particular virtues, such as justice or wisdom, and in describing how particular virtues are related to one another, they nevertheless seem to concur on a number of points in their treatment of temperance.

In the *Gorgias*, Callicles asserts that only those who are unable to satisfy their desire for pleasures praise temperance, and call intemperance base. But, he asks, "what could be more truly base or evil than temperance to a man . . . who might freely be enjoying every good and has no one stand in his way?" And he concludes by saying that "luxury and intemperance and license, if they be provided with means, are virtue and happiness."

In reply, Socrates tries to persuade Callicles that "instead of the intemperate and insatiate life," one should "choose that which is orderly and sufficient and has a due provision for daily needs." He compares the intemperate man "to a vessel full of holes, because it can never be satisfied." By analogy with the sound and the leaky vessel, Socrates describes the temperate man as able to satisfy his limited desires, whereas the intemperate man, of boundless desire, can never pause in his search for pleasure. "If he pauses for a moment, he is in an agony of pain. Such are their respective lives," he adds, "and now would you say that the life of the intemperate is happier than that of the temperate?"

Callicles claims to be unconvinced, but later Socrates gets him to admit that in all things—in a house or a ship, in the body or the soul—order is good, and disorder evil. He then proceeds to point out that order is the principle of health in the body and of temperance in the soul. It is in these terms that Socrates defines temperance in *The Republic* as "the ordering or controlling of certain pleasures and desires." In the human soul, he explains, "there is a better and also a worse principle; and when the better has the worse under control, then a man is said to be master of himself."

The words "temperance" and "self-mas-

tery" are almost interchangeable; both signify "the rule of the better part over the worse." Just as the courageous man is one "whose spirit retains in pleasure and in pain the commands of reason about what he ought or ought not to fear," so the temperate man is one in whom the "ruling principle of reason and the two subject ones of spirit and desire are equally agreed that reason ought to rule."

In somewhat similar terms, Aristotle defines temperance and courage by reference to pleasure and pain. "The man who abstains from bodily pleasures and delights in this very fact is temperate, while the man who is annoyed at it is self-indulgent; and he who stands his ground against things that are terrible and delights in this or at least is not pained is brave, while the man who is pained is a coward." Like Plato, Aristotle makes the rational principle the source of these virtues. It is reason, or more precisely one of reason's virtues, prudence, which determines the mean between excess and defect with regard to pleasure and pain, or fear, anger, and the other passions.

Like Freud, Aristotle regards self-indulgence as infantile or childish. Children "live at the beck and call of appetite, and it is in them that the desire for what is pleasant is strongest." When such desire is not regulated by reason, "it will go to great lengths; for in an irrational being the desire for pleasure is insatiable even if it tries every source of gratification." Where Freud speaks of the pleasure principle submitting to the reality principle, Aristotle says, "as the child should live according to the direction of his tutor, so the appetitive element should live according to the rational principle. The appetitive element in a temperate man should harmonize with the rational principle."

According to Aristotle, temperance is concerned not with all pleasures, but "with the kind of pleasures that other animals share in, which therefore appear slavish and brutish; these are touch and taste." Self-indulgence is a matter of reproach "because it attaches to us not as men but as animals. To delight in such things and to love them above all others is brutish."

The endurance of pain, which is central to the nature of courage, enters into temperance

incidentally. The self-indulgent man "is pained more than he ought at not getting pleasant things," whereas the temperate man "is not pained at the absence of what is pleasant or at his abstinence from it." But total abstinence is not temperance, any more than over-indulgence is. "The temperate man occupies a middle position" between those who have an insatiable craving for pleasure and those "who fall short with regard to pleasures and delight in them less than they should." Such insensibility, Aristotle declares, is not human either.

When reason curbs the desire for bodily pleasures, "it is not to lessen sensual pleasure," in the opinion of Aquinas, "but to prevent the force of concupiscence from cleaving to it immoderately. By *immoderately*," he explains, "I mean going beyond the bounds of reason, as a sober person does not take less pleasure in food eaten in moderation than the glutton, but his concupiscence lingers less in such pleasures." Though Aquinas agrees with Aristotle in defining temperance strictly as moderation with respect to the pleasures of taste and touch, "such as the pleasures of the table or of sex," he associates with temperance those virtues which involve moderation with respect to other pleasures.

For example, there is liberality with respect to money as an object of love or pleasure. Neither the spendthrift nor the miser is temperate. Friendliness or affability and gentleness represent temperance in the relation of a man to the pleasures of fellowship; and the virtue which Aristotle calls *eutrapelia* is similarly classified by Aquinas, as being a moderate indulgence in the pleasures of recreation, of sport and games, the opposites of which, in excess and defect, can be called "buffoonery" and "boorishness." Even the pleasures of learning can be pursued intemperately, so that an undue craving for knowledge—beyond the proper limits and for the wrong reasons—is, according to Aquinas, the vice of curiosity.

THE NOTIONS OF ABSTINENCE and continence seem to be closely related to the idea of temperance. The words are often used interchangeably. But as we have seen, according to the theory of virtue as a mean between ex-

tremes of excess and defect, temperance calls for a moderate indulgence in pleasures, not abstinence from them entirely. This raises the question whether the asceticism of the religious life violates the rule of reason by a kind of immoderate withdrawal from ordinary pleasures. What to the psychoanalyst may look like pathological self-denial, or to the philosopher like a violation of nature, takes, in the eyes of the Christian theologian, the form of heroic temperance, a supernatural perfection of the virtue.

When in the religious life a man does "his utmost to strive onward to divine things," then, according to Aquinas, in those who are "tending towards the divine similitude," temperance is a *perfecting* virtue. "So far as nature allows," it "neglects the needs of the body." In those "who have already attained to the divine likeness, the *perfect* virtue of temperance" is one which "knows no earthly desires."

Since "use of sexual union hinders the mind from giving itself wholly to the service of God," and since "the use of venery withdraws the mind from that perfect intentness on tending to God," the perpetual continence of the celibate life, as well as the voluntary poverty of the monastic life, seem to Aquinas "requisite for religious perfection."

Augustine, in *The Confessions*, tells of the time when "I thought it would be too much for me to bear if I were to be deprived of woman's love. In your mercy you have given us a remedy to cure this weakness, but I gave it no thought because I had never tried it for myself. I believed that continence was to be achieved by man's own power, which I knew that I did not possess. Fool that I was, I did not know that no man *can be master of himself, except of God's bounty*, as your Bible tells us."

Though he separated from his mistress in order to prepare for marriage, he discovered that he was "more a slave of lust than a true lover of marriage." He recounts the struggles which finally enabled him turn in the other direction and to "see the chaste beauty of Continence in all her serene, unsullied joy"; and with her, he adds, "were countless boys and girls, great numbers of the young and people of all ages, staid widows and women

still virgins in old age. And in their midst was Continence herself, not barren but a fruitful mother of children, of joys born on you, O Lord, her Spouse."

But there is another meaning of continence according to which it is condemned by the philosopher who conceives temperance as a natural virtue. The reason for Aristotle's condemnation of continence differs from the reason he gives for his disapproval of abstinence. Abstinence—at least on the natural plane—is an immoderate denial of pleasure. Continence is opposed to temperance because it merely represents reason's inhibition of the act prompted by a licentious desire for pleasure. It is not a habitual moderation of desire itself. Aristotle's emphasis on habit, therefore, leads him to insist upon the distinction between temperance and continence.

"We group together the incontinent and the self-indulgent, the continent and the temperate man," Aristotle writes, "because they are concerned somehow with the same pleasures and pain; but though they are concerned with the same objects, they are not similarly related to them." The difference lies in the fact that a man acts continently in a particular situation when his reason is able to overcome an immoderate desire for pleasure, and incontinently when the force of his desire brushes reason aside; whereas a man not only acts temperately, but is temperate in character, when his desires are themselves habitually moderated to be in accord with reason.

The temperate man, therefore, has no need for continence. Nor is the incontinent man to be confused with the intemperate, for the latter is not convinced that his desires are inordinate. The continent man is one who, when acting against reason, knows that he is doing so. Though both the continent and the temperate man do nothing contrary to the rule of reason for the sake of bodily pleasures, the one, according to Aristotle, has bad appetites, the other is free from them. Calvin approves what seems to him to be Aristotle's "very shrewd distinction between incontinence and intemperance. Where incontinence . . . reigns," Calvin explains, the individual's desires tend to suppress relevant

knowledge "so that the individual sees not in his own misdeed the evil which he sees generally in similar cases."

THE CONTINENT MAN is not the only one who gives the appearance of temperance without being really temperate in character. Some men, says Aristotle, are moderate by nature—"from the very moment of birth fitted for self-control." What appears to be temperance in them, therefore, is not, in his opinion, a virtuous habit acquired by good acts, but simply a natural capacity to control their desires or a temperamental constitution which happens not to be ridden by very strong desires. They do not deserve to be praised for their apparent self-control; neither do those who manage to be moderate about certain pleasures but give themselves free rein with respect to other desires. The miser who limits his bodily comforts in order to amass a pile of gold is hardly temperate.

Gibbon writes of the Emperor Julian that he "seldom recollected the fundamental maxim of Aristotle, that true virtue is placed at an equal distance between the opposite vices." Julian's lack of temperance appears, however, not merely in the opposite extreme to which he went to express his contempt for luxury, sleeping on the ground and renouncing the decencies of dress and cleanliness. Though genuinely moderate in some things, such as his diet, he went to excess in others, overdoing his preoccupation with affairs of state and working incessantly for long hours day after day. He "considered every moment as lost that was not devoted to the advantage of the public or the improvement of his own mind. By this avarice of time," Gibbon observes, "he seemed to protract the short duration of his reign."

Temperance in a particular respect is sometimes praised as a virtue relative to a specific and limited goal. Considering the wealth of nations, Adam Smith looks upon prodigality as a major vice, and regards parsimony as an indispensable virtue. "Capitals are increased by parsimony," he writes, "and diminished by prodigality and misconduct . . . Parsimony, and not industry, is the immediate cause of the increase of capital . . . By what a frugal man

annually saves, he not only affords maintenance to an additional number of productive hands, for that or the ensuing year, but, like the founder of a public workhouse, he establishes as it were a perpetual fund for the maintenance of an equal number in all times to come."

Capital funds are perverted by the prodigal. "By not confining his expenses within his income," Smith declares, "he encroaches upon his capital . . . By diminishing the funds designed for the employment of productive labor, he necessarily diminishes . . . the quantity of that labor which adds a value to the subject upon which it is bestowed, and, consequently, the value of the annual produce of the land and labour of the whole country . . . If the prodigality of some was not compensated by the frugality of others, the conduct of every prodigal, by feeding the idle with the bread of the industrious, tends not only to beggar himself, but to impoverish his country."

From the point of view of augmenting wealth, Smith may be right in calling every prodigal "a public enemy and every frugal man a public benefactor." Marx, however, raises the question whether thrift or parsimony represents moral virtue in the capitalist himself. He mocks the classical, or what he calls the "vulgar," economic theory which tends to identify capital with abstinence, and, taking Smith's statement that "industry furnishes the material which saving accumulates," he interprets *saving* to mean the *reconversion of the greatest possible portion of surplus-value or surplus-product into capital*.

For Marx the question is, in addition to being economic, a moral and psychological one. He describes the capitalist as suffering from "a Faustian conflict between the passion for accumulation and the desire for enjoyment." His parsimony, or abstinence from certain pleasures, hardly signifies genuine temperance; for, according to Marx, the capitalist is like the hoarder who "makes a sacrifice of the lusts of the flesh to his gold fetish." Elsewhere he says that the "boundless greed after riches . . . is common to the capitalist and the miser; but while the miser is merely a capitalist gone mad, the capitalist is a rational miser."

In Marx's opinion the capitalist cannot even boast of personal thrift to any great extent. "The capitalist gets rich, not like the miser, in proportion to his personal labor and restricted consumption, but at the same rate as he squeezes out the labor-power of others, and enforces on the laborer abstinence from all life's enjoyments." The kind of intemperance exhibited by the nonworking capitalist—consumption beyond need and even pleasure in superficial goods—Veblen calls conspicuous waste.

THESE CONSIDERATIONS OF political economy lead us naturally back to the issue raised earlier, concerning the significance of temperance for society, or the effect of private intemperance on the public welfare.

What is the relation between temperance and justice? Aristotle answers this question in terms of his conception of general justice as including the social aspect of all the other moral virtues. To the extent that his courage or temperance can affect others or the common good, a man is required by justice to be temperate and brave. It is proper for the law, he says, to bid us do "both the acts of a brave man (*e.g.*, not to desert our post nor take flight nor throw away our arms) and those of a temperate man (*e.g.*, not to commit adultery nor to gratify one's lust)."

Though he accepts Aristotle's notion of general justice, Aquinas puts a limitation on the extent to which the positive law of the state can regulate or enforce the acts of virtue like temperance. Because it is "framed for a multitude of human beings, the majority of whom are not perfect in virtue . . . human laws do not forbid all vices, from which the virtuous abstain, but only the more grievous vices, from which it is possible for the majority to abstain; and chiefly those that are injurious to others, without the prohibition of which human society could not be maintained." The point is not that some acts of temperance cannot be prescribed by law, but rather that the human law does not command every act of temperance, but only those "which are ordainable to the common good."

The principle being clear, the problem re-

mains extremely difficult when the question is one of regulating certain types of behavior, such as insobriety, extravagance, or adultery.

Montesquieu discusses the difficulties of administering, under the Julian law, the "punishments decreed by the Roman emperors against the incontinence of women." He considers the advantages and disadvantages, relative to different forms of government, of sumptuary laws directed at maintaining frugality and avoiding luxury; as, for example, in Venice, where the rich were "compelled by laws to moderation" and were thus so "habituated to parsimony that none but courtesans could make them part with their money." As for sobriety, he seems to think that the problem varies with the climate, the Muhammedan law against the drinking of wine being "improper for cold countries where the climate seems to force them to a kind of national intemperance, very different from personal inebriety . . . A German drinks through custom, and a Spaniard by choice."

The reasons which have been offered against the legal prohibition of intoxicants are many and various. To those who hold that temperance consists in moderation, not abstinence, "temperance laws" are misguided as well as misnamed. To others, like William James, "drunkenness . . . as teetotalers use the word, is one of the deepest functions of human nature. Half of both the poetry and tragedy of human life would vanish if alcohol were taken away." To still others, like Mill, such sumptuary laws are wrong in principle because consumption, which they try to regulate, is a private matter.

If an individual's intemperance injures only himself, he may be morally reprobated, but, Mill holds, he ought not to be prosecuted by law. A man who, "through intemperance or extravagance, becomes unable to pay his debts," or becomes incapable of supporting his family, "might be justly punished; but it is for the breach of duty to his family or creditors, not for the extravagance." Again Mill writes: "No person ought to be punished simply for being drunk; but a soldier or a policeman should be punished for being drunk on duty. Whenever, in short, there is a definite



damage, or a definite risk of damage, either to another individual or to the public, the case is taken out of the province of liberty, and placed in that of morality or law."