



An historical geography of liberty: Lancashire and the Inebriates Acts

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Abstract

This paper examines the Inebriates Acts of 1879 and 1898 which facilitated the formal provision of institutional care for inebriates. The Acts' permissive character produced an uneven geography of provision of institutions that meant that inebriate treatment varied markedly across the counties and county boroughs of England and Wales. The vast majority of those committed under the Acts were women. Using two exemplary case studies from Lancashire, a private retreat created under the 1879 Act and a council run reformatory created under the 1898 Act, the paper considers how debates about liberty and control shaped the regulation of problem drunkards. It shows that geography was as important as class, religion, and gender in determining who was subjected to regulation. The paper argues that the failure to reform inebriates helped the recoding of inebriety within a broader discourse of mental deficiency that encouraged the permanent segregation of problem populations.

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Introduction

The Habitual Drunkards Act of 1879 and the Habitual Inebriates Act of 1898 sought to provide a mechanism for the treatment of heavy and frequent drinkers. In essence they resulted in the construction of a series of institutions which in the history of incarceration sit somewhere between the care-home, asylum and prison. Between 1879 and 1914 over 3000 men and 5000 women were placed in such institutions in England and Wales. Whilst the number of committals was low in comparison to those of other Victorian institutions, debates about liberty and control connected inebriety to debates about late-Victorian social policy. It is well established that there was no single overarching vision and certainly no uniformity to the delivery of institutions such as workhouses and madhouses in Britain.¹ Similarly, work on asylums and reformatory schools has detailed not only the importance of geography as a spatial barrier, literally removing problem people from society, but also concerns about those who would remove people from society, those who might be removed,

and those who could be protected by such removal.² The Inebriates Acts deserve to be considered alongside such histories and geographies not simply because the research of alcohol treatment has been habitually neglected, but because habitual inebriates came to be seen less as subjects that could be reformed than ones that should be removed.³ The inebriate and the inebriate reformatory were drawn into debates about controlling mental defectiveness. Understanding that transition – from the Habitual Drunkards Act whose practitioners hoped to reclaim the drunkard, to the Habitual Inebriates Act which spectacularly failed to redeem its problem population, to possible reclassification under the Mental Deficiency Act of 1913 – speaks powerfully and productively about the shaping of the social policies of late Victorian and Edwardian liberal government.

At the heart of liberalism – theorised by Foucault not in a party-political or ideological sense but as a 'way of doing things' – is a tension between freedom and control, where freedom is seen as a formula for exercising power, not the objective of liberal government.⁴ Freedom has constantly to be produced and as

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¹ C. Philo, *A Geographical History of Institutional Provision for the Insane from Medieval Times to the 1860s in England and Wales*, Lampeter, 2003, 229; F. Driver, *Power and Pauperism: The Workhouse System 1834–1884*, Cambridge, 1993, 16; D. Garland, *Punishment and Modern Society: A Study in Social Theory*, Oxford, 1990, 167.

² D.C. Park and J. Radford, Rhetoric and place in the 'mental deficiency' asylum, in: R. Butler, H. Parr (Eds), *Mind and Body Spaces: Geographies of Illness, Impairment and Disability*, London, 1999, 70–97, 71; T. Płoszajka, Moral landscapes and manipulated spaces: gender, class and space in Victorian reformatory schools, *Journal of Historical Geography* 20 (1994) 413–429.

³ G. DeVerteul and R.D. Wilton, The geographies of intoxicants: from production and consumption to regulation, treatment and prevention, *Geography Compass* 3 (2009) 478–494, 480.

⁴ M. Foucault, *The Birth of Biopolitics: Lectures at the Collège de France, 1978–79*, Houndmills, 2008, 64, 318; P. Joyce, *The Rule of Freedom: Liberalism and the Modern City*, London, 2003, 15 and 1; N. Rose, *Powers of Freedom: Reframing Political Thought*, Cambridge, 1999.

a result, Foucault argues, it is not a universal that is particularised in time and geography:

Freedom is never anything other – but this is always a great deal – than an actual relation between governors and governed, a relation in which the measure of the “too little” existing freedom is given by the “even more” freedom demanded.⁵

Freedom is seen as the art of liberal government, and it was central to governing drink in Victorian and Edwardian Britain. But the production of freedom entailed calculating and deploying controls, limitations and obligations. As Stuart Elden notes, calculation had become the new principle for the ‘fabrication of liberty’.⁶ And as James Nicholls has recently demonstrated, the most fundamental contradiction that the drink question exposed was that which existed between competing conceptions of freedom.⁷ This plurality has important implications for the kinds of liberal governmentalities raised by Foucault’s conception of freedom, not least because debates about the liberty of drunkards took place between governors and governors as much as they did governors and governed in a state-society sense. It was both liberal to talk of protecting the rights of the drinker to drink and the licensee to make money, and liberal to argue that the government had to take a more active role in promoting the freedoms of citizens affected by drink.⁸ Whilst some sought to protect their right to drink (or make money from drink) others wanted the state to protect the rights of those who chose not to drink and those who were impacted upon by those who drank too much. It could also be argued that inebriates were in effect breaking and therefore yielding their right to liberty.⁹ Crucially, drinkers, it was also argued, might need protecting from themselves. For John Stuart Mill the state should not intervene in personal liberties where individual actions only had personal consequences. Rather, drunkards should only be interfered with when by their drunkenness they threatened the liberty of others.¹⁰ But other liberal thinkers such as T.H. Green, a member of the temperance organisation the United Kingdom Alliance, thought that to block restraint of the drink traffic under ‘the delusive cry of liberty’ was to ignore the fact that the ‘allowance’ of every particular liberty was made on the basis that they were not ‘an impediment to the social good’. The drink trade was, he argued, one such impediment.¹¹

Debates about liberty were simultaneously driving calls for government intervention but were also setting the limits to reform. As James Kneale notes, this kind of reading of liberal democracy was built upon a construction of public space in which individuals

were aware of their responsibilities as citizens under a state that was reluctant to intervene except under certain extreme circumstances.¹² The habitual inebriate served as one such ‘exception’, not for suspension of the law but suspension of freedoms under the law.¹³ There is not space here to review all government legislation that touched drinking and drunkenness.¹⁴ Whilst drinking environments were scrutinised through the licensing system, this targeted errant licensees rather than problem drinkers. Licensing policy did not explain what to do with those who continued to drink too much. Writing later than Mill and Green, L.T. Hobhouse suggested that the drunkard and the feeble-minded could be subjected to reformatory care, but that this should be decided by calculating whether the capacity of self-control that he or she possessed would be ‘impaired or repaired by a period of tutelar restraint’.¹⁵ ‘Liberty and compulsion have complementary functions’, Hobhouse concluded, ‘and the self-governing State is at once the product and the condition of the self-governing individual’. Defending the liberty of the subject did not mean abolishing the notion of restraint. Far from it, the extension of state interest in restraining liberty was not simply due to the failure of the self-governing individual, but was a product of a heightened sense of collective responsibility and the collective threat posed by those failures.

Liberty and control are not fundamentally opposed in Hobhouse’s account. Rather control was itself ‘a valuable means for extending liberty’.¹⁶ In Foucault’s thinking if freedom is not particularised in time and geography, then its antonym ‘security’ certainly was.¹⁷ But I want to argue that the way the risks of and to individual freedoms and collective responsibilities were variously calculated and challenged, and the way limits to freedom were applied, certainly had particular geographies. The liberty of most relied on the control of a few. As with other reformatory institutions, this was negotiated by class, gender and geography.¹⁸ The permissive nature of inebriate legislation created fractured local geographies of liberty and control – of suspended freedoms for some, particularly women, and continued liberty to drink and get drunk for others – where the protection of society was sought at the expense of incarcerating inebriates in different kinds of institutions. This existed across a variety of different ‘remoralising’ or reforming institutions and to differing degrees across the counties and county boroughs of the country.¹⁹ There was also a marked difference between those who it was thought could be restored to liberty and those for whom incarceration could be justified on the grounds of protecting society. The Acts were put into practice by a variety of local private and public bodies variously interested in

⁵ Foucault, *The Birth of Biopolitics* (note 4), 63.

⁶ S. Elden, Governmentality, calculation, territory, *Environment and Planning D: Society and Space* 25 (2007) 562–580, 573.

⁷ J. Nicholls, *The Politics of Alcohol: A History of the Drink Question in England*, Manchester, 2009, 257.

⁸ Reacting against Asquith’s Licensing Bill of 1908 F.E. Smith quipped ‘better England free than England sober’. J. Campbell, *F.E. Smith: First Earl of Birkenhead*, London, 1983, 185.

⁹ *The Queen: The Lady’s Newspaper and Court Chronicle*, February 11, 1899, 218, ‘The Inebriates Act’.

¹⁰ J.S. Mill, *On Liberty, Representative Government, the Subjection of Women*, Oxford, 1971, 124.

¹¹ T.H. Green, Liberal legislation and freedom of contract, in: J. Stapleton (Ed), *Liberalism, Democracy, and the State in Britain: Five Essays, 1862–1891*, Durham, 1997, 111–134, 131.

¹² J. Kneale, The place of drink: temperance and the public, 1856–1914, *Social and Cultural Geography* 2 (2001) 43–59, 56; M. Poovey, *Making a Social Body: British Cultural Formation, 1830–1864*, Chicago, 1995.

¹³ G. Agamben, *State of Exception*, Chicago, 2005, 3.

¹⁴ M. Valverde, *Law’s Dream of a Common Knowledge*, Princeton, 2003, 149. For more on the changing nature of licensing policy see J. Greenaway, *Drink and British Politics Since 1830: A Study in British Policy-making*, Basingstoke, 2003, 58.

¹⁵ Here tutelar (as in tutelary) refers to being under the care of a protective guardian.

¹⁶ L.T. Hobhouse, *Liberalism and Other Writings*, Edited by James Meadowcroft, Cambridge, 1994, 73–74, 162–163.

¹⁷ M. Foucault, Spaces of security: the example of the town. Lecture of 11th January 1978, *Political Geography* 26 (2007) 48–56, 49.

¹⁸ Ploszajska, Moral landscapes and manipulated spaces (note 2), 426.

¹⁹ Modern alcohol policy continues to be marked by permissive kinds of regulation that have particular geographies. See M. Plant and M. Plant, *Binge Britain: Alcohol and the National Response*, Oxford, 2006, 94; A. Eldridge and M. Roberts, A comfortable night out? Alcohol, drunkenness and inclusive town centres, *Area* 40 (2008) 365–374; J. Kneale and S. French, Mapping alcohol: health, policy and the geographies of problem drinking in Britain, *Drugs: Education, Prevention and Policy* 15 (2008) 233–249.

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