Portugal is a small country with less than ten million inhabitants and with more than 500,000 alcoholics. We have the second highest level of alcohol consumption per capita in the European countries. As well as petrol is not the cause of road accidents, neither alcohol is the cause of alcoholism. Portuguese people drink beer, table wines and spirits and there is no legal limitation to their sales or consumption. In 1958 there were 346,587 shops selling alcoholic beverages, which, on the average, correspond to a shop for each 20 adult persons. The yearly wine consumption per capita is 110 litres while the milk consumption is 30 litres. The working classes are the most affected by alcoholism. They drink especially table wines, because these are the cheapest. During an inquiry about the daily alcohol consumption (8), we came to the conclusion that the male and female farm hands were those who drunk more (more than 2 litres and more than 1.7 litres by day respectively) and among the children up till ten years old the consumption was comprised between 0.1 and 0.2 litres. Mostly of the cases were relative to consumptions which began during the childhood, sometimes just after birth, because people believe that alcohol vitalizes, gives good tempered and because of this sometimes they even mix alcohol with milk in the biberon. The adolescency drink because of social conditionalities.

Alcoholism affects especially the male sex. In 1976, 38% of the male patients hospitalized in a psychiatric hospital were
alcoholics, and only 8% females alcoholic patients (7). The highest incidence in the male sex it is due to the more active social life that the Portuguese men have in coparison with the women. This also explains the break out motivations for alcoholism which are especially of social and anthropological nature.

There is an enormous publicity machine about alcohol in the television, radio and newspapers and big posters along the streets, all very expensive (1). We can show, as an example, that while the minimum national salary is of 7,500 escudos, a minute of colour television advertisement costs more than 150,000 escudos, which is 20 times bigger than the labour revenue of the great majority of the Portugese people.

There is a close relation between criminality and alcoholism, but the most important crimes are due to acute alcoholic poisoning and the small crimes, like little robberies, forgeries and frauds, are due to chronic alcoholic poisoning (4). About 33% of the children judged in the Infancy Courts of the three university cities in Portugal have alcoholic parents (3). About 30% of the prisoners in the Portugese jails are alcoholics or committed the crime during the influence of alcohol. In the Portugese law it can only be considered as a criminal person if she has the necessary intelligence and freedom to understand the crime (Art. 26º Penal Code). Drunkenness is an attenuant circumstance for criminal responsibility when it is incomplete and unexpected, whatever it is or not posterior to the project crime. The voluntary and complete drunkenness, at the moment of the crime, does not annul the criminal responsibility (Art. 50º Penal Code).

3,000 persons die during a year because of alcoholic complications like cirrhosis and deliriums. If we add to this number the mortal cases from road and work accidents, related with alcohol, we will have about 8,000 deaths during a year. There are more than 1,500 patients hospitalized permanently in the Portugese psychiatric hospitals because of chronic alcoholism. In 1968 there were 750,000 work accidents. 750 of them were mortal, and 90,000 caused
permanent incapacity. Our nation lost 8 millions daily work which gives an average of 1 work accident for each 12 seconds, 1 accident with permanent incapacity in each 96 seconds and one mortal accident in each 60 hours. In 20% of the cases, alcohol was the direct cause of these situations. In 1,902 mortal cases by pulmonary tuberculosis registered in 1971, there were 30% with alcoholism. Many of the victims autopsied, for different reasons of medico-legal interest, had alcohol in the blood. This may be related with little quarrels which may cause violent reactions in the aggressors. The relation between road accidents and alcohol is very close. More than 50% of road accidents are due to alcohol and this is a very serious problem which preoccupies the well-being of the Portugese people (2), (9).

In Portugal there is not yet legislation in order to authorize the valuation of alcohol by breathalyser test, blood or urine alcohol tests, neither there are official values fixed by law. These values appear by university influence related to the Medico-Legal Institutes. For instance in the Medico-Legal Institute of Oporto the limit value is 50 mg%, but in other parts of the country there are higher values also accepted. In the I National Symposium on Alcoholism (Portugal, 1980) the value of 0.5 g/l was recommended temporarily, but if the road accidents will still continue as they are now, the value should be zero. This relation it is very important because it is against the only legal value fixed by law in a small part of the Portugese land, the Azores, Portugese iles in the Atlantic Ocean, which have legislative autonomy, and where the fixed value is 0.8 g/l (5). We know that these values, accepted for many persons, are very different from each other. We think that being the alcoholism a social expression in its different kinds the indication of a certain legal value must be influenced by the social conditions. Because of this, over and above the duality drunkenness or not drunkenness it is important to analyse the question in a medico-legal point of view. We must admit the influence of small quantities of alcohol in the body of a person who works with machines needing a certain care, like driving a car. It is important to point out that the small quantities of alcohol,
which do not cause appreciable changes during the clinical examination, in pedestrian or motor driver may be very dangerous and not allowed for driving motor vehicles at 60 or more km/hour. For this reason we agree with the suggestion that the maximum value fixed by law should be 0.5 g/l for driving motor vehicles and the total prohibition if the mortal road accidents do not reduce.

The medico-legal decision about the influence of alcohol in the individual behaviour is very difficult because of the great human diversification in the way of reacting to alcohol, which also depends on heredo-constitutional factors (6).

It is obvious that legal medicine has lots of difficulties in establishing opinions based only in the alcohol tests or in the psychiatric examinations. We must not forget the common use of psychodrugs, especially anxiolitics and neuroleptics. The barbiturates are also very prescribed. Many other drugs, very used, like the antidiabetics, also interfered in the alcohol metabolism.

The knowledge of the complexity of all these problems in my country which are going to become manifest in the human person, as the answer of a very important question is worsened by social-economic fact that Portugal is a very important wine producer in quantity and quality which explains a certain lack of laws about the alcohol consumption. The studies done about alcohol effects are very deep and extensive but time goes on and alcoholism still continues being the first drug addiction in Portugal. It is a very important medico-legal problem nowadays which worries us very much.

References


