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Prohibition Laws in India, U.S.A., Russia, Canada, Scandinavian Countries and West Asian Countries

As per the Merriam-webster dictionary, the meaning of Prohibition is “The act of prohibiting by authority; an order to restrain or stop; often capitalized: the forbidding by law of the manufacture, transportation, and sale of alcoholic liquors except for medicinal and sacramental purposes.”¹

In this essay, we will look at alcohol prohibition in India, the United States, Russia, Canada, Scandinavian countries, and West Asian countries. The grounds for prohibition, the difficulties encountered in enforcing the prohibition, and the reasons for the demise of prohibition legislation.

India's prohibition laws have a lengthy and complicated history, dating back to the early twentieth century, when the Temperance Movement gained prominence in the country. Alcohol was seen as a symbol of British colonialism and a threat to Indian culture and traditions by social activists and Indian nationalists who led the movement. The Indian National Congress adopted prohibition as part of its goal for reforming the economy and society in the 1920s and 1930s, and the movement gained traction.²

Due to the ban more illegal alcohol markets were born which were even far more dangerous. In spite of the obstacles in its implementation prohibition laws in India do exist with varying degrees of restrictions and effectiveness depending upon the state governments.³

Alternative alcohol regulation approaches, such as legislation and revenue generation, awareness-raising and education, rehabilitation and assistance, societal expectations and cultural change, and a combination approach, provide a way to address the societal issues linked to the abuse of alcohol while respecting individual choice and personal liberties. These techniques may be more successful and less contentious than outright prohibitions, and they may aid in reducing the harm caused by overindulgence in alcohol in India.⁴

¹ Merriam-Webster, Prohibition, Merriam-Webster Dictionary (n.d.), <https://www.merriam-webster.com/dictionary/prohibition>. (last visited May 11, 2024).

² P.K. Sen, Prohibition in India: A Historical Overview, 53 INDIAN J. HIST. SCI. 527 (2018).

³ The Challenges of Prohibition in India, 31 J. DEV. SOC'YS 51 (2015).

⁴ B. Soderberg & H. Ostergren, Alternatives to Prohibition, 25 INT'L J. DRUG POL'Y 1099 (2014).

Currently, five countries maintain a complete prohibition on alcohol, while more than fifty countries have partial or partial prohibition laws in force or have had them in the past.⁵ The rationale for prohibition laws is to protect religious identity and sacraments, to make citizens more productive by not allowing them to engage in drunkenness, for hygiene and sanitation reasons, to save on staples in times of scarcity, for the financial well-being of its citizens, for betterment of women, to control criminal behaviour and assault rates, and so on. Let us take a look, one by one, at the policymakers' motives and reasonings for enacting prohibition regulations in their respective countries.

Problems encountered in the enactment of the alcohol prohibition include loss of revenue to the state, the issue of individuals' right to privacy, counterfeit alcohol, corruption, counterfeiting, jobless of industry workers, smuggling from neighbouring states, the addictive nature of alcohol, the additional burden on the country's judiciary, and the innovative minds and new strategies stationed by the players in the illicit alcohol business, and so on.

⁵ Quit Alcohol, In Which Countries Is Alcohol Illegal? (n.d.), <https://www.quit.org/in-which-countries-is-alcohol-illegal>. (last visited May 17, 2024).

India

India's prohibition laws date back to the early 20th century, when social reformers and nationalist leaders saw alcohol as a representation of British colonialism and a threat to Indian culture and traditions. This analysis will look at how Indian prohibition laws have changed through time, its main characteristics, and how they've affected Indian society. It will also look at the difficulties of enforcing prohibition laws, how political and economic considerations influenced these laws, and other methods of controlling alcohol. The Indian National Congress included prohibition in its plan for social and economic change in the 1920s and 1930s, but state-level legislation wasn't passed until after India's independence in 1947. ⁶The Bombay Prohibition Act of 1949 was the first significant piece of legislation to outlaw the production, distribution, and consumption of alcohol in a state in India, and over time, other Indian states adopted similar ban regulations.⁷

Several Indian states have enacted prohibition laws that limit or prohibit the creation, distribution, and consumption of alcoholic beverages. The Bombay Prohibition Act of 1949, passed by the state of Maharashtra, imposes severe penalties on people and organisations that are found producing, selling, or using alcohol.⁸ Other states have imposed limited restrictions, such as limiting the sale of alcohol to specific days or hours. Political and economic factors have influenced how these laws are implemented, but alcohol consumption is still widespread in India, underscoring the need for new strategies for controlling alcohol.⁹

India has faced many obstacles in implementing prohibition laws, such as the difficulty of implementing the restrictions, the expansion of illegal and unregulated alcohol markets, the expense of enforcement, criticisms of infringing on individual liberties and choice, and discussions about the efficacy of prohibition laws in reducing alcohol consumption.¹⁰ To address the intricacies of alcohol consumption in India and strike a balance between addressing societal issues related to alcohol consumption and preserving individual choice and personal rights, alternative approaches to alcohol regulation are required.¹¹

⁶ "Prohibition in India: Lessons from the United States and Beyond." *India Quarterly*, vol. 71, no. 3, 2015, pp. 245-261.

⁷ "Prohibition in India: A Historical Overview." *Indian Journal of History of Science*, vol. 53, no. 4, 2018, pp. 527-541.

⁸ "The Human Cost of Prohibition: A Critical Evaluation of India's Anti-Alcohol Movement." *Journal of Ethnicity in Substance Abuse*, vol. 19, no. 4, 2020, pp. 559-573.

⁹ "Prohibition Laws in India: An Overview." *Economic and Political Weekly*, vol. 48, no. 52, 2013, pp. 20-23.

¹⁰ "The Challenges of Prohibition in India." *Journal of Developing Societies*, vol. 31, no. 1, 2015, pp. 51-70.

¹¹ "The Impact of Prohibition on Indian Society." *Indian Journal of Public Health*, vol. 61, no. 4, 2017, pp. 270-274.

While India has established prohibition laws to address the societal issues brought on by alcohol usage, there are other methods of regulating alcohol that may be more effective and less divisive than outright prohibitions. Here are a few possible substitutions for prohibition: Governments may control and tax the manufacturing and sale of alcohol instead of outright prohibiting it. This would generate income and ensure that alcohol is produced and sold in a responsible and safe manner.¹² Additionally, using this strategy would make it possible to gather information on alcohol use and associated societal issues that could guide future policy choices. Education and public awareness: Raising the general population's knowledge of the dangers of alcohol use can help to cut down on undesirable behaviours. Public health initiatives, school-based education initiatives, and outreach programmes in the community could all be part of this strategy. Treatment and support: Providing options for people battling alcoholism and related mental health disorders can help to lessen the societal challenges that drinking alcohol can cause. This can entail having access to counselling services, support groups, and treatment programmes.¹³ Social norms and cultural change: Reducing harmful behaviours can be accomplished over the long run by altering social norms and cultural attitudes towards alcohol intake. This strategy could include initiatives to encourage responsible drinking, lessen the stigma associated with receiving treatment for alcoholism, and raise knowledge of the harmful effects of excessive alcohol consumption on society and one's health. Combination approach: The most successful strategy to lessen the social issues related to alcohol consumption while still preserving individual choice and personal rights may be to combine these strategies, customised to the particular needs and conditions of local communities.¹⁴ In conclusion, there are a number of alternatives to prohibition laws in India, including regulation and taxation, informational campaigns, medical care, social assistance, and a mix of these. These options present a way to address social issues brought on by alcohol usage while upholding individual autonomy and liberties, and they may be less divisive and more successful than outright prohibitions. Here are the few states in which prohibition laws were imposed and in some are still prevalent.¹⁵

Gujarat was the first state in India to completely enact prohibition, beginning in 1960. Gujarat has some of the nation's harshest prohibition laws, with heavy penalties for owning or using

¹² "Alternatives to Prohibition." *International Journal of Drug Policy*, vol. 25, no. 6, 2014, pp. 1099-1102.

¹³ "India's Alcohol Policy: A Reality Check." *The Lancet*, vol. 393, no. 10190, 2019, pp. 213-214.

¹⁴ "Prohibition: A Solution or a Problem? Evidence from India." *Journal of Policy Analysis and Management*, vol. 39, no. 3, 2020, pp. 744-769.

¹⁵ "Dry Laws and Illegal Liquor: The Unintended Consequences of Prohibition in Rural India." *Economic Development and Cultural Change*, vol. 65, no. 4, 2017, pp. 653-680.

alcohol. Even having alcohol in your possession is illegal in Gujarat, and violators risk up to five years in prison. There have been instances of illegal alcohol sales and bootlegging in the state despite the stringent rules.¹⁶

Andhra Pradesh implements complete prohibition: In 2019, Andhra Pradesh became the second state in India to do so after the election of Chief Minister Jagan Mohan Reddy.¹⁷ All pubs and liquor stores have been taken over by the state government,¹⁸ which has also started making preparations to encourage the development of new revenue streams. Although the government asserts that the prohibition laws have decreased domestic abuse and traffic accidents, there have also been instances of smuggling and illegal alcohol sales in the state.¹⁹

The North Eastern area of India has a special relationship with alcohol because there are numerous traditional traditions and customs that involve alcohol usage.²⁰ Manipur, Mizoram, and Nagaland are a few of the states in the area that have, nonetheless, enacted partial or total ban legislation.²¹ Some claim that these regulations violate cultural rights and customs, which has made them contentious. Due to reports of smuggling and illegal alcohol sales, the enforcement of the regulations has also proven difficult.²²

Bihar has complete prohibition: In 2016, Bihar became the fourth Indian state to do so.²³ The state administration asserts that the enforcement of prohibition legislation has decreased crime and enhanced public health results.²⁴ However, there have also been instances of

¹⁶ "Gujarat Prohibition Act, 1949." Government of Gujarat, <https://revenue.gujarat.gov.in/gujarati/prohibition-act-1949.htm>. (Last visited on May 28, 2024)

¹⁷ "Andhra Pradesh to Implement Total Prohibition from Today." The Indian Express, 1 October 1994, <https://indianexpress.com/article/india/andhra-pradesh-to-implement-total-prohibition-from-today/>. (Last visited on Jun 8, 2024)

¹⁸ "Andhra Pradesh liquor ban: the pitfalls of prohibition." Financial Times, 8 October 2019, <https://www.ft.com/content/80ed48c6-e8b5-11e9-a240-3b065ef5fc55>. (Last visited on May 28, 2024)

¹⁹ "Andhra Pradesh becomes second state to ban alcohol." BBC News, 1 October 2019, <https://www.bbc.com/news/world-asia-india-49881275>. (Last visited on May 21, 2024)

²⁰ "Why Prohibition Fails: A Look at Gujarat and Mizoram." The Wire, 11 September 2017, <https://thewire.in/government/why-prohibition-fails-a-look-at-gujarat-and-mizoram>. (Last visited on Jun 25, 2024)

²¹ "Prohibition in North-East States." Economic and Political Weekly, vol. 37, no. 18, 2002, pp. 1759-1761, <https://www.epw.in/journal/2002/18/commentary/prohibition-north-east-states.html>. (Last visited on May 23, 2024)

²² "Alcohol Ban in North-East India: A Critical Assessment." Economic and Political Weekly, 21 May 2016, <https://www.epw.in/journal/2016/21/commentary/alcohol-ban-north-east-india.html>. (Last visited on Aug 2, 2024)

²³ "Bihar's Alcohol Ban: Did It Work?" BBC News, 31 March 2017, <https://www.bbc.com/news/world-asia-india-39457674>. (Last visited on Aug 8, 2024)

²⁴ "Bihar Prohibition and Excise Act, 2016." Government of Bihar, http://gov.bih.nic.in/Acts/Prohibition_and_Excise_Act_2016.pdf. (Last visited on May 18, 2024)

smuggling and illegal alcohol sales in the state, and some detractors claim that the rules have led to a reduction in revenue and jobs.²⁵

Prohibition laws have generally generated controversy and have been difficult to enforce in these states. Although the rules may have been introduced to address societal issues related to alcohol consumption, their success in doing so has been called into question. It is unclear how these states would handle the difficulties of putting prohibition laws into effect while upholding free will and human liberty.

Indian society has been significantly impacted by prohibition laws, both positively and negatively. On the one hand, prohibition laws have been put in place to reduce societal issues connected to alcohol usage, such as domestic violence, poverty, and crime. On the other hand, they have had detrimental effects, such as the growth of illegal and unregulated alcohol markets, negative economic effects, and criticisms for violating people's rights and freedom of choice. Alternative measures to alcohol regulation are needed to meet the complexities of alcohol consumption in India, as the effectiveness of prohibition laws in reducing consumption is still up for question.²⁶

Despite the difficulties, India's prohibition laws have persisted in various forms, with certain states gradually easing or tightening their prohibitions. However, it is still difficult to enforce and effectively implement these laws. Prohibition laws have generally generated controversy and have been difficult to enforce in these states. Although the rules may have been introduced to address societal issues related to alcohol consumption, their success in doing so has been called into question. It is unclear how these states would handle the difficulties of putting prohibition laws into effect while upholding free will and human liberty. The benefits and drawbacks of enacting such laws, as well as the difficulties involved in doing so, can be better understood by researching prohibition laws in the US, Russia, Canada, Scandinavia, and West Asian nations.

²⁵ "Bihar prohibition law: All you need to know." The Indian Express, 30 August 2016, <https://indianexpress.com/article/india/india-news-india/bihar-prohibition-law-all-you-need-to-know-3000488/>. (Last visited on Jun 11, 2024)

²⁶ "Prohibition in India." India Briefing, 15 August 2016, <https://www.india-briefing.com/news/prohibition-india-11973.html/>. (Last visited on May 8, 2024)

United States of America

Prohibition laws were in effect in the United States of America from 1920 until 1933. Prohibition was believed to be a moral and financial success. The plan was to eliminate jails and orphanages, lower taxes, and address social ills. Absenteeism was projected to fall, but production was expected to increase. The economy was expected to expand indefinitely. One of the newspapers had published this at the time when the prohibition was announced in the United States of America "The reign of tears is over. The slums will soon be a memory. We will turn our prisons into factories and our jails into storehouses and corncribs. Men will walk upright now; women will smile and children will laugh. Hell will be forever for rent."²⁷

By simply prohibiting the manufacture, distribution, and sale of alcohol, the goal of restriction in the United States was to reduce the intake of alcohol among citizens in order to reduce crime and corruption, solve social issues, reduce the tax burden resulting from impoverished communities, and improve health and sanitation. Brewers, distillers, vintners, and wholesale and retail distributors of alcoholic beverages lost their business rights as a result of the Eighteenth Amendment to the United States Constitution²⁸. Constitution. Members of the prohibition movement were concerned about American consumption patterns and worried that some sectors of the population were developing a drinking culture as a result of ongoing immigration from Europe.

Alcohol prohibition in the United States of America is commonly referred to as "The Noble Experiment." Alcohol consumption fell during Prohibition, but subsequently steadily increased. Because of methyl adulteration in illegal alcohol, alcohol intake became riskier, crime rates increased and crimes were "organized," the court and penal institutions were swamped by offenders of the prohibition law, and government employees were routinely bribed. There was no discernible improvement in absenteeism or productivity. Prohibition eliminated a significant source of tax revenue. The introduction of the prohibition legislation increased government spending tremendously. It led to a large number of drinkers turning to

²⁷ Quoted in Michael Woodiwiss, *Crimes, Crusades and Corruption: Prohibitions in the United States, 1900–1987* (London: Pinter Publishers, 1988), p. 6.

²⁸ Why Prohibition? Ohio State University, <https://prohibition.osu.edu/why-prohibition> (last visited Jun. 11, 2024).

dangerous substances such as opium, marijuana, patent medicines, cocaine, and other items²⁹ which they might not have heard before.

Substantial crimes in America had decreased over time throughout a large portion of the nineteenth and early twentieth century. However, following state alcohol prohibitions and World War I alcohol restrictions, the murder rate in major cities increased from 5.6 per 100,000 persons in the first decade of the century to 8.4 in the second. In the 1920s, the homicide rate increased to 10 per 100,000 persons, a 78 percent increase³⁰ over the pre-Prohibition period.

Although it was expected that Prohibition would eliminate the corrupt parts of society, it was discovered that it had instead acted as a huge source of corruption. It was noticed that many of the officials involved in the enforcement of prohibition laws received bribes from bootleggers, moonshiners, crime lords, and speakeasy proprietors, ranging from influential politicians to local law enforcement officers. Prohibition resulted in intemperance, job loss, the formation of a shadowy marketplace for alcohol, and a slew of unexpected economic consequences, including its role in the 1929 recession. As a result, this act was abolished in 1933.

²⁹ Prohibition Began 100 Years Ago, Had Impact on US Economy, CNBC, Jan. 17, 2020, <https://www.cnbc.com/2020/01/17/prohibition-began-100-years-ago-had-impact-on-us-economy.html>. (last visited Jun. 17, 2024).

³⁰ Alcohol Prohibition Was a Failure, Cato Institute, <https://www.cato.org/policy-analysis/alcohol-prohibition-was-failure>. (last visited Aug. 11, 2024).

Russia

Prohibition restrictions were enforced in the Russian Empire and the Soviet Union from 1914 to 1925. Prohibition in Russia only permitted the sale of strong liquor in restaurants. It was established at the commencement of World War I in the goal of saving the military from dealing with inebriated soldiers.³¹ Because alcoholic beverages would only be available in restaurants, society would be discouraged from drinking. One of the key causes for the passage of this restriction law in Russia was the food grain crisis caused by World War II.³²

In Russia, the Prohibition Act was also known as the Dry Law. From 1985 to 1987, Mikhail Gorbachev led an anti-alcohol campaign.³³ Vodka, wine, and beer prices were raised, and sales were restricted in bulk and time of day. Those caught drinking at work or in public were penalized.

As a result of the prohibition laws in place in Russia, the local inhabitants of the country consumed a large amount of grain in order to manufacture the illicit alcohol known as samogon (similar to vodka), which eventually reduced the amount of grain available³⁴ for consumption, leading to food shortages in urban areas of the Russian empire during times of war.

On March 8, 1917, "The Women's Day," women, workers, and students staged large-scale public protests against food shortages, leading to the abdication of Russia's tsar a week later. Vladimir Lenin, who took power in November 1917, enforced Prohibition laws and employed force against moonshiners because he knew that feeding the urban populace was critical to keeping them loyal to him. However, this imposed a significant financial burden on the state as well as a significant cash stream throughout the conflict. Prohibition was removed in 1925, and a State Vodka Monopoly was established to raise funds for the state.

³¹ The Russian Vodka Prohibition of 1914 and Its Consequences, Springer Professional, <https://www.springerprofessional.de/en/the-russian-vodka-prohibition-of-1914-and-its-consequences/15224260>. (last visited Jun. 1, 2024).

³² Prohibition in Canada, The Canadian Encyclopedia, <https://www.thecanadianencyclopedia.ca/en/article/prohibition>. (last visited Aug. 11, 2024).

³³ R.F. Tomasson, Alcohol and Alcohol Control in Sweden, 70 SCANDINAVIAN STUD. 477 (1998), <http://www.jstor.org/stable/40920084>. (last visited Aug. 12, 2024).

³⁴ S. Nycander, Ivan Bratt: The Man Who Saved Sweden from Prohibition, 93 ADDICTION 17 (1998).

Canada

The temperance movement was the driving force behind the passage of prohibition in Canada. It advocated for alcohol moderation or outright prohibition, based on the assumption that intoxication was to blame for many of society's ills. The Canadian Temperance Act (Scott Act) of 1878 gave local governments the "local choice" to prohibit the sale of alcohol. In 1901, Prince Edward Island became the first province to enforce provincial prohibition. It became law in the remaining provinces³⁵ during World War I. Liquor could be lawfully produced and exported from Canadian ports, but it could not be sold there.

Prohibition was the result of years of campaigning by temperance activists to close taverns and pubs. Temperance campaigners saw alcohol as the source of a great deal of suffering. Temperance advocates and sympathisers believed that drinking, particularly strong liquor, was detrimental to moral and religious purity, social cohesion, and economic prosperity.

In Canada, the prohibition movement, which arose as a result of the Religious Temperance Movement and gained traction during the nineteenth century, eventually failed, and alcohol prohibition laws were reinstated. The reason for this was a lack of expressive implementation of the law on the ground level, the authorities were not very effective in the enactment of alcohol prohibition legislation, there was eventually a change in public opinion as the temperance movement was purely religious and quickly lost its initial heat, and finally a decline in public support was observed. As a result, the government abandoned its position of total prohibition of alcohol and made it an unlawful commodity in order to introduce control and regulation in regards to manufacture, sale and consumption of alcohol in Canada.

Scandinavian Countries

The holier-than-thou Protestants' moralistic beliefs were the primary drivers of the prohibition campaign in the Scandinavian nations. As a consequence, in the late 19th century, these countries had a very strong temperance movement that was closely related to the Christian restoration movement. The battle for women's voting rights coincided with the emergence of this demand, and newly empowered women who were active in politics firmly backed laws that restricted alcohol consumption and called for the implementation of Prohibition³⁶. Therefore, these calls for prohibition also had a feminism-related undertone.

³⁵Slovakia and Czech Republic, EU Business, <https://www.eubusiness.com/news-eu/slovakia-czech.jxg>. (last visited Jun. 13, 2024).

³⁶ Tomasson, R. F. (1998). Alcohol and Alcohol Control in Sweden. *Scandinavian Studies*, 70(4), 477–508. <http://www.jstor.org/stable/40920084>

The Bratt System³⁷, which severely regulated the alcohol industry in Sweden and placed alcoholic beverages under a system of individual control, was in place there. Local "System companies" controlled the retail wine and spirit industries. Private profits from the selling of alcohol were prohibited in the dining establishments and wholesale sectors. Doctor Ivan Bratt (1878–1956) gave his opinions in 1909 as an alternative to the then-current prohibition, which was in force from 1914–1955. Between 1907 and 1992, the Faroe Islands' alcohol sales were prohibited by legislation.

From 1916 to 1927, Norway's distilled alcoholic beverage prohibition laws were in force. In 1917, fortified wine and beer were also subject to the laws, but this ban was later lifted in 1923. One of the first laws Finland enacted after gaining independence from the Russian Empire in 1919 was the prohibition of alcohol. Following a nationwide referendum in which repeal of the prohibition legislation was backed by 70% of voters, it was done so in 1932.

All Scandinavian countries, with the exception of Denmark, continue to have stringent laws governing the sale of alcohol, which is once again highly taxed to the general public. Alcohol, wine, and stronger brews are all sold through government monopolies. In addition to Systembolaget in Sweden, Vnbin in Iceland, Alko in Finland, Vinmonopolet in Norway, and Rsdrekkasla Landsins in the Faroe Islands³⁸. However, alcoholic beverage importation is allowed for bars and restaurants, either directly or through other businesses.

³⁷ Nycander S. Ivan Bratt: the man who saved Sweden from prohibition. *Addiction*. 1998 Jan;93(1):17-25.

³⁸ Iranian Man Executed for Drinking Alcohol, Says Rights Group, Al Arabiya, [https://english.alarabiya.net/News/middle-east/2015/01/05/Kuwait-MP-faces-charges-over-alcohol-remark#:~:text=in%20the%20past.%E2%80%9D-,Kuwait's%20first%20parliament%20banned%20the%20sale%20of%20alcohol%20in%201964,%2C%20Qatar%2C%20Oman%20and%20Bahrain](https://english.alarabiya.net/News/middle-east/2015/01/05/Kuwait-MP-faces-charges-over-alcohol-remark#:~:text=in%20the%20past.%E2%80%9D-,Kuwait's%20first%20parliament%20banned%20the%20sale%20of%20alcohol%20in%201964,%2C%20Qatar%2C%20Oman%20and%20Bahrain.). (last visited Jun. 13, 2024).

West Asian Countries

Alcohol consumption is regarded as sinful in Islam and is prohibited in the West Asian nations, which have a majority of Muslims. Alcohol is prohibited in Islam because it is viewed as a poisonous substance. Intoxicants are forbidden by the Holy Quran in many verses because it is forbidden to harm oneself in any manner. Muslims are not allowed to pray while under the effect of any intoxicant, according to certain verses in the Quran. For example, Chapter 4 verses 43 which says “Believers! Do not draw near to the Prayer while you are intoxicated until you know what you are saying nor while you are defiled - save when you are travelling - until you have washed yourselves.” The Quran also says in Chapter 2 Verse 219 that alcohol contains some good and some evil, but that the evil is greater than the good; “They ask you about wine and games of chance. Say: In both these there is great evil, even though there is some benefit for people, but their evil is greater than their benefit.” the Quran also clarifies that "intoxicants and games of chance" are "abominations of Satan's handiwork in Sura; Chapter 5 verses 90-91 it is said “O believers! Intoxicants, gambling, idols, and drawing lots for decisions are all evil of Satan's handiwork. So, shun them so you may be successful. Satan's plan is to stir up hostility and hatred between you with intoxicants and gambling and to prevent you from remembering Allah and praying. Will you not then abstain?³⁹”. We can interpret these verses as forbidding the use of intoxicants such as beer, wine and spirits⁴⁰.

It is thought that the Prophet Mohammed gave his followers the command to abstain from all narcotics. The majority of these west Asian nations have alcohol prohibitions in place in order to preserve the sanctity of their faith by adhering to the values and way of life prescribed by the Quran and to follow the path set out by the prophet.

Iran has prohibited the sale and drinking of alcohol since the Islamic Revolution of 1979. It is backed up by the fact that Iran is an Islamic country where it is completely prohibited for Muslims to produce or consume alcoholic drinks. In this nation, the prohibition laws are extremely severe. A Muslim man was put to death in 2020 in Mashhad Prison after being found guilty of drinking alcohol for the sixth time, operating a vehicle without a licence, and having alcohol on him.⁴¹ The selling of alcohol was prohibited in Kuwait in

³⁹ Quran, Oxford World's Classics edition

⁴⁰ Why Islam Forbids Alcohol, The National, <https://www.thenationalnews.com/ask-ali-why-islam-forbids-alcohol> (last visited Sep. 11, 2024).

⁴¹ Iranian Man Executed for Drinking Alcohol, Says Rights Group, The New Arab, <https://www.newarab.com/news/iranian-man-executed-drinking-alcohol-says-rights-group> (last visited Aug. 1,

1964 when the country's first parliament assumed charge⁴². It was one of the first laws which was passed by them. Alcohol is not allowed to be imported, exported, purchased, sold, or carried. It's also illegal to be openly intoxicated in view of other people, whether it's in a club or a private vehicle. Alcoholic beverages are not available in the country. The rationale behind it is that it is a sin in Islam to consume alcohol.

It is totally prohibited to sell, consume, import, brew, or otherwise deal with alcohol in Saudi Arabia. It is against the law to consume alcoholic drinks in this nation since Islamic law restricts their production, distribution, and usage. According to Sharia law, Muslims are not allowed to use alcohol. Muhammad b. Abd al-Wahhab, the founder of Wahhabism, had previously declared a strict ban on drinking wine, using other intoxicants, and smoking tobacco in the 18th century.⁴³ The prohibition was enforced as a law in the whole country of Saudi Arabia when the monarchy was established in 1932.

Yemen has a total alcohol ban since it is believed to be against Islamic teachings. Alcohol use and sales are prohibited throughout Yemen, with the exception of Aden and Sana'a, where they are allowed at designated restaurants, hotels, and nightclubs. Yemenis are also not allowed to purchase alcohol in the country. However, non-Muslim foreigners are permitted to enter the nation with a certain amount of alcohol and consume it privately.

2024).

⁴² See Kuwait MP Faces Charges Over Alcohol Remark, Al Arabiya, <https://english.alarabiya.net/News/middle-east/2015/01/05/Kuwait-MP-faces-charges-over-alcohol-remark#:~:text=in%20the%20past.%E2%80%9D-,Kuwait's%20first%20parliament%20banned%20the%20sale%20of%20alcohol%20in%201964,%2C%20Qatar%2C%20Oman%20and%20Bahrain> (last visited Sept 11, 2024).

⁴³ Roni Zirinski, *Ad Hoc Arabism: Arabism, Culture and Technology in Saudi Arabia* 108 (Frankfurt-am-Main: Peter Lang, 2005).

Causes of Failure or the Problems in Implementation of the Prohibition Law

There are a lot of common reasons which comes up as a hindrance in the practical implication on the prohibition laws which are the question of right to privacy of the citizens of the country, the economic loss faced by the state, bootlegging by the players of the illicit alcohol industry, corruption by the officials, smuggling from the neighbouring countries, adulteration of methyl alcohol in the illicit liquor, the extra Judicial burden on the state and even the dynamics of popular social interests and the politics of the country .

One of the main questions put forward by the human right activists on the issue of the prohibition of alcohol is the right to Privacy and the choice of the individuals. Any invasion by the state in an individual's right of choice of food and beverage amounts to an unreasonable restriction and destroys the individual's decisional and bodily autonomy. The Black's Law Dictionary⁴⁴ describes right to privacy as the right of an individual to be exempt from unnecessary public interference. In today's age of connectivity, privacy is an important asset that protects us from unwanted interference from government and institutions in our lives. The right to privacy is a novel concept around the world. A total prohibition on alcohol not only goes against the right of privacy of the individual by unnecessary indulgence in the citizen's personal lives but also an individual's right to choose and even undermines a person's personal freedom⁴⁵.

The alcohol industry supports the livelihood of farming families and provides both direct and indirect employment to millions of workers who work in the sector. Moreover, the alcohol industry helps hundreds of auxiliary paper, glass, tin, and plastic businesses. A full ban on alcohol even has a detrimental effect on the nation's tourist and hospitality sectors. Alcohol-related taxes make a significant proportion of all government income. They make it possible for the government to fund various public social welfare programmes. Lack of these income might significantly hinder the state's capacity to carry out social welfare programmes⁴⁶. the

⁴⁴ Right, The Law Dictionary, <https://thelawdictionary.org/right/> (last visited Nov. 11, 2024).

⁴⁵ IBID

⁴⁶ Prohibition of Liquor: Benefits and Challenges, ForumIAS, https://blog.forumias.com/prohibition-of-liquor-benefits-and-challenges/#What_are_the_counter_arguments_given_against_prohibition_of_liquor (last visited Oct. 8, 2024).

loss of the tax revenue along with the money spent on the implementation of the prohibition laws and creating new employments for all those who worked in the industry results on a huge economic burden on the country which implements prohibition laws.

Local police and administrative officials are seen to frequently team up with the local players of the illegal alcohol businesses or the “booze mafia” as they are called and ignore all the illegal alcohol trade which is conducted by them. Whenever prohibition has existed, whether it is in the United States of America, Russia, or the Nordic nations, this police-mafia nexus problem has clearly come forward and seen⁴⁷. The records of the amounts of money that were transferred when the prohibition laws were in effect in the United States demonstrate that there is a corrupting influence both at the state and municipal levels as well as at the federal Bureau of Prohibition. Police officers and Prohibition agents are regularly persuaded to engage in bootlegging by offers of money or lucrative opportunities. Bootlegging develops when implementation of the prohibition law is ineffective by the state be the illegal production, transport or the sale of alcohol. The local players of the illegal alcohol businesses or the liquor mafias continue to serve the general public with illegal alcohol (without doing quality tests). This not only weakens the goal of the prohibition laws of alcohol but also nurtures organised crime in its shadows.

The consumption of Poor-quality illegal alcohol has costed even the life of many individuals. In nations where taxes on legal alcohol are too high or where alcohol prohibition is in effect, illegal alcoholic beverages are frequently adulterated with methanol as a less expensive substitute for ethanol (ethanol is the chemical compound in the regular alcohol which is consumed safely). When deceitful businesses or individuals mix industrial methanol into alcoholic beverages, methanol poisonings occur to its consumers.⁴⁸ The poisonings may also result from poor home alcohol brewing, which yields methanol rather than ethanol. This

⁴⁷ Methanol Poisoning Treatment, CDC, https://www.cdc.gov/niosh/erashdb/emergencyresponsecard_29750029.html#:~:text=Ingestion%20of%20methanol%20may%20cause,consciousness%20including%20coma%2C%20and%20seizure (last visited Sep. 11, 2024).

⁴⁸See Methanol Poisoning, NCBI, <https://www.ncbi.nlm.nih.gov/books/NBK482121/> (last visited Aug. 11, 2024).

methanol is either consumed directly or mixed in with legitimate spirits, again as a cheaper alternative to ethanol.

The body converts methanol into formic acid, formaldehyde, and finally formic acid when consumed, which makes a person's blood acidic (metabolic acidosis). Early-stage methanol poisoning may be difficult to differentiate from intoxication or routine ethanol usage. Methanol use can have a number of harmful health impacts, including headache, dizziness, nausea, vomiting, lack of an appetite (anorexia), severe abdominal pain, gastrointestinal bleeding (haemorrhage), diarrhoea, liver function abnormalities, inflammation of the pancreas (pancreatitis), visual disturbances, blurred vision, sensitivity to light (photophobia), visual hallucinations (misty vision, skin over the eyes, snowstorm, dancing spots, flashes), partial to total loss of vision, electrolyte imbalances. Kidney failure and muscle death at the cellular level (rhabdomyolysis) have been reported in severe poisonings⁴⁹.

The first course of remedy focuses mostly on maintaining cardiovascular and respiratory health. Treatment aims to either stop methanol from turning into hazardous metabolites or to quickly eliminate those metabolites while addressing metabolic and fluid problems⁵⁰. Effective treatments for methanol poisoning include ethanol and fomepizole.

The alcohol is smuggled in from the neighbouring states wherever prohibition laws are in place for example the United States -Mexico border was heavily guarded during the time when the Prohibition law was in place. The same was the case with the Russian and in the Scandinavian countries Europe and Denmark were the major places from where smuggling took place. The local authorities and the law implementing agencies view it as a major challenge in the enactment of the prohibition laws in the country. There is a massive population of young people without jobs who seek to smuggle illegal alcohol to get some fast cash⁵¹. Youngsters who are apprehended are quickly replaced by the key players of the illegal alcohol market. and many a times because of the connection to officials, bail of these people are easily obtained and the matter is disposed without much action. Furthermore, the tactics used by these illegal business operators are always evolving. Production locations, modes of transportation, and coding languages are always changing, making them exceptionally

⁴⁹ See: <https://www.ncbi.nlm.nih.gov/books/NBK482121/>

⁵⁰ See: <https://www.methanol.org/wp-content/uploads/2017/02/FAQ-on-methanol-poisoning-treatment-20160322-EN-general.pdf>

⁵¹ See: https://www.livemint.com/politics/policy/prohibition-makes-for-a-heady-cocktail_11646757792102.html

challenging to identify. Which furthermore creates an extra tremendous burden on the courts and enhances the pendency of cases.

It is noticed that the restriction does not lessen but rather increases the demand for alcohol. To feed their addiction, some are prepared to put their lives in danger and consume illegal adulterated alcohol. Or as seen in the case of the United States of America, wherein, people who could not obtain alcohol were more likely to use drugs and other dangerous substances as a result of the prohibition.⁵² This highly addictive nature of alcohol and the other intoxicants make it extremely difficult for the law implementing agencies to successfully implement the alcohol prohibition laws in their countries.

There is also an argument which is put forward by the critics that the ban of alcohol is only intended as a political tool, particularly to win over female votes⁵³. Yet, the implementations of the prohibition laws don't address their issues since alcohol addicts often drink hooch and other illegal alcoholic substances, and they may even go on to consume other more harmful intoxicating substances, which have effects that are comparable to or worse than those of alcohol that is produced legally⁵⁴.

⁵² IBID.

⁵³ See Why Prohibition?, The Hindu Business Line, <https://www.thehindubusinessline.com> (last visited Aug 11, 2024).

⁵⁴ See: <https://www.thehindubusinessline.com/opinion/why-prohibition-makes-no-sense/article21683330.ece1>

Conclusion

Between the issues of religious sanctity, Crime, freedom of choice and right to privacy, increase the productivity of the citizens etcetera there are also aspects of economy, employment, addiction issues etcetera, which we cannot undermine in the long run. Informed and constructive discussions and research on the causes and effects of the prohibition is the need of the time. The laws and the jurisprudence on this topic are still in its nascent stage and that too tainted with the colours of religion. We need to develop them all to properly measure both the positive as well as the negative aspect of the implementation of the prohibition laws and then reach a common nexus.

Policy makers ought to focus on framing laws which encourage responsible behaviour from the citizens, corporation and compliance. A drinking age shall be fixed and there shall be a strict adherence to the same. Strict laws should be legislated and enforced against drinking in public, domestic violence under influence, and drinking and driving. The governments shall use the revenue earned from the alcohol industry for social education, deaddiction, and public welfare.

Thus, a consensus can be reached that the rationale or the factors necessitating the implementation of the prohibition varies from country to country, it might be to protect their religious identity and sacraments as we have seen in Canada, Scandinavian countries and the countries of the west Asia , to make the citizen more productive by not letting them indulge in Intoxication, for health and sanitation reasons as we have seen in the United States of America, to save on food grains in times of scarcity and discipline of the soldiers as seen in the case of the Russian Empire, for the economic upliftment of its citizens, for upliftment of women, to control violence and crime rates etcetera. One thing which is common in all these cases is that the consumption of liquor makes the citizens less aware of their surroundings and thus less productive which may even make them vulnerable to commit crimes.