

# CHAPTER 2

## Brief World History of Prohibition

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### Introduction

Prohibition of alcohol or liquor, often referred to simply as 'prohibition', is a sumptuary law which prohibits alcoholic beverages or liquor. Typically, the manufacture, transportation, import, export, sale, possession and consumption of alcoholic beverages is restricted or completely banned.

The term can also apply to the periods in the histories of the countries during which liquor prohibition was enforced. Use of the term as applicable to a historical period is typically applied to countries of European culture.

In some countries of the Muslim world, consumption of alcoholic beverages is forbidden according to Islamic Law — though the strictness by which this prohibition was and is enforced varies considerably between various Islamic countries and various periods in their history. In the early twentieth century, much of the impetus for the prohibition movement in the Nordic countries and North America came from Protestant wariness of alcohol, i.e. mainly with religious overtones.

### History

The first half of the 20th century saw periods of prohibition of alcoholic beverages in several countries.

#### **Canada and Europe**

Canada (1907 to 1948) had Prohibition mainly in Prince Edward Island during this period, but for much shorter periods in other provinces. Russia and the Soviet Union (1914 to 1925) had

introduced a limited version of a Dry Law, which continued through the turmoil of the Russian Revolution of 1917 and the Russian Civil War into the period of Soviet Russia and the Soviet Union until 1925. Iceland prohibited alcoholic drinks from 1915 to 1922 (though beer was still prohibited until 1989). Norway imposed prohibition from 1916 to 1927 (including fortified wine and beer from 1917 to 1923), Hungary in 1919 (in the Hungarian Soviet Republic, March 21 to August 1; called *szesztilalom*) and Finland from 1919 to 1932 (called *kieltolaki*).

United Kingdom, while it did not prohibit the sale or consumption of commercial alcohol throughout the first half of the twentieth century, home-brewing was circumscribed by taxation and prohibition, largely due to lobbying by large breweries that wished to stamp out the practice. One of the earliest, modern attempts to regulate private production that affected this era was the Inland Revenue Act of 1880 in the United Kingdom, which required home-brewers to obtain a license at a price of 5 shillings. However, the Bournville Village Trust, an area of land which covers parts of the Birmingham suburbs of Bournville, Selly Oak and Northfield has been 'dry' for over 100 years, with no alcohol being sold in pubs, bars or shops. This is due to the historical Quaker presence in the area which was founded by the Cadbury brothers when they opened their chocolate factory in Bournville in 1879. Residents have fought to maintain the alcohol free zone, in winning a court battle in March 2007 with Britain's biggest supermarket chain Tesco, to prevent it selling alcohol in its local outlet.

### ***Middle East, North Africa, and Central Asia***

The region mainly comprises Islamic states. Alcohol is prohibited in some of these countries because of Quranic cautions against the drink :

"Shaitân (Satan) wants only to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allâh (God) and from As-Salât (the prayer). So, will you not then abstain?"

"They ask you (O Muhammad) concerning alcoholic drink and gambling. Say: "In them is a great sin and (some) benefit for men, but the sin of them is greater than their benefit." And they ask you what they ought to spend. Say: "That which is beyond your needs." Thus Allâh makes clear to you His Laws in order that you may give thought."<sup>[</sup>

The Islamic prohibition on consumption of alcoholic drinks is thus the earliest and longest-lasting, reinforced by being embedded in religious teaching; still, both historically and at present, its enforcement varies considerably in different Muslim states and societies (for example, at the heyday of Medieval Muslim al-Andalus, drinking songs were a recognised and valued literary genre).

Saudi Arabia completely bans the production, importation or consumption of alcohol and imposes strict penalties on those violating the ban, including weeks to months of imprisonment, and possible lashes. Similarly, Kuwait also bans the importation or consumption of alcohol, but does not impose corporal punishment for violations. Qatar bans the importation of alcohol and it is a punishable offence to drink alcohol or be drunk in public. Offenders may incur a prison sentence or deportation. Alcohol is, however, available at licensed hotel restaurants and bars, and expatriates living in Qatar can obtain alcohol on a permit system. The United Arab Emirates does not restrict the purchase of alcohol from a liquor store to non-Muslim foreigners who have residence permits and who have an Interior Ministry liquor license. Alcohol was earlier permitted in Bahrain, but in February 2009, MPs voted to ban all alcohol from Bahrain International Airport.

Iran began restricting alcohol consumption and production soon after the 1979 Revolution, with harsh penalties meted out for violations of the law. Repeated convictions may result in the death penalty. However, there is widespread violation of the law. Officially recognized non-Muslim minorities are allowed to produce alcoholic beverages for their own private consumption and for religious rites such as the Eucharist.

Alcohol was banned in Afghanistan during the rule of the Taliban. In the wake of the ousting from power of the Taliban, the ban was lifted for foreigners, who can buy alcohol in certain shops on presentation of their passport to prove they are foreigners. Afghan citizens are prohibited by law from buying alcohol.

Libya bans the import, sale and consumption of alcohol, with heavy penalties for offenders. Tunisia has a selective ban on alcohol products other than wine, with consumption and sale being allowed in special zones or bars "for tourists" and in big cities. Wine, however, is widely available. Morocco prohibits the sale of alcohol during Ramadan. Sudan has banned all alcohol consumption and extends serious penalties to offenders.

Many other Arab or mainly Muslim countries such as Egypt, Syria, Lebanon, Jordan and Turkey do not have any ban on alcohol, and production as well as consumption are legal, under the provision that people below the legal drinking age (which ranges from 18 to 21 depending on the country and the situation) cannot legally purchase alcoholic beverages. In Turkey the sale of alcoholic beverages was prohibited for 24 hours during general elections.

### ***Southern Asia (Less India)***

Pakistan allowed the free sale and consumption of alcohol for three decades from 1947, but restrictions were introduced by *Zulfikar Ali Bhutto* just weeks before he was removed as prime

minister in 1977. Since then, only members of non-Muslim minorities such as *Hindus*, *Christians* and *Zoroastrians* are allowed to apply for permits for alcohol. The monthly quota depends on their income but is usually about five bottles of liquor or 100 bottles of beer. In a country of 140 million, only about 60 outlets are allowed to sell alcohol and there used to be only one legal brewery, *Murree Brewery* in *Rawalpindi* (now there are more). Enforced by the country's Islamic Ideology Council, the ban is strictly policed. However, members of religious minorities often sell their liquor permits to Muslims and a black market trade in alcohol continues.

In Bangladesh, foreign passport holders of non-Muslim nations can drink in some licensed restaurants and bars (and expatriate clubs) and can purchase imported alcohol from 'diplomatic bonded warehouses' at a hefty rate of sales duty (Approx 300%). Holders of diplomatic passports and some other specially privileged persons (such as U.N. employees) have 'passbooks' which entitle them to buy imported alcohol from the same 'bonded warehouses' duty free. Often duty free and duty paid prices are shown alongside one another. Bangladesh nationals of any religion may purchase alcohol, with a medical certificate, from special outlets. However, illegal homemade liquor (known as 'Mod' or 'Bangla') is widely consumed in rural areas. The (mostly Christian) Garo tribal folk also brew a strong rice beer called 'Choo'. Christians are permitted to use wine for Holy Communion. The Maldives ban the import of alcohol. Alcoholic beverages are available only to foreign tourists on resort islands and may not be taken off the resort.

### ***South-East Asia (Thailand)***

Thailand bans the selling of alcohol during the afternoon to prevent schoolchildren from buying alcohol. The electronic cashiers of supermarkets and convenience stores are programmed not to

accept alcoholic beverages during this time. In Brunei, alcohol consumption in public is banned and there is no sale of alcohol. Non-Muslims are allowed to purchase a limited amount of alcohol from their point of embarkation overseas for their own private consumption. Non-Muslims over 17 years of age may be allowed to bring in not more than two bottles of liquor (about two quarts) and twelve cans of beer per person into the country.

### **Australia**<sup>22</sup>

The Australian Capital Territory was the first Australian jurisdiction in which prohibition laws were enacted in 1910, to address unruly behaviour. Seventeen years later (1928) the Federal Parliament repealed the laws. More recently alcohol has been prohibited in many remote indigenous communities across Australia. Penalties for transporting alcohol into these 'dry' communities are severe and can result in confiscation of any vehicles involved; in dry areas within the Northern Territory, all vehicles used to transport alcohol are seized. Because alcohol consumption was found to lead to violence, some communities sought a safer alternative in substances such as kava, especially in the Northern Territory. Over-indulgence in kava causes sleepiness, rather than the violence that can result from over-indulgence in alcohol. These and other measures to counter alcohol abuse met with variable success. Some communities saw decreased social problems and others did not. The Federal government banned kava imports into the Northern Territory in 2007.

### **USA**<sup>23</sup>

Brewing and consumption of alcoholic beverages have a long

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<sup>22</sup> Wikipedia (On Line) Available at <http://en.wikipedia.org/wiki/Prohibition>, Accessed 20 Sep 2009.

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history in the United States tracing back to the early colonial era. However, in the late 19th century, the alcohol industry which had greatly expanded due to technological innovation, and establishments serving alcohol (saloons), proliferated. The social problem of drunkenness soon rose, which caused a great amount of public concern. Organizations like 'Anti-Saloon League' and 'Women's Christian Temperance Union' emerged to curb alcohol production and consumption. The movement against alcohol was known as the Temperance Movement. This gave rise to the formation of the Prohibition Party as a single-issue political party in 1869, advocating prohibition of alcohol.

The sentiment of temperance soon reached the branches of government of the United States. In 1917, the Congress proposed an amendment to the Constitution to prohibit alcohol. The amendment was promptly ratified by 45 states in 394 days, and only one state, Rhode Island, voted to reject the amendment.

Prohibition of alcoholic beverages was enacted with the Eighteenth Amendment to the Constitution, which authorized the Congress and states concurrent power to enforce prohibition. In 1919, Congressman Andrew Volstead wrote the National Prohibition Act (which came to be known as the Volstead Act 1920) to provide federal enforcement prohibiting the manufacture, transportation, and sales of beverages containing 0.5% or more alcohol.

During the period, the production, transportation, and distribution of alcohol were banned. Prohibition was supported by the Temperance Movement, backed by politicians, and groups such as the Ku Klux Klan.

**In the early years of Prohibition, alcohol consumption did drop significantly.** After that, however, it slowly increased, though it never again reached the pre-1920 levels. Organized crime emerged in every large city, supplying bootleg whiskey and

operating "speakeasies," often with payoffs to local officials. The illegal alcohol distributed during Prohibition also posed a danger to consumers due to its frequently compromised quality, while the government lost tax revenues. However, during this period a black market of alcohol flourished and encouraged the growth of violent gangs.

In the 1930s, the national consensus in United States gradually shifted in favor of the repeal of Prohibition. In 1932, the law was relaxed slightly to allow 3.2% of alcohol content in beer. The Prohibition was formally abolished by the Twenty-first Amendment of the Constitution, proposed in 1933 and ratified by 38 states in 288 days, with only South Carolina voting against ratification. (*This makes the Eighteenth Amendment the only repealed constitutional amendment in American history*). In 1933, the Twenty First Amendment was ratified and Prohibition was formally repealed.

## Summary

Thus, America, Europe and even parts of Asia and Australia have had their experiments with prohibition of alcohol and in times to come, reverted to some definite degree of control within their societies. The reasons were mainly to do with the onset of wars in the contexts of America and Europe, which fuelled various sentiments and driving forces behind prohibition.

The economic depression of the 1930s forced these very nations to think of alcohol as a fast selling revenue earning commodity, whose ill effects could be overlooked or ignored in keeping with the demand of the day.

The next chapter reviews the journey of alcohol through prohibition in the Indian context.