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## Alcohol Prohibition: An Emerging Step Towards Women's Safety With Special Reference To Bihar

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### Abstract:

In both the developed and developing worlds, violence against women continues to be a serious issue. According to 2013 WHO estimates approximately 35% of all women have experienced physical or sexual abuse, with prevalence rates ranging from 27% in Europe to over 40% in Africa and South-East Asia. This particular form of violence has severe economic repercussions, especially in nations where inequality, poverty, and low labor force participation rates are problems. Finding effective strategies to lessen violence against women has proven challenging. Improvements in women's social and economic position generally seem to lessen the frequency with which they are abused by intimate partners. This paper will attempt to analyze alcohol prohibition as a potential policy or force which can help in reducing women centric violence. Although alcohol manufacturing, selling and consumption are among the world's biggest industries. But with alcohol consumption comes many issues that may hamper someone's social life and may also bring physical and economic losses. When we talk about crime against women, alcohol consumption becomes a major reason for this. This paper will compare and contrast the ban imposed on alcohol in the United States in the early 20th century and the ban imposed by the state government in Bihar, India in the second case. The paper will also highlight how crime against women has been reduced after the ban has been imposed by the state government of Bihar. The paper will also bring to focus, the need for women's safety and the benefits of implementing the ban on alcohol in Bihar.

**Keywords:** Alcohol prohibition, women's safety, domestic violence.

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**Introduction:**

Alcohol has been a part of the human lifestyle from very ancient times. In most of the ancient religions and civilizations, one may find traces of alcohol consumption, but with the passage of time, people have realized that alcohol is a cause for many nuances in society. Alcohol has always been used as a medium of pleasure and as a scapegoat for a stressful and chaotic life. Alcohol also is a reason for various physical and mental issues, other than that it has also given rise to various social evils and its addiction may also pull people and their families into financial difficulties. For all the above-mentioned reasons, leaders of civilized societies have tried to stop people from indulging in alcoholism. Since the history of consumption is long, the ban on alcohol also has a fair share in human history. Throughout history, there have been incidents of implementing the prohibition of alcohol. Prohibition does not only ban the mass from consumption, it is rather an inclusive term and includes forbidding the production, selling as well as consumption of alcohol. Globally various countries have made attempts on restricting people from the consumption of alcohol, the success of these attempts still remains a matter for debate. Many theorists from both east and west have shared their opinion regarding the prohibition on alcohol. John Stuart Mill was a political theorist of the 20th century and he talked about the liberty that should be given to individuals, but then he also mentioned that strict action should be taken once a person loses his/her mental state and indulges in social misconduct. According to him, whenever there is a definite loss or a guaranteed risk of damage either to an individual or the public, the case can be taken out of the boundary of liberty and placed in that of the morality of law. Another important theorist who openly accuses alcohol of crimes in society is Friedrich Nietzsche. From his standpoint, alcohol is hedonistic in nature, that is to say, people indulge in it to reduce or forget their pain instead of bravely fighting it, he found this aspect of alcohol to intellectually impairing mankind. In India though through ages religion leaders, rulers and social activists have raised voices against alcohol consumption and called for its prohibition. But Mahatma Gandhi is one of the biggest names in the history of modern India who has a strong opinion regarding this. Everyone know Mahatma Gandhi for his struggle to provide independence to his country, but at the same time he was equally popular for his moral compass and humanitarian principles. He too made it a political issue and raised voice in the Indian National Congress for the prohibition of alcohol as the need for the hour. A priority that eventually resulted in the goal of prohibition being mentioned in India's first constitution of 1949. Gandhi based his idea of prohibition on the argument that the poorer class will be benefited by this decision, who did most of the drinking in India. He believed that his efforts for prohibition would also be helpful in the independence movement of the country. He also advocated that in order to copy the British drinking habits, Indians waste their money and it results in street brawls, child abuse, and wife-beating. Gandhi wrote about prohibition and the ill effects of alcohol consumption as "Those who are addicted to drugs and alcohol lose moral integrity. Only women who have alcoholic husbands are aware of the evil effects alcohol has on once-orderly and peaceful homes" (Young India, 10-4-1930; M.K. Gandhi. 21.).

**Prohibition in America:**

In modern times, the most important attempt that was made for this restriction was in America. In the early 19th century, a social reform movement guided the people to put prohibition on alcohol consumption, this movement was known as the 'temperance movement'. The movement combined the concern for social ills, religious sentiments and various health concerns, these ideas were extremely appealing to the middle class of the country. It is a matter of whether anything that affects the masses and efforts made by the masses to change something has a better chance of happening. Similarly, the middle class of America was most affected by alcohol and thus, this movement was quite appealing to them. During the temperance movement a community formed by the name of Anti- Saloon league, nowadays known as American Council on Addiction and Alcohol Problems, made enough struggles to bring changes in the society. Their efforts bloomed well and the triumph was marked by a nationwide prohibition on alcohol consumption. With the passage of the 18th Amendment in 1919. In 1933 the prohibition was repealed by the 21st amendment. Therefore, the prohibition in America lasted for 13 years. The reasons why this prohibition was repealed were many and these reasons are still debatable. There is currently a negative stigma associated with the temperance movement. It is simple to dismiss the woman-led, frequently overtly religious movement as a bunch of reactionaries aiming to force moral obsequiousness on a population that did not share their beliefs. In the end, Prohibition was an abject failure because alcohol was still sold and consumed and because the government's futile attempts to impose the prohibition on alcohol gave rise to new forms of violence. The movement's leaders were ridiculed as obnoxious housewives out to spoil the fun. The temperance movement fizzled out and is today viewed as an unrealistic failure. However, the temperance movement's origins and composition are more nuanced than their skewed legacy would imply. Many of its most fervent supporters wanted alcohol outlawed for a much more practical reason than a regressive movement preoccupied with moralist contempt for alcohol use: women's safety. They found that men who were intoxicated were more likely to abuse women sexually, beat their spouses and kids, and harass passing women. Some of them did, but not all of them saw intoxication as a violation of their Christian morals. They often considered male drunks to be a danger to the security of women. In other words, temperance has come to be perceived as a movement of whiny housewives, yet it would be more accurate to describe it as a widespread opposition to domestic abuse.

In fact, Other than America, countries like New Zealand, Canada, Finland, the Philippines, South Africa, and others have had complete or partial bans on alcohol consumption. In most of Islam dominant countries the ban is imposed based on religion, as Islam forbids its followers to consume alcohol.

**Gandhi and prohibition movements in India:**

In India too, following the ideology of Mahatma Gandhi, many states have made efforts on implementing partial or complete bans on liquor consumption. The directive principles of state policy, article 47 of the Indian constitution states that "... the State shall endeavor to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health." According to

this article, the state government is free to impose prohibition on liquor and other drugs as per the need of the hour. There are specific days in India that are observed as dry days, these specific holidays like Independence Day (15th August), Republic Day (26th January) and Gandhi Jayanti (2nd October), meaning hereby that liquor selling and consumption is not allowed. However, these are not compulsory. The states in India that imposed complete or partial restrictions are Gujarat, Andhra Pradesh, Mizoram Nagaland, Haryana, Tamil Nadu, Bihar, and Lakshadweep. In most of these states, the prohibitions are either with certain conditions or are now repealed. In Andhra Pradesh, arrack is a type of local liquor anti-arrack movement that is an uprising against the same. The important thing to note here is that the movement was led and brought together by the women of various villages and small towns. Though the movement did not have any prominent leadership, yet, it was strong enough to be visible on the political front. Women in the state articulated the social evils they were facing like domestic violence and other sufferings on the hands of men. Finally on 1st October 1990 the state government heard their voices and a ban was imposed on the production and consumption of arrack. As a consequence of this movement Kerala government also banned the production and consumption of arrack. Gujarat has imposed a prohibition on the production and consumption of liquor following the Bombay Prohibition Act, 1949 when Gujarat was a part of Maharashtra. The same act is still in force in Gujarat. Interestingly Gujarat is the only state that issues death penalty for the production and trade of homemade liquor.

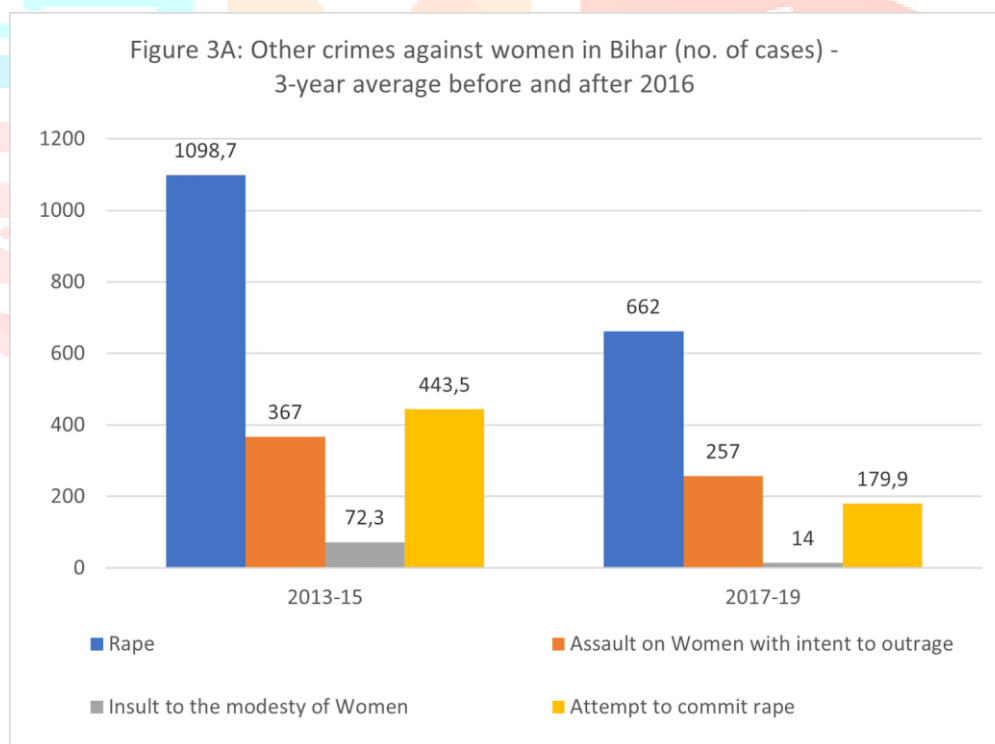
“An alcohol addict is feeble-minded even when sober.” By Gandhi. This statement tells a lot about the mentality of people who drink on a regular basis. One of the major reasons behind the prohibition, regardless of the country or states, is the involvement of women in the struggle for achieving prohibition. Women’s safety is one of the biggest concerns for any society thus, it becomes the responsibility of the government to cater to the needs of the women. The implication of these prohibition also works as a political agenda for the government in order to increase their vote bank. Since, today women are continuously moving forward and raising voices against the injustice that they go through, the government also tries to hear what they have to say, for political security.

### **Alcohol prohibition in Bihar:**

The Government of Bihar introduced New Excise Policy within the State of Bihar. In order to curb the menace of alcoholism and vices related to it, the said notification provided for prohibition of country liquor within the State of Bihar from 01.04.2016.” In Bihar, in 2016, Chief Ministers introduced a complete liquor ban in the state. The law was implemented from 2nd October 2016. In his announcement speech of the Bihar Prohibition and Excise Act, 2016 he mentioned that one of the main reasons behind this act is to safeguard women who are continuously victims of domestic violence and other crimes against them. As mentioned in the official document of the act, it is “an act to enforce, implement and promote complete Prohibition of liquor and intoxicants in the territory of the State of Bihar and for matters connected therewith or incidental

thereto.” As it was a major step taken by the government it is sure to have many criticisms. The prohibition policy also came under fire for effectively targeting marginalized communities, such as the Mahadalits of Bihar, in its implementation. In May 2018, an Indian Express investigation revealed that over 67 percent of a total of 1,22,392 people arrested under the prohibition law came from the Scheduled Castes, Scheduled Tribes and Other Backward Class communities. The report revealed that Scheduled Caste inmates comprised 27 percent of the arrests under the law, but only 16 percent of the state’s population. In the wake of these criticisms, in July 2018, the government introduced amendments to the act that watered down some of its harsher provisions. Many people were against the new rule and they peeled in the Patna high court. The high court also agreed that the ban was impractical, so after certain amendments in the act, it was reintroduced. In the new law certain provisions were given in special circumstances, for example the government allowed the selling of alcohol in military canteens of the Cantonments. Time and again the government had shown its lenient approach towards the law by making further amendments in 2018 and 2022.

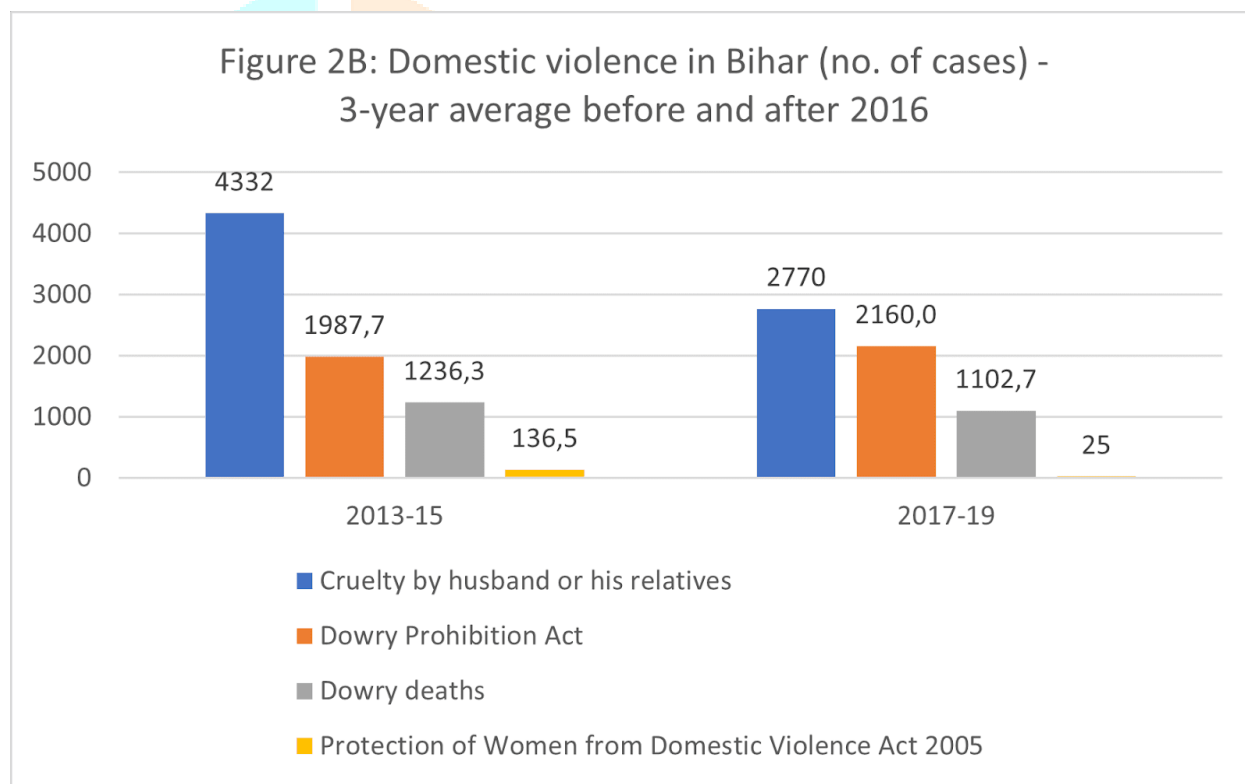
When the government of Bihar introduced the act it got a lot of support from the women of the state. The women in the state were continuously dealing with crime against them and when asked for the reason for such violence, they all blamed alcohol in complete harmony. According to the National Family Health Survey conducted in the past years, the decline in the cases of crime against women have reduced drastically.



Source: National Family Health Survey (iv& v) 2015 and 2020



In the graph shown above we may see the rate of the crime against women other than domestic violence. These crimes include rape, assault on women with intent to outrage her modesty, insult to the modesty of women and attempt to commit rape. All these crimes are heinous and hamper the social life of the women. In the year 2013 to 2015 number of cases of rape were highest with the number being 10987, this number was reduced to 662 in 2017 to 2019, immediately after the ban was imposed. A notable point here is that the women of various districts in Bihar started a protest against the consumption of liquor in their household. The cases of Assault on women with intent to outrage also decreased from 367 to 257. This difference may not seem big, yet it is prominent enough to conclude that as a consequence of the ban women are less vulnerable to the crime against them. Instituting the women may not seem as a crime yet it is, it may fall under the umbrella of verbal abuse to women and it also affects the mental health of the women adversely. The cases of verbal abuse have also been reduced from 723 to 14. Attempting to rape no less of a crime than rape. There has been a considerable reduction in the cases of attempts to rape too.



Source: National Family Health Survey (IV & V) 2015 and 2020

#### Protection Of Women From Domestic Violence Act 2005

As Seneca said “drunkenness is nothing but a voluntary madness.” This statement seems to be true when it comes to the women who are struggling with domestic violence. Domestic violence is the most common and yet the most invisible crime against women. The main reason behind this is that they are afraid of bringing it to the public domain either due to the further suffering or the fear of insult in the society. After asking women suffering from domestic violence through husbands about the reason behind it, most of them responded saying that their husbands committed such violence only under the influence of alcohol. The figure above reports the

number of cases of domestic violence three years prior to the ban, compared with the number of cases three years after the ban was implemented. The number of cases of cruelty by husband or his relatives were as high as 4,332 combined in the years 2013-2015. This number reduced to almost half that is 2,770 in the years 2017-2019. Other incidents of domestic violence are dowry. The number of cases registered under the Dowry Prohibition Act have increased rather than decreasing, from 19,877 to 21600. This too is alarming as it talks about potential rise in one of the social evils, but the violence is not caused due to liquor consumption. Though the death by dowry has reduced from before, the difference is minimal to 11027 from 12363. It is remarkable that the number of cases registered under the Protection of Women from Domestic Violence Act 2005 have drastically decreased. The cases after the ban amount to only 25 which was 1365 before the liquor ban. Looking at statistical figures it is safe to conclude that the liquor ban in Bihar has had a positive impact on protecting women from crime against them.

### **Conclusion:**

The ban on liquor has been imposed in many countries and in many states of the countries but the success rate of the ban is very low. Most of them have lifted the ban completely after a few years and those countries that have not lifted the ban have provided considerable relief in these prohibition acts of their people. Imposing and repealing bans may seem to be a matter of political debate but one cannot turn a blind eye to the fact that it has extreme social implications too. These bans may hamper the economy of the country as it is one of the biggest industries, still it is helpful in maintaining the household finances and pulling the families out of financial or mental or physical health crises. Women have always found themselves much safer when the people around them are not indulging in alcohol consumption. For a state like Bihar where a good amount of rural households were involved not only in the consumption but also the production of local alcohol, the ban implemented in 2016 has been completely 8 years successful is commendable. Though it is possible and surely it happens that there is illegal trade of alcohol within the state, Yet the rate of alcohol consumption has reduced significantly and helped in safeguarding women from the crimes against them. In fact, even in America, several women's organizations have time and again said that the policy of prohibition was a great benefit for women as it not only reduced women-centric violence but also helped them in gaining several rights. The success of any policy or act depends on the fact that how the majority of the population sees and accepts that very policy and without an iota of doubt the people of Bihar especially females have felt that the policy of prohibition will contribute to the well-being of citizens of Bihar. There is a dire need to take lessons from various states and even a developed country like the USA that despite several odds and problems the Bihar government needs to run this policy strictly. It won't only prove how worthy Bihar is rather it will contribute immensely towards women's safety and in reducing women-centric violence.

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