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How to cite this article [Chicago]: Spytska, Liana. "Prohibition in the USA, the USSR, and the UAE: Ideological and Procedural Differences, Causes of Failures or Successes." *Novum Jus* 17, no. 3 (2023): 67-92. https://doi.org/10.14718/NovumJus.2023.17.3.3

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Prohibition in the USA, the USSR, and the UAE: Ideological and Procedural Differences, Causes of Failures or Successes*

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Received: April 24, 2023 | Evaluated: June 15, 2023 | Accepted: June 26, 2023

Abstract

This study is relevant in light of a thorough investigation of alcohol control and prohibition in the United States of America, the United Arab Emirates, and the Union of Soviet Socialist Republics. In order to establish the causes of their successes or failures on the matter it is necessary to analize experiences in the regulation of alcohol abuse and consumption in the modern world, as well as ideological and procedural differences in alcohol control campaigns. The purpose of this study is to investigate the features of the introduction of prohibition in the United States of America, the Union of Soviet Socialist Republics and the United Arab Emirates, looking to establish and interpret the results of their anti-alcohol campaigns. A wide array of methods were used to carry out the investigation, such as: dialectical method; formalisation; cognitive method; formal-legal method; hermeneutical method; logical-legal method; systemic method; structural-functional method; axiomatic method; method of induction and deduction; and method of analysis and synthesis. The study analysed various anti-alcohol campaigns; established the background to the introduction of Prohibition in the United States of America, the Union of Soviet Socialist Republics and the United Arab Emirates; assessed the main successes and failures of Prohibition; identified reasons for the repeal of alcohol bans; and highlighted differences between the various anti-alcohol campaigns in the United States of America, the Union of Soviet Socialist Republics and the United Arab Emirates. The findings include: a definition of the phenomenon of "prohibition" itself, and what preceded it; a study of the anti-alcohol campaign in the United States and the consequences arising from the introduction of Prohibition; an examination of the nature of alcohol restrictions and bans in the Union of Soviet Socialist Republics and the many failures of Gorbachev's anti-alcohol campaign; and a study of the reasons for keeping alcohol restrictions in the United Arab Emirates. The provisions enshrined in this article are of practical value primarily to government officials whose responsibilities include campaigning against alcohol and its effects on law enforcement, economic policy, regulatory entities and other spheres of public life.

Keywords: anti-alcohol campaign, smuggling, criminal groups, alcohol, alcohol trafficking.

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Prohibición en los Estados Unidos, la URSS y los Emiratos Árabes Unidos: diferencias ideológicas y procedimentales, causa de fracasos o éxitos

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Recibido: 24 de abril de 2023 | Evaluado: 15 de junio de 2023 | Aceptado: 26 de junio de 2023

Resumen

Este estudio es relevante en el contexto de una investigación exhaustiva sobre el control y la prohibición del alcohol y la prohibición en los Estados Unidos de América, los Emiratos Árabes Unidos y la Unión de Repúblicas Socialistas Soviéticas (URSS). Con el fin de establecer las causas de los éxitos o fracasos en este asunto, es necesario analizar las experiencias en la regulación del abuso y consumo de alcohol en el mundo moderno, así como las diferencias ideológicas y procedimentales en las campañas de control del alcohol. El propósito de este estudio es investigar las características de la introducción de la prohibición en los países en mención, buscando establecer e interpretar los resultados de sus campañas contra el alcohol. Se utilizaron diversos métodos para llevar a cabo la investigación, como el dialéctico, el de formalización, el cognitivo, el formal-legal, el hermenéutico, el lógico-legal, el sistémico, el estructural-funcional, el axiomático, el de inducción y deducción, y el de análisis y síntesis. El estudio analiza diversas campañas contra el alcohol; establece el contexto de la introducción de la prohibición en los Estados Unidos de América, la Unión de Repúblicas Socialistas Soviéticas y los Emiratos Árabes Unidos; evalúa los principales éxitos y fracasos de la prohibición; identifica las razones para la derogación de las prohibiciones de alcohol; y destaca las diferencias entre las diversas campañas en dichos países. Los hallazgos incluyen: una definición del fenómeno de prohibición en sí, y lo que la precedió; un estudio de la campaña contra el alcohol en los Estados Unidos y las consecuencias derivadas de la introducción de la prohibición; un examen de la naturaleza de las restricciones y prohibiciones de alcohol en la Unión de Repúblicas Socialistas Soviéticas y los numerosos fracasos de la campaña contra el alcohol de Gorbachov; y un estudio de las razones por las cuales mantener las restricciones de alcohol en los Emiratos Árabes Unidos. Las disposiciones recogidas en este artículo tienen un valor práctico principalmente para funcionarios gubernamentales cuyas responsabilidades incluyen la lucha contra el alcohol y sus efectos en la aplicación de la ley, la política económica, las entidades reguladoras y otras esferas de la vida pública.

Palabras clave: campaña contra el alcohol, contrabando, grupos criminales, alcohol, tráfico de alcohol.

Introduction

For many decades, the need and expediency of Prohibition have been a subject of debate among historians, academics and jurists. History has taught and proved that, in today's world, the introduction of "prohibitions" is not as effective to combat alcoholism and the decline of society as originally enacted a hundred years ago. It is essential to replace all sorts of ineffective anti-alcohol campaigns, improve the regulatory framework, create effective mechanisms for overcoming alcoholism and bring government agencies together to tackle alcohol consumption concerns. In developed countries, the formation of the state market for alcoholic beverages has a significant impact on the production, distribution and consumption of alcoholic beverages, all of which require enhanced and comprehensive control. Different methods and practices of controlling the turnover of alcoholic beverages in different countries have gone through different developmental paths, revealing positive as well as negative results. The study of past experiences of alcohol regutation is a prerequisite for shaping a legal framework for the circulation and consumption of alcohol in the world.

Prohibition is a complex process that took place in many countries with the main purpose of completely or partially ban the production and distribution of alcoholic beverages to strengthen the rule of law and eliminate alcoholism.³ In some parts of the world, predominantly Muslim countries, a ban on alcoholic drinks remains in place. Alcohol bans have been implemented in Australia, Afghanistan, Bangladesh, Djibouti, Brunei, Indonesia, India, Iran, Kuwait, Libya, Maldives, Mauritania, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan and Yemen.⁴ The production of alcoholic beverages and the formation of the alcohol market have a significant impact on the economy, legal system and crime rate of almost every country in the world. The level

I. Tatarinov, "'Dry Law' ξ in Bessarabia during the interim government. In: Ya.V. Kichuk (Ed.)," in Theoretical, methodological and practical problems of history, philosophy, sociology, political science, law (Ismail: Ismail State Humanitarian University, 2017), 134-138.

K. Sheiko, "International experience in combating illicit trafficking in alcoholic beverages," *Journal of Kyiv University of Law* 2 (2019): 195-202.

³ R.F. Hamm, Shaping the Eighteenth Amendment: temperance reform, legal culture, and the polity, 1880-1920 (Chapel Hill: NC University of North Carolina Press, 1995).

States with total and phased-wise prohibition of alcohol in India, 2016, https://cutt.ly/xCqiTpQ; S. Pivovarov, and E. Spirin, 36 years ago in the USSR introduced the last and harshest dry law. We remember how in the Soviet Union they fought against drunkenness and constantly lost (in archival photos, posters and cartoons), 2021, https://cutt.ly/wCqi3f2; L. Pytlovana, "The Prohibitionist Movement in the United States: The Dry Law Party in a Caricature of the Late 19th and Early 20th Centuries," American History and Politics: A Scientific Journal 11 (2021): 23-33.

of influence of the alcoholic beverages market in the above areas depends not only on the development of the country but also on the traditions, legislative framework and legal regulation of the production and consumption of alcohol in each of these countries. In some countries, various methods and mechanisms have been used to control alcohol consumption and trafficking, including "prohibition". Excessive alcohol consumption has negative consequences and affects different spheres of public life. Alcohol is considered to be one of the causes of domestic violence. A study of the implementation of Prohibition and the fight against alcohol abuse will reveal what results were achieved through the adoption of an anti-alcohol campaigns and what ideological and procedural differences were present in such campaigns in the countries surveyed.

For a long time, the topic of Prohibition has been a subject of studies by many scholars, among them G. Dedurin "Historical practice of dry law in Russia (USSR) and the United States: pros and cons", A. Caspian "Everyday life in the United States in an age of prosperity and dry law", Yu. Latysh "Gorbachev's anti-alcohol campaign: causes, gains and losses," M. Kurnosova "Current problems of world history" and others. ¹¹

The purpose of this study is to investigate the features of the introduction of Prohibition in the United States of America (USA), the Union of Soviet Socialist Republics (USSR) and the United Arab Emirates (UAE), looking to establish and interpret the results of their anti-alcohol campaigns. The main objectives of this study are:

- to explore the motives behind Prohibition in the Union of Soviet Socialist Republics, the United States of America and the United Arab Emirates;
- to determine the reasons for their abolition;

D.L. Luke, E. Owens, and G. Charm, "Effectiveness and consequences of alcohol regulation: data from India," IZA Journal of Development and Migration 9 (2019): 1-26

⁶ L. D. Laise, "What women want: probation and violence against women," Novum Jus 16, no. 2 (2022): 77-105.

⁷ K. Sheiko, "International experience in combating illicit trafficking in alcoholic beverages," 195-202.

⁸ G. Dedurin, Historical practice of dry law in Russia (USSR) and the United States: pros and cons, 2019, http://univd.edu.ua/science-issue/issue/320.

⁹ A. Caspian, Everyday life in the United States in an age of prosperity and dry law (Moscow: Young Guard, 2008).

Yu. Latysh, "Gorbachev's anti-alcohol campaign: causes, gains and losses," Ukraine of the XX Century: Culture, Ideology, Politics 21 (2016): 85-100.

M. Kurnosova, "Current problems of world history," Volodymyr Vynnychenko Central Ukrainian State Pedagogical University, 8 (2016): 1-47.

- to identify the positive and negative aspects of anti-alcohol campaigns;
- to establish the main ideological and procedural differences between anti-alcohol campaigns;
- to explore the need to combat, counteract and control the production and distribution of alcohol in the world.

Materials and Methods

The author has used a number of general, exploratory and special methods of research to effectively and comprehensively examine the issue addressed. This study is based on dialectical, logical, and formal-legal methods. Thus, using the dialectical method, an analysis of the introduction of prohibition in the United States, the USSR and the United Arab Emirates was carried out and the successes and failures of their alcohol bans were established. The method was also used to explore the specific procedures of anti-alcohol campaigns in these countries. The logical method was used to uncover and highlight the prerequisites for the introduction of Prohibition. The formal-legal method was used to investigate the main failures and successes of the anti-alcohol campaigns and to establish how this affected posterior campaigns against alcohol use.

Another effective approach to this study is the systematic method, which seeks to identify the specifics of the implementation of all phases of the Prohibition Law. The main reasons for the failure of anti-alcohol campaigns in the USA and the USSR have also been established by means of the systematic method. The historical method was used to establish the periods and phases of the campaigns against alcohol, tracing their historical background, understanding the reasons for their failure of previous anti-alcohol campaigns and how their results were used for the posterior prohibitions of alcoholic beverages. By using a comparative legal method of scientific investigation, it was possible to establish common and distinctive features in the introduction of prohibition in the USA, the USSR and the UAE, and to identify the stages of implementation of alcohol control by the authorities of these countries.

By applying the laws of formal logic, induction, deduction, and analysis, the essence and purpose of an anti-alcohol campaigns were defined and the consequences of excessive alcohol consumption and how it affects law enforcement are elucidated. The structural-functional method was used to assess the risks of introducing a new Prohibition while drawing on the experience of past campaigns. The modelling

method was used by the author to identify the main problems faced by the authorities of countries in the implementation of anti-alcohol campaigns. A significant role in this study is also played by the hermeneutical method, which was used to determine the main successes and disadvantages of anti-alcohol campaigns in the studied countries and determine the ultimate impact of alcohol prohibition. The synthesis method was used to draw conclusions about the practicability of Prohibition in contemporary realities and to identify the causes for the failure of past anti-alcohol campaigns, for which the government authorities of the time were largely to blame.

Results and Discussion

Introduction of Prohibition in the United States of America

Alcohol abuse and its consequences are major global concerns, which are being tackled in every country. Over a long period of time, many different measures have been proposed and implemented to combat the use and production of alcohol.¹² However, the most ambitious was the introduction of Prohibition. G. Dedurin (2019) in his study "Historical practice of dry law in Russia (USSR) and the United States: pros and cons" stated that "alcoholic beverage consumption is an issue of international concern that remains relevant today". 13 R. Hofstedter, in turn, wrote: "The campaign for Prohibition and its subsequent implementation is a manifestation of human short-sightedness and fanaticism". 14 M. Kurnosova defined "Prohibition" as a general term referring to laws prohibiting the production, import, export, transport and sale of alcoholic beverages (except for medical and scientific purposes). 15 When considering Prohibition since the early 19th century, with active anti-alcohol campaigns lasted almost until the end of the 20th century and some countries where bans on alcohol consumption are still in place, the experience of the United States plays a key role. This is beacause the largest and most vigorous anti-alcohol campaign against the use and distribution of alcohol took place there from the 1920s to 1930s.1.

The problem of alcoholism in the United States can be traced back to the formation of the American state and the complexities of its political and social history. The

¹² I.O. Voronina, "Legal control of anti-alcoholic campaigns in the USSR," Legal bulletin DGU 3 (2013): 20-22

¹³ G. Dedurin, Historical practice of dry law in Russia (USSR) and the United States: pros and cons.

¹⁴ R. Hofstedter, The Age of Reform: From Bryan to F.D.R. (New York: Alfred A. Knopf, 1955).

¹⁵ M. Kurnosova, "Current problems of world history," 1-47.

S. Ivanov, ""Dry Law": legal norms and everyday practices in the world in the XIX-XX centuries," Kharkiv National University of Internal Affairs 94, no. 100 (2019): 1-2.

history of Prohibition in the United States dates back well before 1920. Americans began drinking alcohol in large quantities as early as the early 1900s, in which migration also played an important role. One of the first serious steps taken towards the adoption of Prohibition was the closing of distilleries in 12 American states in 1914. Also, since 1917, calls for the rescue of USA citizens began. And one of the procedures for such a rescue would be a ban on the production, distribution and consumption of alcohol. Prohibition has not been an unforeseen phenomenon for the United States of America. For many years, the United States struggled with alcohol abuse and the anti-alcohol campaign of the 1920s and 1930s was one of its most ambitious efforts. The anti-alcohol campaign was motivated ideologically by religious, legal, law enforcement, sociological, industrial and technical concerns, for these areas suffered the most consequences of alcohol abuse.

Many politicians in the United States in the early 1900s favoured the idea of banning the production and consumption of alcohol. However, there were also those opposed to the proposal, such as Woodrow Wilson, the 28th President of the United States, who did not support the introduction of such restrictions in the United States. The rationale behind his decision was not to fight a destructive habit but to encourage a culture of drinking and thereby improve the well-being of the population. He was the one to veto the anti-alcohol law. However, such statements and decisions caused outrage among the political circle and this veto was cancelled by a larger number of votes. This subsequently prompted Congress to take more drastic action regarding the alcohol issue and resulted in changes to the USA Constitution. On August 1, 1917, the 18th Amendment to the Constitution of the United States of America was proposed by Congress. Three years later, Constitutional Amendment XVIII of the United States of America, was ratified and enacted. So, the Constitutional Amendment XVIII introduced the so-called Prohibition.

L. Pytlovana, "The Prohibitionist Movement in the United States: The Dry Law Party in a Caricature of the Late 19th and Early 20th Centuries," 23-33.

B. Fallow, "Dry Law, Wet Politics: Drinking and Prohibition in the Post-Revolutionary Yucatan, 1915-1935," Latin American Research Review 37, no. 2 (2002): 37-64.

P. Gai-Nyzhnyk, "Woodrow Wilson's political views in the pre-presidential period of his life and work," Scientific notes of the IF Kuras Institute for Political and Ethnonational Studies of the National Academy of Sciences of Ukraine 39 (2008): 67-77.

This day in history. Alcohol production officially resumed in the United States 84 years ago. 2020. https://cutt.ly/5CqfWGT.

A. Caspian, Everyday life in the United States in an age of prosperity and dry law

Constitutional Amendment XVIII, 1919, https://www.ruhr-uni-bochum.de/gna/Quellensammlung/07/07_amendmentstotheconstitution_1919.htm.

²³ Ibid.

Constitutional Amendment XVIII (1919) consisted of three sections.²⁴ Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited. Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation. Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress. Among the main reasons for enacting Prohibition in the United States, as outlined by Congress, was the promotion of public health, morals and public safety in the United States. It should also be noted that the Germans, Scots and Irish were overwhelmingly engaged in the sale and production of alcoholic beverages in the United States. This was also one of the important reasons for the Prohibition Act since the American authorities did not want to enrich the countries which had waged war. Another reason was that America had become a major exporter of wheat to Europe in the early 20th century and it was far more profitable than making beer or whisky from the wheat and then selling it. In addition, the American authorities and entrepreneurs were interested in disciplined and responsible workers who would perform their duties properly to develop the economy and industry, and alcohol was thought to impair such capabilities.²⁵

A separate law, called the Volstead Act,²⁶ was enacted to provide enforcement for the Constitutional Amendment XVIII.²⁷ The law was drafted by Anti-Saloon League's adviser Wayne Wheeler, who imposed a ban on beer and wine consumption, which was unexpected as anti-alcohol campaigners usually pushed for bans on hard liquor only. The main motive behind the introduction of Prohibition in the United States, implemented by the Constitutional Amendment XVIII²⁸ and the Volstead Act,²⁹ was to reduce the crime rate. The Act provided that no person, on or after the effective date of the Eighteenth Amendment to the Constitution of the United States, shall, on or after the effective date of the Eighteenth Amendment, manufacture, sale, exchange, carry, import, export, deliver, supply or store any

²⁴ Ibid.

²⁵ G. Dedurin, Historical practice of dry law in Russia (USSR) and the United States: pros and cons.

²⁶ Volstead Act, 1919, https://www.docsteach.org/documents/document/volstead-act.

²⁷ Constitutional Amendment XVIII.

²⁸ Ibid.

Volstead Act.

intoxicating liquor except as permitted in the Act and all provisions of this Act shall be construed broadly to prevent the use of alcoholic beverages. This Act also enacted restrictions on all beverages with an alcohol content exceeding 0.5% and did not impose liability for violating the restrictions of the anti-alcohol campaign. As such, the Volstead Act did not aim to target the mass consumer,³⁰ but the producers of alcohol.³¹

The Volstead Act³² was a continuation of the Constitutional Amendment XVIII, ³³ specifing and supplementing it and thereby allowing stricter methods of managing the consumption of alcoholic beverages. However, the Act was vetoed by President Wilson in 1919 because he disagreed with such a large-scale anti-alcohol campaign.³⁴ Almost immediately, this veto was overridden by the Senate and the House of Representatives and it was passed. In 1920, the first violation of the introduced Prohibition occurred, when a group of men in Chicago stole "medicinal whisky" used for medicinal purposes. The reason for the violation can be explained by the fact that the prohibition of various types of alcohol, among which was beer and wine, caused a significant increase in the smuggling of alcoholic beverages, which in turn contributed to the formation of criminal gangs that clashed against each other, sometimes resulting in killings. After the adoption of Constitutional Amendment XVIII, 35 there was a mass national shutdown of plants and factories engaged in the manufacture of alcoholic beverages. ³⁶ Although the Volstead Act³⁷ prohibited the use of alcohol, there were exceptions to this rule. Thus, it was permitted for individual farmers to produce certain types of wine under legal fiction, provided it was non-intoxicating fruit juice for household use. Legal fiction should be understood as a legal tool used to recognise as valid assumed or created legal facts, while also capable to do the opposite, i.e., to invalidate legal facts that might be untrue.

The Constitutional Amendment XVIII³⁸ stipulated that all state authorities and the federal government must work together and make every effort to enforce the Prohibition Act. This did not, however, bring sufficient results, since bureaucratic laws acted in the opposite direction from the stated objectives and the federal

³⁰ Ibid

M. Kurnosova, "Current problems of world history," 1-47.

³² Volstead Act.

³³ Constitutional Amendment XVIII.

³⁴ M. Kurnosova, "Current problems of world history," 1-47.

³⁵ Constitutional Amendment XVIII.

³⁶ A. Caspian, Everyday life in the United States in an age of prosperity and dry law.

³⁷ Volstead Act.

³⁸ Constitutional Amendment XVIII.

government did not allocate sufficient funds to control the consumption and distribution of alcoholic beverages. The early 1930s in the United States can be marked as the years of a major economic crisis.³⁹ One of its main causes was the introduction of an anti-alcohol campaign. In order to overcome it, a series of important decisions needed to be made. For example, one of President Franklin Roosevelt's main objectives was to overcome the economic crisis by abolishing Prohibition. In 1933, the USA Congress passed the Constitutional Amendment XXI,⁴⁰ which repealed the Constitutional Amendment XVIII,⁴¹ but retained the right for the individual states of America to decide whether or not to repeal Prohibition. The Constitutional Amendment XXI⁴² stated the following:

- 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.
- 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.
- 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

The adoption of the Constitutional Amendment XXI⁴³ was characterised by certain difficulties due to the stance of those in favour of the anti-alcohol campaign. In order to adopt the Constitutional Amendment XXI,⁴⁴ a special procedure was established, whereby ratification of the relevant amendment was not dependant of state legislature, but by specially created conventions whose members may not have heeded the opinion of the voters for the next re-election.⁴⁵

The introduction of an anti-alcohol campaign in the United States had both positive and negative consequences. During only three years of Prohibition, the number of arrests was reduced almost threefold and the population recovered, but the illegal

³⁹ A. Caspian, Everyday life in the United States in an age of prosperity and dry law.

⁴⁰ Constitutional Amendment XXI, 1933, https://www.law.cornell.edu/constitution-conan/amendment-21.

⁴¹ Constitutional Amendment XVIII.

⁴² Constitutional Amendment XXI.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ USA Dry Law: Stages of Adoption and Implications, 2020. http://referat-ok.com.ua/work/suhij-zakon-ssha-etapi-prijnjattja-ta-naslidki/.

sale of alcohol and the establishment of a large number of gangs also surfaced. ⁴⁶ The Prohibition Act resulted in the shutdown of 236 vodka distilleries, 1092 breweries and 177790 different drinking establishments. ⁴⁷ In the legal and law enforcement sphere, it is notable that the anti-alcohol campaign incided on the number of criminal offences, the emergence of "gangster" groups, the disregard of statutory rules and the undermining of the authority of state authorities. ⁴⁸

All things considered, it is posible to highlight positive and negative aspects of the introduction of anti-alcohol campaigns in the USA during the early XXth century. Firstly, the positive aspects included:

- a threefold reduction in arrests (at the beginning of the anti-alcohol campaign);
- an industrial productivity increase, particularly in the production of accessories, household items and products;
- according to data from Philadelphia, a fourfold decrease in the number of criminals in local prisons, causing 1100 prisons to be depopulated;
- a decrease in unemployment;
- improvements in welfare rates.⁴⁹

In turn, the negative aspects outnumbered positive and included:

- a dramatic increase of smuggling. According to statistics, around 2.5-3 million people were employed in the production of illicit moonshine;⁵⁰
- the formation of new criminal organisations, the so-called "clans";
- the death rate from alcohol surrogate poisoning and low-quality alcohol increased by 3-4 times;
- the undermining the activities of state bodies;

⁴⁶ S. Ivanov, ""Dry Law": legal norms and everyday practices in the world in the XIX-XX centuries," 1-2.

⁴⁷ M. Kurnosova, "Current problems of world history," 1-47.

⁴⁸ L. Pytlovana, "The Prohibitionist Movement in the United States: The Dry Law Party in a Caricature of the Late 19th and Early 20th Centuries," 23-33.

⁴⁹ V.V. Prilutskiy, ""Dry Law" on Russian soil: the impact of the American experience on sober movement and the struggle for a ban in the Russian Empire at the turn of the XIX-XX centuries," White Years 51, no. 1 (2019): 198-208.

V. Gospodarenko, The main directions of USA criminal policy: formation and implementation (Kyiv: Interregional Academy of Personnel Management, 2019).

- the cooperation of state bodies with criminal groups in covering up their criminal activities;
- a declining authority of law enforcement agencies.⁵¹

The impact of the prohibition could have been better if the implementation of the prohibition and the restrictions imposed had been monitored, the crime rates had been reduced, the activities of criminal gangs had been stopped and the corruption of law enforcement and authorities had been eliminated

Anti-alcohol Campaign of the USSR

In the territories of the former Soviet Union, the first anti-alcohol campaigns were introduced before the First World War and were carried out by Nicholas II. Prohibition has its origins in the Russian Empire. On July 31, 1914, a decree of Nicholas II officially banned the production and consumption of alcohol in the Russian Empire. Overall, the ban on alcohol imposed by the Tsar's decree lasted for 11 years, which was the first major enforcement of the so-called "dry law". 52 The history of the Soviet Union has known three anti-alcohol campaigns which can be divided into three phases: 1953-1964 (Nikita Khrushchev); 1964-1985 (Leonid Brezhnev); 1985-1991 (Mikhail Gorbachev). The latter is considered to be the most ambitious and controversial.⁵³ As the dates indicate, the fight against alcohol in the Soviet Union began after the Second World War. The issue of alcohol consumption was accompanied by the following factors and trends: the use of alcoholic beverages became a mass phenomenon; the spread of alcoholism among women; improvement, to some extent, in the economic situation of the population; transition to a five-day working day, allowing more leisure time; lowering the "age limit" of alcohol consumption, among others.⁵⁴ One significant cause for the mass consumption of alcohol in the Soviet Union was the actions of the authorities in distributing alcohol to both military and civilian populations that took place during the Second World War. This caused the population to develop an alcohol addiction.

⁵¹ K. Sheiko, "International experience in combating illicit trafficking in alcoholic beverages," 195-202.

⁵² V.V. Prilutskiy, ""Dry Law" on Russian soil: the impact of the American experience on sober movement and the struggle for a ban in the Russian Empire at the turn of the XIX-XX centuries," 198-208.

⁵³ S. Pivovarov, and E. Spirin, 36 years ago in the USSR introduced the last and harshest dry law. We remember how in the Soviet Union they fought against drunkenness and constantly lost (in archival photos, posters and cartoons).

Yu. Latysh, "Gorbachev's anti-alcohol campaign: causes, gains and losses," 85-100.

The 1960s anti-alcohol campaign was introduced by the 1958 Resolution of the Central Committee of the Communist Party of the Soviet Union and the USSR Council of Ministers "On Reinforcing the Fight against Alcoholism and Establishing Order in the Liquor Trade". 55 Many reasons motivated this anti-alcohol campaign, among which we can highlight an increase in the number of crimes and offences committed, as well as an increased level of alcohol consumption in the general population which, in turn, led to higher budget revenues. The above regulation even stated that revenues from the sale of vodka should be excluded from the norms for bonus payments to trade workers. However, the 1958 Resolution of the Central Committee of the Communist Party of the Soviet Union and the Council of Ministers of the USSR was never printed or published and did not yield the expected results, because the sales and consumption of alcohol were generating large profits and benefiting the economy. Another important document, whose purpose was to control alcohol consumption in the 1960s, was the Decree of the Presidium of the Supreme Soviet of the Russian Soviet Federative Socialist Republic (RSFSR) of 29 January 1960. The first of these was the "Measures to combat moonshining and the production of other home-made spirits,"56 which was aimed at stopping the spread of the pernicious phenomenon of moonshining and its consequences, binge drinking in particular.

During this anti-alcohol campaign, the legislation of the Soviet Union and the legal system underwent significant changes. Administrative legislation, for example, carried out significant developments, mainly concerned with combating the production of alcohol surrogates. The administrative and legal acts adopted during this period were aimed at regulating the issues of combating the illegal manufacture and sale of alcoholic beverages, as well as public disorder caused by individuals under the influence of alcohol. Just like in America, the criminal sphere chaged considerably during this period. Therefore, changes in the criminal law were issued to target new offences committed under the influence of alcohol. As a result, new articles were added to the criminal law and penalties for offences committed under the influence of alcohol were changed. Other areas of legislation were also updated and improved, in particular family law, civil law and labour law. Resolution No. 1365 of December 15, 1958 "On Reinforcing the Fight against Alcoholism and

56 Ibid.

A.A. Fokin, "Resolution of the Central Committee of the CPSU and the Council of Ministers of the USSR "On strengthening the fight against drunkness and bringing order in the trade in strong spirit drinks" and the anti-alcohol campaign of the 1960s, "Bulletin of Chelyabinsk State University 12, no. 341 (2014): 109-115.

Establishing Order in the Liquor Trade"⁵⁷ adopted by the Central Committee of the Communist Party of the Soviet Union and the Council of Ministers of the USSR, established the following measures in the fight against alcohol consumption:

- 1. To oblige party, Soviet, trade union, Komsomol organisations and cultural and educational institutions to conduct widespread mass-political and cultural-educational campaigns among the population, aimed at resolutely opposing alcoholism as a great social evil, by involving the workers in this endeavour.
- 2. Communists abusing alcohol who appear drunk at work and in public places and thereby denigrate the high standing of a Party member should be severely criticised by Party organisations, their behaviour should be discussed at Party meetings and they should be encouraged to realise their guilt and improve their record.

3. To instruct:

- the USSR Ministry of Health to take measures to improve the treatment of patients with alcoholism; to ensure compulsory treatment of alcoholics on the opinion of medical commissions;
- the Legal Commission under the USSR Council of Ministers should include in the draft Fundamentals of the Legislation of the Union of Soviet Socialist Republics and Union republics on Marriage and the Family a procedure for depriving chronic alcoholics of their parental rights;
- to oblige the Council of Ministers of the Union Republics to consider the issue of reinforcing the fight against alcoholism, moonshine brewing, illegal sale of alcoholic beverages, and the violation of public order in the streets and public places by individuals in a state of intoxication.

However, the anti-alcohol campaign of the 1960s failed to achieve the expected results, since the ideological motives and reasons for the introduction of alcohol restrictions, its procedures and modes of implementation contained many discrepancies and contradictions. In particular, the methods and procedures concerning the crime rate motive used by the Soviet government were ineffective, as economic well-being was much more important than law, order and public health. ⁵⁸ Another anti-alcohol campaign followed shortly thereafter. Thus, the Decree of the Presidium of the Verkhovna Rada of the Ukrainian SSR No. 903-VIII "On measures to strengthen

⁵⁷ Ibid.

⁵⁸ Yu. Latysh, "Gorbachev's anti-alcohol campaign: causes, gains and losses," 85-100.

the fight against drunkenness and alcoholism" was adopted,⁵⁹ which imposed restrictions and bans on the consumption and production of alcoholic beverages. According to this Decree, excessive alcohol consumption is detrimental to the health of workers, often causes family breakdown and has a devastating effect on the upbringing of children. It also claimed that people under the influence of alcohol lose their sense of responsibility towards society and the state, which leaded them to commit acts of hooliganism and other crimes. Alcoholism was, therefore, detrimental to productivity, leading to absenteeism and other breaches of work discipline, accidents and fatalities. This Decree established liability for breaches of anti-alcohol restrictions and sat up special commissions to control the consumption of alcoholic beverages. In particular, it established liability for drinking alcohol in public places and appearing drunk; liability for inciting minors to drink; liability for violating the rules of the liquor trade and liability for producing, selling, storing and buying home-produced hard liquor.

The largest consumption of alcoholic beverages was recorded during 1959-1979. The greatest demand and consumption of alcoholic beverages was during the Brezhnev administration. 60 Alcohol was becoming a cause of crime and a major factor in rising crime rates. Already in the mid-1980s, about 50% of all crimes were committed while under the influence of alcohol. Starting in the 1970s, the population of the Soviet Union took an active stand regarding the prohibition of the production, distribution and consumption of alcoholic beverages. 61 Thereafter, an active anti-alcohol campaign was launched, with a ban on the sale and distribution of home-produced wine. The Resolution of the Council of Ministers of the Ukrainian SSR No. 588 "On the list of issues to be considered at the meetings of the Council of Ministers of the USSR and the Presidium of the Council of Ministers of the USSR in the first half of 1983"62 was an attempt by the authorities to replace alcoholic beverages with non-alcoholic ones and thus limit the use of alcohol by the population. In addition, Resolution of the Council of Ministers of the Ukrainian SSR No. 218 "On the organization of the implementation of the resolution of the Council of Ministers of the USSR of May 7, 1985 No. 410 "On measures to overcome drunkenness and alcoholism, the

Decree of the Presidium of the Verkhovna Rada of the Ukrainian SSR No. 903-VIII "On measures to strengthen the fight against drunkenness and alcoholism", 1972, https://ips.ligazakon.net/document/UP720808?an=2.

S. Pivovarov, and E. Spirin, 36 years ago in the USSR introduced the last and harshest dry law. We remember how in the Soviet Union they fought against drunkenness and constantly lost (in archival photos, posters and cartoons).

⁶¹ B. Oleshko, and V. Pivovarchuk, Anti-alcohol campaigns in the USSR (60s-80s), 2021, http://molodyvcheny. in.ua/files/conf/other/59june2021/9.pdf.

⁶² Resolution of the Council of Ministers of the Ukrainian SSR No. 588 "On the list of issues to be considered at the meetings of the Council of Ministers of the USSR and the Presidium of the Council of Ministers of the USSR in the first half of 1983", 1982, https://zakon.rada.gov.ua/laws/show/588-82-%D0%BF#top.

eradication of home brewing"⁶³ was adopted. Under this Resolution, a campaign against alcoholism was launched across the Soviet Union, which included the cessation of alcoholic beverage production and shutting down shops where alcohol was sold. Among the penalties applied to offenders for violating this decree were: dismissal from work, fines and suspension from the party.

The Decree of the Presidium of the Verkhovna Rada of the Ukrainian SSR No. 23 "On measures to strengthen the fight against drunkenness and alcoholism, the eradication of home brewing"64 also established criminal and administrative liability for violating the provisions in the Decree. This decree also provided the following measures: only persons who had reached the age of 21 could buy alcoholic drinks; all advertising of alcohol was banned; a time limit in which alcohol was permitted to be sold was established, from 2 pm to 7 pm; prices of alcohol were significantly increased; people who drank alcohol in public places were penalised with fines, dismissal from work or exclusion from the party; 2/3 of shops that sold alcohol throughout the Soviet Union were closed; alcohol was not permitted for sale in places near hospitals, educational institutions, industries or recreation centres and, finally, intensive promotion of an anti-alcohol campaign. Within two years of the introduction of the anti-alcohol campaign in 1985, there were already positive results, such as an increase in the productivity of the workforce, a decrease in road accidents and crime and an increase in people's life expectancy. However, there were also disadvantages, among which the following should be highlighted:

- 1. Similarly to the USA, the Soviet Union also faced the problem of illegal import and smuggling of alcohol.
- 2. A large number of people lost their jobs as the factories and businesses that produced and sold alcohol were shut down.
- 3. The number of poisonings by alcoholic beverages of questionable origin increased. Since many people could not afford licensed alcohol, people started drinking any beverages that contained alcohol.
- 4. A large number of vineyards were destroyed, which could not be restored after the abolition of the anti-alcohol campaign.

Resolution of the Council of Ministers of the Ukrainian SSR No. 218 "On the organization of the implementation of the resolution of the Council of Ministers of the USSR of May 7, 1985 No. 410 "On measures to overcome drunkenness and alcoholism, the eradication of home brewing", 1985, https://ips.ligazakon.net/document/KP850218?an=731759.

Decree of the Presidium of the Verkhovna Rada of the Ukrainian SSR No. 23 "On measures to strengthen the fight against drunkenness and alcoholism, the eradication of home brewing", 1985, https://zakon.rada. gov.ua/laws/show/280-11#Text.

- 5. Major budget shortfalls due to restrictions on alcohol.
- 6. Due to the restrictions that were imposed, many began to produce alcoholic beverages at home, which eventually led to a sugar shortage. 65

After the introduction of the so-called "dry-law" in 1985, although it was formally referred to as an anti-alcohol campaign, the population became divided into two factions; some were opposed to the restrictions on alcohol, while others advocated for even greater restrictions. Some members of the government were also opposed to the imposition of alcohol restrictions and were in favour of cancelling the anti-alcohol campaign. The biggest opponent from the government was the chairman of the Council of Ministers, N. Ryzhakov, who argued that the gold reserves in the budget were running out and, due to a significant decrease in income from the sale of alcohol, the Soviet Union was suffering losses due to a significant drop in alcohol revenue, forcing it to live on borrowed money. In 1991, under pressure from the authorities and society, Gorbachev repeals the Prohibition Law and abolishes the established restrictions, only to his own srategy shortly thereafter. Gorbachev's anti-alcohol campaign is one of the most controversial measures of "perestroika". 66 The failure of the anti-alcohol campaign in 1985, as Gorbachev stated in one of the publications, was based on the fact that it was not efficient to have the trade shut down, which eventually stimulated illicit distilling. "Things should have been done gradually. After all, the anti-alcohol campaign was a mistake in the form of its implementation. Closing shops, especially in Moscow, was an overkill. Huge queues. The booming of moonshine distillation. Sugar disappeared from stores. It should have had a systematic long-term battle against alcoholism, not a campaign". 67

The 1985 legislation failed to achieve its objectives and goals and proved to be ineffective and contradictory. The proponents of alcohol reform had a vague idea of the stages of progress towards the ultimate goal, the ways and methods of addressing the problem and the place and role of various social institutions in the process. Thus, the Decree of the Presidium of the Verkhovna Rada of the Ukrainian SSR No. 23 "On measures to strengthen the fight against drunkenness and alcoholism, the eradication of home brewing" mainly enshrined liability for violating alcohol prohibition and restrictions. The identification of clear liability categories not only at the level of the Soviet Union but also at the level of the individual republics was

⁶⁵ Yu. Latysh, "Gorbachev's anti-alcohol campaign: causes, gains and losses," 85-100.

⁶⁶ Ibid

⁶⁷ B. Oleshko, and V. Pivovarchuk, *Anti-alcohol campaigns in the USSR* (60s-80s).

⁶⁸ Decree of the Presidium of the Verkhovna Rada of the Ukrainian SSR No. 23.

indicative of the massive violation of restrictions and the need to establish and consolidate more radical methods to ensure accountability. The above Decree also established a Commission to stop alcoholism. The coordination of the activities of state bodies and public organisations aimed at preventing and suppressing manifestations of alcoholism was carried out by anti-alcohol commissions set up under the Council of Ministers of the RSFSR and the executive committees of district, city and urban district councils of people's deputies. These commissions could also be established under the executive committees of the township and village councils of people's deputies.

Unlike other countries around the world where Prohibition was imposed, such as the USA and the UAE, the Soviets purposely abolished it and abandoned the war on alcoholism. This is largely attributed to the economic realities that prevailed in the Soviet Union after the prohibition of the production and consumption of alcohol. The funds that came from the production and sale of alcohol formed the basis of revenues for the budget of the Soviet Union. Perhaps ironically, the Soviet government had once again demonstrated that the interests of power and the political elite are above the interests of the citizens. A gradual introduction of restrictions and bans, rather than simultaneous and violent measures, would have been most helpful in achieving positive results in the Soviet Union's anti-alcohol campaign. It would have been relevant as well to improve the economy through other revenues to the budget instead of the sale of alcohol, since the economic rates prompted the lifting of restrictions and bans on alcohol consumption. The anti-alcohol campaigns of the Soviet Union and the United States had both shared and contrasting features. Among the common features these may be highlighted:

- 1. Prohibition and various anti-alcohol campaigns were introduced by the States.
- 2. Enterprises increased productivity as a result of widespread sobriety, with absenteeism decreasing by 30 per cent.
- 3. The number of crimes committed under the influence of alcohol decreased by 26%.
- 4. Prohibition gave rise to the illegal importation of alcoholic beverages.
- 5. The process of shutting down factories and converting operations related to the production of alcohol.

Among the main differences in anti-alcohol campaigns are:

- 1. Unlike in the Soviet Union, the number of criminals in USA prisons dropped dramatically.
- 2. In the United States, the number of corrupt officials who concealed the commission of various crimes, mainly smuggling, increased.
- 3. Increased drug use in America, which was a substitute for alcohol.
- 4. Strict censorship was in force in the Soviet Union. Therefore, any films, advertisements or books that encouraged alcohol consumption were banned.
- 5. In the Soviet Union, budget revenues declined by RUB 37 billion in just three years after 1985.⁶⁹
- 6. Destruction of a large number of vineyards in the Soviet Union. Moldova and Ukraine were the most affected. About 30-40% of vineyards were cut in Crimea alone.⁷⁰

Anti-alcohol campaign in the UAE

The USSR and the United States were not the only countries where the authorities have been engaged in long struggles with alcoholism among the population. A number of Muslim countries have also banned the production and consumption of alcohol, with the United Arab Emirates among the main ones. For a long time, the United Arab Emirates, along with other Muslim countries, had strict restrictions on the production and consumption of alcohol. Alcohol could be consumed in the UAE by tourists and only inside bars or restaurants. However, in 2020, the UAE changed its legislation to abolish the required permit for the purchase and consumption of alcohol, allowing citizens and tourists to consume alcoholic beverages. Thus, on 7 November 2020, amendments to criminal legislation were adopted. In particular, according to the UAE Criminal Code:

- 1. There is no penalty for the consumption, storage or sale of alcoholic beverages on the territory, in situations and places permitted under current legislation.
- 2. Each emirate regulates the consumption, possession, handling and trade of alcoholic beverages.

⁶⁹ Yu. Latysh, "Gorbachev's anti-alcohol campaign: causes, gains and losses," 85-100.

N. Pivovarov, and E. Spirin, 36 years ago in the USSR introduced the last and harshest dry law. We remember how in the Soviet Union they fought against drunkenness and constantly lost (in archival photos, posters and cartoons).

- 3. The person providing or selling alcoholic beverages to any customer under the age of 21 or any third party buying them with the intention of providing them to the former shall be liable to punishment, imprisonment and a fine of not less than one hundred thousand UAE dirhams and not more than five hundred thousand, or either one of the two penalties. Anyone who commits any of the above acts after verifying that the person to whom alcoholic drinks are provided or sold is under the age of 21 as stated in the passport or other official ID cannot be guilty of any offence.
- 4. Alcohol can be purchased and consumed from the age of 21. Amendments to UAE law provide for the decriminalisation of alcoholic beverages. However, despite certain loosenings, there are still restrictions in the UAE, for example, a person must be at least 21 years old to buy and consume alcohol; one can only consume alcohol in designated places and there are penalties for people who will sell alcohol to people under 21 years of age.⁷¹

The adoption of amendments to the United Arab Emirates legislation on alcohol consumption was primarily motivated by the authorities' desire to develop the tourism sector and attract foreign investment. In addition, the UAE authorities want to make the country more acceptable to the world and to enshrine human values and rights that are recognised throughout the developed world. And the strategy of slightly loosening the restrictions on alcohol consumption, especially for foreign tourists, has worked, as tourist inflows have increased and the entertainment establishments are generating more revenue. There is one state in the United Arab Emirates where the consumption and sale of alcoholic beverages is completely prohibited.⁷² In Sharjah, for example, only those who have been issued a licence by the government are allowed to possess alcohol, and as a rule, Muslims are not allowed to obtain such a licence. But even if a person in this state is appropriately licensed, they may consume alcoholic beverages in their home as all drinking, distributing or consuming alcohol in public or other places is explicitly prohibited by law. Penalties for such actions, such as flogging or imprisonment, are in place in Sharjah. Other UAE states allow the sale of alcohol in bars, restaurants and hotels with the appropriate liquor licence. In terms of ideological and procedural differences in the USSR, the USA and the UAE, the following should be noted:

Federal Decree Law No. 15. "Amending Certain Provisions of the Federal Law No. 3 of 1987 Concerning the Penal Code", 2020, https://cutt.ly/UCqns2J.

⁷² S. Ivanov, ""Dry Law": legal norms and everyday practices in the world in the XIX-XX centuries," 1-2.

- 1. In the USA, Prohibition was introduced to increase public safety, improve public health and welfare and reduce crime. The procedure for enacting Prohibition was the adoption of changes to the Constitution, voting for these changes and the gradual application of certain mechanisms for implementing the anti-alcohol campaign. However, all the means and methods used to control alcohol consumption did not yield the expected results due to the homebrewing among the population and the rise in smuggling and establishment of new criminal gangs. Prohibition was abolished in 1933 in the same way, through an amendment to the USA Constitution.
- 2. In the USSR, the efforts to eliminate alcohol consumption took place in several stages and with the introduction of various anti-alcohol campaigns in different periods. The ideological motives were to fight the mass consumption of alcohol that began after the Second World War, the decline of industry and the welfare of the population. The decision to introduce anti-alcohol campaigns was taken by the governing party. The most ambitious anti-alcohol campaign was introduced by Gorbachev in 1985, which also failed to yield the expected results due to the actions of the authorities.
- 3. The United Arab Emirates is a fairly young country with strict traditions and rules, including a ban on alcohol consumption. It was not until 2020 that it became possible to loosen the rules and make changes to the legislation on alcohol consumption not only by foreigners but also by citizens.

Ideological and procedural differences in the implementation of anti-alcohol campaigns were found in the three regions studied. This can primarily be explained by their State structures, legal systems, authorities and economic situation. The latter was the main reason for the Soviet Union to abolish anti-alcohol campaigns.

Conclusions

It has been established that the main purpose of the Prohibition Act and various anti-alcohol campaigns was to impose restrictions and bans on the consumption and production of alcoholic beverages. The anti-alcohol campaigns in the UAE, the USA and the USSR were identified and analysed, finding common and distinctive features among them. Ideological and procedural differences were identified. In particular, it was found that the difference in the procedural implementation of Prohibition was that in the UAE and the USSR the anti-alcohol campaign was imposed by a single individual or party, while in the USA such restrictions were voted for

by both chambers of Congress. All three had different ideological motivations: in the USA these campaigns targeted crime, while the USSR fought mass alcoholism and industrial decline and the UAE were imposed because of religious and cultural traditions.

The main difference between the anti-alcohol campaigns in the USA, the USSR and the UAE is the reasons that drove the authorities to lift prohibitions and anti-alcohol campaigns in these countries. Whereas in the USA the lifting of alcohol prohibition was driven by socio-economic factors and a significant rise in crime rates, characterised by the establishment of large numbers of criminal gangs and increased levels of smuggling; in the USSR the lifting of the alcohol ban was a deliberate action by the authorities, who argued that the Soviet Union was suffering from economic decline. For its part, the UAE is a fairly newly founded country with its own separate traditions, legal system and laws, where the control of alcoholic beverages contains different traits than the USA and the USSR since only some states in the UAE still practice prohibition. Nowdays, the problem of alcoholism in the population remains a matter of social importance. The anti-alcohol movement requires decisive action on the part of public authorities, in particular the improvement of legislation and the adoption of certain reforms, but this does not mean adopting harsh methods at once, but a gradual and step-by-step decision-making process.

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