



From 2016, the Government of Goa – starting from the term of former Chief Minister Laxmikant Parsekar – has tried to tackle the menace of drunken tourists by legislating a ban on drinking in all public spaces which are notified as “No Alcohol Consumption Zones”. Of course the law has been implemented neither in letter nor spirit. About a month ago, it was reported that the Chief Minister, Manohar Parrikar planned to introduce another law that would impose even more stringent fines than before, and also amend the Garbage Management Act to tackle the joint problem of drunken nuisance and littering.

The 2016 amendment made to the Goa Excise Duty Act, 1964 confirms that the ostensible motive for banning drinking in public spaces is the nuisance created by drunken tourists. When the proposed amendment was introduced in the assembly, the statement of Objects and Reasons set out that the “Government is receiving a number of complaints of consumption of liquor in open spaces, public places, beaches, State and National highways; mostly by visiting tourists. Upon consumption of liquor, the bottles and cans are strewn around causing environmental degradation and...harm to pedestrians accessing the area. Such persons after being in an inebriated state, cause nuisance to general public, disturb the peaceful order in the area and cause local tension, thereby posing a law and order situation on regular basis. The Bill, therefore, seeks to empower the Government to declare a space/place/area in the State of Goa as ‘No Alcohol Consumption Zone’”.

Though the logic of the amendment seems justifiable and the fact that the government will declare a particular place as ‘No Alcohol Consumption Zone’ through a gazette notification as eminently transparent, the situation is not that simple. For one, while the amendment has made drinking in public a punishable offense, it has not properly defined the parameters of which spaces can be notified as ‘No Alcohol Consumption Zones’. Even if we concede that the spirit of the amendment is directed towards regulating the public space of a beach, it still proves to be problematic as many local Goans picnic on the beach with friends and family. They take along with them alcohol and food. Is this activity, part of the lives of Goans for so many years, also to be criminalized and made punishable by law? After all, the law is applicable to all, even if it was made because, or to stop the nuisance, of unruly tourists. In this context, Parrikar’s comment in September 2017, gives us cause for concern. He

reportedly said, “If someone wants to drink (liquor), they should drink inside and not in public



## Nuisance and Social Drinking

At this point, one needs to ask if the solution to unruly and drunk tourists – a problem that concerns law and order – will be solved by banning it in notified public spaces. The activity of drinking – or rather, social drinking – in itself is not the problem. The fact that the government feels that the problem will be tackled by giving more teeth to the Goa Excise Duty Act, 1964, which regulates the production and sale of alcohol and has nothing to do with public disorder, is itself suggestive of the manner in which the government views liquor consumption as a problem, and not the fact that tourists feel entitled to do as they please in Goa. In any case, the law will provide ample space for future police harassment of those who consume alcohol because consumption of alcohol is criminalized and not public disorder.

The ideology that the current government and many members of various political parties subscribe to is well-known. Of late many politicians across party lines have made crass and ignorant comments that appear to fly right in the face of the liberal and *susegad* ethos of Goa. In this context, the history of temperance movements in India can give us valuable insights as how political activism and the legislation of the state can end up creating a smokescreen by which various cultural practices end up as collateral damage.

In his doctoral study, “A World Without Drink: Temperance in Modern India, 1880-1940” (2013), Robert Eric Colvard discusses how the earliest protests against policies regulating the sale of alcohol were led by toddy tapping communities and other communities traditionally producing alcohol. These protests were against unjust taxes imposed by the British, particularly against the Bombay Abkari Act, 1878, and not about the consumption of alcohol *per se*. However, a combination of Christian temperance activists with their Victorian morality and Indian nationalists essentially believing in a brahmanical Hindu morality created the fiction that the people in India were teetotalers. This fiction served the basis of the several prohibition laws in India and also created the notion that the consumption of alcohol was an aberration to Indian culture. And the bans that the government, both central and state, bring in force or plan to bring in force also rest on this idea that the consumption of alcohol is foreign to Indian culture.

In the context of Goa, the government seems to be unwilling to let go of the revenue it earns from liquor sale while at the same time wants to alter the place alcohol consumption has in Goan society. Even though the Goan government actively promotes local spirits, such as feni for export, we frequently hear such expressions of irrational fears as girls drinking, amongst others. This might lead us to wonder whether misguided attempts to curb unruly tourists may, in fact, end up slowly eroding one's right to consume alcohol without causing a nuisance in a public space. The government has to take steps to maintain public order without interfering in the cultural rights of Goans.

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