

Civil Society Organizations and the NLTP Act, 1989: A critical analysis of liquor prohibition in Nagaland

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Abstract: Following the enactment of the Nagaland Liquor Total Prohibition (NLTP) Act in 1989, Nagaland became the third state in India to impose a statutory ban on alcohol. This legislation was introduced largely due to the advocacy of civil society organizations (CSOs), such as the Naga Mothers' Association and prominent church groups like the Nagaland Baptist Church Council, despite minimal political commitment from the state government. However, liquor remains readily accessible, particularly in the districts of Dimapur, Chumoukedima, and Niuland, which collectively have a population of approximately four lakh. This widespread availability has fueled growing skepticism about the effectiveness of CSOs in enforcing the NLTP Act. While the role of CSOs in social and political advocacy has been widely studied, their specific contributions to the implementation of this Act remain underexplored in academic literature. Using qualitative research methods and purposive sampling, this study relies on personal interviews with CSO leaders to examine their roles, with a particular focus on Sumi CSOs, in enforcing liquor prohibition in Nagaland. The findings reveal that CSOs have largely failed to fulfill their mandate in ensuring the Act's effective implementation, raising critical questions about their capacity and approach in the context of liquor prohibition enforcement.

Keywords: Prohibition, liquor, NLTP Act, Nagaland, CSOs.

1. INTRODUCTION

Civil society is a broad and evolving concept that encompasses a diverse range of political actors, including grassroots organizations, social movements, non-governmental organizations, and nonprofits (Edwards, 2011, p. 3), as well as non-political formations created by voluntary groups of citizens to address various social, economic, and cultural issues. Civil society provides individuals and groups with a platform to challenge authoritarian states through nonviolent means such as strikes, protests, information dissemination, and the formation of discussion groups (Chandhoke, 2007, p. 607). Civil society organizations play a crucial role in development by offering insights into local realities in different parts of the world (UNCCD n.d.). Operating independently of government control, they work at local, national, and international levels with activities focused on sustainable human development. Their defining characteristics include independence from state structures and a commitment to voluntary action rather than profit-driven or politically motivated goals. CSOs contribute significantly to society development through collective actions aimed at reducing inequality, fostering inclusion, and, most importantly, ensuring the equitable distribution of resources. By working alongside individuals and communities, CSOs strengthen the capacity for active participation in democratic processes, engaging people in decision-making structures – a role increasingly recognized and valued by policymakers worldwide (Lewis, 2010, p. 45).

CSOs play a critical role in promoting accountability, transparency, and advocacy. They fulfill their intermediary roles between the government and citizens by disseminating essential information that facilitates an informed public dialogue.

CSOs act as watchdogs, monitoring government compliance with legal and ethical practices to make institutions more credible. Through their advocacy work, CSOs provide alternative policy solutions for the effective resolution of societal problems. CSOs also raise social consciousness about climate change, gender issues, and basic human rights, which fosters positive social change. They promote active citizenship, and with awareness comes responsibility. In today's discussions on politics or public policy, the term "civil society" is frequently mentioned (Edwards, 2014, p. 3), and their involvement in influencing public policy and fostering participatory governance is essential in advancing sustainable, people-centered development.

In India's state of Nagaland, numerous CSOs exist, including tribal hohos, public organizations, unions, and various other entities at both district and village levels (Savi, 2022, para. 2). The state is home to over 330 registered CSOs, with more than 148 of these based in the erstwhile Dimapur district (Ngo4you, 2022, August 27). These organizations play a crucial role in bridging the gap between the political sphere and society as a whole. They have been instrumental in fostering peace and stability within Nagaland, maintaining cohesion among the Naga people, and influencing state policies to align with public interests. The influence of American missionaries, who introduced Christianity further enhanced the functions and roles of these civil bodies, infusing moral and religious values into their operations. Prominent CSOs in Nagaland include the Naga Hoho, Nagaland Baptist Church Council (NBCC), Naga Mothers' Association (NMA), Naga Students' Federation (NSF), Naga People's Movement for Human Rights (NPMHR), Against Corruption and Unabated Taxation (ACAUT), and Naga Tribal Council (NTC) (Magh, 2017, p. 25). These organizations monitor various aspects of Naga society, including the political, social, cultural, moral, and financial domains. They act as intermediaries on critical issues, such as facilitating peace negotiations between the Union Government of India and armed groups, preventing inter-factional conflicts, and addressing matters such as tribal clashes, illicit taxation, human rights abuses, drug trafficking, prohibition enforcement, women's welfare, and rehabilitation programs.

2. LIQUOR PROHIBITION

Prohibition is the legal act of prohibiting the production, storage, sale, or transportation of a specific substance. The term "prohibition" also designates the period during which such restrictions are in effect. The temperance movement against alcohol has persisted in the West for about two centuries now. Around the 1700s, there was a religious revivalist movement that launched anti-alcohol crusades in Western countries. In the United States, the case for abstinence was promoted by churches as early as the 1800s. Ecclesiastical organizations significantly drove this movement. Broadly, Christian values and doctrines have underpinned the historical trajectory of prohibition and temperance advocacy. Initially, the push for prohibition and temperance was led by Protestant Christian groups, later joined by women's organizations (Schrad, 2021, p. 257; Burns, n.d.).

The World Prohibition Conference, held in London in 1909 represented a significant milestone in the global expansion of the prohibition movement. It was instrumental in the establishment of the International Prohibition Confederation, which encompassed the United States, several industrialized European nations, and other countries. Perspectives on prohibition vary widely. In developing countries, prohibition is often linked to religious beliefs and women's welfare organizations, similar to the U.S. Volstead Act of 1919. In nations with a predominantly Muslim population, alcohol prohibitions are generally enforced due to Islamic prohibitions against alcohol consumption. Conversely, in non-Muslim countries, the driving forces behind prohibition typically include concerns about the adverse effects of alcohol use and moral considerations rooted in religious beliefs (Rahman, 2018, p. 15).

The *Rig Veda*, an ancient Indian text, initially prohibited the consumption of *Soma* (an early term for alcohol) by Brahmins and students, marking the inception of liquor prohibition in India. Although liquor consumption rose in the later Vedic period, it was still frowned upon, with liquor being deemed "unfit to be drunk, unfit to be given, and unfit to be accepted" (News Nine, 2022, para. 1). In antiquity, only the lowest "social classes" were allowed to consume alcohol. Information on liquor regulation in medieval India is sparse; however, it is recorded that Alauddin Khilji imposed a complete prohibition on liquor in Delhi in 1310, and Mughal Emperor Akbar enforced similar restrictions within his court. The Bombay Abkari Act of 1887 represents the first significant move towards liquor prohibition in modern India. Although legislative amendments in 1939 and 1947 aimed to implement total prohibition, these efforts were not realized. The Indian Constitution addresses liquor regulation in the Seventh Schedule under the state list (Entry 51) and Article 47 of the Directive Principles of State Policy, reflecting Mahatma Gandhi's advocacy for banning the sale and production of alcohol. Madras and Bombay were the first provinces to enact prohibition. However, due to the substantial revenue generated from alcoholic beverages,

most states that had imposed prohibition eventually reversed their policies. The Indian state has not implemented a comprehensive nationwide prohibition. Despite numerous federal attempts, including financial incentives to states, a national ban on liquor has not been achieved. As of now, four Indian states – Gujarat (1960), Nagaland (1989), Mizoram (1995), and Bihar (2016) – enforce liquor prohibition laws. In 2021, Lakshadweep rescinded its ban. Bihar and Gujarat are unique in imposing the death penalty for fatal alcohol-related deaths, targeting producers, suppliers, and sellers of illicit liquor.

3. ENACTMENT OF LIQUOR PROHIBITION IN NAGALAND

Nagaland has a notable history concerning the enactment of the Nagaland Liquor Total Prohibition Act. The movement for this legislation began in the early 1960s and was spearheaded by civil society organizations, notably the Church and the Naga Mothers' Association, which advocated for nearly three decades. Faced with pressure from the Nagaland Baptist Church Council and the NMA, the government enacted the NLTP Act in 1989, officially designating Nagaland as a "dry state." The NBCC, serving as the central organization for all Baptist churches in Nagaland, has taken the shape of a prominent civil society organization. It has been actively involved in the campaign for prohibition within the state. The NMA, representing Naga mothers, has significantly contributed to societal change and stability in Nagaland. It addresses issues such as drug abuse and alcohol addiction. Together with the church and other civil society organizations, the NMA has been instrumental in the passage and implementation of the NLTP Act in Nagaland.

The NLTP Act of 1989 imposes a comprehensive prohibition on various aspects related to liquor, including its consumption, sale, purchase, transportation, possession, import, export, and manufacture, as well as the use of any materials for its production. Nagaland, as one of the states enforcing such a prohibition, has paradoxically experienced a high incidence of alcohol-related health issues. Despite the ban, which was intended to curb alcohol consumption, the state has been described as experiencing a state of "perpetual drunkenness" and "alcohol of power and political slavery," leading to a condition of ongoing socio-political amnesia (Nokdir, 2023). The state government has made minimal efforts to tackle problems associated with illicit liquor, such as bootlegging, black markets operated by the liquor mafia, and the widespread distribution of costly, adulterated, and counterfeit liquor. The thriving illegal liquor trade has been facilitated by the complicity of tribal leaders, state politicians, and government officials. While enacting prohibition was a significant legal step, its enforcement has proven to be a considerable challenge.

In analyses of governmental issues across various contexts, scholars and theorists frequently discuss civil society – its absence, decline, potential, and promise. However, this diverse range of perspectives contributes to a problem of conceptual ambiguity. This research does not aim to adopt a polarized stance in the debate surrounding "civil society organizations," but instead seeks to elucidate the roles and challenges faced by *Western Sumi Civil Society Organisations* (WSCSOs) in the effective implementation of liquor prohibition within their respective jurisdictions.

4. SUMI CSOs AND NLTP ACT

The significant challenge of transforming attitudes towards a progressive mindset and addressing various societal issues is a pressing concern today. However, identifying the most critical problem remains elusive. For instance, has Nagaland's designation as a "dry state" occurred recently or over the past decade? While it is acknowledged that alcohol consumption is prevalent among the Nagas and instances of alcohol abuse are well-documented, the issue extends beyond this to include numerous cases of rape, drug abuse, robberies, and killings. Many would argue that these issues represent the principal threats facing the community today. Alcohol is often referred to as "liquid fire" (Rothrong, 2005, para. 1). The existing prohibition law in the state has proven ineffective in curbing these problems. Despite the ongoing prohibition, illicit liquor remains widely available in local bars. Furthermore, although the importation of foreign liquor is restricted, there is a noticeable surplus of locally produced beer, which law enforcement has not adequately addressed. Liquor continues to be readily available in Nagaland, especially in Dimapur, Chumoukedima, and Niuland districts, which collectively house a population of approximately four lakh people. As a result, there is growing skepticism among citizens regarding the efficacy and contributions of civil society organizations in enforcing the NLTP Act within their jurisdictions.

Contemporary Naga society is grappling with confusion regarding the NLTP Act, and it is incumbent upon civil society to serve as a critical intermediary. Civil society must not only exert pressure on the current government but also engage the broader society it represents. By fulfilling this role, civil society can contribute to the necessary transformations within Naga society. It is the responsibility of civil society to illuminate the challenges faced by the populace, thereby compelling

the government to implement corrective measures. Several civil society and religious organizations have advocated for the closure of all liquor outlets in the state and have called for the reinforcement of the Nagaland Liquor Total Prohibition Act of 1989.

According to a report by the *Morung Express* (2022 February), 80% of the principal tribal hohos in Nagaland have advocated for the complete repeal of the NLTP Act, arguing that it is “not doing anyone any good.” The report also noted that the Naga Mothers’ Association has shown considerable flexibility on the matter, indicating support for a review of the Act (*Morung Express*, 2022 February). Zhaleo Rio, Advisor for Sericulture, Excise, and Minority Affairs, remarked that the NLTP Act was enacted at the request of the church and supported by the NMA, underscoring the need for all stakeholders to fulfill their respective roles. He emphasized that the effective implementation of the NLTP Act necessitates a collective effort from all stakeholders, coupled with public engagement (*Morung Express*, 2022, para. 4 & 20).

The Western Sumi civil society organizations were originally limited to the former Dimapur district of Nagaland. However, following the establishment of two new districts, Niuland and Chumoukedima, in 2021, their jurisdiction has been extended to include these districts in addition to Dimapur. Encompassing 157 Sumi villages and approximately 20 - 21 unrecognized Sumi villages, the Western Sumi CSO stands as one of the principal tribal CSOs not only within these three districts but across the entire state of Nagaland (*The Western Sumi Puthu Kuwo*, 2011, para. 4). The Western Sumi CSOs are structured with the *Western Sumi Hoho* (WSH) serving as the apex organisation, supported by the *Western Sumi Kukami Hoho* (WSKH). In addition, the network includes the *Western Sumi Totimi Hoho* (WSTH), *Western Sumi Youth Front* (WSYF), *Western Sumi Students’ Union* (WSSU), and the religious body *Western Sumi Baptist Akukuhou Kuqhakulu* (WSBAK).

All Civil Society Organisations affiliated with the Western Sumi Civil Society have expressed the view that the NLTP Act of 1989 has been ineffective in Nagaland. Both the Western Sumi Youth Front and the Western Sumi Totimi Hoho assert that, historically, liquor prohibition has consistently failed. Otoka Yeptho, Vice President of WSYF, contends that the NLTP Act has been a complete failure since its inception in 1989. Similarly, Kashili, President of the Sumi Totimi Hoho in Chekiye village, maintains that complete liquor prohibition is unachievable. The Western Sumi Hoho has criticized the Act for its inadequate enforcement of prohibition laws. Kahuto Chishi, a prominent Sumi leader from Hevishe village, who is also the Convenor of the Concerned People of Nagaland and spokesperson for the Nagaland Gaonbura Federation, argues that neither the CSOs nor the government should be held accountable for the Act’s failure. He points out that even the U.S. government, despite its substantial financial resources and efforts, was unable to enforce liquor prohibition, thereby questioning the feasibility of such measures in Nagaland.

Although all WSCSOs agree on the failure of the Prohibition Act, their perspectives diverge on the most suitable approach for addressing the issue. Kahuto Chishi, in alignment with the Western Sumi Youth Front and the Western Sumi Totimi Hoho, opposes a partial lifting of the Prohibition Act, advocating instead for a complete repeal. They argue that the current prohibition is ineffective, as liquor remains readily accessible due to corruption, black market activities, and the porous border between Assam and Nagaland. Kashili highlights that even law enforcement officials are complicit in these activities. She further asserts that, given the persistent corruption, any partial lifting of the Act for revenue purposes would not benefit the general populace. Otoka Yeptho also supports a total repeal, noting that a few individuals have illegally syndicated liquor businesses and are running them regardless of the Act. However, he acknowledges that from a revenue generation standpoint, a partial lifting could be advantageous by creating employment opportunities and supporting local farmers. Nonetheless, he emphasizes the need for rigorous measures to curb liquor consumption. Kahuto argues that alcohol, as a socially accepted substance, is akin to other mood-altering drugs. He questions the feasibility of prohibiting alcohol entirely when even socially unacceptable drugs like cocaine and heroin cannot be completely banned. Furthermore, he points out that neither the WSCSOs nor the broader tribal CSO community in Nagaland has sufficient knowledge or awareness regarding revenue generation, which is crucial for effectively supporting and implementing any policy or cause.

Other WSCSOs, including the Western Sumi Hoho, Western Sumi Kukami Hoho, Western Sumi Students Union, and Western Sumi Baptist Akukuhou Kuqhakulu, do not support either a partial or total lifting of the NLTP Act. These organisations advocate for the maintenance of total prohibition and emphasize the need for effective implementation of the Act. Itepu Zhimo, a Goanbura (G.B.) from Chekiye village and a member of the WSKH, asserted that even if the NLTP Act were repealed, the WSKH would continue to enforce prohibition within its jurisdiction. Both the WSH and WSKH argue that proper enforcement of liquor prohibition is essential for safeguarding public welfare, prioritizing human lives over revenue. The WSBAK supports total prohibition and calls for the government to adhere to the Act’s preamble. While the WSSU opposes partial lifting, it urges the government to develop a detailed and comprehensive strategy to address the

issue of liquor. The WSSU cautions that it would be a “vicious mistake” for the government to let the “tower of Nagaland for Christ fall down for scanty state revenue.”

The WSCSOs, while not the official enforcers of the NLTP Act, actively support its effective implementation within their jurisdictions through their affiliated groups. Under the oversight of the WSH and the WSKH, the WSYF, WSSU, and WSTH conduct inspections and raids within their areas of responsibility. These organisations assert that seized illegal substances are destroyed in the presence of law enforcement and media representatives. However, as facilitators rather than authoritative bodies, they refer offenders to law enforcement agencies for prosecution. Despite these efforts, they contend that lax enforcement allows illegal traders to evade substantial penalties or secure bail easily.

Consequently, the WSCSOs, in partnership with Sumi villages, particularly those located along highways or in urban areas, impose fines on illegal traders. Individuals addicted to substances or alcohol are sent to rehabilitation centers, with release contingent upon the issuance of a clearance certificate from the center. Non-compliance may result in the expulsion of the individual or even their entire family from the village. Itepu Zhimo recounts a past instance where liquor production in a sugar mill in erstwhile Dimapur was effectively halted due to the intervention of the CSOs. Despite their substantial contributions, the WSCSOs acknowledge that they have not fully succeeded in implementing the Act, attributing this shortfall to lax enforcement of prohibition laws.

The WSCSOs argue that the prohibition has disproportionately affected poorer families and small-scale illegal traders while allowing wealthy individuals in the liquor trade to evade justice. They contend that, although they play a crucial supportive role, the ultimate enforcement authority lies with the prohibiting agencies. They advocate for a more effective implementation of the Act and stress that without substantial measures to penalize offenders, address porous borders with Assam, and combat corruption, the CSOs’ efforts alone will be insufficient. Nonetheless, the WSCSOs remain committed to pursuing prohibition for the welfare of their community and urge the government to refrain from partially or wholly lifting the prohibition.

G.B. Kahuto posited that the role of tribal CSOs in the effective enforcement of the NLTP Act is insignificant. He asserted that these organisations are not the custodians of the Act and are merely passive supporters rather than active proponents. According to Kahuto, the tribal CSOs have not significantly contributed to the successful enforcement of the prohibition law. He noted that in districts such as Dimapur, Kohima, and Mokokchung, liquor traders operate as major criminal syndicates, with prohibition and liquor smuggling being significant issues. He further observed that bootleggers in Nagaland have affiliations with various armed factions, which complicates efforts for effective implementation, given the entrenched connections between these underground groups and the bootleggers. Kahuto contended that attributing the failure of the NLTP Act solely to tribal CSOs or the government is misguided. He highlighted that the Excise Commissioner of Dimapur had reported a shortage of excise personnel, with only 80 officers available, which he deemed insufficient for the effective enforcement of the prohibition law.

Kahuto further stated that it would be unjust to single out the WSCSOs for the ineffective implementation of the NLTP Act. He argued that, similar to other tribal CSOs, such as the Tenemiya Organisation, the Eastern Naga Organisation, and the Central Nagaland Tribal Council, the WSCSOs primarily focus on their own interests rather than the broader welfare of the entire tribe. According to him, while the stated aim of every CSO is to promote the well-being of its members, in Nagaland, the primary goal often appears to be the enrichment of a few top executives within these organisations. He also noted that although tribal CSOs publicly endorse total prohibition, their private stance remains uncertain and potentially contradictory. He suggested that not only do tribal CSOs, but also apex church organisations may be tempted to accept donations from bootleggers, thus undermining their commitment to prohibition. Kahuto emphasized that financial interests are a significant factor in this dynamic. Additionally, he pointed out that the Nagaland government uniquely engages with civil society in its decision-making processes due to an existing nexus between the government and tribal CSOs, which influences policy outcomes.

5. CONCLUSION

Civil society organizations significantly contribute to addressing societal issues, shaping governance, and fostering sustainable development globally and in regions such as Nagaland. Their involvement in the Nagaland Liquor Total Prohibition (NLTP) Act demonstrates their commitment to tackling social concerns. However, the Act’s enforcement difficulties highlight the challenges of achieving societal change through prohibition. In Nagaland, CSOs, especially those representing the Western Sumi community, play an instrumental role in advocating for reform and evaluating policy outcomes despite systemic challenges such as corruption, illegal trade, and inadequate government support.

Organizations like the Nagaland Baptist Church Council, Naga Mothers' Association, and other CSOs were pivotal in pressuring the government to pass the NLTP Act. Yet, the Act's adoption alone has not resolved the problem, as its effective implementation requires collective societal effort. Although CSOs were expected to facilitate the prohibition process, their impact has been modest, with tribal CSOs asserting enforcement roles that have achieved limited success. Divergent opinions within the Western Sumi CSOs, such as calls for lifting the prohibition by the *Western Sumi Youth Front* and *Western Sumi Totimi Hoho* versus demands for stricter enforcement by the *Western Sumi Hoho* and *Western Sumi Baptist Akukuhou Kuqhakulu*, highlight tensions between economic interests and social protection. Corruption within law enforcement remains a significant obstacle, as complicity with underground networks, liquor mafias, and syndicates perpetuates the illegal alcohol trade. The prohibition disproportionately impacts poorer communities, who face harsher penalties than wealthier individuals involved in the trade. While Western Sumi CSOs conduct raids and destroy seized liquor, their ability to enforce the Act is constrained by limited authority and resources. Moreover, many CSOs are criticized for prioritizing their leadership's welfare over broader societal concerns, further undermining their effectiveness in enforcing prohibition.

The NLTP Act's ineffectiveness is evident, with alcohol widely available despite the prohibition. Western Sumi CSOs remain divided, with some advocating for lifting the ban to boost revenue and employment, while others emphasize the moral and social risks of alcohol consumption. These divisions reflect broader societal conflicts between economic pragmatism and social conservatism, complicating the discourse on prohibition in Nagaland. Addressing the NLTP Act's shortcomings requires a comprehensive strategy that considers enforcement, public health, and the socio-economic realities of Nagaland. Without such an integrated approach, the Act is unlikely to achieve its objectives, whether it is upheld or repealed. A balanced and inclusive framework is necessary to address these complex challenges and advance sustainable outcomes for the state.

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