

**HISTORICAL STUDY OF PROSTITUTION
TRADE IN INDIA : PAST AND PRESENT**

THE PROJECT SUBMITTED

UNDER

MINOR RESARCH SCHEME

IN

HISTORY

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UNIVERSITY GRANTS COMMISSION (W. ZONE)

BY

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DECLARATION

I, the undersigned **Dr. Smt. S. R. Sarode**, Associate Professor and Head of the Department, Venutai Chavan College, Karad declare that the Minor Research Project entitled “**Historical Study of Prostitution Trade in India : Past and Present**” sanctioned by University Grant Commission (W. Zone) is carried out by me. The collection of data, references and field observation are undertaken personally. To the best of my knowledge this is the original work and it is not published wholly or partly in any kind.

Place : Karad

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INDEX

Sr. No.	Particulars	Page No.
Chapter 1	INTRODUCTION	1 – 6
Chapter 2	PROSTITUTION THROUGH HISTORY	7 – 55
Chapter 3	STATUS OF PROSTITUTION AND ROLE OF GOVERNENCE : ANCIENT AND MEDIEVAL AGE	56 – 81
Chapter 4	PROSTITUTION IN MODERN INDIA	82 – 155
Chapter 5	CONCLUSION	156 – 161
	BIBLIOGRAPHY	162 - 169

BIBLIOGRAPHY

Chapter 1
INTRODUCTION

Chapter 2
**PROSTITUTION THROUGH
HISTORY**



Chapter 3

**STATUS OF PROSTITUTION AND
ROLE OF GOVERNANCE : ANCIENT
AND MEDIEVAL AGE**

Chapter 4
PROSTITUTION IN MODERN
INDIA

Chapter 5
CONCLUSION

CHAPTER – I

INTRODUCTION

1.1. Introduction

Prostitution is one of the oldest professions of the world practiced since the birth of the organized society. Prostitution is practiced in almost all the countries and every type of society. Prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of human person and endanger the welfare of the individuals, the family and community.¹ Prostitution has been generally defined as promiscuous intercourse for hire whether in money or in kind. Prostitution is not to be confused with the illicit sex union of lovers, for there is no affection in prostitution, prostitution as a commercialized vice has existed in the world from time immemorial, though its institution has never been recognized by the society as such. As the world's oldest profession prostitution has undoubtedly existed in some form as long as society has attempted to regulate and control sex relationship through the institutions of marriage and the family. Society has not recognized it because it brings in its train not only the personal disorganization of persons concerned, but also affect the life organization of the family and the community at large. Prostitution has been important discourse of female criminality.

With the growth of urbanization and industrialization the problem of prostitution have become more serious and complex. The growing population of female prostitutes, child prostitutes, male prostitutes, trafficking of women etc. have created the situation in which a comprehensive and in depth study of prostitution has become necessary. From ancient times Indian society is male dominated society. Indian man is consciously taught to be aggressive and tough while women have conditioned to submissive and docile. The teachings of the society concentrate on the point that woman should please men; they should be useful to men, to make themselves loved and honored by them. They should be

consol men and make their life sweet and agreeable. These are duties of women at all times. In short the position of woman in society, the rights and duties for her is settled by male members of the society. Women became used to institutional legitimation of their low status and find nothing wrong in crimes. She has become a thing to be kidnapped, abducted, raped and gifted. For the satisfaction of sexual appetite of her master, she was purchased and also possessed. Thus she was reduced from human person to just bodies, for male utility.² The most glaring form of exploitation committed against women is prostitution.

However, the contribution of women engaged in the supposedly immortal trade of prostitution and the effect on them prevailing economic has being a subject of an analytical study. Although such women were viewed with contempt, they still are a part of the entire female component of the society. The aim of this project is to throw light on the unknown aspect of the exploited and neglected life and profession of these women.

1.2. Objectives

1. To study the history of women now found as prostitutes.
2. To study the causes of prostitution.
3. To study the social, economic and religious status of prostitutes.
4. To study the role of Governance about prostitution.
5. To study the prostitution as a trade in the ancient, medieval and modern India.

1.3. Study Area

As the researcher intends to take an over reviews of historical account of prostitution the study is divided into three historical periods

–

1. Ancient period – From Vedic Period to 6th Century.
2. Medieval period – From 6th Century to 18th Century.

3. Modern Period – From 18th Century to till now.

1.4. Significance of the Study

In the social system prevailing in ancient India prostitutes and their profession enjoyed social acceptance. The courtesans practicing this profession were proficient in different skills. In addition to offering their body for service, they played an important role in political, social and religious life and therefore they were treated with respect of course, the contemporary administrative systems imposed certain restrictions on them to preserve the health of society. But at the same time, protection was offered to them as professional. In modern times prostitution has undergone several changes, the concepts, the form and the system has considerably changed from then till now. In the male dominated social systems prostitutes has been viewed as an object of ravishment. This study will throw light on extortion of prostitutes. In this way this research may prove useful to academicians, social workers, feminists psychologists and medical experts.

1.5. Review of Literature

The references like research articles, reference books, reviews, reports, newspapers, clips are notable to quote. There is national and international work which is taken for reference. Moti Chandra, in his work 'The World of Courtesans' has studied the status of courtesans in society and royal court in ancient India. S. N. Sinha and N. K. Basu have worked on 'The History of Prostitution' with the help of religious literature in Ancient India. Santosh Kumar Mukherji in his 'Prostitution in India' has given has studied the origin and growth of devadasi system in her 'Origin and Growth of the Devadasi Profession'. Nagendra Kumar Singh has worked on the tradition of divine the short history of prostitution. K. Jamanadas has worked on Devdasis. In his 'Devadasis : Ancient to Mordern' he has described the system of Devadasi institution. Kakolle Chakraborty prostitution in India in his work 'Divine Prostitution'. Dr. P. K. Singh has worked on brothel prostitutes in India. He has

suggested Legislative measures for tackling the prostitution and for reforming the condition of prostitutes in his work 'Brothel Prostitution In India'. G Joseph Gathi has worked on 'Child Prostitution in India'. He has describes prostitute children as, 'Birds in Golden Cage'. He has given the causes and condition of child prostitutes. Sumati Karmakar in her work 'Red Light Area' has discussed about the commercial sex workers and the Law. Salla Sariola has worked on sexuality in India in her research work 'Gender and Sexuality in India'.

1.6. Methodology

This is being merely a historical account of prostitution; this is a qualitative study and for this historical method of the investigation is applied.

1.7. Data Collection

Present study is based on Primary as well as Secondary sources of data, which are as –

1. Primary Sources – Primary data is collected through interview with prostitutes, social workers and NGO's working for the rehabilitations of prostitutes and visit to women study centers.
2. Secondary Sources – Secondary data is collected through religious literature of Ancient and Medieval India, Sanskrit Literature, Foreign traveler's accounts, folk literature, N.G.O. reports, Government Reports, Websites, Research Articles, Newspapers, Reports on women studies.

1.8. Organization of Work

The total research work has been divided into following five chapters.

Chapter I – Introduction

Chapter II – Prostitution through History

Chapter III – Status of Prostitutes in Ancient and Medieval India and Role of Governance.

Chapter IV – Prostitution in Modern India.

Chapter V – Conclusion.

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CHAPTER II

PROSTITUTION THROUGH HISTORY

2.1. Introduction

Prostitution is one of the oldest professions of the world. It is practiced since the birth of the organized society. Prostitution exist almost all the countries and each type of society. It is a public molestation and humiliation to civilization. Many observers contend the absence of the love element is the one essential factor that stamps the woman as a prostitute. It is argued that a vital element in prostitution is that the woman derives no pleasure from her sexual escapades, but is concerned solely with the fees she receive in return for her services.

2.2. Meaning of Prostitution

Prostitution means promiscuous sexual intercourse for hire whether in money or kind with a prostitute. Many observers contend that the absence of the love element is the one essential factor that stamps the woman as a prostitute .It is argued that a vital element in prostitution is that women derives no pleasure her sexual escapades, but concerned solely with the fees she receives in return for her services.

“Prostitution is the practice of habitual intermittent sexual union, more or less promiscuous, for mercenary inducement. It is thus characterized by three elements : payment, usually involving the passing of money, although gifts or pleasure may constitute equivalent consideration; promiscuity, with the possible exercise of choice; and emotional indifference, which may be inferred from payment and promiscuity.”¹

Prostitution has been defined in the ‘International Encyclopedia of the Social Sciences’:

“Prostitution is the granting of sexual access on a relatively indiscriminate basis for payment either in money or in goods, depending on the complexity of the local economic system.”²

Prostitution was defined by the “Suppression of Immoral Traffic in Women and Girls Act 1956” as follow :

“Prostitution means the act of a female offering her body for promiscuous sexual intercourse for hire, whether in money or in kind.”³

2.3. Three important elements in prostitution

2.3.1. Change of client from time to time.

2.3.2. The acceptance of payment in money for the use of the body for the sexual relations.

2.3.3. Physical or animal nature of the sexual union.

The most common form of prostitution involves women who sell sexual services to heterosexual men. The consistent pattern in society and throughout history is for the customers of prostitutes to be men. Male prostitutes who make themselves available to women are uncommon and lesbian prostitutes are considered extremely rare.⁴

The indiscriminate acceptance of clients is an important element in prostitution. The public prostitutes enter into sexual relation with different men. The women of pleasure of the higher class not accept undesirable clients. In some cases the prostitute lives with a single lover.

2.4. Payment of money

Money payment is an essential part in prostitution. In secret prostitution the element of payment is much in the background and skillfully veiled payment. Payment is taken as the criterion; these cases should not fall under the definition.

2.5. Nature of the sexual Act

A prostitute hires her body to sexual intercourse for economical benefit. During this intercourse love or other feelings does not play. These prostitutes make prostitution their solely calling. They are known as 'regular' or 'professional prostitutes', some prostitutes practice prostitution covertly can be known a irregular.

A concubine and adulterous wife who have a single lover are not prostitutes according to the authorities both eastern and western. This type of women carries on liaison with men for satisfaction of lust. Vatsayana classed them as 'Vrasta' as distinguished from the 'Vashyas' or public prostitutes.

2.6. History of Prostitution in India

History as a rule should start with the start of life or universe itself. But the art of writing come later, we have to depend on oral history. On the place of records, we have had epics and literature which was grand and elevating.⁵

2.6.1. Prostitution in Ancient India

2.6.1.1. Prehistoric Age

2.6.1.1.1. Sexuality amongst Primitive Men

Before the dawn of civilization there was no system of marriage. In the prehistoric age men and women cohabited in the manner of birds and animals.⁶ Sexual promiscuity obtained within the limits of each tribal group. Men and tribes always quarrel for women. The primitive man changed his mate frequently. Woman enjoyed herself at her own sweet will.

2.6.1.1.2. Pre – Vedic Age

Archeological findings have thrown a light on the urbanized culture of Indus valley people. But there is scarcely any evidence that

can definitely confirm the existence of prostitution in the culture. The bronze figure of dancing girl from Mohenjo-Daro shows a sacred prostitute carrying out her duties within the precincts' of the temple of mother goddess.⁷ The Indus valley culture is known for its economical progress. Its wealthy merchants could afford to spend lavishly on wine and women.⁸ It is not known whether any special place was reserved in town planning of cities for prostitutes as was case in later times.

2.6.1.3. The Vedic Age

Prostitution is a product of civilization and a byproduct of marriage institution. The earliest history of every nation has evidence of the existence of this profession of the world. India is one of them.

The Aryans were probable nomadic pastoral tribes flowing across the central Asian land mass.⁹ The Pre Aryans were settled agricultural people. When the early Aryans settled down as agriculturists they had to look forward to the onset of regular rains and to protect their corns. But it was beyond the control of themselves; they thought about Supreme Being – the Devas, the chief among them was Indra.¹⁰ For his invocation some sort of sacrifice was introduced. The sacrificial rites were accompanied with a mild intoxicating drink, the juice of Soma plants. And the end of which there was probably a manifestation of natural promiscuity.¹¹ If there be no marriage institution existent in the society, promiscuity can't be called prostitution. A state of sexual prevails in the beginning of all human development, but it lasted a short time only to be followed by a kind of semi-promiscuity. It gave rise to group marriage and polyandry. This led to establishment of matriarchal society. After this promiscuity was only resorted to in religious or political celebrations.¹²

In the times of the later Rig and Yajurveda marriage institution established. But it took hundreds of years. In order to demonstrate the prostitution that prostitution is the byproduct of marriage institution.

Sexual union of two persons or more (as in polygamy), temporary or permanent, having one of its chief objects the procreation and care of the offspring – and union that's sanctioned by the society through the performance of a definite ceremony, is called marriage.¹³ The Social potentates of the early Aryans, tried to stem the tide of sexual relationship to a monogamous channel. During the Vedic age there was laxity of marriage laws, so prostitution outside marriage was hardly felt necessary. The concubinage relationship was probably not in demand after marriage – institutions were established.

There are references about dancing girl in Rig Veda.¹⁴ In Rig Vedic times there was a class of dancing girls.

2.6.1.3.1. Guest Prostitution

The primitive non-Aryans (Dravidian) were originally animists, phallic worshippers. They worshipped phallus and Yoni as the supreme manifestation of the creative force in nature. It motivated the emergence of guest prostitution. The Panis (a class of Aryan merchants) established trade relations with Dravidians. In their commercial transactions with the Dravidians, the Panis came in contact with guest – prostitution.¹⁵ They presented women accomplished, beautiful and maiden in token of friendship to kings.

2.6.1.3.2. Existence of Prostitution in Vedic Literature

In Rig Veda there is one instance which clearly indicates towards the existence of prostitution that marusts have said to have become associated with the young lightning in the way a man becomes associated with young courtesans.¹⁶ (Sadharani)

Girls without brothers were frequently reduced to prostitution.¹⁷ Rig Vedas refers the tradition of offering the present of slave girls to rishis by kings.¹⁸

It is pointing towards the existence of institution of prostitution in Vedic time.

2.6.1.3.3. Institutes of Prostitutes

In the sexual life of Vedic people certain institutions seem to have played an important part.

2.6.1.3.3.1. Samana

Samana was one of institution where free love seems to have been encouraged.¹⁹ In Samana which was held during tournaments, women were present and they seemed especially attracted to chariot – racing. They spent whole night wooing their lover and dispersed at dawn. Samana was “a general popular festivity to which women went to enjoy themselves – young women and elderly women sought thereof to find a husband and prostitutes make profit of the occasion.”²⁰

2.6.1.3.3.2. The Vedic Sabha

The Vedic Sabha usually connotes an assembly as well as the hall where it met and though there seem to have been several types of Sabha, it is possible that the same Sabha served multiple functions. Rig Veda refers Sabha as a sort of drawing room of a private house. One night read in Sabhavat Yosha of the Rig Veda, a reference in this particular context to women visiting a Sabha hall. If this interpretation is correct, Sabhavat Yosha may have meant a prostitute. Bearing in mind the pejorative sense of the word Sabha as a place where gamblers gathered, the presence of prostitutes there is probable, for in later times gambling, drinking and prostitution went hand to hand.²¹

2.6.1.4. Post Vedic Age

2.6.1.4.1. Brahamana Period

The history shows that during Brahamana period prostitution was accepted profession by society. The prostitutes were called as ‘Vishya’. This class had been created to aid to the Vish or Vaishya cast. (i.e. Merchants who led a town – life cut off from their home.) Vishya gradually

changed into “Beshya” which lost its original derivative root and was framed from the root (to enter) and which meant ‘one who is approachable to and by all’ or ‘one who nicely bedecks herself’.²² The prostitutes were variously known as Ganika, Bandhki, Rupjiva, Varangana, Kultani, Sambhali, Pumsali etc.

At this period concubinage relationship showed its head.²³ Concubinage was an interpersonal relationship in which a woman engages in an ongoing sexual relationship with another person whom they couldn’t be married. The kings sometimes retained hundreds of slave girls in their palaces. These slave girls could dance and sing perfectly and learnt all the arts of Isis. They acted as concubines.

In this period marriage morals were in the process of being highly refined and remodeled, the cult of chastity in marriage, virginal purity and ideal of strict monogamic life were being gradually established. Disparity in labor and economic complexity in the society became for the first time manifest in this period. Bread winning avocation weaned many people away from their cozy fire-side and peaceful village life and tempted them to plunge head long into ‘city strife’²⁴ under these circumstances it was inevitable that prostitution should pass into people’s everyday life and into the law.

Marriage with the prostitute was not looked upon. The great sage Vashistha, was the son of women engaged in prostitution.²⁵

There is no an account about elucidation the life of the prostitutes, their habits, modes and manners and the laws relating to and regulating them in Brahamana literatures.

2.6.1.4.2. Epic Period

In Epic period the institution of courtesans had a legal status. Veshyas were common during the reign to Pandavas and Kauravas. They were an important part of the court. Courtesans were the fringe dwellers of the society. On occasions, they were invited by people of high social status.²⁶ They

had to put on red cloths, red garlands and use ornaments of red gold in the participation of social functions. There are references about Bharata ordered courtesans to join the welcome festival or occasion of the return of the triumphant Rama.²⁷ The red color is regarded as color as the symbol of Yama. This rule was framed to distinguish easily the prostitutes and for warning the people about the dangerous effect of sexual union with a prostitute. The red color indicates death. Ramayana indicates the . . . of courtesans and drinking bars. In Gorthi women of Vadini class used to provide entertainment for kings and nobles.²⁸

In Mahabharata courtesans of Indra Puri have been variously depicted. Mahabharata has recorded the name of forty two apsaras in all. The stars amongst were Urvashi, Menaca, Tilottama, Rambha and Ghritachee.²⁹

2.6.1.4.2.3. Smriti Period

The law books of ancient Aryans were formally called Dharmasutras and Dharmashatras. Most law makes grew severe in maintaining chastity among the body politic. But they practically made little efforts to discipline to prostitution. Prostitution since the time of the epics had been gathering forces and making inroads into every available nook and corner of society. The position of prostitutes depraved in the Smriti period. The ganikas were the castaways of society and hence food from them was unacceptable to a well-bred Aryan. The state protected them and gave all human facilities to play their profession. The Ganikas sometime gave themselves in marriage with Brahmins and Kshatriyas in accordance with the Gandharva system, by virtue of which they could occupy an exalted position in society. The accomplished ganikas always had the chance of being up-lifted to the ranks of a concubine and of being comfortably ensconced in an aristocrat's harem.³⁰

The stern law givers of the Epic Age tried to keep this vile commerce in check and clearly define the diverse rights and privileges of chaste of unchaste women.

Purana makers one and all have freely fabricated many outstanding tales of heavenly nymphs – their relations with the mortal's and their coming on earth either to break the chastity of sagas or despoil the integrity of mighty kings. The love affair of Pururava and Urvashi was very widely described in various Puranas.³¹

2.6.1.5. Mauryan Age (The Buddhist Age)

The Buddhist age may be said to extend from beginning of 600 B. C. to 600 A. D. This period is pregnant with the astounding achievements of the great founders of world religions and vast empires like the Lord Buddha, Mahaveera, Chandragupta Maurya, Emperor Asoka etc. Buddhist, Jain and later Brahmanical books tell us so much about the history of Maghadha, Anga, Kosala, Kashi and Vaishali and the other parts of India. Some of the noted courtesans of the time practiced at the towns by these kingdoms. (Many of them moved by the persuasive eloquence and great personal attraction of the great Buddha became his disciples and gladly abandoned art for austerity and palace for penitential groves.)

Pataliputra was at the time of Chandra Gupta Maurya a flourishing center of prostitution and it was the first time the attention of the State was drawn to the colony of prostitutes for its effective control and to bring it under the obligation of a stabilized taxation system. Brothel keeping was looked upon as a source of Govt. revenue. Kautilya has used the words such as Ganika, Praganika, Dasi, Devadasi, Rupijiva etc. for the prostitutes and courtesans.³² Kautilya's Arthashastra contains rules for prostitutes and their activities and gives an account of how prostitutes should behave and how their lives be ordered. The function of prostitutes was not only entertainment, but their services were also used for political purposes, especially in espionage work. Courtesans were exclusively in the service of the king.³³ According to Curtius, when Indian rulers went on a hunt, the courtesans bowed to them and to the accompaniment of their songs the kings hunted. Their food was prepared by courtesans, when they fall into a drunken sleep; their courtesans carry them away to their bedchamber.³⁴

Arthashastra shows the different roles played by courtesans to help the State revenue. Different grades of courtesans and prostitutes paid money to the State by way of taxes. Their profession was an important source of revenue to the State, their rights and privileges were recognized. To Kautilya the prostitutes were State property and any injury to them meant a loss to the State. Therefore he prescribed a deterrent fine for killing prostitutes.

2.6.1. 6. Early Gupta Age

In Gupta period the institution of the courtesan became fully evolved and played a very important role in the social and cultural life of the people. The Kamasutra of Vatsayana and the Natyashastra of Bharata have collected all the relevant information about courtesans and their clients. In the city, the courtesans and the prostitutes had separate quarters assigned to them. The cultured and the boorish, the rogues, the rakes and even pundits and philosophers could meet them.³⁵ Vatsayana's Kamasutra is a gold mine of information appertaining to the prostitution subject. Vatsayana lived between 3rd and 2nd century B. C. at age when the people were passing through great religious and political upheavals, internecine feuds and foreign invasions. Mathura had been temporarily occupied by the Greeks in the early years of the 2nd century and subsequently ruled over by the Shaka Shatrapas. According to Vatsayana, the foreign soldiers were the most liberal patronizes of the local prostitutes and no wonder that these women ever eager to serve the pleasures of their customers. According to their taste and temperament, should imbibe this perverse from of sexual gratification from the Greeks and other.

Bharata is supposed to have flourished at this period has given a nice portrait of an ideal ganika in his Natyashastra. He says, "A woman who knows the practical and timely application of various arts, who has a thorough knowledge of the science and literature, who is well-versed in the sixty – four recognized Koalas and particularly in dancing to the accompaniment of music, whose conduct is marked by a respect to the superiors (in age, social status, riches, learning etc.) by graceful and engaging deportment, by lively

gestures and luscious blandishments, who possesses strength of mind and tenacity of purpose, punctuated with a sense of delicacy and sweetness of temper, who is free from the characteristic drawbacks of the average woman, who speaks sparkingly with a clarity of expression, who can work intelligently without getting easily fatigued – is then to be designated a ganika.³⁶ Courtesans had from their childhood to attend public schools called ‘Gandharvashalas’ to learn the sixty-four arts subsidiary to the highest technical knowledge of erotic’s.

Ujjain in that period was great center of learning Gandharva Kala. This art was also included all kinds of information on courtesans appears to be current because in this period the quarters where the courtesans lived had their own importance. The intimate contact between the dancing girls and temples and the courts gave rise to difference sorts of rules and regulations which governed and regulated their relationship with these institutions.³⁷

Courtesans in other periods of Indian history played an important part in the royal seraglio and in the king’s court. They participated in almost all court functions and festivals. Prostitutes also accompanied an army on the march.

2.6.2. Early Medieval Age

After the decline of Harsha’s empire in the seventh century, a number of large states arose in north, the Deccan and the South India. Largest states arose between AD 750 & 1000. These were the Pala empire, Pratihara empire and the Rashtrakut empire. Each of these empires fought among themselves and also extended agriculture and gave patronage to arts and letters including temples.³⁸ Sanskrit was regarded as the language of high culture and number of scholars wrote in it. Medieval Sanskrit literature provides us with a great deal of material on the general characteristics of the prostitutes, their lust for money, their habit of exploiting their clients.

In keeping with the growth in prostitution, the number of synonyms for prostitutes also grew. Hemchandra in his *Abhidhanachintamani* has

given the following names for a prostitute. They were sadharanastri (a strumpet), Ganika (a courtesan), Panapanyangana (a woman who could be enjoyed for a pana), Bhujishya (a mistress), Lanjika rupajiva (one who lived on her beauty, a demimonde), Varavadhu, Varamukhya (a chief courtesan), Kuttani (a bawd) and Sambhali (a prostitute).³⁹ The quarters in which the prostitutes lived was known as Vesyasraya, Pura and Vesa. Drinking was a necessary adjunct of the vesa culture. Therefore, medieval Sanskrit dictionaries contain the names of wines the methods of fermentation, the ingredients, used etc. A picture of the prostitutes of this period and of the environment in which they worked is found in Kuvalayamala written by Uelyotanasuri, Sringaramanjari Katha of Bhojadeva, the Nammayasundari Katha of Mahendra suri and Manasollas of Somesvara.

2.6.2.1. Emergence of Religious Prostitution

In the Medieval period temple emerged as the owner of vast land property and the employer of a large number of religious and non-religious functionaries. The religious functionaries included the priests, dancing girls, dancing masters, singers and others. The temple pidariyar in kolar had twenty four dancing girls.⁴⁰

The deity of an early medieval temple can be compared to a feudal lord who was provided with all the amenities and pleasures of life were needed by a feudal lord who was provided with all the amenities and pleasures of life were needed by a feudal lord. The divine prostitutes had therefore to be employed to give company to the god as wives and concubines.⁴¹

The origin of the custom is traceable to the practice of ritual dancing which formed an integral part of the ritual service of gods and goddesses. The purpose of ritual dancing was to please the deity and seek some favor. This process, began go accelerated with the development of temple and temple economy during the early medieval and later medieval periods. The association of dancing girls with the temples was materially beneficial to the state

and the temple. A large number of pilgrims helped to enrich the coffers of the temples as and state.

According to Huen – Tsang there were several dancing girls in the Sun temple of Multan.⁴² Several Puranas recommended that arrangements should be made to enlist the service of singing girls to provide vocal instrumental music at time of divine services. These singing girls were usually prostitutes and even they have recommended purchasing of beautiful girls for their dedication to temples.

The account of the Arab traveler Abu Zaid al Hasan, who came to India in 867, states divine prostitutes earning from prostitution went in to the hands of the priests and was used for defraying the expenses of the temple.⁴³ Al Baruni (in the eleventh century) have recorded that the income from prostitution in temples used to be taken by the kings for meeting the expenditure of the army.⁴⁴ These examples suggest that the divine prostitute's property and earnings went to the state treasury. The institution of divine prostitution helped to enrich the wealth of the temples.

In India the temple women came mostly from the low caste, non – Brahmin and other higher caste women were rare. Slaves were also dedicated to or purchased by the temples. Parents from lower casts offered their girls to the service of temple out of their devotion to god and religion. These temple women were considered essential at the time of offering prayers and were given a place of honor. Temple women also called as Devdasis. Devdasis means slaves of God, who dedicated their lives to the service of God. They were also devaradiyar and falicheripendukal. Many of them were proficient in the field of fine arts, especially music and dance. Originally they were employed in the temples for cleaning the premises, washing the vessels, preparing the flower garlands and doing other jobs. But in the due course of time they took to dancing and music also. Gradually, due to the laxity of morals among the priests, the system was missed by them for immoral purposes.⁴⁵ Under the grab of religious dedication of girls to temples clandestine prostitution developed.

2.6.3. Sulnat Period

The Delhi Sultanate was a Delhi based Muslim kingdom that stretched over large parts of India for 320 years. (1206-1526) Qutb-ud-din Aibak, a former slave of Muhammad Ghori, was the first Sultan of Delhi and his dynasty conquered large areas of Northern India. The state set up by the Turks towards the end of the 12th century in Northern India developed into a powerful and highly centralized state, which for some time, controlled almost the entire country. There was a definite growth of trade in county and also the growth of towns and town life.⁴⁶

The Sultan and his chief nobles enjoyed a standard of living which was comparable to the highest standard in the world at that time. Due to the rapid expansion of the empire, large salaries and allowances were given to the nobles by Sultans. The nobles tried to imitate the Sultans in ostentatious living. They had magnificent palaces to live in. They were surrounded by a large number of servants, slaves and retainers. They were so degraded that they didn't feel any shame in keeping concubines and prostitutes in their houses. They didn't scruple to trample on the sanctity of the harem and turned their homes into private brothels.⁴⁷

The nababs and Muhamedan nobleman who could afford the luxury kept harems, people by young girls of good beauty, who ministered to their pleasures. There was little difference between such harems and modern brothels. Harem was reserved for the satisfaction of lust of a single man and brothel is visited by succession of men.

In Muhammedan period many of prostitutes were foreigners and were slaves recruited from Persia, America and even Europe. There was great demand for these foreign girls. These prostitutes procured from the Christian and other non-Muhammedan races were forced to declare themselves converted.⁴⁸ It was customary with nabobs to present some of the

women to their favorite countries and friends. The women were regarded as chattels to be sold, presented or hired out by her owner.

Among the Shiv Muhammedans there was a custom of hiring wives for a certain period. At the end of the period the woman was free to accept any other man as her protector. This type of woman was nothing but a legalized kept mistress.

2.6.3.1. Clandestine Prostitution

Clandestine prostitution was a silent feature of prostitution in Mohmadan period. The women of the Muhammedan nobility were generally corrupt and carried on love intrigues. The motive was mainly satisfaction of lust. Secret prostitution became general among the women living in the vicious atmosphere of the harems.⁴⁹

2.6.3.2. Prostitution in South India

Under a series capable rulers, Vijaynagara emerged as the most powerful and wealthy state in the South during the first half of the fifteenth century. In Vijaynagara the prostitution was much in vogue. H. M. Elliot describes it as, "Behind the mint is a sort of Bazar. . . There are several brothels within these seven fortresses and revenues from them amount to 12000 fanams, go to pay the wages of the policemen."⁵⁰ The Vijaynagar empire as late as the fifteenth century, organized prostitution for the benefit of the state. Abdur Razzak visiting Vijaynagar in 1442 A. D. observes:

"Opposite the darab – khaneh (the mint) is the house of the Governor, where are stationed twelve thousand soldiers as a guard, who receive every day a payment of twelve thousand fanom, living on the receipts of the houses of prostitution. The magnificence of the palaces of this king, the beauty of the young girls collected therein, their allurements and their coquetry surpass all description. Behind the darab – khaneh is a sort of bazaar. On the two sides are ranged chambers and estrades. Immediately after the midday prayer they place

before the doors of the chambers, which are decorated with extreme magnificence, thrones and chairs on which the courtesans seat themselves, youth Good looks, good qualities and liberality are the chief and most natural means of making a person agreeable in the eyes of others but in the absences. Each of these women is bedecked with pearls and is dressed in costly raiments. Any man may enter their locality and select any girl that pleases him, and take his pleasure with her. Anything that he carries with him is delivered into the keeping of those engaged in the service of the houses of prostitution, and if anything is lost these latter are responsible for it.”⁵¹

The conditions of Vijaynagar are described by a number of foreign travelers. Paes, an Italian spent a number of years at Krishna Dev’s courts. According to Paes, dancing girls were also summoned during the feasts. “For these feasts are summoned all the dancing – women of the kingdom, in order that they should be present and also the captains and kings and great lords with all their retinues. . .”⁵²

The sacred prostitution in the institution of devdasi has been referred to by Al Beruni.

2.6.4. Mughal Period

During the period (1526 - 1707) the Mughal Empire was ruled by Akbar, Jahangir, Shahajahan and Aurangzeb. During the period it had to face many political and administrative problems, but in economic and social spheres, the period from the advent of Akbar to the end of the seventeenth century, there were important social and economic developments. Many European traders and travelers came to India, and some of them have left accounts about the social and economic conditions of the country.

The Mughal nobles received salaries which were extremely high by any standards. Their expenses were also very high. They maintained a large train of servants and attendants and a large stable of horses, elephants etc. Many of them maintained a large harem of women.⁵³ Akbar the illustrious

Mughal emperor, maintained a seraglio in which there were 5000 women, and it had a separate staff of women officers who looked after its management.⁵⁴ Akbar made some regulations so that the services of prostitutes might not be available very easily to the public. The prostitutes were confined to a place outside the capital city.⁵⁵ The nobles followed the king's example and spent lavishly on mistresses and dancing girls. The Governors fill and adorn their mahals with beautiful women and seem to have the pleasure house of the whole world within their walls.

In Mughal period the concubines and favorite slave girls led a pleasant life. They spent their time in decking their beautiful person and in displaying or increasing their powers of fascination. To become the favorite woman was their highest ambition. A favorite woman lived in splendor, while a woman who displeased the master might even be killed.⁵⁶

2.6.4.1. Eunuchs

Eunuchs or Hijras were entrusted with keeping guard over the women in a harem. Some of the lewd nobles practiced sodomy and the eunuchs were notorious for this shameful practice.⁵⁷ Sodomy was common among the Mughal nobles. Aurangzeb tried to stop the evil but he could do nothing.

2.6.4.2. Dancing Girls

A large number of girls were attached to the Mughal courts for dancing and singing. The Mughal kings were great patrons of fine arts of music and dance, which flourished during their regime. Many a time the prostitutes were employed as dancers and singers in public social and religious functions. Some of them were highly accomplished ladies, adept in various arts and skills such as music, poetry, sorcery and spying. The Rajput states had employed the services of some of these public women for singing and dancing in the royal courts. Some others were fortunate enough in attracting the attention of the princes perhaps because of the unusual beauty or their exceptional accomplishment in some arts, and were accepted by the princes in their harem.

They lived there as the concubines and enjoyed a privileged position. A few of them were very loyal to the king, even going to the length of burning themselves to ashes after the death of their kings.⁵⁸ Women even accompanied the Mughal army and moved with them from place to place for the entertainment of the army personnel.

2.6.4.3. Anarkali

Anarkali was a famous dancing girl of Akbar's court. Salim (Jahangir) fell in love with her. Akbar noticed their love affair. He decided to remove the girl and condemned her to death. Jahangir built her tomb at the outskirts of Lahore.

2.6.4.4. Lal Kunwar

Lal kunwar was a famous concubine of emperor Jahandar shah of Delhi. She was allowed to display the Imperial umbrella, the emblem of royalty and March with drums beating as if she had been the Emperor in person.⁵⁹

2.6.4.5. Nur Bai

Nadir Shah, the king of Persia, who plundered Delhi and massacred its inhabitants, was conquered by Nur Bai. She was dancing girl of Delhi. Nadir Shah was highly fascinated by her music that he paid her Rs. 4500 and wanted to take her Persia with him. But she avoided him.

In Mughal age Akbar was against this practice and took steps to check prostitution. There was a separate caste that followed this profession. In the reign of Shah Jahan, they enjoyed much freedom and were in great numbers. In the society, prostitution was regarded as a disgrace though some of the meaner sort adopted it and lived in separate quarters out of the city. When Aurangzeb became the ruler, most of his rules were directed towards the prohibition of prostitution. But he failed. Prostitution received great encouragement from the rich and well to do section of the people. Hindu rajas like

Baz Bahadur, the ruler of Malwa and Raja Indrajit Singh, ruler of Orchha were great patrons of prostitution.

2.6.5. Early European Society in India

In Mughal period there was a number of ports and towns from which brisk trade between India and the outer world was carried on. India not only supplied food stuffs, such as Sugar, rice etc. to many countries of southeast and west Asia, but Indian textiles also played a very important role in the trade of the region. The Portuguese came to India during the end of the fifteenth century. During the seventeenth the Dutch, the English and later the French came to India for purposes of trade. Portuguese remained at Goa and also at Daman Diu, The English spread their trade in North India.

The entry of Europeans into India profoundly altered the socio – economic and political milieu. The presence of sailors in port towns new rendered the climate morally vulnerable. After their long and dull some voyage they wanted to have some relaxation during their halts in ports and they got the pleasure by attending dance parties and visiting places of interest. They also used to visit houses of prostitutes which were like honeycombs in areas adjoining sea ports.⁶⁰

2.6.5.1. The Portuguese

In the beginning of the seventeenth century Goa was a centre of Portuguese civilization in India. The Portuguese's society in Goa became greatly debased.

The gambling houses were run under the patronage of the Government and were the resort of dancing girls.

Many of Portuguese women had started for India as the intended wives of officials in Goa, for the Portuguese Government, in its concern for the morals of its employees in the East, used to send out annual batches of women who had failed to find husbands at home and that the obedient officials

might not cavil at such trifles as lack of physical attraction, send with them substantial dowries. These women, however, as often as not were provided by fate with other husbands in other parts of India, their ships being captured by Musulman pirates and themselves dispatched to the slave market at Surat.⁶¹ Some of these Portuguese captives brought to Surat. Some were bundled into the harems of local officials and never heard again.⁶²

2.6.5.2. The French

There were many French in India and most of them took concubines. General De Boigne an European adventurer of the 18th century had two concubines. He took one woman to Paris and embraced the Catholic religion. She resided till her death under the name of Mrs. Bennet. Her son Aly Bux became afterwards Count Charles Alexander – Benoit De Boigne.

2.6.5.3. The British

The moral condition of the East India Company's servants was at the lowest ebb. Almost all unmarried and even married one kept native concubines.⁶³ The Company was deeply disturbed over some recent unsuitable marriages of Englishmen in Madras. Many of these kept slave-girls as mistresses. Henry Crittleton, a Company's officer, kept a Brahmin mistress called Raje and in his will he refers to her wit obviously sincere gratitude and devotion leaving to her all his property. General Pater was so fond of his mistress Arabella that when, on her death, the chaplain refused to bury her in consecrated ground, he has her body interred in a field and then built a Church over it, the Church of St. Mary's, so that in spite of Chaplain she should lie in consecrated ground.⁶⁴ These were men of means, but many a poor sailor and soldier showed a similar affection for his mistress. The Sailor James Buller left his slave – girl, Noky her freedom and fifteen Arcot rupees a month and William Stevenson left his Maria a third of his estate provided she remained virtuous.⁶⁵

When the sailors were called away on a long voyage or the soldiers ordered in land they generally left their girls with some friends in

Calcutta there were few unmarried men without a mistress. They often kept Indian women. Many of the English merchants became half – Indianised enjoyed a nautch and from the frequent references to ‘country music’ did not dislike Indian music. They ordered dancing – girls from Lucknow and Delhi.⁶⁶

In the absence of State control and regulation, the voice of prostitution became rampant and British rulers felt the necessity of control and regulate it. Law dealing with immoral traffic was enacted by British rulers. The enactment of the contagious Disease Act, 1868 opened up a new epoch in the history of prostitution in India. Certain important factors such as the increase in incidence of venereal diseases in the presidency capitals and for enacting rules for controlling the activities of prostitutes in the towns neighboring to cantonments were behind this legislation.⁶⁷

Important feature of this Act was that it sanctioned the establishment of brothels and allowed prostitution in a regularized form. Every brothel keeper and prostitute was provided with identity cards with details of registration which was subjected to be produced on demand. Every Prostitute was required to be periodically medically checked that she was not infected with venereal diseases.⁶⁸ This medical checking was having the aim to protect the customer from contracting sexually transmitted diseases from infected prostitutes. To protect the health of prostitutes was not main aim of the medical check – up provided by contagious Disease Act, 1868. It was abolished in 1888 A.D.

It was a 1923 that the Suppression of Immoral Traffic Act (S 17 A) was passed for Calcutta, Madras and Bombay presidencies. In Uttar Pradesh the Nayak Girls Protection Act and Minor Girl Protection Act were passed in 1923. Attempt to regulate and control prostitution was started in real legislative sense only after passing of these Acts.

2.7. Classification of Prostitutes

2.7.1. Ancient Age

In ancient sexual works prostitutes have been classified as

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2.7.1.1. Married women prostituting with other men

These types of women were classified into two classes

2.7.1.1.1. Swairini

Swairini was a married woman who prostitutes herself in her own or some other house and whose husband is powerless against her.⁶⁹ She snubs him on his face.

2.7.1.1.2. Kulta

Kulta was a married woman who secretly and occasionally slipped out of her house to enjoy the embraces of one or more lovers.⁷⁰ She was afraid of her husband and his relatives, and went astray not so much for the sake of money as for the romanticity of love or the satisfaction of her lust.

2.7.1.2. Clandestine Prostitutes

2.7.1.2.1. Kumbha dasi

“Carrier of pots and pans.” She belonged to the lowest stratum of prostitutes and was apparently engaged in menial work.

2.7.1.2.2. Paricharika

She acted as attendant to the master or mistress and looked up their comfort.⁷¹

2.7.1.2.3. Actresses (Nati)

The Actresses have been classed as prostitutes who show that respectable lady joined the stage. The Nati who professedly lived by dancing, music and acting on the stage, has often a fixed 'man', with or without whose approval, she entertained people of her choice and earned extras.

2.7.1.2.4. Prakasavinasta

Is a woman who during the life time or after the death of her husband, forms indiscriminate liaison with any man that suits her purpose, money and sexual satisfaction being equally her desiderata. They belong to any caste or class. They were not hereditary prostitutes and consisted mostly of who fell from the path of virtue and become prostitutes under force of circumstances.

2.7.1.2.5. The Shilpkarika

The shilpkarika is a wife or the daughter of a man engaged in independent labor or petty handicrafts such as washerman the weaver, the carpenter the potter etc.⁷² How they joined the profession is not started clearly. It is possible that these women were inspired to adopt a life of ease encouraged by the examples of courtesans whom they might have visited in their professional capacities.

2.7.1.2.6. The Ganikas

The ganikas were professional prostitutes. They were the highest in the rank of prostitutes and were well known for their good manners and deportment. They were divided into two classes –

2.7.1.2.6. 1. Those who lived in a brothel.

2.7.1.2.6. 2. Those who put up in a private house, either rented or of their own.

2.7.1.2.7. High Class Courtesans

These courtesans belonged the better class. They were famous not only for beauty but also for culture. There were musicians and even poets among them. It courtesan has a reputation as an artist or a wit was valued by her lovers. The noblemen and fashionable youth of country and even the kings and princes were at their feet.⁷³

2.7.1.2.8. Prostitutes of the Streets

These types of prostitutes needed to sit in their windows or doorsteps or to go hunting in the streets.

2.7.1.2.9. Devadasis

Those prostitutes are religious prostitutes. Though the term devadasi didn't figure earlier than Chola times (850 AD to 1280 AD) It is believed that the practice started about the third century AD. The term devadasi means servant. Her duties consists a combination of propriety, Ritual and Entertainment to assert positive fertility and prosperity. They on account of being married to God or goddess.⁷⁴

2.7.1.2.10. Nagar Sobhini

She was also called vannadasi. In some texts, nagar – shobhini stands for a common harlot, while in other instances she is equated with a ganika.

2.7.1.2.11. Chanana

This word stood for a common prostitute. Her personal status was not always the same.⁷⁵

2.7.1.2.12. Vannadasi

She was a slave in the establishment of a ganika. She received less affluent visitors and earned money.

2.7.1.2.13. Vesiya

Vesiya seems to have been different from ganika as is evident from such references as vesi cha ganikayo cha. According to Pali literature the vesiya plied her trade alone and lived by selling her charms. She did not possess the artistic talents of the ganika. She pandered to the common people.⁷⁶

2.7.1.2.14. Itthi

This type of prostitute was supposed to be a mistress as opposed to a lawful wife. In some Jatakas she denotes a prostitute. At the time of a festival she was hired by the sons of a setthi.⁷⁷

2.7.1.2.15. Muhuttika

A girl of pleasure engaged for a short duration is called muhuttika.

2.7.1.3. Types of Ganikas in Arthashastra

Koutilya is the author of Arthashastra. He uses the words ganika, rupajiva, pratiganika, vesya, dasi, devadasi, kausikastri, rupadasi etc. for courtesans and prostitutes.

2.7.1.3.1. Ganika

Ganika in Arthashastra is a government servant whose rights and responsibilities are clearly defined by the state. She received a monthly salary from the king's treasury in lieu of the service she rendered to the state. If she had a daughter she was also destined to join the government services.

2.7.1.3.2. Rupajiva

Kautilya uses the term rupajiva for ordinary prostitutes. She lived on the proceeds of her beauty. She was not a state employee. She had to pay

a monthly tax to the government .She was a prostitute whose status was next in the rank to that of the ganika.

2.7.1.3.3. Vesya

In Arthashastra this term is used for all kinds of prostitutes. Their activities were controlled by the fort authorities and they were placed along with spies, artisans, singers etc. to keep watch on the conduct of military personnel.⁷⁸

2.7.1.3.4. Pumschali

Pumschali in Arthashastra is only a very low-grade prostitute. She is in the category of a whore who surrendered her person for money. Person seen in her company become suspects.

2.7.1.3.5. Dasi

Kautilya used this word in double sense for a slave girl closely associated with place activities and for a common prostitute who was not allowed to enter to royal palace. She also acted as a spy.⁷⁹

2.7.1.3.6. Devadasi

Devadasi was a temple girl prostitute and a dancing girl, when she retired was re-employed for work such as spinning wool, cotton and flax.

2.7.1.3.7. Silparika and Kausikastrī

Silparika or an artisan's wife and kausikastrī were in the category of demi-monde.

2.7.1.3.8. Kritavarodha and Avaruddha

They were professional prostitute who lived as mistresses under the protection of one master.⁸⁰

2.7.1.4. Causes of Prostitution

Hundred of years passed away, but human nature remains same. The life of prostitutes in ancient India was same as in the modern India. According to Vatsayana the following are the causes of deprivation of woman's Chastity.

- 2.7.1.4.1. Always going into society and sitting in company.
- 2.7.1.4. 2. Absence of forbearance.
- 2.7.1.4. 3. The bad habits of a father or husband (chief man of family).
- 2.7.1.4. 4. Want of caution in her relations with other men.
- 2.7.1.4. 5. For married woman continued and long absence of husband.
- 2.7.1.4. 6. Living in a foreign country.
- 2.7.1.4. 7. Extinguishment of her love and feelings by her husband.
- 2.7.1.4. 8. Company of loose women.
- 2.7.1.4. 9. Jealousy of her husband.⁸¹

Excerpts from Vatsyayana's Kamsutra have given various reasons of entertaining a person in this trade. They are as below –

2.7.1.4.10. Natural or true love

2.7.1.4.11. Revenge

As against the man's wife who had once insulted her or against a lover who had neglected her by taking one of his friends.

A simple curiosity to test a person noted for his manly power. Her experience of hardship in sexual intercourse with others.⁸²

2.7.1.4.12. Charity

By giving herself to a worthy Brahmin or celebrated monk.

2.7.1.4.13. A desire to earn notoriety

By allowing intercourse on certain prescribed occasions for example as at a sacrificial ceremony, a garden party etc.

2.7.1.4.14. Commiseration

Towards a person who says that he would die on her account, if his love remains unreturned.

2.7.1.4.15. Contraction

When any one for whom she cherishes much respect, breaks open his love to her. She consents being too bashful to resist.

2.7.1.4.16. Conviction

Her conviction that she would be blessed by having connection with a certain high souled, wealthy and beautiful person.

2.7.1.4.17. Need of satisfaction

Her need for the satisfaction of a suddenly flared-up passion.⁸³

These are the causes which show entry of woman in this trade. In short bad company and cruelty or desertion by husband was the main causes of prostitution among married women.

2.7.1.5. Life Style of Prostitutes in ancient India

The prostitutes had no place in the domestic life of a family. They were only meant for the pleasure of men. The life – style of prostitutes, courtesans pointed in the romantic literature of ancient India period is

interesting. Vastyanaya's Kamsutra, Bharata's Natyashastra, the Vasudeva (Hindi), Brihatkathaslokasamgraha give us an insight into the life of the prostitutes and courtesans. They depict the seduces that the prostitutes practiced on their lovers, their education, the quarters in which they lived and the luxury that surrounded them.

2.7.1.6. Character of Prostitutes

The prostitutes had no place in the domestic life of a family and were only meant for the pleasure of men. Speech, Smiles, dance and song were their weapons. Jatakas shows the character of Prostitutes in these words. They attract men by their tempting figure and voice, perfumes and touch and by their dalliance in stratagem.⁸⁴ Those who are prostitutes and do whatever they like, they have no love, their craving for a new men.⁸⁵ They forget past friendship and take pleasure with new men just as cows wounded in one field graze happily in another.⁸⁶ Prostitutes should possess beauty, youth auspicious signs on her lovely form, sweet voice and should prefer the merits of a person to his capacity of spending money. She should be naturally of a loving disposition. She should neither weak – minded nor capricious. She should be of discriminating nature and free from avarice. She should be fond of social gatherings and should have a taste for arts and letters (Kalas).⁸⁷

2.7.1.7. Education of Prostitutes

Prostitutes had from their very childhood to attend public schools called Gandharvashalas to diligently learn the sixty – four arts subsidiary to the highest technical knowledge of erotic. The course was as long as difficult to pursue as it was expensive. Courtesans referred to in Jain literature were supposed to have acquired knowledge of the seventy – two traditional arts.⁸⁸ Prostitute had to learn following arts:

Nattam (nrityam) – A term for dancing

Gayan (gitam) – All techniques of singing

Baiyam (Vaditam) – Instrumental music

Janavayam (janavadam) – The art of conversation

Pasayam (Pasakam) – The art of gambling tricks

Vatthavihi – This included the modes of wearing garments and also determining new fashions in textiles.

Abharanavihim – Rules regarding the making and wearing of ornaments.⁸⁹

The Kalas mentioned by Vatsyayana are as follows –

Alekhyam – The six basic principles underlying the composition of a good pointing.

Sayana – rachanam – The art of making a bed.

Vastuvidya – The science of architecture.

Vastragopanani – The art of covering the unexposed part of the body.

Vainayiki – The art of self – discipline and controlling others.

Vyayamiki – The knowledge of all kinds of physical exercise.⁹⁰

Of the seventy – two arts, only writing or painting, sculpture, dancing and singing playing on various kinds of musical instruments, gambling of several kinds, cooking and brewing drinks, proficiency in certain forms of literacy composition, knowledge of men and women, making or ornaments and perhaps a few more could have been studied by the prostitutes and courtesan to increase their professional prestige. These arts were not confined to courtesans alone, but they formed an integral part of a liberal education.

The list of sixty – four arts given by Vatsayana was impossible to acquire. Ordinary prostitutes engrossed in drudgery of everyday life could hardly be expected to gain even a passing acquaintance with these highly specialized arts. The exacting profession of a courtesan demanded the knowledge

of certain arts. These arts were instruments of their profession. Senior government officers, rich merchants and bankers regularly visited them not only for the satisfaction of their sex impulses but to enjoy their cultured and pleasant company. So courtesan had to acquire these arts in order to keep themselves in smarten.

2.7.1.8. Cosmetic Art

The courtesans of the ancient India lived in capitals and large commercial centers such as Bharukachchha, Ujjain, Mathura, Kausambi, Varanasi, Pataliputra, Vaisali etc where there lived rich merchants who could afford to patronize them. The literacy evidences supports that the Vaisika culture of existing in the great Indian cities was a wealthy and prosperous one. The ganikas had considerable influence there.⁹¹ The love of prostitutes was based on physical attraction and basically it was intended to earn their livelihood. In keeping with the needs of their profession, prostitutes dressed well and adorned themselves with a lot of ornaments.

The prostitutes of ancient India like their modern successors gave much attention to their dress and cosmetics with the objects of increasing their beauty – their only stock – in – trade. In keeping with the needs of their profession, prostitutes had to dress well and adorned themselves with a lot of ornaments.

2.7.1.9. Dress

The prostitutes used to wear colored saris. There is mention of rainbow colored sari in Kadamvari. The costly Chinese silk was worn by rich courtesans.⁹² Chintz was also used. The breasts were generally left exposed as is evident from the paintings in the Ajanta Caves. Later the custom of exposing the breasts disappeared. In the Kadamvari by Banavatta was a contemporary of Harshavardhana. We find that the upper part of body was wrapped round by a cloth like a shawl. The belles of those days liked Uttariya of green color like that of a parrot. Some prostitutes wore tight jackets known as Kachulis or Konchukis.

These jackets cover the upper part of breast, leaving the lower half and the abdomen exposed, when the orna (Shawl) is not worn.

Bana in his Harshacharita⁹³ describes the pretty courtesans waiting up to Harsha in his court. They were dressed cap – a – pie with silken garments and costly ornaments, their close and round bosom tucked up in mulmul corsets, the middle portion of their bodies slim and graceful.

Courtesans had to learn the techniques of sewing and weaving known as Suchivanakarmani. The prostitutes of middle class were not expected to dress properly and not a single pieced garment.⁹⁴ (ekavastra)

In the Mahabharata period ganikas were invited by people of high social status. Regarding their garments it is stated that they should put on red clothes, red garlands and use ornaments of red gold. The red color is regarded as color as the symbol of Yama. This rule was made to distinguish the ganikas or for warning the people about the dangerous effect of sexual union with prostitutes, the red color indicates death.⁹⁵

2.7.1.10. Cosmetic Art

The application of cosmetics the painting of the body and the combing of the hair by prostitutes of upper and middle class was essential. Various sorts of dentifrices were known to the prostitutes and were used to beautify the teeth. Some of the women however stained their teeth black by ‘dant masi’ or ‘misi’ which is used even to this day by some of the low class prostitutes. The use of collyrium on the eyelids was a fashion in these days.⁹⁶ The use of alaktaka (a color made from lac) for coloring the lips was common in prostitutes. They also chewed pan which colored the lips red. The border of the feet was also dyed with lac (alaktaka) which is still used by most of the Hindu prostitutes. Courtesans in upper class use turmeric all over their body to give it a yellowish color. The use of powder for dusting over the face and body was common in prostitutes. In the days of Kalidasa the pollens of ladhra flowers were applied to the face by the fashionable women.

Dyeing of the hair was practiced by older prostitutes. Dressing the hair was an important art for them. There were professional hair dressers in the ancient towns.⁹⁷ They dressed the hair with various creams and perfumes. Depilatories for removing hair from the body were also used. Perfumed hair oil and scented soaps were used for bath by upper class courtesans. The use of perfumes like musk, agar, sandal etc. on the body was common in those days. There was a fashion of application the juice of sandal wood or agar on the forehead and other parts of body in all type of courtesans. Beautification of forehead and breasts by designs of leaves and flowers was common in upper and middle class courtesans.

Vastyayana in his Kamsutra has mentioned the Kalas of cosmetic art which was necessary to learn for courtesans are as follows:⁹⁸

2.7.1.10.1. Dasanavasangaragah

It includes the application of saffron paste and other fragrant materials to the body and the clothes, staining the teeth etc.

2.7.1.10.2. Chitraschayogah

The term includes all kinds of wonder – working formulates such as removing bodily defects, dyeing the hair, and magical practices to subdue in play.

2.7.1.10.3. Viseshakachchhedyam

It is defined as a tilaka on the forehead obtained in several patterns by stenciling the birch bark, and other leaves.

2.7.1.11. Nivas

In ancient India prostitutes lived at the southern portion of the city and it is significant that this part also had a large number of liquor and meat shops. In Mauryan age the ganikas were segregates in the southern portion of a town.

2.7.1.12. Marriage System

There are references about sham marriages of a prostitute in ancient Indian literature. When the daughter of prostitutes attained puberty, her mother selected a suitable paramour for her. After performing some sort of ceremony the first paramour was called the husband of the girl. Temporary bond which lasted for a year and after separation the girl was free to prostitute herself.

When the daughter of a courtesan is given to a man the ties of marriage should be observed only for a year and after that she may do what she likes. But even after the end of the year, when otherwise engaged, if she should be invited now and then by her first husband to come and see him she should see him.⁹⁹

There was a very clever way of increasing the market value of one to be initiated into prostitution. The mother got together a lot of young men of the same age, nature and knowledge as her daughter, and tells them that she would give her in marriage to the person who would give her presents of a particular kind. After this the mother gave her in marriage to the man who may be ready to give her the presents agreed upon.¹⁰⁰

The girl also could select her own husband but the consent of her mother was necessary. There was a great demand for the privilege of deflowering a girl and heavy demands were made on the purse of the would be first paramour or so called husband.

2.7.1.13. Meaning of Sham Marriage

The courtesan's daughter after attaining puberty had then as a rule to go through a form of marriage with a young man. The man before the marriage gave a large sum in advance towards the expenses of the ceremony. Thus he could enjoy the virginity of the girl without entailing any legal obligation in result of this marriage. According to the prevailing custom of the time he was only responsible for the maintenance of her for at least a year, after which he

could part a bachelor. Where a suitable man was not available, nuptials were symbolically contracted with a stick a sword, a knife a tree or an idol. This shows that even the prostitute abhorred the idea of remaining a spinster all throughout her life. This custom of sham marriage is still current among many races of prostitutes in India.¹⁰¹

The renowned scholar named Dattaka who lived in the city at the time (probably in the middle of the fifth century B.C.) and who had spent many years in ganikas association as an instructor in the Kalas to write a monograph on courtesan ship. He wrote a treatise titled “What a young Courtesan Ought to know”, which afterwards formed the basis of the ‘Vaisikam’ chapter of the Kamasutra. Dattaka’s work was followed by kuchamara. Kucharara advises a courtesan should carefully guard her daughter against the approaches of the youth and thereby increase her worth and attractiveness. She should give her daughter’s hand amidst a pseudonuptial ceremony to the person who agrees to pay what has been set as the price for the first past – marriage. Or she should connive for a time at her daughter’s relationship with an accomplished youth and after words bring the whole matter to the notice of the wise elders for deciding how much the man ought to pay as penal contribution towards her daughter’s nuptial ceremony.¹⁰² A sort of temporary marriage (being valid for a year) between citizens and courtesans daughters was recognized mode in the vast tract of land lying east, north – east and south – east of Allahabad including the Kingdoms of Anga, Vanga, Kalinga and some other smaller principalities.¹⁰³

2.7.1.14. Wine and Prostitutes

Drinking is supposed as a bad habit in Indian Society. Men of any social position would not dare to drink openly. But wine and prostitutes is a time honored combination. Evidences show that the habit of drinking was common in the prehistoric days on ceremonial occasions. ‘Soma’ a kind of intoxicating drink which was prepared from some plank, was favorite drink of Vedic Gods.

On the Mahabharata there is an advice to a king for prohibition of wine. In ancient India, drinking, gambling and prostitution went hand in hand. Drinking is condemned by Buddhism, but Arthashastra disregards this ethical code and treats wine trade as an important source of state revenue.¹⁰⁴ Manufacture of wine and liquors was the prerogative of the State. The fairs and festivals were occasions when large quantities of wine were consumed. The Government managed saloons and private bars were decorated. There is little doubt that these bars of Mauryan period must have been the happy hunting ground of prostitutes. The only information about the presence of prostitutes in the bars is of a laconic nature. The barmen kept a watch on the activities of their customers. These customers lay down in their rooms with prostitutes.¹⁰⁵ Vatsayana signifies that prostitutes should offer the flowers and drinks to customer, in the beginning and at the end of love making to attract them.

According to Kamsutra, a work on sexual science – “Men and Women should drink in one another’s houses. And here the men should cause the public women to drink and should then drink themselves liquors such as the madhu, aireya, sara and asava which are of bitter and sour taste, also drinks prepared from the bark of the various trees with fruits and leaves”.¹⁰⁶ The prostitutes of ancient India were fond of drinks. The prostitutes of today drink as much wine as they can get.

2.7.1.15. Male Prostitutes

We find the existence of homosexual practice from the writing of Vatsayana which was looked down upon. The eunuchs were employed for this purpose and Vatsayana gave a warning to young men against these people.

There is scattered all over the country through in a very small number a class of people known as eunuchs. These persons are neither men nor women in the strict sense of the word. Their sexual desires and longings are quite the opposite of what they are in normal men and women”.¹⁰⁷

The opinion of Vatsyana is that the eunuchs should be avoided by all good, right thinking men not only because the actions of eunuchs are uncleanly, but because by mixing with eunuchs a normal man may acquire the tendency of an eunuch and may become perverted.¹⁰⁸ In Epic age the self pollution and homosexual practice were considered as forgivable sins of mild nature.¹⁰⁹ In most of the country's worst forms of homo – sexual relationship and religious prostitutions with the effeminate priests were raging round the temples of Malachi, Baalpeour, Mylitta, A state etc.¹¹⁰

2.7.2. Medieval India

The life – style and the professional conduct of the courtesans and prostitutes were no better in medieval India. The courtesans who were skilled in the arts and full of good humor lost their former zest. The number of prostitutes and courtesans rose considerably and the rakes continued to act as they deed in former times. Sanskrit literature in medieval India throws light on the general characteristics of the prostitutes, their lust for money, their relation with their clients. We are also told of the ways of procuresses, pimps, barbers etc.¹¹¹

Kuvalayamala (779 A.D) written by Udyotanasuri at Jalod in Rajasthan Sringaramanjari Katha of Bohojadeva, the famous ruler of Malwa (1010 – 1054 A.D) (), the Nammyasundari Katha of Mahendrasuri and Manasollasa of Someshwara, written in 1131 A.D. are the sources which describes the picture of the courtesans of this period and of the environment in which they worked and lived.

2.7.2.1. Classification of Courtesans

Hemchandra in the Abhidhanchintamani have been classified as¹¹²

Sadharamastri – A Strumpet

Ganika – A Courtesan

Panapanyangana – means a woman who could be enjoyed for a pana.

Bhujishya – a Mistress

Lanjika Rupajiva – means one who lived on her beauty, demimonde.

Varavadhu – means a chief Courtesan

Kuttani – means a bawd.

Sambhali – means a Prostitute

2.7.2.2. Life - Style of Prostitutes

From the literary evidences available to us medieval Kashmir seems to have been a land of pleasure where courtesans plied their trade freely. Harsha (1089 - 1101 A.D.) the Ruler of Kashmir was a curious mixture of good and evil. Large number of courtesans and prostitutes were employed in his court for music and dancing.¹¹³ The courtesans in the employment of Harsha were long garlands formed by their hair braids into which were woven golden Ketaki leaf ornaments, the pendants worn over their head – marks made them unsteady they joined the corners of their eyes to the tops of their ears with a line drawn with collieries, to the end of their uncoiled locks were twined golden strings, with the low train of their garments. Their breasts were covered with jackets covering the half length of their arms. They dressed themselves in male attire and resembled the god of love.¹¹⁴ Prostitutes in South India used to wear ornaments made of gold and conch shells, red, green and blue garments, garlands of lotuses and other fragrant flowers. The prostitutes of Tamil country used to expose their breasts and prostitutes from Maharashtra used to smear their foreheads with cinnabar. The prostitute from Karnataka used to wear *uttariya* and the left and Gujarati girls used to wear full sleeved bodices.¹¹⁵

Courtesans lived in the cities like Varanasi were surrounded by their lovers. There were schools in the cities as well as lofty houses provided with balconies. The cities were populated with sadhus and musicians;

people were exempt from the burden of heavy taxation and passed their time in the company of well educated soft spoken women.

The prostitutes lived in the quarters were known as Vesyasraya, Pura and Vesa.¹¹⁶ The officer in their charge was known as Veshyacharya.¹¹⁷

2.7.2.3. Wine and Prostitutes

Drinks were a necessary adjunct of the Vesa culture. Medieval Sanskrit dictionaries contain the names of wine, the methods of fermentation, the ingredients used etc.¹¹⁸ There were regular inns and taverns known as Sunda, Madhuvara and Madhukarma and people met there to drinks (Sapiti, Sahapana, Apana, Panaghoshthika) in cups (galvarka, chashaka, anuvarshana). Prostitutes entertain their customer handing over the wine cups and place near the bed all kinds of the foods and drinks. South Indian prostitutes drunken wine from goblets held by their maid - servants. In South India a drinking parties were held in a forest, on a river bank, in a garden at the time of madhupana – krida sport. In this festival all kinds of drinks were provided.

The famous Arab Geographer Idris observes that the king of Serendeb bought the wine of Iraq and France which he sold in his state for he liked to drink wine and he prohibited prostitution. He adds that the kings of India prohibited the use of liquor but permitted prostitution. The king of Khor permitted both.¹¹⁹

2.7.2.4. The Arts of the Courtesans

Kalavilasa describes the art of the courtesans in detail. It includes 64 categories. They are music and dancing, casting side glances, a deep knowledge of sex, of the wiles that can ensure a lover, the knack of double crossing a friend, drinking, love making, embracing, kissing, shamelessness, flurry, confusion, jealousy, weeping, giving up sulking, simulating death, sweating, agitation, trembling, flattery of a lover who had once been thrown out

but has again earned money, management of household, hair dyeing, devotion of monks and hermits, harlotry etc.¹²⁰

The above list shows that the most of the so-called 'arts' delineate the psychology of a courtesan and are contrivances to entice lovers etc. The courtesans used to visit gardens, temples, tirthas and also foreign lands in their professional capacity to earn their livelihood. Prostitutes in Kashmir had to practice certain arts as a professional accomplishment, but the dignity attained by the courtesans of ancient period was lost. The vesa culture suffered a definite decline in India during medieval period.

2.7.3. Prostitutes in Muhammedan Period

The nabobs and nobles in Muhammedan period used to keep prostitutes and concubines in their houses.¹²¹ The noblemen who could afford the luxury used to keep harems, people by young girls of beauty. Many of these girls were foreigners and were slaves recruited from Persia, America and even Europe.

2.7.3.1. Lifestyle of Concubine

It was customary with these Nobles to present some of the girls to their favorite courtiers and friends. The girls were regarded as Chattels to be sold presented or hired out by their owner. The concubines used to live pleasant life. They used to spend their time in decking their handsome persons and or in displaying or increasing their power of fascination. Their highest ambition was to become the favorite of the Nabab.

They were fond of drinking wine. They learn the habit from their nobles and the drinking has become very fashionable. The concubines used to wear the expensive clothes, eat the daintiest food, and enjoy all worldly pleasures.¹²² Nababs of Bengal used to send plunders to the country to find beautiful girls. These girls were guarded by eunuchs.¹²³

2.7.3.2. Classification of Concubines (Dancing Girls)

2.7.3.2.1. Persian Dancing Girls

“Lolonis are descended from courtesans”. They have come from Persia to India. They could sing only in Parsian. Loli is a Persian word. It means public singer.

2.7.3.2.2. Hockenis

They have various styles of singing and dancing. The hockenis may represent the sub- caste Harakiya.

2.7.3.2.3. Domnis

These girls sing in Hindustani. Their songs are considered more beautiful, more amorous and more profound than those of the Persians. They dance to the rhythm of the songs with a kind of swaying of the body. Domnis are recorded as a sub – caste under the group Tawaif.¹²⁴

2.7.3.2.4. Kenchens (the gilded, the blooming)

They were more private and respectable class than prostitutes. They used to attend the grand wedding of Omrans and Mansebdars, for the purpose of singing and dancing. They were perfect in singing. They dance with wonderful agility and were always correct in regard to time.

2.7.3.3. Clandestine Prostitution

As rule nobles have three or four wives. They also used to keep concubines and prostitutes even in their houses. These women were generally corrupt and carried on love intrigues.¹²⁵ The motive was mainly satisfaction of lust. They could not gain payment in money. They used to obtain many luxuries and gifts from their lovers. In this way secret prostitution became general among the women living in the vicious atmosphere of the harem.

2.7.3.4. Pronounced Courtesans in Muhammedan Period

2.7.3.4.1. Anarkali

She was a dancing girl in Akbar's court. Because of her beauty, the court poet gave her the name Anarkali, which means a pomegranate blossom. Prince Selim became enamored of her. She also infatuated with him. Both used to meet secretly at night. Akbar noticed it and became very angry and sent her to prison. Birbal advised Akbar to remove the girl and save Selim from clutches. A mock trial was held and judge Birbal condemned her to death. She was buried alive. Jehngir built a tomb at the outskirts of Lahore on the site where Anarkali died.¹²⁶

2.7.3.4.2. Lal Kunwar

Lal Kunwar was a famous concubine of Emperor Jahandar Shah of Delhi. She was Tansen's daughter. She was allowed to display the imperial umbrella, the emblem of royalty and to march with drums beating as if she had been the Emperor the person. The coins were issued in the name of Lal Kunwar. Jahandar Shah openly went with her in a bullock carriage and made purchases at the shops in the bazaar.¹²⁷

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CHAPTER III

STATUS OF PROSTITUTION AND ROLE OF GOVERNENCE: ANCIENT AND MEDIEVAL AGE

3.1. Introduction

Prostitution is almost as old as human civilization of the world. India pretends to a most ancient civilization of the world. Ancient and medieval India contained the prostitutes who were not bound by the rules and restrictions which limited the freedom of the high cast wife. In order to understand the place of prostitution in our existing system and to cope more successfully with this ancient evil, we should know and study the history so that we may look back to its inglorious past and carefully analyze all the facts and factors that have gone to given an incentive or modify this ignoble sale of the sweet name of love. To solve this vital problem we should study the social, economic and religious states of prostitutes in ancient and medieval India and the role of State towards prostitution.

3.2. Ancient India

3.2.1. Status of Prostitutes

3.2.1.1. Social Status

Highly urbanized Indus valley culture is noted for its economic prosperity. The bronze figure of the dancing girl from Mohenjo-Daro represents a sacred prostitutes carrying out her duties within the precincts of the temple of some mother goddess. The luxuriant tropical atmosphere of the Indus valley culture its orchards, gardens, lakes, pools and cannels provides delightful spots for lovers to meet and also attracted courtesans practicing their seductive charms. In Vedic culture, the Veda refers to dancing girls. Certain significant words in Vedic literature throw light on function of courtesans. In the *Atharvavede* women (Aparasaras of Vedic tradition and ganikas of later times) are

believed to have been possessed or enjoyed by Gondharvas apparently in the course of village dances and music.¹

During Puranic Period, The Mahabharata records the social status of prostitute in Bahilika. It is said that once a virtuous woman who raped by the Aratta robbers and she therefore pronounced a curse that every Aratta family would have a prostitute.² Veshya in Mahabharata is considered an important adjunct of urban culture. In Epic period courtesans played no insignificant part in town culture. They enticed men of virtue, accompanied armies on the march served the king and by their training in the arts and crafts gained for themselves an important place in society. The institution of prostitutes was taken for granted in this period.

The public woman had to wear a red garment, a red wreath and red gold. The red color is regarded as color as the symbol of Yama. This rule was framed to distinguish easily the prostitutes or for working the people about dangerous effects of sexual union with a prostitute, the red color indicates death.³ They were never considered inauspicious though of course they occupied a low rung in the social order. Vesya in Mahabharata is considered an important adjunct of urban culture on the eve of the Great War of Kaurawas and Pandwas, Duryodhana's forces were accompanied not only craftsmen, professional singers, spies but also courtesans.⁴ After gaining a victory on the battlefield, Virata asked his messenger to proclaim that young girls should come out of the city bedecking themselves courtesans plying musical instruments were also invited to participate in the victory celebrations.⁵ During Epic Age groom princes had received courtesans as a wedding gift. Arjuna had receives one thousand girls of prepossessing beauty as wedding gift from krushana.

The Smritis are more concerned with the social and legal position of prostitution rather than their way of life. Prostitutes were an expedition and an indispensable ornament of the camp life. They had important place in fest and festivals. The kings, lords and wealthy persons hired their services when they

went out on hunting or to take a diversion in the country house, to the hill stations or the pleasure gardens.

The Ganikas formed an essential accessory in marriage, christening and other domestic ceremonies.⁶ The veshyas sometimes gave themselves in marriage with Brahmins and Kshatriyas in accordance with Gandharve system, by virtue of which they could occupy an exalted position in society. The clever veshyas always had the change of being up lifted to the ranks of a concubine and of being comfortably ensconced in an aristocrat's harems.

In Jain literature we get more detailed information about the behavior of courtesans. During this age the life of princes and noblemen and merchants because of their wealth was luxurious and thus courtesans played an important part in society. Courtesans had to learn 'the sixty – four arts'. They had to train in music, dancing, singing, acting, composition of poetry, flower arrangement, garland making, the preparation of perfumes and cosmetics, cooking, dress making, the composition of riddles, tongue-twisters and other puzzles fencing with sword and staff, archery, carpentry and architecture, logic, gardening, writing in cipher, languages, making artificial flowers and clay modeling.⁷ The proficiency of the courtesans in sixty four arts is therefore, a more convention and is merely intended to indicate that they were highly cultured.

Later the age of Smrutis, the ganikas were the cast aways of society or at least so called by the social potentates, and hence their food was unacceptable to a well bred Aryan. In almost all Samhitas all decent people are forbidden to partake of the cooked foods of a ganika.⁸

During the age of Vatsyayana age the status of veshyas and ganikas underwent little changes worth the name. The ganika was an indispensable and estimable factor in all public functions of the town as well as in the life of aristocracy.⁹

In the Gupta period, the institution of the courtesans became fully evolved and played a very important part in the social and cultural

life of the people. In the city, the courtesans and the prostitutes had separate quarters assigned to them. There one could meet the cultured and the boorish, the rogues, the rakes and even pundits and philosophers.¹⁰ In the post Gupta period the social status of courtesans continued as in the previous centuries. They played an important part in the royal seraglio and in the king's court. They participated in almost all court functions and festivals. They had a right to participate in a festival held to celebrate a birth ceremony.

3.2.1.1.1. Associations

The ganikas seem to have their own clubs, guilds and associations from which they could raise a concerted voice and through which they could ventilate a common grievance. They framed such rules and regulations here as would guide their daily life and ensure their future prospects.

3.2.1.1.1.1. Somana

In the sexual life of Vedic people certain institutions seem to have played an important part, Somana was one of them. In Somana which was held during tournaments, women were presented.¹¹ They spent whole nights wooing their lovers and dispersed at dawn. Courtesans went to make profit of the occasion.

3.2.1.1.1.2. Goshti

The goshti is well known institution of ancient India in which highly cultured members of society met and discussed questions relating to the various arts. They listened to music and enjoyed the company of courtesans. Goshti was a gathering which held to promote the arts, literature and music and one in which courtesans participated freely.¹²

3.2.1.1.1.3. Samaja

Samaja indicates a grand feast accompanied by wrestling matches. It also indicates a social gathering in which music, dance, dramatic

shows played an important part. Courtesans played an important part both as participants in the show, and also as spectators.

3.2.1.1.1.4. Samapanakam

In Gupta Age, drinking in the company of friends and courtesans was one of the most important aspects of the social life of the nagarkas. In the Samapanakam function after the members of the goshti had assembled there was a great deal of revelry.

From the Epic period to the Gupta period, although the prostitutes did not enjoy any important place in the family, their presence in social or public functions was considered auspicious. The rich and indulgent people were accompanied by courtesans while swimming and in garden picnics. As per mentions in the Mahabharata, Courtesans participated in public celebrations and added color to the gaieties by their singing and dancing. They were invited to sing and dance on special occasions such as marriage or childbirth. Their presence was considered auspicious. In some castwere the marital thread around her a neck by the hands of the courtesan in the belief that she would enjoy the company of her husband till her death. The privilege of according welcome to foreign dignitaries, academicians, the new bride would, sagas or the princes and kings returning after successful campaigns at the gates of the city as usually best owed upon the courtesans. We can find a mention in Valmiki's Ramayan that Rama was welcomed back into Ayodhya by courtesans, after the completed his period of banishment. Even Krishana was welcomed by courtesans when he visited Kauravas with a diplomatic proposal. Even during war courtesans accompanied the troops. During the war of the Mahabharata, prostitutes were present in the camps.¹³ The example of the kings was followed by the people and no shame attached to a visit to the house of courtesans.

In Short in keeping with the growth of luxury and wealth in the ancient India the institution of the courtesans became fully evolved and played a very important role in the social and cultural life of the people.

3.2.1.2. Economic Status

The economical status of prostitutes varied depending upon her youth, beauty, her status, place in society and intelligence. In Buddhist age Sirima was a beautiful and talented courtesan. She used to keep a very large establishment with five hundred ganikas. She had been engaged by Uttara (a daughter of rich merchant) for one thousand Kahapanas per night to minister unto her husband.¹⁴ After her religious discouragement with Buddha she offered her wealth to Bhikkhus.¹⁵ The rich courtesan Addhakashi later became an alms – seeker. Her individual income was equal to the empire of Kashi.¹⁶ Amrapali of Vaishali and Shalvati of Rajgriha charged a fee of one thousand Kahapan for rendering service.¹⁷

The fees of prostitutes were known as ‘bhati’ and ‘paribbayaṃ’. The ordinary prostitutes charged much less in comparison. In addition, the courtesans received gifts such as expensive clothes, gold and silver ornaments and other souvenirs from their clients.

In Buddhist era, in the house of ill-fame (ganikaghara) the custom was that of every one thousand received, four hundred went to the courtesans and five hundred was spent on cloths, perfumes and garlands.¹⁸

Ganika in Buddhist period was however, not the wealthy courtesan of leading a glamorous life and charging exorbitant servant whose rights and responsibilities were clearly defined by the state. The ganika received a monthly salary from the king’s treasury in lieu of the services she rendered to the state.

Rich and affluent courtesans with benevolent attitude gave financial assistance for renovation of temples, creation of gardens and parks, tree plantation along highways and building of drinking water tanks. They also worshipped their deities, observed religious fasts and gifted cows to Brahmins. But there were certainly many poor and cheap prostitutes, who would end their days in beggary, or as menials and work – women, but the typical prostitute of

literature was beautiful, accomplished and wealthy, enjoying a position of fame and honor.

3.2.1.3. Religious Status

Epic, Puranas, Smriti and Buddhist literature have thrown light on the religious status of ancient Indian prostitutes. According to Dalbhya, in the war between the Devas and Asuras innumerable demons lost their lives, and their women – folk were raped and married to robbers. Indra then advised the fallen women to work as prostitutes in the king's palace or in the service of temples.¹⁹ The girls were advised to offer to the Brahmans cattle, land, grain and gold on auspicious days. They were expected to bath with perfumed water and worship Kama. After that the Brahmans were to be offered perfumes and even the enjoyment of their bodies. It was in this way that prostitution thrust out an off – shoot towards the boundary – wall of the temples to revive religious prostitution.

Puranas have laid down that the woman attached body and soul to one husband is called Pativrata, whereas one who lends her couch to two husbands (or paramours) is a Kulta and to five is branded a Veshya. No specific mention is however, made in regard to the post – mortem punishment adopted for the professional or hereditary prostitute.²⁰

After the Mahabharata war, the pampering and coddling of prostitutes by the state and rich people was curtailed by the Puritanic priests who had just begun to assert their power. The Puranas began freely to incorporate the names and lives of real and imaginary Veshyas in their pages, the priests mostly for selfish reasons gave them such an extent of license that they ventured to unfold their variegated wings even to ensnare Brahma, Vishnu and Shiva.²¹

Vishnu Samhita proclaimed with authority that to circumambulate a prostitute was an auspicious observance. Matsya Purana has placed the 'Veshya' among other objects as portending good luck, if anybody falls across her at the time of starting for a place. In many places of southern India the Mangalsutram of a new bride was and still is made by the hands of a

prostitute. In north – eastern India a handful of earth from the threshold of a strumpet’s house is still required in the making of the holy image of goddess Durga.²²

According to Jain sources prostitution was so rampant in the country that Jain nuns were cautioned against it. The Jain monks had their own tale of woe as far as prostitutes were concerned. When the monks saw lascivious men and women embracing one another their ascetic resolve tended to weaken.²³ In keeping with the stern ascetic principles of Jainism, the Jain canonical works warned the monks at to keep away from every stead prostitutes.

During Mauryan Period the Devadasi was a temple prostitute, a dancing girl. The existence of Devadasis in the third century B.C. or a little later is supported by the Jogimara cave inscription.

The Smritis has a poor opinion of ganikas and the hatred of certain low givers against them rose to such a height that even keeling a prostitute was not counted a sin.²⁴ This hatred and suspicion of the prostitutes seems to have been duo to their role as corrupters of morals and also due to the belief that they were thieves and swindlers. They were considered thorns strewn in the path of the people. To expiate the sin of intercourse with a prostitute a man had to perform the prajupatya sacrifice. Prostitutes were supposed to be unclean persons and food offered by them was forbidden to Brahmans.²⁵

In Buddhist literature women receive full attention. Buddha made an attempt at conversion of prostitutes from their paths of sin. Many a penitent courtesans abandoned her shameful calling to join the devoted band of preachers and expiated her sins by a life of self sacrifice in the service of suffering humanity. Courtesan of Vaisali, Ambapali, in her later life lived the ideal life of a nun. Padmavati, the beautiful courtesan of Ujjain came in touch with Buddha and became his disciple. Addhakasi the courtesan of kasi, after hearing the teaching of Buddha, changed her mind and decided to abandon her calling and live a holy life. She tried hard to learn the philosophy of Buddhism and became a very learned

nun. What Buddha did for these unfortunate women shines as bright light in history.

3.2.2. Role of State in Prostitution

The prostitute was protected and supervised by the state. Vedic, Jain and Buddhist literature describes the role of State respecting prostitution.

The Rig Veda mentions the present of slave girls to rishis by kings.²⁶ From epic times to the medieval period the kind and princes who led hunting expeditions to the forests also visited pleasure gardens with huntsmen and courtesans.

The Yadav brothers and great Epic figures, Baladeva and Krishan established the famous Yadav kingdom of Dwaraks. At the incipience of the new city among the merchants, craftsmen, artisans, warriors, clergies and minstrels and all the amenities of city – life, prostitutes had settled in large numbers. The grand total of the Yadav Chief's harem inmates was about 60,000 which included the slave beauties. The prostitutes at this age formed a part of the army marching to battles. They were not allowed to settle within or near the soldiers' barracks in times of peace. The harlots in large numbers were employed by the state and accompanying the princes.²⁷

Dharm-sutras are called as the law books of the ancient Aryas, embodying all rules and regulations pertaining to religion, society and family. Sutras were written at different times in different kingdoms of India between third century B.C. and fifth century. Though promiscuous intercourse had been greatly circumscribed since the days of the early Epics, sexual dissipation of men found in different classes of prostitutes easy means of propitiation. The law makers were confronted with this growing menace and tried to their level best to frame Immoral Traffic Laws to cope with it. Clandestine and public prostitution during the five centuries preceding the Christian era had grown into a well established institution and went beyond all attempts at suppression.

The Brahmin legislators and juris – consults of the kings nevertheless, to preserve the moral integrity of the higher castes tried their heart and soul to dissuade the delinquents from off the dangerous path and correct their pernicious habits, not throw the award of heavy sentence, but by proper ethical teachings and a system of penance and auto – purification in a spiritual manner.²⁸ Heavy fines, mutilation of pimps, flagellation in a public place, hard penal servitude or death were the common sentences for sexual offences. Law makers during this age practically made little efforts to penalize prostitution. It was far from their mind to cause it to disappear from the civil life of the Aryan society. They accepted it as a necessary and incurable evil to obviate greater ones. The ganikas were the castaways of society or at least so – called by the social potentates, and hence their food was unacceptable to a well – bred Aryan.²⁹

There are laws in respect of concubines and prostitutes in Yajnavalkya smiriti. It was for the first time that definite rules were laid down in a Samhita about the respective interest of the harlots and their customers. They are as below –

1. A well – guarded concubine or a kept mistress should not be molested by a man other than her rightful master.
2. If a prostitute promise to entertain a man in her room and takes her proper fees in advance, but refuse intercourse, she must return the full money.
3. If a man has had an extra vaginal intercourse with a woman he will be sentenced to pay a fine of twenty – four Panas.³⁰

References in Jatakas give a convincing picture of the role of state about prostitution. According to Jatakas a king could depose a ganika and then restore her to position. They contracted relationship with court musicians and lived in great style.

The Mauryan period of Indian history is noted for the amalgamation of smaller states in a well – knit empire, which was governed and

controlled from the centre with a strictness and sagacity. Kautilya's *Arthashastra* describes in detail various facts of the Mauryan administration. Kautilya's *Arthashastra* is an important source for the political, social, religious and economic history of the Mauryan period. To strengthen the State's finance Kautilya advocated morally dubious means of earning revenues. The organization of courtesans and prostitutes under the watchful eyes of a superintendent was a source of revenue of Mauryan state.

According to Kautilya any woman who was beautiful and had acquired knowledge of prescribed arts could take up the profession of Ganika.

3.2.2.1. Appointment of Ganikas

According to *Arthashastra* they were either born in the family of Ganikas or were selected by the Ganikadhyaksha.³¹

3.2.2.2. Classification and Salary of Ganikas

The *Arthashastra* has classified the ganikas into the first, the middle and the high-test rank depending on the beauty and the jewelry they possessed and in some cases the king allowed some of them the privilege of waiting upon him. The ganikas of first rank received a salary of one thousand Panas per annum, the ganika of middle rank two thousand per annum and the ganika of the highest rank three thousand per annum.³²

3.2.2.3. Fees of Ganikas

The fees which ganika charged from her clients were called bhoga'. The amount was fixed by the superintendent. He also determined the amount of the gifts the gross receipts (aya), the gross expenditure (Vyaya) the net income and the profit. The handed over to the superintendent their fees and other receipts.

3.2.2.4. Training of Ganikas

As the degree of beauty and artistic accomplishment governed the income of ganikas, the state made arrangements for their instruction in the various arts. Ganikas were taught singing, dancing acting, writing etc. in the arts of prostitutes.

3.2.2.5. Pension of Ganikas

Kautilya recognized the value of pension for ganikas. The condition laid down for such a pension was that it was rupajias if they had lost their beauty, or become old and incapable of earning money for the state.³³

3.2.2.6. Duties of Royal Courtesans

The *Arthashastra* mentions that the prostitutes in the royal service performed the duty of bathroom attendants (snapaka), shampooers (Samvanaka), bedroom attendants (Astraka), washer women and florists. While presenting water, scents, fragrant powders, clothes and garlands to the king, the courtesans, first touched these things reverently with their eyes arms and breasts before offering them to him.

3.2.2.7. Roles Played by Courtesans to Help the State

3.2.2.7.1. The state employed prostitutes as spies.³⁴ They reported the suspicious movements of the enemy and of disreputable characters to the proper authorities.

3.2.2.7.2. Prostitutes were also employed to kidnap the military personnel and princes.

3.2.2.7.3. The state appointed courtesans to put in charge of supervision, court attendants.

3.2.2.7.4. As regards old prostitutes, they were appointed as maid servants of the queen or given some work in the palace.³⁵

3.2.2.8. Release and retirement of Prostitutes

The payment for obtaining the release of a courtesans (the head of an establishment) shall be 24,000 panas and for son 12,000 panas.³⁶

3.2.2.9. Protection of prostitutions

3.2.2.9.1. The proper procedure shall be used to take a virgin daughter of prostitutes, whether she is willing or not, coercive methods shall not be used.

3.2.2.9.2. No one shall abduct a prostitute keep her confined against her will or spoil her beauty by wounding her.

3.2.2.9.3. A client shall not rob a prostitute of her jewellery, ornaments or belongings not cheat her of payment due to her.³⁷

3.2.2.9.4. If a ganika was put under forced confinement, the perpetrator of the crime was fined 1,000 panas.

3.2.2.9.5. If ganika was forcibly abducted, the offender had to pay a fine of 1,000 panas.

3.2.2.10. Rules for prostitutions

3.2.2.10.1. When a prostitute puts her jewellery in the hands of any person but her mother, she shall be fined 4 ¼ panas.

3.2.2.10.2. If she sells or mortgaged her property, she shall be fined 50 ¼ panas.

3.2.2.10.3. She shall be fined 24 panas for defamation, twice as much for causing hurt, 50 ¼ panas as well as 1 ½ panas for cutting off the ear any person.³⁸

3.2.2.10.4. When a prostitute does not yield her person to anyone under the order of the king, she shall receive 1000 lashes or pay a fine 5000 panas.

3.2.2.11. Superintendent

In order to ensure the smooth working of the work of the prostitutes the superintendent (Ganikadhyaksha) enjoyed full power over the ganikas. He employed and classified them, paid them their salaries, supplied them with the necessary articles which enabled them to discharge their duties satisfactorily, fixed the amount of their fees, determined their gross income and expenditure from all sources, checked their extra vagances, prepared statement from the information received from them, and kept an account of all receipts, fines and redemption money.³⁹

In short Arthashastra throw lights on the role of Maryan State and Kings about prostitutes and prostitution trade.

In past – Gupta period the pattern of life of a prostitute continued as in the previous centuries. The literature of this time mentioned activities of prostitutes, their attendance in King's court, festivals etc. According to Bana courtesans waited upon the king while he held court. They wore agaru tilakas on their foreheads etc. They also accompanied an army on the march.⁴⁰ Courtesans in the employment of the king served as bath attendants.⁴¹ The references of prostitutes in Maharashtra and Jataka stories, and all Hindu shastrakaras such as Manu, Gautam, etc recommended for suppression of prostitution.

3.3. Medieval India

The thousand year period between the eight and the eighteenth century saw important changes in India. New social and political forms rose in north and south India. This new forms also had profound effects on the social, economic and religious living patterns of the prostitutes. Contemporary court chronicles foreign travelogues, medieval, Sanskrit literature provides us important information about status of prostitutes and states role towards them.

3.3.1. Status of Prostitutes

A fair picture of courtesans of the period between 8th to 10th century is to be found in Sanskrit literature mainly. During this period courtesans has to learn arts like music, dancing, casting side glances, a deep knowledge of sex, of the wiles that can ensnare a lover, the knack of double crossing a friend, drinking, love – making, embracing, kissing, shamelessness, flurry, confusion, jealousy, weeping, scratching, stealing, talking of one’s own deficiencies, anointing the body, horticulture hair dyeing, devotion to monks and hermits etc.⁴² It is apparent from the list that the courtesans not only visited gardens, temples and tirthas in their professional capacity but even journeyed to foreign lands to earn their livelihood. The quarters in which the prostitutes lived was a vesyasraya, pura and vesa.⁴³

The sources like contemporary eronices, foreign travelogues, paintings etc throw light on the prostitutes of the historical period during 12th Century to 17th Century which coincides with the rule sultanas and Mughal dynasty in North India. During this period prostitutes were kept at a place outside the city, which was called Shaitanpuri.⁴⁴ In the society prostitution was regarded as a disgrace, though some of the meaner sort adopted it and lived in separate quarters out of the city. During this age there was custom among nobles and nababs to keep concubines and prostitutes in their houses. The noblemen who could afford the luxury kept harems, peopled by young girls of good beauty, who ministered to their pleasures. In most cases there was very little differences between such harems and modern brothels.

Courtesans and concubines related to royal family were supposed to be highly skilled in various arts, including poetry.⁴⁵ In Maharashtra there existed as elsewhere, a class of courtesans. The rulers and nobles had their own harems. The concubines were variously known as raksha, upstris, natakshalas and marjis.⁴⁶ Some courtesans entertained the public by staging entertainment shows known as ‘tamashas’ in which the dance especially the folk dance, had great prominence. In those days the tamasha became a popular means

of public entertainment. There were the kunbinis (female slaves) and prostitutes. It was the fashion to maintain some kunbinis in the houses. The nobles, the princes the rich and the well – to – do people used to maintain some of these female such people such as Charanas and Hedes.⁴⁷

3.3.2. State Role

After the decline of Harsha's empire in the seventh Century, a number of large states arose in north India. Between 1192 to 120 C Turkish rule was extended over the Ganga – Jamuna doah and north India. During this period almost every sultan had a haram containing queens and a large number of slave girls.⁴⁸ Women were generally respected, but vices involving wine and women were not unknown Sultan's were not feeling any shame in keeping concubines and prostitutes in their houses.

In Mughal period prostitution was recognized institution. Mughal emperor Akbar, maintained a seraglio in which there were 5000 women and it has a supreme staff of women officers who looked after its management.⁴⁹ Akbar made some regulations so that the services of prostitutes might not be available very easily to the public. The prostitutes were confined to a place outside the capital city.⁵⁰ A darogha (superintendent) and a clerk were appointed for it who registered the name of visitors of prostitutes.⁵¹ These women referred to as rupajivas, literally meaning those earning a living by means of their beauty and were typified as samanya that is who is property of none and is concerned only in moneymaking.⁵²

According to foreign travelers, like Thomas Bowrey and J.B. travernier quarters inhabited by these professionals were set apart from those of any married folk houses. The number of these women had been registered with local authorities. Prostitutes had to pay some amount to the Governor of that of country and every Thursday night pay visit to the house of governor and kotwal (Justice of peace) before whom they do and must dance and sing and make salams.⁵³ Another description of these professionals comes from a rather

retrospect account of Gujarat, which says that there was a great thrust to remove these women from bazaars of Anandabad City.⁵⁴ In Manrique's account of the caravansera is (way – stations) for the passengers and merchants there are no speculations because he clearly mentions that these places were a site for this gainful profession and further that the women paid taxes to the state for allowing them to continue with their business.⁵⁵ During the British period the rapid urbanization and industrialization increased the prostitution.

3.3.3. Divine Prostitution

3.3.3.1. Devadasi System

In Devadasis System has an important place in the history of India. Since ancient times till today the system has a part of Indian society. It has an integration of religion, custom and tradition. This system is also known as divine prostitution.

Divine prostitution means a woman enslaved for the service of some deity or sacred object.⁵⁶ The term 'Devadasi' means servants (slaves) of God and perhaps originally denoted a class of women austerity. Most of ancient literature mentioned them as a temple dancing girls. Sources like Sanskrit literature inscriptions, foreign traveler's accounts throw light on this system. In early literature we find abundant references to secular prostitutes, dancers and courtesans, but specific references to temple dancers or divine prostitution are not traced. The custom, however, had come into vogue by about the 3rd Century A.D. for Kalidasa refers to dancing girls present in Mahakala temple of Ujjayini at the time of evening worship. Puranas also recommended that arrangements should be made to enlist the services of singing girls to provide vocal and instrumental music at the time of divine services. The earliest reference to devadasi in Northern India is found in the Yogimara cave inscription. The inscription records that a 'Devadasikya' Sakuntala (handsome damsel) by name, fell in love with Devadinna (Devadatta), a lupadakhe (an examiner of coins). The earliest reference to the temple dancing girls (nartaki) in Bengali is also in the

Rajatarangini. Probably the custom of dedication girls to temple and sacred prostitution became common in the 6th century A.D.

In the Chola period the institution of devadasi was very well organized. Most temples employed devadasis who provided the music and dancing within their precincts. Devadasis received a certain amount of paddy as wages, for their services. There were 402 devadasis employed in the temple, which also employed a number of dancing masters, singers, pipers and drummers.⁵⁷ The devadasis were divided into following seven classes.⁵⁸

3.3.1.1. Datta – One who of her own accord offered herself as a gift to the temple.

3.3.1.2. Vikrita – One who on payment of certain sums of money sold herself to the temple authorities.

3.3.1.3. Bhritya – One who offered herself as a temple servant for the prosperity of the temple.

3.3.1.4. Bhakta – One who joined a temple as an act of devotion and dedication.

3.3.1.5. Harita – One who was enticed and then presented to a temple.

3.3.1.6. Alankara – One who being well trained in her profession after being heavily jewelled was presented to a temple by kings and noblemen.

3.3.1.7. Rudra ganika or Gopika – One who received regular wages from a temple which employed her to sing and dance at regular hours.

In Gujarat, devadasis are said to have been employed by the jogis to test the continence of the novice.⁵⁹ In Karnataka the institution of public women had become common even before the establishment of the Vijaynagar empire and continued later on earlier pattern. In Orissa as well the institution of temple dancers was a recognized one.

During the reign of Muslim Sultanate at Delhi (1175 - 1340) the Hindu temples faced complete destruction. Many upheavals like bloody

battles, enforced slavery etc. affected the Hindu religious practices. This trend continued during the period of Mughal empire. After the fall of Mughal empire, the standard of morality among princes and public men sank to the lowest level. Their sensuality affected their court and through them it reached the general populace. As a result the 'religious' elements in the temple dancers dropped out and they became ordinary prostitutes. They began to dance when occasion demand.⁶⁰

3.3.3.2. Causes of Devadasi System

3.3.3.2.1. According James Frazer has traced the origin of sacred prostitution to the ancient custom of worshipping earth or Mother Goddess.⁶¹

3.3.3.2.2. As the process of sanskritization continued, the non – sanskritic shrines, which were mostly dedicated to Mother Goddesses, got ganskritized. The Brahmin priests added a mail diety to the shrine and also created myths saying that the new mail diety is the husband or master of the Goddess, when this was accepted, the priests also demanded sexual union with the priestesses of the local tradition.⁶²

3.3.3.2.3. It is part of the sanskritic religious tradition that offering something to the deity was rewarded bountifully. When the devotees came to the shrines with the problems such as bad health poverty, barrenness etc. the priests interpreted these as the worth of the deity and suggested that a vow should be taken by the devotees, such included the offering of one of their daughter to the service of the deity.⁶³

3.3.3.2.4. A few rulers of India, wanted soldiers who were free from family burden. Wherever they went they were provided with food and women by the local or village chiefs. Many of them were killed in the wars and so also many women were left without men to marry so as a custom their women were dedicated to the local deities. Their main job was to serve the soldiers both sexually and in terms of cooking etc. Now a day this custom has resulted in the propagation of the custom of divine prostitution.⁶⁴

3.3.3.2.5. Among a few casts of India when a couple failed to beget a son to continue their lineage, they asked one of their daughters to have sex freely with any man of her choice (Basavi) and beget a son and help the family in the continuation of the lineage.⁶⁵

3.3.3.3. Duties of Devadasi

3.3.3.3.1. Devadasis performed a number of ritual and religious roles in the temples. They also acted as prestresses for a few castes, especially the lower ones.

3.3.3.3.2. Divine prostitute, mostly belonging to ritually and economically lower castes, served as a link with the higher castes, by serving as the sex objects.

3.3.3.3.3. Devadasis helped in maintaining moral order in society. Men who needed extra martial sex, owing to some personal or familial problems, found a way out through these women without any social or ritual stigma to them or their families.

3.3.3.3.4. Their official duty consisted in dancing and singing within the temples twice a day, morning and evening and also at public ceremonies.⁶⁶

3.3.3.3.5. Devadasis were also present at marriages and other family gatherings.⁶⁷

3.3.3.4. Modes of Payment

For Devadasis land was the main source of the income. Devadasis were given both wet and dry lands by kingdoms for performing worship and dance in the temple. They were also provided food and residential facilities. There are number of inscriptions which mention provision and maintenance of quarters for devadasis around the temple.

3.3.3.5. Status of Devadasis

In Hindu Society Devadasi had a divine Status and role as amorous form of mother Goddess. In Muslim period, they were pulled out of their ritual sphere and further lowered to the status of entertainers in royal courts. In

British rule they were reduced to still lower status as commercial prostitutes in red light districts, to entertain their personnel.⁶⁸

In ancient India Devadasi has an important position in society. Her presence as 'Sumangali' was supposed to be auspicious.⁶⁹ She was also considered a sign of luck and there were many who saw a Devdasi before embarking on some good work. The latter, with their ideological and religious hold over the peasants and craftsmen, devised a means that gave prostitution their religious sanction. Poor, low – caste girls, initially sold at private auctions, were later dedicated to the temples. They were then initiated into prostitution.⁷⁰

It is necessary to know that prostitutes in general and devadasis in particular formed a class by themselves. They had their own laws of inheritance their own customs and rules of etiquette and a caste council of their own to see that the above were observed.⁷¹

The Times of India Report (10-11-1987) indicates that the devadasi system was a result of a conspiracy between the feudal class and the priests (Brahmins), who with their ideological and religious hold over the peasants and craftsmen devised a practice, which acquired religious sanction. The revealed that girls from poor families are married to God and are sold after puberty a private auctions to a high caste master who initially pays a sum of money to the families ranging from Indian Rupees 500/- to 5,000/-. The system presently exists in Andhra Pradesh Maharashtra and Karnataka and some parts of Goa.

3.3.3.6. Reform Movement against Devadasi System

During the British Rule an awareness of the need to remove social disabilities of women was created. Government opened the doors of education for women. After independence the Government of Maharashtra passed various Acts for the upliftment of women which included Acts for segregated women devadasis. In 1984, The Bombay Devadasi Protection Act, 1934, was revised and accordingly more categories of the people who helped the system

perpetuate were made liable for punishment. The Government of Maharashtra has been trying to rehabilitate the devadasis and their children.

Even though the devadasi system has been wiped out, it is still alive in some parts of India.

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CHAPTER 4

PROSTITUTION IN MODERN INDIA

4.1. Introduction

With the growth of industrialization and globalization many sociological problems have become more serious and complex. Prostitution is one of them. It is one of the oldest professions the world practiced since the birth of an organized society. Prostitutes are found and prostitution is practiced almost all states of India.

In British India the absence of State control and regulation, the voice of prostitution become rampant. British rulers tried to control and regulate it. They enacted law dealing with immoral traffic. The enactment of the Contagious Disease Act, 1868 opened up a new epoch in the history of prostitution in India. It sanctioned the establishment of brothels and allowed prostitution in a regularized form. Every brothel keepers and prostitute were provided with identity cards with details of registration. In 1923 the Suppression of Immoral Traffic Act (SITA) was passed to regulate and control prostitution. According to this law, sex work in India is neither legal nor illegal.

This chapter has highlighted the causes of prostitution, elements including in prostitution and prostitution trade in India and role of Government.

4.2. Types of Prostitution

Prostitutes are divided into grades in accordance with –

1. Their personal charms and accomplishment
2. Place of residence
3. Clientele

4.2.1. Public Prostitutes

4.2.1.1. High Class Prostitutes

These prostitutes are young, beautiful and are fashionable in their behavior. They are the aristocracy of the brothels and are in most cases accomplished musicians. Some of them are well educated and intelligent. Their visitors belong to fashionable society and rich men. These prostitutes try to live a respectable life as far as possible venereal disease is less among this class of women.

4.2.1.2. Middle Class Prostitutes

These prostitutes have well furnished rooms in the houses on public streets. They generally stand on the verandah or at the door on the street. Some of them have knowledge of music and dancing.

4.2.1.3. Low Class Prostitutes

These prostitutes live in low class buildings. They are ignorant of music or dancing. In the evening they may be seen standing in front of their doors or in the verandahs above the street.

4.2.1.4. Hitch Hiking prostitutes

These prostitutes basically operate on road sides of national and state highway. They usually serve the truck drivers and fun seekers moving in trucks and lorries. They operate on temporary and casual basis under the guidance of an elderly prostitute or a brothel keeper.¹

4.2.1.5. The Roadside harlots

The roadside harlots give herself to any man who can pay a moderate fee for a night. Most of them entertain more than one visitor in a night. These prostitutes use liquor very freely. The customers of these prostitutes are drunken soldiers and sailors, poor low class laborers thieves and rowdies. Some of

the women watch for village fairs, exhibitions and other gatherings of crowd and build temporary huts to ply their trade.²

4.2.2. Religious Prostitutes

Religious prostitutes are known by different names e.g. Devadasis, Khudikar, Muroli, Basavi bhavin, Devali, Naikin and Jogin etc. They all start at an early age i.e. at puberty and prepuberty stage.³

4.2.2.1. Devadasis

The Devadasi system began centuries ago, but is still in practice today. The system presently exists in Andhra Pradesh, Maharashtra, Karnataka, Goa and Orissa.⁴ Devadasi means servant (Slave) of God. They have on account of being married to god or goddess, such as Yellamma or Mathamma.

4.2.2.2. Jogins

The practice of jogins is a similar to Devadasi. This system exists in large part of Andhra Pradesh.⁵ In this system the girls are 'married' to God before puberty and they enter into prostitution when they reach puberty.

4.2.2.3. Basavi

It means 'female bull' and it connotes the bull's freedom to wonder. Basavis are expected to spend their lives performing religious duties. This system exists in Andhra Pradesh and in some areas of Karnataka. Their religious work does not yield sufficient income they turn to prostitution.⁶

4.2.3.. Artists

4.2.3.1. Dancing and Singing Girls

These prostitutes have a heritage from the Mughal Period. They are from Hindu and Muslim communities. The dancing girls are known as 'Tawaif'. They are trained in these arts from early age. A large number of them have acquired an excellence in rendering of classical and semi classical music so

much so that they have earned a place of pride and respect among the knowledgeable persons. They avoid behaving as prostitute openly and entertaining or attending to much selected clients.⁷

There was formerly a class of dancers who took it as a family profession. They were called Kalawantin and were found in Uttar Pradesh and Central India. In Mysore such women are called Kalavati but most of them are now engaged in prostitution.

4.2.3.2. Theatre / Cinema Girls

A special category of prostitutes reported by the Bombay study are those who are 'Company' to men and accompany them of cinema halls. They do not necessarily indulge in sexual activities except when some men take them to hotels for the purpose after watching movies.⁸

4.2.3.3. Actresses

The theatres have been much used in the service of prostitution. The play houses are usually located near brothels. The collateral actresses in theatres are paid very low wages, but the appearance on the stage is an advertisement to them and cunning actresses succeed in securing good clients with the help of the door keepers.⁹

4.2.4. Hereditary Prostitutes

These prostitutes have a heritage from the Mughal period. They belong both from the Hindu and Muslim community. In them the prostitution is handed down from mother to daughter as a profession.¹⁰

4.2.5. Traditional Prostitutes

These types of prostitutes are contained of beautiful women and girls. They were raised by the Rajas, Maharajas and Jagirdars. They were well trained in the art of singing and dancing. They were required to render special services for the rulers at the time of festivals. They had to become the paramours

of princes or sardars. Young men from the royal families used to visit them for learning the art of manners and behaviors and lessons on sex education.¹¹

4.2.6. Hotel Prostitutes

Some hotel managements maintain their contact with society girls belonging to the elite or upper middle class families. They are educated and gainfully employed. They are well dressed and well mannered. They enter into the trade for fun and extra income needed for meeting the expense of their luxurious life.¹²

4.2.7. Barmaids

All barmaids do not indulge in prostitution but few of these girls do practice after the bar is closed. Most girls in this group maintain that they are neither exploited the management nor are they overtly harassed by customers.¹³

4.2.8. Massage Parlors and Health Centre Attendants

These types of girls work secretly. They start with massaging or exercising or checkups and finally land up with sexual intercourse. These women cater to the clients of middle and upper income groups and so have high incomes which they share with the person who fetch them a client. They may or may not be solely dependent on prostitution. This phenomenon is increasing day by day. These types of women are found to practice at some pick up point convenient both to the client and prostitutes.¹⁴

4.2.9. Call Girls

Call girls are said to be not run- of -the- mill girls, but the cream of prostitution. They are generally beautiful, well educated, intelligent and belonging to middle or upper class families. They may own apartments with telephones and other facilities, where in they practice the profession. They either

operate independently or through a contact / manager. They share their income with their contacts.¹⁵

4.2.10. Temporary wives

A large number of Muhammedan prostitutes practice prostitution with men of their own religion. These women take advantage of the peculiar system of temporary marriage prevalent among the Shia sect of Mohammedons; licentious men contact temporary marriage in order to enjoy the company of women. So long as these women are in the keeping of a man they are not classed as prostitutes.¹⁶

4.2.11. Semi Mistresses

These are another class of prostitutes who are both kept mistresses and street walkers. A man may visit his mistress at an appointed time every night. These women behave like fashionable society girls.¹⁷

4.2.12. Clandestine Prostitution

These types of prostitutes work secrecy. The following cases come under clandestine prostitution

4.2.12.1. Maid Servants

In towns most of the maid servants are the clandestine prostitutes. Many of them work in the day and go to their rooms at night where they live with their paramours or receive visitors.

4.2.12.2. Female cooks

Some of the female cooks are also clandestine prostitutes.

4.2.12.3. Girl Laborers in Mills

Some girl laborers working in mills are clandestine prostitutes. Most of them lead a life of vice at night.

4.2.12.4. The Panwali

Panwallis are found in the ledger of houses on the main street, and in the office quarters. These panwallis are as ready to sell favors as pan and in fact they come from the neighboring brothels for that express purpose.

4.2.12.5. Shop and Telephone Girls

The greatest part of European and Anglo Indian prostitutes in India practice their trade more or less clandestinely. Most of them work in the day as shop or telephone girls and earn additional money by prostituting at night.

4.2.13. Brothel Prostitutes

These types of prostitutes stay and practice in brothels. They are dependent on brothel keepers, pimps etc.¹⁸ and they provide sexual favors to their clients in exchange of money. These prostitutes belong to low socio – economic group families. The number of the clients they entertain daily is quite high and the localities where the brothels are situated are either densely populated or have high frequency of floating population e.g. Kamathipura (Bombay) G.B. Road (Delhi).

4.2.14. Prostitutes belonging to backward tribes

These types of prostitutes are drawn from the backward criminal tribes. They are Berleas, Bhairas, Kanjars, Sansis in the North and Basavis, Koyis, Bedlyas, Kolliatis, Hamis, Beradas, Mang, Garudus, Dombars etc in the South.

Women belong to Basadi tribe earns through prostitution. Prostitution among the members of this tribe is a way of life.¹⁹ Wadia (North Gujarat) is a baster tribe living solely on the earnings of the women by prostitution. The custom among the Banchchara community (Western Madhya Pradesh) is that the eldest daughter in the family must take to prostitution to support the family. Large hordes of Nuts, Chandravedis and others do not hesitate

to claim that no stigma is attached to the trade of prostitution. They openly seduce girls. They believe in the theory that it is better to prostitution than to starve or beg. They have a custom to dedicate girls to prostitution.

4.3. Causes of Prostitution in Modern India

The process of 'becoming' prostitute entails the systematic destruction of an individual woman's beliefs, feelings, desires and values. Upon entering prostitution, a woman typically acquires a new name, changes her appearance and creates a fictitious past. There are natural, economic, social and religious etc. causes are responsible for the prevalence of prostitution.

4.3.1. Ill Treatment of Girls at Home

4.3.1.1. Orphan Girls – Ill treatment of parents, relatives or husbands is one of the most important causes of prostitution.

4.3.1.2. The Hard Lot of Widows – Widows left penniless by their deceased husbands is sometimes considered as a burden by their relatives. Cruelties and ill treatment bounds some of the widows to leave their homes with men who promise them a life of comfort and luxury.

4.3.1.3. Ill treatment of husband – Due to beater, drunker and violent tempered husband's women have to face miserable life. To get rid of this miserable life some of them leave home. It is probable that they might have fallen in the hands of evil people and found their way to brothels.²⁰

Shantabai is of twenty-six years old and attractive in appearance. Her father is mill worker in Bombay. His earning is very low to maintain his family. Her marriage was settled by her grandfather. After marriage she found that her husband was addicted to drink. He used to beat her under the influence of drinks. One day she went for marketing and met a beautiful elderly woman, who showed sympathy and understanding with her pitiable condition. She promised to provide Shantabai with all material comforts and physical pleasures, if she stays with her. When Shantabai went with her she was sold to

brothel keeper in Mumbai. Because of the torture by her husband she entered in prostitution.²¹

4.3.2. Destitution

Starvation sometimes force woman to a life of prostitution. A woman deserted by her husband or her relatives is an easy victim to the temptation of vice. Prostitution is the last resort in despair of women who find themselves thrown on the streets with no other means of fighting destitution. The widows of lower castes are however not generally helped by their relatives and migrate from their village homes to the city to earn their livelihood. Here sometimes they come in contact with maid servants leading a life of sin at night.

4.3.3. Voluntary cases

4.3.3.1. Vileness Mentality

Rarely women voluntarily resort to prostitution in order to gratify their sexual passions. In most cases the beginning is secret liaison with some young man living in the same or neighboring house. When this love affair is discovered, the girl is sometimes turned out and has no other recourse but to lead a life of shame.

Meena is 18 years of age and attractive in appearance. She has received education up to X standard. Her father is agricultural laborer. In the age of 15 she came in contact with a boy who was her neighbored. He showed sympathy and understanding to her. She developed a liking for him. They developed sexual relations. When her father and other family members got information about their relations, she was turned out. With her lover she came to Poona. They stayed together for one year. Her lover started misbehaving and in last he sold her to brothel keeper in Mumbai.²²

4.3.4. Seduction

Misplaced confidence and excessive sexual passion these two factors play a great part in cases of seduction. Excessive sexual passion is an indirect cause drifting of a woman to a life of shame.

In some cases poverty, the lure of luxury, unfavorable social environment and ill treatment of relations induce a woman to yield to the persuasions of a man.

Reena is 26 years old woman. She is ill mannered and very often talks in an abusive language. She is illiterate and married. Her parents and husband do not object to her carrying on prostitution even after marriage. The income of her parents and husband is very limited. Her desires to enjoy good things of life, dress well and possess ornaments were never satisfied in parents and husband's home. One of her aunt, who is now 62 years old, is running a brothel in Haidrabad. Reena contacted her aunt three years ago and entered in the profession. She is happily living in a brothel.²³

4.3.5. Temptation

The art of profligate men and their agents makes a woman leave the path of virtue in the hope of pleasure or riches.

Poor widows often leave their village homes in search of employment and live as maid servants and cook in respectable families. The young man in the family may take interest for a woman. Promises of a well to do man are sufficient inducement for a widow to do wrong.

Sindhubai is in her forties. She was married to a government worker and they had three children. Her husband died in an accident. To nurture her children she started to working as maid servant. Now she is working as a sex – worker on part time basis.²⁴

4.3.6. III – Assorted Marriages

Older bridegroom or a man of bad character encourage woman to prostitution. Married man who find themselves sexually incompatible with their wives have only one way open to them by which they can satisfy their irresistible sexual hunger.

4.3.7. Constant Association of Men and Women

The employment of males and females under one roof in a shopper factory has strong tendency to promote prostitution.²⁵

Savita is 34 years old. She is factory worker. She is involved with a man who already has wife. She calls herself to a keep.²⁶

4.3.8. Hereditary Prostitution

The daughter of prostitute almost always carries on the trade of her mother. Her mother, when old, lives on the proceeds of her child's shame.

Seeta is 33 years old woman. She is attractive and very charming. She has been in prostitution trade following her mother's footsteps from the age of 15 years. She was trained for the profession from the age of ten. Her mother is brothel keeper. She forces Seeta and other inmates, of the brothel to carry out prostitution.²⁷

4.3.9. Connivance of Husband

Cases of connivance of husband are more among low class people. In most of these cases the husband is only the primary agent in leading his wife to a life of prostitution, but also participates in the wages of her shame.

Geeta, a daughter of maid servants was married at the age of 15 with a laborer. After two years of marriage one day he brought a visitor in

her room and locked the door from outside. From that day she is working as a prostitute. Her husband lives on her earnings and does not work.²⁸

4.3.10. Accidental Cases

Sometimes a girl is forced to take to prostitution. Zarina is a short statured girl of 18 years old. Her parents are alive and living in Ahamadnagar. One day she went with her friend Razia's family on tour for sightseeing. Zarina became intimate with Razia's brother Savan, and fell in love with him. Razia invited Zarina to Aurangabad for attending her marriage ceremony. During her stay in Aurangabad, she came to know that Razia's father and brother were running a brothel. First family members persuaded her to become inmate in their brothel. When she refused she was raped by Savan and some other persons for few days. Then she was sold to a brothel keeper of Mumbai. Now she is working as a prostitute.²⁹

4.3.11. Low wages of women laborers

Women laborers receive generally only half the daily wages of the mail because they can't work as hard as the men. The wages paid to a female laborer is insufficient for family maintenance and they often draft into prostitution.

4.3.12. Devadasi System

The word devadasi means the servant of god. A devadasi is a girl whose life is dedicated to the service of God. In course of time the devadasi lost sight of her noble ideal and degenerated into a class of women of loose character. The modern devadasi, a relic of the past has become corrupt and the society rightly treats her as a prostitute.³⁰

4.3.13. Early Life Experience

Early life experiences play important role in deciding the prospect of the person.

4.3.13.1. Parental abuse

Parental neglect is widely considered to be a typical childhood experience of women who become prostitutes.³¹

4.3.13.2. Sex experience in early life

Early sexual experience is an important factor for entering into prostitution. According to Rosenbulum, “The only hypothesis that can be put forward is that access to prostitutes and specific incidents in the life of the individuals provide the initiative to act upon the potential for prostitution inherent in the female sex role.³² Some girls after frequent sex experiences with different people in different settings come to like this easy and free life and start enjoying it. After repeating urge to lead this life they lost into this life forever.

4.3.14. Role of Pimps

Pimps play a vital and vicious role in the trade of prostitution. They are responsible for the initiation of the female in prostitution. For many women neighborhood contacts are found to be the most important sources of first information and sometimes even initiation into prostitution. The relationship with pimps creates more definitions unfavorable to social norms of sexual drives and girls turn into the sex trade. In many cases friendship with a pimp may be considered the immediate cause of a woman’s becoming a harlot and it is the man leads her on.³³ Pimp is not the main casual factor in the initiation of prostitution but he is the person responsible for the continuance of the profession.

4.3.15. Labeling of woman as prostitution one of the most fundamental distinctions by the labeling theorists is between primary deviance, which may cause someone to be labeled as a deviant and the secondary deviance, which is behavior produced by labeling placed in a deviant role.³⁴ The person becomes the thing he is described as being. In case of prostitution when a tag of prostitute is attached with a woman, it is difficult to come out from such institution. Pushpa,

one of the 900 Tamil prostitutes rescued from Bhandup “red light” area Bombay in May 1990 and taken to Madras by Mukti Express for the purpose of rehabilitation told a reporter from the Sunday Observer that her family had refused to take her back. So she went to live with her grandparents in a nearby village. The villagers protested and threatened to ostracise the family. Pushpa had to leave the village. She then took refuge with a friend where she got a job of rolling 1000 bidies for 50 paise. She was harassed by the villagers until she had to return to Bhandup brothel.³⁵

4.3.16. Adventure and working conditions

According to some researchers that women chose the prostitution in search of independence, to get adventure and enjoy easy earning.

4.3.17. Motherhood

Poverty and the collapse of the patriareal family system, another pervasive explanation for women being involved in prostitution is to take care of their children. Income from other sources is not enough to cover the costs of the children’s school expenditure, clothes and so on. The importance of motherhood imposes women to enter into prostitution.

4.3.18. Employment Opportunities for women

Opportunities for unskilled, often illiterate, women are limited and finding a job that would cover the expenses of a family is difficult. Therefore some women choose to enter in sex work for their and their families’ survival.³⁶

Edged out of their traditional profession (spinning on wheels) the women of a village nestled in the verdant hills of Mallapuram district in Kerala, have over the years, taken up an altogether different vocation to survive and the entire village has become in a way an extended brothel. For the 200 odd women of the 100 families in the village, prostitution is the only source of

income. Often entire families are in the business with the men soliciting customers for their mothers, sisters, wives and daughters.³⁷

4.3.19. Customer's Interest

In the trade of sex the demand of prostitutes depends upon customers. Why customers demands for prostitutes? Many explanations have been identified. The simplest reason given is the occasional desire to derive straightforward satisfaction of the physiological sex urge of men who have been temporarily, or for long periods, separated from their women like soldiers and sailors, travelling salesmen etc. Included here are works who, because of unavailability of accommodation or other reasons, can't bring their wives to the city of their work late marriage have become necessary educe for prostitution. These men want sex relief but have either no opportunity or time, or no inclination, for a protracted courtship. Going to a prostitute may be the easier way out. Another reason for which some men seek prostitutes, is to satisfy some sort of perversions (kinky sex) which may have something to do with their fantasies, wanting to dominate women etc.

4.4. Trafficking of Prostitutes

Prostitution and accompanying evil of the traffic in person for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community.³⁸

4.4.1. What is Trafficking?

This evokes associations of a "commodity". Paradoxically, sex work is a creation in societies which treat "women as commodities".³⁹ Trafficking is more of a low and order problems in which the position of a woman is reduced to that of a common marketable commodity which can be bought and sold without involving her consent in the process, and thereby leading to the de-humanization of womanhood, wherein the procurers and others determine the

destiny of women. Trafficking in human beings is a complex phenomenon, which cannot be easily captured into a legal definition. There was no internationally agreed definition of trafficking until December 2000 when the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children were opened to signature.

Trafficking involves a variety of :

4.4.1.1. Acts (recruitments, transportation, transfer, harboring, receipt of person)

4.4.1.2. Actors (several intermediaries are often involved in the trafficking chain)

4.4.1.3. Means (threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power etc)

4.4.1.4. Exploitative Purposes (forced labor or services, slavery or slavery-like conditions, sexual exploitation, servitude etc.)

4.4.2. Traffic In Women

The traffic in women is a flourishing and lucrative trade, and the men and women who carry on the trade flourish on the miseries of their unfortunable victims.

4.4.2.1. Acts – Recruitment

A prospect of a good situation and honest and remunerative employment in the city is sometimes held out before the victim, poor women, especially widows, girls who have none to support them or girls who are ill-treated by their relatives, women who think it a god-send. They accept the offer to take them to the town and at last find themselves prisoner in some brothels. Pimps, brothel keeper etc. seduce the victims from bus stand, rail – station, cinema halls, villages etc.

4.4.2.2. Actors – Traffickers

There is an interprovincial traffic in women for purpose of prostitution. In trafficking the women are controlled by third parties for the sake of the profits which are at the bottom of the business.

4.4.3. The Traffickers Include

4.4.3.1. Bariwalli / Brothel Keeper

Bariwalli means female brothel keeper who manages the house of prostitution.⁴⁰ A bariwalli requires new recruits of young and beautiful girls to maintain the attraction of her brothel. Sometimes her rich clients finance her for beautiful girls, and sometimes there is a professional financier, but in most cases the bariwalli pays the agents a handsome remuneration for securing girls for her brothel. Her brothel serves as centers of organizations, where the traffickers meet and exchange information.

The bariwalli is also a prostitute, and in most cases she is a retired courtesan.⁴¹ She takes lease of a house and sublets the rooms to prostitutes at a higher rate. The rental of a brothel house is usually double because the landlord has to run certain risks in renting his house for a brothel. Therefore the bariwalli has to pay higher rents and realizes extreme rents from prostitutes. Some bariwallis work as financiers of the trade. She gives a furnished room and food prostitutes in exchange of a share of her income. The bariwalli keeps prostitute on condition that she pays at least half of her earnings. When a prostitute is ill, the bariwalli makes arrangement for her treatment and look after her. The girls address their bariwalli as mother but some of bariwallis are very greedy and exploit the girls without mercy.

Now – a – days Bariwalli is also known as brothel keeper. It is the ambition of every brothel keeper that her girls should be young and pretty. Fulfillment of her ambition depends on her skill, financial resources and contacts with the suppliers of the girls. The clever and resourceful brothel keeper

changes her stock as and when need arise. Among the practitioner of women trafficking, the brothel keeper is one of the most notorious and committed intermediaries.⁴² Brothel keeper is the person who may be considered as a major causative factor in initiation and continuance of prostitution. They play the roles of trainers, educator and settler of disputes, purveyors of justice, protectors, financiers, accountants, managers and security officers all at once.

4.4.3.2. Malzada (The financiers or Principals)

Licentious Zamindars and rich men employ men and women of bad character to seduce and secure good looking girls for them. They are amateur financiers.⁴³ They keep in close touch with procurers in every province. They advance money to the pimps and advise them whenever necessary. They gain a good share in the profits. They are careful to avoid incriminating letters or evidence which might get them into the clutches of the law.

4.4.3.3. Pimps / Dalal's (Procurers or Agents)

Pimps play a vital and vicious role in the trafficking of women. They are also known as Dalals. In the prostitute locality of a town there are pimps who accost likely customers and take them to brothels. They act on commission basis. Some of them act as a kind of servant to the prostitute, some time exploiting her. They live on the earnings of prostitutes. They also have occasional sexual relations with the prostitutes. Taxi drivers and rickshaw drivers often act as pimps for clandestine prostitutes. They are generally engaged in other occupations like running a paan shop, playing a vegetable/fruit trolley, working in a hotel etc.⁴⁴ Their association with the trade is from a distance and they are able to deliver the goods from their respective privileged prostitutions.

Trafficking of women is difficult to be operated without the help of pimp. A prostitute may not have a brothel keeper but needs the help of pimp. A prostitute may have one or more than one pimp.

4.4.3.3.1. Pimps come in three general types -

4.4.3.3.1.1. Media Pimping

This type of pimps involves selling fantasies that ultimately hurt people. According to them women are only good for sex and men are only good for violence.⁴⁵ Media pimps have sense of superiority over common people. They attract young people hoping for fame and fortune in the legitimate entertainment business and manipulate them into the lower levels of the sex industry. They work to divert people from the ups and downs of real life into dependence on the fantasy worlds that they sell. They have lot of money. They can afford hire law firms and advertising agencies to further their interests.

4.4.3.3.1.2. Business – level Pimps

This type of pimps extract profits from the sex industry in ways that minimize the risk of public exposure or criminal prosecution. They own the bars and strip clubs which attract concentration of potential johns. They offer jobs as dancers and hostesses to vulnerable young girls. They own the adult book stores, massage parlors, motels and legal brothels. Through contacts in the business community they arrange for sexual services for visiting businessmen, politicians, celebrities and sports teams.⁴⁶

4.4.3.3.1.3. Street – level Pimps –

They are foot – soldiers of the sex industry. They are small time criminals who have a high need for sadistic gratification and are heavy users of drugs and alcohol. The business – level pimps subcontract to these men the brain washing, terror, beating and the occasional murder needed to keep prostituted women working.

In short pimps are the essential part of the business even where prostitution is legal. They learn the business from friends and relatives already in the business from other relatives already in the business, from other criminals in jail and prison and from other pimps. Most pimps are male, but

women are becoming more and more involved as active operators in prostitute trade.

4.4.3.4. Customers

Prostitution is existing because of the demand for the sex of women comes from the sex hungry man.⁴⁷ Customers are drawn from every strata of society. Their strength depends on the youth and charm of prostitute. No trade can survive in the absence of customers of its services. Customers change their attachments because of prostitutes advancing age and declining charms. They transfer themselves to other brothels where younger and beautiful prostitutes have been procured.

Three forces attract customers for prostitution: isolation, sexual abandonment and unusual interests. These customers come from such sources as military bases, logging or mining camps and farm labor camps. Other customers are isolated by travel such as seamen, truckers and travelling businessmen. In some religions cultures and some individual family cultures, sex is regarded as an unpleasant duty of marriage and once the childbearing years are over, one partner may cut the other off from sexual activity. For men, prostitution is quite available and many men may see it as less wrong than having affairs. These men provide a large and steady income for the prostitution trade.

Customers today are also older, because sexual freedom has resulted in their being fewer younger customers.⁴⁸ Most of customers are habituated to alcohol. Prostitutes feel them as wild animals. After the first visit to brothel the customer starts frequent visit to place prostitute trade.

In short brothel keepers, pimps and procurers are the masters of the trafficking of women. Each supports and supplements the other for a common cause i.e. deriving economic benefit and power out of the trade while performing, their respective roles and assignments in the trafficking management.

4.4.3.5. Means

Threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power etc.

4.4.3.5.1. Kidnapping of Little Girls

It is one of methods of procuring girls for trafficking is kidnapping of little girls by beggars, servants etc. These girls are sold to brothel keepers. At the time of fairs cases of kidnapping of girls are more. These fairs are a good opportunity for persons engaged in the traffic.

4.4.3.5.2. Marriage Fraud

Marriage is one of the methods by which girls are recruited for the brothels by pimps. In the case of Muhammedan girls there is no such restrictions to marriage and inter – provincial marriages are also not rare. A Muhammedan may take four wives and divorce his wife at his own will. Under the circumstances a trafficker finds it easier to secure a girl through the formality of marriage.⁴⁹ Traffickers use this trick for securing those girls whose parents are in poor circumstances. The pimp poses as well – to – do man and offers marriage. He is helped in finding the girl and in carrying out his plan by a marriage broker. After marriage the man takes his wife to his alleged home in a distant city, and wife finds her in a brothel.

4.4.3.5.3. Luring Women on False Plea

Simple village girls are sometimes lured on false pretences. Once a girl leaves her home, she is not generally taken back to society and has no other alternative but to live a life of shame. This is one of the ways in which prostitution gains its victims.

4.4.3.5.3.1. Plea of taking to Father's place

In most cases married girls are decoyed on the plea of taking them to their father's home by some person having intimacy with the

family after her marriage. Surekha from Belgam went to live with her husband at Mumbai and did not get an opportunity to visit her parents. Her mother – in – law and husband were cruel and ill-treated her. Anil, her neighbourer took the opportunity and promised to take to her parent’s home at Belgam, so one night she leaved her home with to Anil. When she realized her mistake, it was too late, she was in brothel. Now she is working as sex worker in red light area of Mumbai.⁵⁰

4.4.3.6. Exploitative Purposes

Forced labor or services, slavery like condition, sexual exploitation etc.

4.4.3.6.1. Abduction by Force

There are substantial increases of abduction cases for prostitution.⁵¹

In 1989 Uttar Pradesh contributed cases – 4,043

Rajasthan contributed cases – 2,070

Bihar contributed cases – 1,874

Maharashtra contributed cases – 1,135

Madhya Pradesh contributed cases – 1,108

Assam contributed cases – 1,047

Delhi contributed cases – 877

Section 362, IPC defines ‘abduction’ and the section requires two essentials namely – a) forcible compulsion or inducement by deceitful means and b) the object of such compulsion or inducement must be going of a person from any place. If the girl is 18 or over, she could only be

abducted and not kidnapped, but if she is under 18 she could be kidnapped as well as abducted if the taking is by force.⁵²

4.4.3.6.2. Gang Rape

Rape is the most damaging and heinous crimes and recognized as the most serious offence against the dignity of women. Rape is the only crime in which the victim faces more degradation and social unacceptability and it's often described as "Deathless Shame" or "Living death".⁵³

Menaka is 30 years of age and attractive in appearance. In her school days she became intimate with her friend Neeta's brother Shekhar. One day she was raped by Shekhar and some his other friends. Then she was sold to a brothel keeper of Akola and then transported to Mumbai. Now she is continuing in prostitution for last fifteen years. She does not like this profession but she fills helplessness.⁵⁴ Thus the whole life of a woman is stained and spoiled by procurers.

4.4.4. The Trade Elements and Management of Women Trafficking

4.4.4.1. Two level control system

The trafficking is controlled from two levels, by two different sets of persons. The first is closed knit inner circle connected with the procurers, brothel – keepers, pimps, touts etc. The other circle functions from the peripheral level to provide protection to the trade.

4.4.4.2. Anonymity of Proceedings

The whole trade functions on the principle of anonymity. The prostitutes are quite often transferred from one place to another to ensure their anonymity.

4.4.4.3. Dependence of Supply of Girls

The brothel – keeper tries to offer to the clients a choice of girls for which he/ she keeps in touch with the procurers who are ever alert and ensure the unwary girls for induction into trade. Brothel – keepers takes a responsibility of training and preparing a new recruit. They are supported by the pimp, procurers etc. They adopt harsh and inhuman methods for training.

4.4.4.4. Working Hours, Trade, Seasons

There are no fixed hours for business. Season plays an important role in the trade. Marriage and festival seasons depending on climate, are usually periods of good business.

4.4.4.5. Trafficking Centers related to Urbanization

Trafficking centers or prostitutes place of operation are closely associated with industrial development and urbanization. They are also places where people gather for pilgrimage, fairs or tourism.

4.4.5. Why the Trafficking?

Various law enforcing authorities are of the opinion that economic hardship is the main cause for women trafficking. One of India's most striking characteristics is its poverty. An estimated 40% of India's population lives in poverty. It means they can't meet basic needs like food, clothing and shelter. Poverty does not create imbalance in gender and sex. It increases the vulnerability of those who are at the receiving end of gender prejudice. In a patriarchal set up, women and girl children affects in families and also in societies. Violence against women, assault and rape on women are sexual or physical crimes.

Women who are sent to other places are from lower middle class. Women from the landless and agriculture labor class households willingly agree to go. Traffickers and vicious circles of procurers victimize those women

who are illiterate or less educated, separated, divorced or widowed or have not been married due to huge dowry demands which their parents could not afford.

In most rural areas job opportunities for young girls and women are very less. Women traffickers try to convince them that there are various types of jobs available them in urban areas. Therefore they easily agree to go with traffickers, not knowing what will happen in the future. Fatima (19) was a poor farmer's daughter. In 1999 she was enticed by a married woman Ruksana of the same village to go with her Mumbai for job. On that assurance she left with Ruksana. After they arrived at Mumbai Fatima was sold to the pimp. She tried hard to escape but could not because the place was unknown to her.⁵⁵

Thus forced prostitution is a form of slavery imposed on women by procurers. A result of economic degradation that alienates women's labor through processes of rapid urbanization and migration resulting in underemployment and unemployment. Therefore traffic in women and as its consequence, force prostitution reduces women to mere sex objects and marketable commodities.

4.4.6. Brothel Prostitution

The definition of a brothel is likewise widened to include any place used for the purpose of sexual exploitation or abuse.⁵⁶ Many people believe that prostitution is a necessary evil and can never be abolished. According to them prostitution can only be restricted within decent limits. As a result brothels thrived in British India. Old men and politicians knew that their polity of licensed houses and state control of prostitutes was directly encouraging the trafficking women. It provided a livelihood for thousands of men of lowest type. The existence of brothels is hortative to prostitution. Brothels, those recognized houses of ill fame form an important link in trafficking women. They create the demand of girls for flash trade and the traffickers come into being to supply it. In India no inspection has been made the survey of brothels before independence.

During the year 1949 – 50 the Association of Moral and Social Hygiene in India collected some statistics from some of the state which is as follows –

4.4.6.1. Number of Brothels in some States in India (in 1950)

State	Total Number of Brothels	Total number of Prostitutes
Bombay	269	12,058
West Bengal	5,065	N.A.
Delhi	482	N.A
Orissa	213	N.A

Source : G. R. Madan, Indian Social Problems, Vol. I, Allied Publishers Pvt., Delhi, 2005, Page No. 214

The Government of India in their report to the League of Nations in 1933 described their general policy towards prostitution as one of abolition. But no effective steps were taken in implement it under the various acts passed by some States brothel – keeping was not altogether illegal and most of the efforts were only to check soliciting in public places and to regulate the location of brothels.

Generally, prostitution is mostly carried on in brothels situated at red light areas in big cities. These brothels are notorious for the exploitation of girls. Now a day the operating of brothels and visiting to prostitutes in brothels has become risky task. Because of this reason customers are trying to do their work away from red light areas. There are three types of prostituting rackets are operating in the urban areas.

4.4.6.1.1. First Type – Operating from well known red light areas like Basai

4.4.6.1.2. Second One – Involving girls and housewives living in residential areas in the city and rural areas adjoining highways.

4.4.6.1.3. Third One – It involves high class, educated and sophisticated call girls, business is carried from five star hotels and expensive guest houses.

Now the prostitution in brothels situated in well known red light areas and prostitution away from red light areas are going on side by side. Previously prostitution activity was operated only in red light areas but now it entered in civil and rural areas.

4.4.6.2. The Life of Prostitutes in Brothel

4.4.6.2.1. Dress of Prostitutes

The prostitutes spend large sums of money on clothing, jewelry and scents. The Vaiji's were bedizen cloths and ornaments on every possible part of the body. The up to date prostitutes of urban areas follow the fashions led by the educated girls. The brothel keeper madam (bariwalli) generally supplies them money to buy clothes. The ornaments are sometimes the property of the brothel keeper. The low class prostitutes use knockdown clothes and ornaments.

4.4.6.2.2. Culture

Few prostitutes of the brothels can read and write. The women who can read generally indulge in cheap novels. There are many educated prostitutes girls among the high class prostitutes. They read fashionable magazines and papers. Music is favorite subject of the women engaged in prostitution. An accomplished musician and dancer earn more than those who depends on their personal charms. Prostitutes living in the lowest class of brothels can at least sing some popular theatrical love songs. The high class prostitutes take interest in learning music from a musician. They attached to theatres learn dancing and entertain their visitors with lascivious dances.

4.4.6.2.3. Routine of Life

Prostitutes are wide awake at night when the city sleeps. For them night is like a day and they sleep in the day when we work. Their routine life is generally the same throughout the year.

At evening they arrange their braids and prepare their makeup and dress. The brothels generally consist of one or two rooms and a verandah or balcony. They sit at window, on the verandah or at the doors to lure men. The high class prostitutes avoid working in this way and depend on pimps for their customers. The customers are usually picked up by pimps or may be habitual visitors to brothels. Prostitutes entertain their customers through dancing, singing and lustful movements. Prostitutes in brothels do their business in one and the same building. The rooms are used for sale of sex during trade hours. After leaving their customers they take rest and sleep in same room.

They rise late in the morning and take their bath. Brothel keeper provides food for them by female cook.

4.4.6.2.4. Entertainment

Prostitutes in brothels have very little amusement. They spend their time in watching T.V., in gossiping and in playing cards. After three or four years of life of debauchery they lose their health and womanly characteristics.

The case of 'new' girls is however different. She has no money to invest in furniture and clothes. The brothel keeper provides her money. From that day she becomes a slave of brothel keeper. The brothel keeper gives her shelter, and supplied food and clothes. But she charge debits to her. To pay off brothel keeper's debt girl works harder and accepts more customers each night.

In the case of sex work along with highways prostitutes usually live in small hamlets. They stop trucks and show some signals as indicators to tempt customers for sex satisfaction.⁵⁷ They use road side hotels,

bushes and open field along with highways or in carriage and conveyance for flash trade.

Income of a brothel depends on its inmates. The ambition of every brothel keeper is that her girls should be young and pretty. The clever and resourceful brothel keeper changes her stock as and when need arise. They transfer or sell old girls to other brothels and replace new ones who can secure for them better business.

Among the intermediaries of flash trade the brothel keeper is one of the most notorious and committed practitioner. Brothel keeper is like a head of small business house. She is financier, general manager, sales girls, employer and ward staff. She provides prostitutes advances and loans. She looks after their boarding, lodging, clothing, cosmetics, medical treatments etc. She tries to maximize her profits through sex trade in the shortest possible time. She do not take interest in purchases prostitutes. They are considered as her personal property. She tries to exploit them in every possible way to increase her income. She forces prostitutes to engage in flash trade under threat of violence.

Brothels are known as house of ill fame, house of prostitution, knocking shop, pleasure house etc.⁵⁸ Now a day's however for legal or cultural reasons establishment of brothels describes themselves as massage parlors, bars, strip clubs, body rub parlors, studio or by someone description. Brothels are businesses in which sex workers provide sexual services to their customers.

To study the life of brothel prostitutes the data were collected through personal interviews with the inmates of Kamathipura red light area in Mumbai in a random sample of 50 cases.

4.4.6.2.4.1. The study showed that the highest number of prostitutes were in the age group of 14 to 22 years and as many as 40% of the women entered into the profession when they were in this age group.

4.4.6.2.4.2. Most of prostitutes belong to Hindu religion and majority of them are from scheduled caste families. These families were living in extreme poverty.

4.4.6.2.4.3. The study of material status of these women showed that 64% were unmarried. One 26% of prostitutes were married and 6% were separated, widowed or divorced from their husbands. Most of these women were issueless.

4.4.6.2.4.4. The study indicates that 80% women were introduced into the profession by their relatives or family members due to poverty.

4.4.6.2.4.5. Out of 50 cases 70% women were illiterates, 16% were below primary school level, 12% were primary and 2% were middle school level. Thus most of these women were illiterate.

4.4.6.2.4.6. The problem of keeping their children in the brothel was a hurdle in their profession. 40% of the children born to these women died. 30% of the children were with their relatives. Only 10% of children were kept with themselves.

4.4.6.2.4.7. Out of 50 cases 40% belonged to families which had been customarily sending their daughters to brothel. 28% were agricultural having small holdings of land and 8% were maid servants and 4% in other professions. The highest number of prostitutes came from families where prostitution had become a normal trade and were getting training for their profession. The agricultural laborers and maid servants come in contact with their masters during the course of employment and sometimes promiscuous relation develop between them. Thus poverty and debt forced them to enter into the profession.

4.4.6.2.4.8. The exhibited that 42% of prostitutes transferred by brothel keepers in 2 city, 24% in 4 cities, 28% in 5 cities, 2% in 6 cities. Mostly these prostitutes practiced profession under brothel keepers and friction with the brothel keepers compelled them to leave the city.

4.4.6.2.4.9. It showed that 18% brothel keepers treated prostitutes nicely, 58% treated them badly, 16% beaten and abused them while 8% not only treated badly

but also denied them food. The highest numbers of women were interested only in earning money by adopting any means.

4.4.6.2.4.10. It revealed that 22% women paid 20% of their earnings to brothel keepers, 20% of them paid 30% of their earnings, 14% of the women paid 40% of their earnings and the remaining paid 50% of their earnings. The highest number of women paid 50% of their income to brothel keepers.

4.4.6.2.4.11. The study showed that 28% of the women had 3 to 4 customers per day. 46% of the women had 5 to 6 customer per day. 20% of the women had 7 to 8 customers per day. 4% of the women had 9 to 10 customers per day and only 2% of the women had 11 to 12 customers per day.

4.4.6.2.4.12. The study showed that the highest number of women (40%) spent their leisure time in gambling, 32% of the women spent their leisure time in movies and T.V, 18% in household work and the remaining spent their leisure time in sleeping.

Finally study shows that the brothels and brothel keeper are living on the earnings of prostitutes.

4.4.7. Traffic In Foreign Women

In 19th century the practice of prostitution was influenced by British rule. The rule of British India facilitated regulated and also encouraged prostitution. The British sought to regulate prostitution as a matter of accepting a necessary evil.⁵⁹ In the early 20th century European prostitutes started coming in the major cities of British India. British officers tolerated the importation of European prostitutes in the hope that men would enjoy sex with them instead of Indian women. European prostitutes were considered “poor whites” or “low Europeans”.⁶⁰ The British authorities supported prostitution because according to them prostitution was a vital safeguard against homosexuality.⁶¹ They also needed prostitution for military. Many of the foreigners came without women and didn't usually settle in India. The surplus of men over women among the European

residents and the presence of British soldiers forced to a life of celibacy. This situation is responsible for import of European women in India. Thus British soldiers helped to established prostitution dens across India in capitals such as Mumbai, Goa, and Calcutta etc. In 19th and 20th centuries, thousands of women and girls from continental Europe and Japan were trafficked into British India. Among the European prostitutes there were English, French, and Russians, Italian, Greek and Austrians prostitutes.⁶²

There is some demand for European prostitutes among rich Indians. Many native princes had European girls as mistresses. Mumbai, Calcutta, Pune, Goa, Madras, Hyderabad are cosmopolitan cities with large foreign colonies. The westernized young men and rich Muhammedans prefer Anglo – Indian prostitutes.

A certain number of European prostitutes live in brothels. The prostitutes who entertain their customers by singing and dancing are called dancers and singers.⁶³ Most of these women live outside the brothel area in private rooms and sometimes in hotels. The dancing girls are in great demand in night parties, clubs and celebrations.

Most of foreign prostitutes in India practice their trade more or less clandestinely. Many of them have some employment. Some of them maintain an outward show of respectability.⁶⁴ The European women who come to India for prostitution purpose generally come voluntarily. In some cases travelling expenses of the women are advanced by the brothel keeper or by some male traffickers. In the case of foreign prostitutes coming to India most of them arrive with valid passports starting them to be dressmakers, models or stating no profession.

4.4.8. Routes of Traffic to India

With regard of traffic in women to and from India there is evidence of a route from Europe via Egypt to Bombay.⁶⁵ European women arrive

in Calcutta mostly from Bombay. Some of them come by way of Rangoon and Singapore.

4.4.8.1. Procuring Foreign Girls to Prostitution

It is easy to impel a prostitute to leave her country to seek more money. Where there are foreign women in the East the majority are victims of the trafficking. They have been brought in by procurers who make a business of supporting the licensed brothels. The women are encouraged that they will find a good employment in some office or in the family of rich man. For European girls the offer of marriage with European in India supposed to be rich and respectable is used by procurers. A women trafficker uses the bait of a good position in a dressmaking establishment at Mumbai.⁶⁶ Sometime the softener marries an inexperienced girl and brings her to India. Such marriages are generally bogus.

Women trafficked for prostitution to India from Nepal is estimated to number about 1, 00,000 according to the Ministry of Labor and Culture.⁶⁷ It is very degrading that the Nepali women sales to the Indian big cities like Lakhnau, Kanpur, Banaras, Illahabad, Agra, Bombay, Calcutta and Delhi. These Nepali women are sale at the rate of 3,500 to 29,000 rupees.⁶⁸ According to UNICEF sponsored report 20,000 Nepalese women working in the commercial sex industry are age 20. The average age of the Nepalese girl entering an Indian brothel is from 10 to 14. Studies show that 5,000 to 7,000 girls are regularly trafficked from Nepal to Indian annually.⁶⁹ In India 2.7% of the women involved in the prostitution trade are from Bangladesh.⁷⁰

A brothel in European quarter of an Indian city contains French, English, Jew, Anglo-Indian, Nepali, Mongolian, Arab, Chinese, Japanese girls with scattered representatives from other countries.

4.4.8.2. International Trafficking of Indian Women

It is very difficult to say when international trafficking of Indian women comes in exist. Trafficking of Indian women abroad may have started in British age. Thousands of Indian women are trafficked to foreign countries every year and this problem is increasing day by day.

4.4.8.3. How women are trafficked abroad

4.4.8.3.1. Agricultural labor

More than 65 % of the village women are agricultural labors. Most of them are younger's. They try to come to the city in search of better employment.

The brokers or traffickers give them several attractions. Finally they are trafficked to abroad.

4.4.8.3.2. Brokers of Women Trafficking

The brokers who are traffickers of women are increasing every day. This criminal brokers use to go to our village areas and poor city areas where in they give several false attractions to the women who are very poor, rape victims and pregnant women who has no husbands to the different cities.

4.4.8.3.3. Kidnapping

Nobody knowingly engage in prostitution. Most of Indian women who are trafficked to India and kept in dark room are kidnapped.

4.4.8.3.4. Criminal Groups

Criminals who are involved in the smuggling of drug, gold and other valuable goods are also involved in women trafficking.⁷¹ They lure illiterate and unconscious women by saying that they will provide them with skills and education. On the other hand, they entice educated women with modern

employment. These criminals have linkages with other criminal groups in other countries.

The increasing incidence of prostitution in metropolitan cities, urban areas and market and business centers is the result of growing demand for prostitutes and lack of employment opportunities. The increase in tourism and the lure of high profits from trafficking trade has encouraged the exploitation and seduction of women from poor to tribal communities and even other sections of the society who have never practiced this profession but became victims.

Wholesale market (Mandi) are to be found in big cities, such as Calcutta, Agra, Bombay and Hyderabad where clandestine 'mandis' or wholesale markets can be found where girls are sold. From there these girls are sent to different cities all over the country. Sometimes minibus loads of girls are bought by pimps from such markets. One of field workers had witnessed the arrival of a minibus full of girls from South Nepal was brought to a house in the red light area near the city centre in Allahabad in North India.⁷² These cities are used as 'transit stations'. Girls are kept here in small hotels till they are sold and distributed to different parts of country.

4.4.9. Some examples of Women Trafficking India

4.4.9.1. In Kerala women are sold openly in markets. Flesh trade in parts of Uttar Pradesh, Rajasthan and Madhya Pradesh is an activity in which only criminals and some communities are engaged.⁷³

4.4.9.2. The Stateman dated 19/04/1984, reported that the railway police had rescued five women and children by detecting an interstate gang involved in the sale of women for the past five years. These victims were aged between 12 to 25 years and were from West – Bengal. In the past four years this gang had sold 200 girls.

In India, the trafficking in persons for sexual exploitation, forced labor etc. is considered an organized crime. The Government of India applies the Criminal Law (Amendment) Act, 2013 active from Feb 3, 2013 which defines human trafficking and provides stringent punishment for human trafficking of children for exploitation, slavery.

4.5. Child Prostitution

Prostitution of children or child prostitution is prostitutions involving a child. It is a form of commercial sexual exploitation of children. Child prostitution and abuse and exploitation of children in various forms have been going on all over the world over the years. It has become a massive problem, confined to third world countries, where poverty, socio – economic conditions and growing population are forcing the children into a life of degradation.

4.5.1. The meaning of Child Prostitution

The United Nations Convention on the rights of the child 1990 defines child prostitution as sexual exploitation of a child below the age of 18 for remuneration in cash or kind.⁷⁴ Child prostitution refers to the sexual exploitation of a child for remuneration in cash or in kind, usually but not always organized by an intermediary (parent, family members, procurer etc).⁷⁵

The problem of children forced into prostitution is a grave issue. Its reason may vary from pedophilia obscure beliefs like ‘sex with virgin’ as cure for STDs and sexual dysfunctions etc. Child prostitution and abuse and exploitation of teenage children in various forms, have been going on all over the world over the years. Children under the age of 18 can now found in large numbers in brothels in different parts of the world. It has become a massive problem mostly where poverty, socio – economic conditions and growing population are forcing the children into life of degradation.⁷⁶

The failure of schooling systems, the failure to curb children forced to work in adult occupations, the harsh treatment of children in the name of discipline, are continuum of the marginalization of children in India.

4.5.2. The Child and the Sex Industry

The basis of the child sex industry the designation of a child as a commodity for sale and purchase against her will – demeans and dehumanizes the girl child. In 1991 the Govt. of India under the Ministry of Human Resource Development initiated a survey of prostitution through the Central Social Welfare Board in six metropolis cities of India. The study shows that the time of entry in prostitution 15% of women were in the category of children and 25% were minors between the ages of 16-18 years.⁷⁷

4.5.3. Trafficking of Children

Women and Children are trafficked in their thousands. They are coerced, forced and sold as sex workers, domestic workers, laborers and for other types of exploitative work. The persistent gender gap in education both in quantitative and qualitative terms, are linked to the fact that girls comprise the majority of children at risk of and involved in commercial sex.

Commercial sex work among girl children has its logical origin for the most in rural areas. Religious cause is a major fact to promote this profession in rural areas. The urban areas manifest some in indications of existence of child prostitution also. Now days the actual sites for promotion of child prostitution have been shifting in large numbers of urban areas. These children arrive at urban site brothel by force.

Systematic, organized trafficking of children for profit by experienced individual accounts for the greatest number of girls bought, transported and sold within and outside India.⁷⁸

4.5.3.1. Why Trafficking of Children

4.5.3.1.1. Supply Side

4.5.3.1.1.1. Poverty

Women and children are the majority of the poor and their poverty is increasing.

4.5.3.1.1.2. Inadequate Opportunities

Educational and employment, Economic disparities fuels the demand for trafficking from low income to high income areas.

4.5.3.1.1.3. Globalization

Globalization and economic liberalization have opened the borders between countries.

4.5.3.1.1.4. Civil and military conflicts

Push children to flee their countries.

4.5.3.1.1.5. Erosion of traditional family values

Erosion of traditional family values encourages crossing – borders trafficking.

4.5.3.1.1.6. Export of labor

Export of labor is a strategic response of governments in the current economic crisis in Asia and will exacerbate trafficking.⁷⁹

4.5.3.1.2. Demand Side

4.5.3.1.2.1. An expanding commercial sex industry

In the sub – region and increased demand for the services of sex workers. Male clients’ preferences are for young girls because of the fear of HIV infection.

4.5.4. Reasons of Children Trafficking

4.5.4.1. A large percentage for prostitution.

4.5.4.2. The entertainment industry.

4.5.4.3. Illegal adoption of children.

4.5.4.4. Forced Marriage.

4.5.4.5. Drug trafficking.

4.5.4.6. Begging.

4.5.4.7. Other exploitative forms of work.⁸⁰

4.5.5. Working Environment

Prostitution of children usually occurs in environments such as brothels, bars and clubs, homes or particular streets and areas. Condition of work and treatment often involves to children slavery – like practices and prison like environments. They have long working hours and little rest. In child prostitution physical and sexual abuse is common. Homo sexual prostitution with boys between the ages of 8 and 12 is particularly rife in the vicinity of naval bases, with sailors. In both instances, both girls and boys they constantly undergoes the ill – treatment that result from the perversions caused by drugs or video cassettes or certain very violent television programmes.⁸¹

In India it is estimated that the number of children suffering commercial sexual abuse are between 3,00,000 to 5,00,000.⁸²

4.5.6. Physical and Psychological Effects

According to NGOs that opposes the prostitution of children the practice causes injuries such as vaginal tearing, physical after – effects of torture, pain infection or unwanted pregnancy.⁸³ Prostituted children's faces high risks of contracting the disease. Other sexually transmitted diseases pose a threat as well as such as syphilis and harpers.⁸⁴ Prostitute children often deal with depression and posttraumatic stress disorder.

Under the Indian Penal Code (IPC) rape, extortion, causing grievous hurt, kidnapping, wrongful confinement, buying and disposing of people as slaves are criminal offences. The United Nations has declared the prostitution of children to be illegal under international law and various campaigns and organizations have been created to protest existence. India along with 186 countries has ratified the convention on The Rights of the Child.⁸⁵

This requires that States will protect the child from sexual abuse and exploitation and promote physical and psychological recovery and social reintegration of the child who has suffered this abuse.

4.6. Divine Prostitution (Devadasi System)

In tradition of Divine prostitution a women is dedicated to a deity or a sacred object for rest of her life. The term is the feminine form of 'Devdas' a man who is enslaved for the service of a deity.⁸⁶ Young girls dedicated to the god or goddess cannot marry and they spend their lives in the temple singing, dancing and offering her sexual services to the priests. They become Devadasis or Slave of the God/Goddess. Locally the divine prostitutions are known by several names such as Basavi, Nayakasani, Rangasani, Ganasani, Muttukattikondvalu, Hasabi, Patradavalu, Murloi, Devali, Jogins and Devadasis etc. It is largely believed that the practice started about the 3rd century A.D. According to some scholars the custom of dedicating girls to temples became common in the 6th century. During the Medieval period deadasis were regarded as a part of the normal establishment of temples. Originally in addition to taking care

of the temple and performing rituals these women learned and practiced dancing and singing.

During British period Indian kings who were the patrons of temples became powerless. It affected to the position of devadasis. Devadasis were left without their traditional means of support and patronage. As a temple became poorer and lost their patron kings and in some cases were destroyed. The devadasis were forced into a life of poverty, misery and in many cases prostitution.⁸⁷ In British period these women, who dedicated to Hindu temples, maintained sexual relations with men of high social states. They were usually nonmonogamous sexual relations with a variety of social elites.⁸⁸ The sexual nature of devadasi system was widely condemned by most Britons.⁸⁹ Therefore British officials encouraged laws against them. They viewed the devadasi system as the exploitation of a minor for the purpose of prostitution and from the 1860s onwards convictions for 'temple harlotry' became increasingly common.⁹⁰

The British rulers indirectly supported the continuity of devadasi system. They encouraged it with a purpose by establishing cantonments which required a colony of prostitutes. The British needed for prostitution, especially amongst the military. To control the spread of venereal diseases among soldiers because of prostitutes, the British Government mandated that all prostitutes register themselves, with Devadasis being forced to do this as well as they were thought to be prostitutes by the British Government.⁹¹

It is said that the custom has been rejuvenated after the independence of India. There is a cry that the custom of devadasi has degenerated over the age. Now days this custom has become an institute to provide a prostituting force in the flesh market. It is true that even today girls are dedicated to god as devadasi. More than 70% of the population of India are illiterate, traditional minded and superstitious. Due to in ignorance, these people have blind faith in the super natural beings to get their desires fulfilled. At the same time they take vows to dedicate girl to overcome their problems. Thus as a result to some

extent the religious prostitution is contributing to the growth of commercial prostitution today.

4.6.1. Recent Condition of Devadasis

4.6.1.1. Orrisa

Government of Orissa intimated to NCW (National Commission of Women) that (Except one Devadasi in a Puri temple) there are no devadasis in Orissa.

4.6.1.2. Tamil Nadu

According to Tamil Nadu Government this system has been eradicated. There are no devadasis in the State.

In Andhra Pradesh, Maharashtra and Karnataka, Department of Social Welfare and Department of Women and Child Welfare of the respective states had conducted surveys to identify and enumerate Devadasis. The data as sent by the respective State Government to NCW is as follows –

STATE	DEVADASIS	Covered Under Rehabilitation Program)	Left Out
1. Andhra Pradesh	16,624	14,339 (86.25%)	2,285 (13.75%)
2. Karnataka	22,941	16,560 (72.2%)	6,386 (27.8%)
3. Maharashtra	8,793	6,314	2,479

Source : K. Jamanadas, *Devadasis: Ancient to Modern*, Kalpaz Publication, Delhi, 2007, Page No. 196

4.6.2. Districts of the prevalence of Devadasi System

State	District	Strength
1. Andhra Pradesh	Karimnagar, Warangal, Nizamabad, Mahaboobnagar, Kurnool, Hyderabad, Anantpur, Medak, Adilabad, Chittoor, Rangareddy, Nelloer, Nalgonda, Srikakulam	14
2. Karnataka	Raichur, Bijapur, Belgam, Dharwad, Bellari, Gulbarga	06
3. Maharashtra	Pune, Solapur, Kolhapur, Sangli, Mumbai, Latur, Usmanabad, Satara, Sindhudurg, Nanded	10

Source : K. Jamanadas, *Devadasis: Ancient to Modern*, Kalpaz Publication, Delhi, 2007, Page No. 196

According to NGOs the re-survey should be carried out in all the three states.

As a devadasi, a woman is not allowed by the society to get married, and also no temples in Maharashtra and Karnataka provides financial help. So, the only way left to them for maintenance it to practice prostitution. As a devadasi she is immune to law, even if she entertains sexually.⁹² This condition tempted other poor and needy persons to induct their daughter/sisters in taking up this profession. To avoid ill fame of the family, these women become devadasis before they actually jump into prostitution. They start going to brothels nearby cities to earn a living.⁹³ They stay at the brothels run by the older devadasi prostitutes who are known to them. In the brothels run by older devadasi the newly initiated devadasi prostitutes are taken on contract basis for a period of five to eight years and on a regular payment to the girl's families. Devadasis visit to brothels, their stay and return to their villages after retirement is a long and well – guarded secret.

Older devadais prostitutes who are also brothel keepers, when they need new girls, they visit villages, which are known to them. The poor families which want to send their girls to brothels to earn a living start visiting them and request them to take their girls. They select the required number of girls and make advance payments to the family to initiate the girls into divine prostitution – hood. All girls not willingly agree to become devadasi and to go to brothels. Like other girls, they also want to marry, but they are asked to sacrifice their comforts and dreams for the good of their family. Renuka, devadasi of Miraj was forced by her family to go to Pune brothel when she was 14 years old. Now she is 45 years old and looks like 60 years old woman.⁹⁴

Devadasis, at the young age are abused sexually by both the clients and the brothel keepers. No one take care of them. They toil for the satisfaction and benefit of others. After spending the life as prostitute in brothels, she get set the end of her strenuous career in disease, poverty and guilt feelings.

4.6.3. Traffic in Devadasis

In India, religion and tradition play a major role in trafficking women. The singing and dancing tradition has disappeared in and what is retained was the offering of girls to god. Poor families, which are forced to dedicate their children, are mostly illiterate and believe that bad luck will, befall on the family if they do not do this. At present the offer enging of girls is being used to traffic young girls between 5 to 10 years old.

After the offering these girls are brought to the urban areas especially to Bombay's prostitution areas. Some girls are sold to Gulf Region.⁹⁵

In India while religion and tradition play a vital role in pushing girls to prostitution the socio – economic situation of the people also drives families of young girls to offer them to god which eventually lead the girls to become prostituted girls.

4.7. Male Prostitution

Male prostitution is one of the important rising problems in modern India. Male prostitution is the act or practice of men providing sexual services to either men or women in return for payment.⁹⁶ It is a form of sex work.

4.7.1. Types of Male Prostitutes –

4.7.1.1. Male escort, gigolo, rent-boy, moder, masseur

4.7.1.2. Male prostitutes which present their business as providing companionship, nude modeling or dancing, body massage or some other acceptable fee for service arrangement. Thus one may be referred to as a male escort, gigolo, rent boy, hustler, model or masseur. Most male masseur on the street are trafficked from rural areas of Uttar Pradesh and Rajsthan and other states of India to work in metros. They are mostly illiterate or semiliterate.

4.7.1.3. “Gay –for-pay” or “trade” –

Means a man who does not regard himself as gay, but who has sex with male clients for money is sometimes called ‘gay – for – pay’ or ‘trade’.

They after direct sex (not message services) and in most cases belong to the city they operate in. They are usually literate and cater to high profile clients.

Male prostitution has been found in almost all modern and ancient cultures. The erotic life of ancient India was generally heterosexual.⁹⁷ Homosexualism of both sexes was not wholly unknown; it is condemned briefly in the law books. From the writings of Vatsayana we find the existence of homosexual practice. The eunuchs’ were employed for this purpose and Vatsayana gave a warning to young men against these people. In medieval India, in addition to women there were also eunuchs (hijras) in a harem. They were entrusted with keeping guard over the women and not to allow any man to enter

the female quarters. Some of the lewd nobles practiced sodomy and the eunuchs (hijras) were notorious for this shameful practice.⁹⁸

Hijara is a term used in India to refer to an individual who is transsexual or transgender. In other parts of India transgender people are also known as Aravani, Aruvani or Jagappa. Hijara sometimes enter into prostitution. Not all hijaras are prostitutes. A common tradition in India is that hijaras dress as women and dance at weddings child births and other celebrations and demand a large amount of money from the owner.

Most big cities have one or more areas where male street prostitutes regularly make themselves avoidable to potential clients who drive by in cars. Shady deserted areas, empty spaces behind buses, parks, metro rail, construction sites and the railway station are the usual hubs of sex trade in city. Some male prostitutes solicit potential clients in other public spaces such as bus, terminals, parks and rest stops. Female clients from affluent families are the ones who usually seek such mobile masseurs or escorts.

4.7.2. Male Brothels

A male prostitute may work in a male brothel also known as some places as a 'stable'. This is common in south East Asia and is also found in some town and cities elsewhere. Massage centers, sauna hubs, spas have become notorious for sex trade. Pubs are also common places where women come looking for masseurs.

With the commoditization of men surging in recent times through advertisement in newspapers, social media and movies, there has been a concomitant, silent surge in male sex trade. Many male prostitutes have online groups or communities or social media. Many of them use facebook or other social media for clients looking for pleasure. A network of pimps stationed at airports, bus stops and railway stations.

4.7.3. Reasons

4.7.3.1. Many of these sex workers are homosexual or bisexual, forced into the trade by lack of 'social acceptance of their sexual orientation. Because of worse economic condition of family many sex workers works to support their family or pay for education. Some boys who forced into sex trade via trafficking or child labor also end up living this life for the money.

Male prostitutes and their clients can force risks and problems like social stigma, legal/criminal risks, physical abuse, health related risks, such as the potential risk of sexually transmitted diseases, rejection by families and friends etc.⁹⁹

Male sex workers are often doubly victimized – firstly the circumstances, that force them into the trade, and secondly by the lack of any institutionalized effort to protect or rehabilitate them.

According to United Nation's Report certain Indian traditions and customs also have a role to play in the perpetuation of male sex trade.

When compared to female prostitutes, male prostitutes have been far less studied by researchers.

4.8. Prostitution and Pornography

New communications and information technologies have created a global revolution in communications, access to information and media delivery. These technologies are facilitating the sexual exploitation of women and girls locally, nationally and transnational. The sexual exploitation of women and children is a global human rights crisis that is being escalated by the use of new technologies.¹⁰⁰ New technological innovations are the tools of the sexual exploitation of women and children because people easily can buy, sell and exchange millions of images and videos of sexual exploitation of women.

4.8.1. New Technologies for Sexual Exploitation

4.8.1.1. Digital Video Disc (DVD)

One new technology is Digital Video Disk, which provides high quality videos and interactive capabilities for the viewer.

4.8.1.2. Websites

Websites are used in various ways to assist in the sexual exploitation of women. Websites are the most popular venue for the distribution of pornography online. Pimps and traffickers use the website to advertise the availability of women and children for use in making pornography. Pimps also use websites to advertise their brothels or escort services directly to men. Increasingly, prostitution websites includes photographs of the women, sometimes nude. This practices expose women identifying them to the public as prostitutes.

4.8.1.3. Chat Rooms

Real time synchronous communication or 'chat' is a popular means of communication on the internet.¹⁰¹ There are numerous cases online stalking of adults that began with conversations in chat rooms, which led to physical meetings that turned into sexual assaults.¹⁰² In chat rooms, perpetrators engage girls in sexual conversation or expose them to sexual material, including adult and child pornography.¹⁰³

4.8.1.4. File Transfer Protocol (FTP)

File transfer Protocol is one of the oldest ways of exchanging files on the internet. Child pornographer collectors use it for the exchange of child pornography. FTP allows users to have direct access to another person's computer hard drive to upload and download files.

4.8.1.5. Mobile Phone

Now days pimps are using new communications technologies such as mobile phones to avoid tracing of their phone calls. They easily contact their customers through mobile. They use these phones for a week and then discard them. Thus pimps who have engaged in sexual exploitation uses mobile for ease of communication and avoid detection.

Pornography tells lies about the woman and love. It reflects and nurtures mentality which can call an ideology of the contempt of women. It is the ideology of the male chauvinist, of the man who violates, and of the pimp. According to this ideology the woman serves for the utilization and pleasure of man.

In India watching or possessing pornographic material is legal, although the distribution of such materials is illegal. Likewise the publication or production of X – rated materials is illegal.¹⁰⁴

Today's porn consumers are no longer satisfied with regular old ordinary mail dominant sexuality, there has to be extra. Kick, who would regard patronizing a prostitute as beneath them see nothing wrong, pathetic or shameful in their use of pornography.¹⁰⁵

The information Technology Act, 2000 (IT Act) Chapter XI paragraph 67, the Government of India specifies online pornography as a punishable offense. Child pornography in India is illegal. In Feb, 2009, the Parliament of India passed the 'Information Technology Bill' banning the creation and transmission of child pornography.¹⁰⁶ In India pornography is illegal.

However enforcement is extremely lax and pornographic materials are easily available in public places. Soft-core and hardcore pornography movies/photos are easily accessible through magazines, films or internet. The law states that possessing and watching pornographic material is legal, but production and distribution are prohibited.

It's bad to deceive, coerce or force women into pornography. It's also bad to harm, objectify, and use up women who are not being deceived or coerced. And it's bad to use women in an industry that harm other women and that contributes to keeping women as a class subordinate to men. The duty of the national association members is to sensitize the politically responsible, the political parties, organizations who defend the human rights, the rights of women, the families and protection of children and to make them aware of the social dangers of pornography.

4.9. Health Issue of the Prostitutes

Health is a major concern of those women who are self – conscious of the risks of their occupation. The high class prostitutes takes care of their health and retain their beauty and charms for a long time, while the brothel women who have to live an irregular life lose their health earlier.

A prostitute who resides in a house of prostitution for a few years approaches to decay. Sleepless nights, drinking habits and carnality destroy their health.

4.9.1. Diseases among Prostitutes

4.9.1.1. Venereal Diseases

Prostitute has to submit to indiscriminate sexual acts every night with men of whom she knows nothing about. Educated prostitutes take sufficient care for prevention of infection and when attacked with the disease makes arrangements for treatment. But the brothel prostitutes generally poor and uneducated. They can't afford the costly treatment will not place themselves under medical treatment unless they are compelled. These types of women are a source of infection to their customers.

4.9.1.1.1. Extent of VENEREAL DISEASE IN INDIA

State		Total no. of new cases treated	
		1948	1951
1	Bombay	34,928	6,675
2	West Bengal	35,381	N. A.
3	Bihar	26,282	87,334
4	Madras	92,852	1,50,286
5	Punjab	945	N. A.
6	Uttar Pradesh	3,679	93,446
7	Orissa	N. A.	95,244

Source : G. R. Madan, Indian Social Problems, vol.1, Allid Publishers Pvt. Limited, New Delhi, 1966, Page No. 222

To avoid the spread of Venereal diseases information about venereal diseases should be issued in bulletins and pamphlets to make the public aware. Diseased prostitutes must be handled the same way as any other person suffering from contagious or communicable diseases.

4.9.1.2. Syphilis

Syphilis is the most dangerous and invades the tissues, nervous system, and bones and gives rise to ailments which imitate practically every disease to which flesh is heir.¹⁰⁷ As a physical scourge, syphilis exacts severe tolls from men than women. Syphilis, a contagious and epidemic disease, is caused by a micro organism called the spirochete pallid. The mucous membranes of eye – lids, mouth or genital tracts are most susceptible to its penetration. Once within the bodily tissues the germ multiplies rapidly, invading the blood stream and lymph. Within two days the organism may infect all parts of

the body. At least ninety percent of untreated Syphilitic women continue throughout their middle and old age to be from time to time troubled by gummatous lesions, but most of them live to a fair age and usually die from an intercurrent disease.

4.9.1.3. Gonorrhoea

Gonorrhoea is more widespread than syphilis. It is caused by the bacteria called gonococcus. Both men and women suffer from inflammatory disease, acute endocarditis, septicemia and arthritis resulting from Gonorrhoea.¹⁰⁸ Gonorrhoea affects women more seriously than it does men. Many women become partially or totally invalid. No statistical data about the extent of venereal diseases in India is available. The scanty information which could be collected by the Association for moral and social Hygiene in India from some of the states is as follows:

4.9.1.4. Sterility

Among the women who work as full time prostitutes, very few have children. Though cases of pregnancy of women living in a state of open prostitution are not rare. Sterility of those women during prostitution may be due to –

Venereal diseases

Wild and irregular life

Promiscuous intercourse

4.9.1.5. Abortions

Abortions are also frequently practiced by prostitutes sometimes with serious results. Sunita working in red light area at Karad, Dist – Satara had an abortion when she was 15. Pramila had three abortions when she was 20 years old. She became languish for her entire life.¹⁰⁹

4.9.1.6. Delirium Tremens

Delirium tremens is the result of an excessive use of intoxicating liquors and is only rarely found among old prostitutes of the lowest class.

Because of irregular life, exposure to the weather, sleepless night, constant excitement and debauchery, excessive drinking and alternate extremes of want and luxury induce phthisis, rheumatism and other chronic diseases low class brothel women became old at forty and do not live long as it to expected from such a vicious life.

4.9.1.7. Drinking

Apart from prostitutes drinking is an additional attraction for the customers who visit brothels. A prostitute who does not drink will have very few customers. So she has to take part in drunken revelries of her customers. They drink various wines, whisky, rum and champagne etc. These wines are injurious to health and drinking of such poisonous stuff combined with unrestricted debauchery play havoc on the health of prostitutes and leads them to a premature death.

4.9.1.8. Smoking

Several brothel prostitutes have smoking habit which is destructive for their health.

4.9.1.9. Drugs

Now days many prostitutes are drug addicts. Hashish, Marijuana, cocaine etc. drugs give sexual stimulation.¹¹⁰ Some customers of prostitutes believe that they achieve completely new sexual experiences under drugs. Therefore they force women to join them. As a result women becomes drug addict and it ruin their health.

4.9.1.10. AIDS (Acquired Immune Deficiency Syndrome)

A disease which is caused by a virus called Human Immuno - deficiency virus or HIV. This virus is fatal and dangerous because it destroys the immune system. It can be transmitted to other persons in a number of ways. No vaccine has been invented till today as a cure for AIDS or for protecting people from the HIV. In India, the first cast of HIV was diagnosed among sex workers in Madras in 1986.¹¹¹ HIV spreads mainly through four sources one of them is unprotected sex with an infected partner – heterosexual as well as homosexual.

A large number of prostitutes and call girls are infected with HIV who passes on the infection to their customers. According to one estimate, the level of HIV infection escalated from 1 percent to 30 percent among prostitutes in Mumbai in just three years – from 1989 to 1991.¹¹² Mumbai and Calcutta have the country's largest brothel based sex industry, with over one Lakh sex workers in Mumbai.¹¹³ It is estimated that HIV among prostitutes have been largely fallen, in last decade. There is a view that prostitutes are at a lower risk of infecting their clients and at a higher risk of getting infected by them.

Sexual transmitted diseases (STDs) make it easier to pass from one person to another. Cancroids, gonorrhoea, syphilis etc. increase the risk of HIV transmission by two to nine times.¹¹⁴ It has been noted that for various reasons like fear of excommunication, mandatory quarantine etc. Cases of AIDS and HIV infections are not reported often in India like many other developing countries.

4.9.1.10.1. The work of National AIDS control Organization

National AIDS control organization's classification of states (1992)

Category	No. of Cases	States
1	> 500	Maharashtra (2354) and Tamilnadu (1080)
2	100 – 500	Delhi, Punjab, Chandigarh, Gujarat, Kerala, Madhya Pradesh, Manipur, Pondicherry, Uttar Pradesh.
3	< 100	Andhra, Assam, Bihar, Daman, Haryana, Goa, Himachal, Kashmir, Mizoram, Meghalaya, Nagaland, Orissa, Sikkim, Rajasthan.

Source : Salunke, Et. Al. “HIV/AIDS in India”, AIDS, Vol. 2 (Suppl. B), 1998.

4.9.1.10.2. Contribution of NGOs for HIV positive Prostitutes

A word of caution in NGO directed and controlled interventions. More than 30% NGOs depend on political patronage for drawing upon government schemes which are rarely implemented. During the last decade, more than 2 million US\$ has been released for HIV prevention among ‘Prostitutes’ in India through foreign aid.¹¹⁵ Today there are more than 80 NGOs in 10 states of India are engaged in work with sex workers.

4.9.2. The work of Sampada Gramin Mahila Sanstha (SANGRAM) A NGO based in Sangali (Maharashtra)

SANGARM is working for sex workers of seven districts in Maharashtra and Karnataka much new knowledge on sex work in India came from the major survey, in April 2011.¹¹⁶ This was performed by the centre for advocacy on stigma and marginalization which is part of SANGRAM.

It originally focused on HIV prevention through peer based interventions and condom use promotion among sex workers (Prostitutes) in two high density sex work area in Sangali. In 2000, it began advocating for community – led support system to increase sex workers’ access to health.

In 2007, a group of sex workers living with HIV came together to form VAMP plus, a wing of VAMP that aims to address socio-economic, health and psychological needs of sex workers living with HIV.¹¹⁷ VAMP plus conducts individualized outreach, counseling and accompanied referral services. Through these services they have ensured that all sex workers (prostitutes) from their collective who have tested HIV positive and need treatment, are supported to access health services and receive ART and or other treatment for opportunistic infection (OI) from civil hospitals and private clinics across seven districts in the two states. (Maharashtra and Karnataka). A total of 629 sex workers living with HIV currently receive continuing care and support, including supplementary food supply. VAMP plus supports treatment adherence by providing psychological support and counseling, monitoring of side effects and facilitating access to required health services.¹¹⁸

Despite attempts by NGOs and the government to increase awareness about HIV and condom use the risk if HIV has not decreased in India.¹¹⁹ Government runs activities including education, condom promotion and follow-up of STI cases. Not only HIV, but other infection diseases have been accreased examined data from 868 prevention projects – serving about 5,00,000 sex workers implemented between 1995 and 2008. Research found that sex workers through prevention programs decreased HIV and Syphilis infection rated among young pregnant women tested routinely at government prenatal health clinic.

4.9.3. Mental Health of Prostitutes

According to Psychologists there are two worlds, the outer world and the inner world, in all of us. The inner world is a permanent fabric of sensations, emotions, ideas, images, imaginary actions, which some call the deep Ego, others the essence of human personality. These two separate and sometimes antagonistic worlds are constantly impinging one upon the other. Every human being has a need for dignity, time and balance between his outer and inner life.

Prostitutes are more likely than others to lose contact with their inner world. They are in a situation where not only their dignity is not respected; their fundamental needs for respect, reciprocity and freedom to be themselves are not accepted. They do not even have the time to develop an image of themselves because they are already classified as a sexual or commercial object either through hurtful words or violent acts.

Several prostitutes manage their sex work emotionally and physically through drinking. Sunita, 30 years old sex – worker from Pune said that, they would drink at different points : before soliciting to manage the stress, of having to go to work, when with the client to reduce to pain from intercourse and afterwards to reduce the emotions of shame, guilt and stress related to it.¹²⁰ Society, medical students and doctors believe that prostitutes are vicious, slovenly or lazy women who agree to sell their bodies. To efface this misunderstanding about prostitutes, civic and moral education needs to be resumed in primary schools. Children should be teaching to respect other people and to respect themselves.

4.10. Legislation on Prostitution

Law is an important tool for tackling social problems. Law is also an instrument which has ability to bring social change in every society. Prostitution is a major crime against women as well as the whole humanity. Prostitution has been condemned as a single form of human rights abuse, and an attack on the dignity and worth of human rights.

In 19th century the practice of prostitution in colonial India was influenced by British rule. From 19th century to the early 20th century British rule tried to facilitate, regulate and encourage prostitution. It affected Indian prostitution and also influenced by British cultural beliefs and conflicts. Colonial tensions, cultural misunderstandings and concern for racial superiority caused for the regulation of prostitution.

4.10.1. Legislative Work done for Prostitution by British Rule before Independence

4.10.1.1. Cantonment Act of 1864

This act regulated and structured prostitution in the British military bases. It provided for about twelve to fifteen women for each regiment of British soldiers. These women were kept in brothels called Chaklas. They were licensed by military officials and were allowed to consort with soldiers only.¹²¹ Most of prostitutes were from poor family. Impecuniosity pushed them in to prostitution. The Cantonment Act of 1864 provided for the establishment and extension of hospitals in cantonment.¹²² Prostitutes in Chaklas required to undergo medical examinations for traces of venereal diseases once in a week.

4.10.1.2. Cantonment Act of 1895

Practice of prostitution became dispute between Indians and British government enacted another Cantonment Act. It but lowed any licensing or official approval of prostitution in cantonments.¹²³ It tried to prevent the spread of venereal disease.

4.10.1.3. Contagious Diseases Acts

Between 1864 and 1869 many regions of British India, including British Military Cantonments, were subjected to the Contagious Disease Acts. These acts were meant as a response to the growing number of cases of venereal disease amongst the British Military.¹²⁴ These Acts sought to prevent venereal diseases in military personal through several regulations. The Acts required the registration of women engaged in prostitution. Prostitutes were required to carry a license in the form of a card. It also mandated the regular medical examination of prostitutes.¹²⁵ Infected prostitutes were required to undergo in – patient treatment.

There was a growing Abolitionism that sought to end state – regulated prostitution. Feminists thinkers through prostitutes as an obstacle to

equality in society. According to other thinkers state sanctioned prostitution as morally offensive and harmful. The abolitionism movement grew fast against these acts. The next year they were completely repealed.¹²⁶

In the early 20th century, European prostitutes were visible in the major cities and sea ports of British India, more European women were imported to serve as prostitutes.¹²⁷ The importation of European women created new conflicts, as well as inspiring abolitionist movements. The concern for the welfare of European prostitutes was focused. A growing concern for 'White Slavery' a term that was coined in the 1880s to describe the international trafficking in European prostitutes.¹²⁸ The League of Nations formed a committee to combat trafficking of European prostitutes¹²⁹ and the Criminal Law Amendments Act of 1912 was passed.

4.10.1.4. The Criminal Law Amendment Act of 1912

This Act allowed for speedy legal action against pimps and traffickers and introduced harsher punishments for those procuring women for prostitution.¹³⁰

4.10.1.5. Laws against Devadasi Practices

During this period the sexual nature of the Devadasi occupation was condemned by Britons. Therefore, British officials forced on the sexual roles of the Devadasis, instead of religious significance and encouraged laws against them.¹³¹ They viewed the Devadasi system as the exploitation of a minor for the purpose of prostitution. The Indian Penal Code included the Devadasi practice as a punishable offense.¹³²

The British authorities offered several justifications for the British regulation and importation of prostitution. They made certain regulations dealing with sexual offences.

The Indian Penal Code was made to deal with sexual offences whose object was to protect women against forced illicit sexual intercourse. The code provided –

4.10.1.5.1. An imprisonment up to one year or fine or both for insulting the modesty of any woman (S – 354)

4.10.1.5.2. Woman may be forced or seduced to illicit intercourse, kidnapping or abducting, each of these was a grave offence punishable with imprisonment of either description for 10 years or fine or both. (S – 366)

4.10.1.5.3. Selling, letting for hire or otherwise disposing of or buying, hiring or otherwise obtaining possession of any girl under 18 years for immoral purpose was made an offence (S – 372)

4.10.1.5.4. Sexual intercourse with a woman under 16 years and punishment for rape was up to 10 years (S – 375)

4.10.1.6. Bombay Prevention of Prostitution Act (1923)

Under this act living on the earnings of the prostitution of another, procuring, keeping, managing a brothel, permitting use of premises for brothels and prostitution in prohibited areas were offences. Such acts were passed in Madras (1930), Bengal (1933), Uttar Pradesh (1933), Punjab (1935), Bihar (1948) etc.

4.10.1.7. Other Acts

Some separate acts which were passed to protect certain girls who were made prostitutes under certain social customs. They were

4.10.1.7.1. U.P. Nike Girls Protection Act, (1929)

4.10.1.7.2. Bombay Devadasi Protection Act, (1934)

4.10.1.7.3. Madras Devadasi (Prevention of Dedication) Act, (1947)

In many other countries the practice of prostitution control through the licensing of brothels and police inspection. The Government of India in their report to the League of Nations in 1933 described their general policy towards prostitution as one of abolition. But no effective steps were taken to implement it. Under the various acts passed by some states brothel – keeping was not altogether illegal and most of the efforts were only to check soliciting in public places and to regulate the location of brothels.

4.10.2. Legislative Programme after Independence

After independence the evil of prostitution brought in its train personal, family and community disorganization as well as exploitation of prostitutes.

4.10.2.1. All India Conferences

All India conferences regularly held since 1951. In these conferences it was urged that the existing laws in various states for the suppression immoral traffic were not enough and needed drastic changes.

4.10.2.2. All India Conference (1953)

This conference recommended that both individual as well as commercial prostitution should be abolished.

4.10.2.3. Advisory Committee on Social and Moral Hygiene (1950)

This committee recommended for the suppression of immoral traffic and for comprehensive legislation on all – India basis to check prostitution.

4.10.2.3.1. There should be an Inter – State Polis Organization.

4.10.2.3.2. No institution should be allowed to come forward to care for and protect prostitutes unless both its bonafides and ability are tested.

4.10.2.3.3. A special police squad for the enforcement of this act.

4.10.2.3.4. Women produced before courts should be remanded to approved places or remand homes.

4.10.2.3.5. Special Courts should be constituted.

4.10.2.3.6. Whoever resorts to any brothel or other public place for the purpose of prostitution should be punished.

4.10.2.4. Suppression of Immoral Traffic Act 1956

This Act was enacted by our Parliament in pursuance of ratification by India of the International convention of the suppression of traffic in persons and of the exploitation of the prostitution by others, signed in New York in 1950 on May 9. The purpose of the enactment was to inhibit abolish commercialized vice namely the traffic in persons for purpose of prostitution as an organized means of living.

This Act, without making individual prostitution illegal, gives wider power to the states to deal with this in a systematic way. The main provisions of this act are –

4.10.2.4.1. Under Section 3 of the Act – Any person who keeps or manages or acts or assists in the keeping or management of brothel is to be vigorously dealt with (i.e. a rigorous imprisonment between 0 to 3 years and fine up to 2,000)

4.10.2.4.2. Under section 4 of the Act – Any person over 18 who knowingly lives on the earnings through prostitution, or procures or attempts to procure a woman or a girl for the purpose of prostitution is to be severely dealt with (imprisonment of one year or more)

4.10.2.4.3. Under Section 7 of the Act – Any woman or girl who carries on prostitution, and the person with whom such prostitution is carried on, in any premises are to be punished.

4.10.2.4.4. Under Section 8 of the Act – Soliciting in a public place is prohibited.

4.10.2.4.5. Under Section 13 of Act – Special police officers are to be appointed for dealing with offences under this act.

4.10.2.4.6. Under Section 19 of the Act – Prostitutes have been given right to seek protection in protective home.

4.10.2.4.7. Under Section 20 of the Act – Magistrates have been authorized to remove any girl or woman carrying on prostitution at any place from there to any other place which they consider proper.¹³³

In short under this act the keeping of brothels, procuring and living on the earnings of prostitutes is illegal.

4.10.3. Developments after 1956

4.10.3.1. Advisory Committee on after – care Programme

Central Social Welfare Board appointed Advisory Committee on after care programmes in 1954. The Reports of both these Advisory Committee and Advisory Committee in Social and Moral Hygiene were considered by a committee consisting of the representatives of the Central Social Welfare Board, the Planning Commission and the Union Ministries of Home etc. The outlines of schemes were drawn up for implementation and were included in the second plan.¹³⁴

Under the scheme it was proposed to establish in all 80 state homes and 324 district shelter or reception centers in various parts of the country.

4.10.3.2. The Immoral Traffic (Prevention) Act (PITA)

The old law has been amended as The Immoral Traffic (Prevention) Act or PITA. The Indian Penal Code (IPC) which predates the SITA is often used to charge sex workers with vague crimes such as ‘Public Indecency’ or being ‘Public nuisance’ without explicitly defining what these consist of.

4.10.3.3. Section 366 A and 366 B of Indian Penal Code are intended to punish the export import of girls for prostitution section 366 A, deals with procuring minor girls from one part of India to another. Section 366 B makes it an offence to import into India from any country outside India girls below the age of twenty – one years for the purpose of prostitution.

4.10.3.4. Laws and Child Prostitution

The Constitution of India has three specific Articles which deals with the children. Article 39 part (e) says, ‘The children are given opportunity and facilities to develop in a manner and conditions of freedom and dignity and that childhood and youth are protected against moral and material abandonment.’¹³⁵

The trafficking and sexual abuse of children is prohibited under a number of national laws and human rights conventions.

4.10.3.4.1. The Suppression of Immoral Traffic Act (SIAT) –

Children Act are very specific in this regard.

4.10.3.4.2. Children (Pledging of Labour) Act 1933 –

This act calls for penalties to be levied against any parent middleman or employer involved in making or executing a pledge of a child’s labour.¹³⁶ As per The Children (Pledging of Labour) Act 1933 Sec. 2, “Child is a person less than 15 years old” and ‘guardian’ includes any person having legal custody of or control over the child. Thus the Act provides ample scope to rescue the child from the oldest profession of the world.

4.10.3.4. Scheduled Caste or Scheduled Tribes Prevention of Atrocities Act, 1989 –

This act covers all kinds of forced labour, including bonded labour or an ‘atrocities’ if the victim is a member of a scheduled caste or tribe.

Committing an atrocity under this act is punishable with up to five years' imprisonment and fine.

Annual Report of the National Human Rights Commission (1995 & 1996) Stated that child prostitution and trafficking would be focused in their future work.¹³⁷

The Supreme Court of India in its various laudable decisions has taken tough stand on the issue. In its judgment on 10th December 1996 the Supreme Court has once again underlined the right to education for all children and protection from exploitation. Some experts from developing countries have raised the question as to the issue of child prostitution, child pornography and the sale and trafficking of children. This special legislation should have provisions for punishing traffickers pimps, prohibiting child employment in tourism and hotel industries and banning 'traditional' forms of sexual exploitation.

4.10.3.5. The Information Technology Act 2000 (ITACT)

As per this act chapter XI paragraph 67 the government of India specifies online pornography as a punishable offence.

4.10.3.6. Information Technology Bill (February 2009)

In Feb. 2009 the parliament of India passed the 'Information Technology Bill' banning the creation and transmission of child pornography.¹³⁸ In India watching or possessing pornographic material is legal but the distribution of such materials is illegal. The publication or production of x-rated materials is illegal.¹³⁹

In short in India there is no specific law prohibiting the exchange of sex for money, but in general most forms of procuring are illegal. Activities like pimping and street – walking keeping a brothel are generally illegal. In recent years prostitutes began to demand for legal rights, licenses and reemployment and training especially in Mumbai, Delhi and Calcutta etc.

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CHAPTER V

CONCLUSION

Sexual intercourse outside wedlock for cash or kind is prostitution. Prostitutes as a commercialized vice has existed in the world from time immemorial though its institution has never been recognized by the society as such. As the world's oldest profession has attempted to regulate and control sex relationship through the institutions of marriage and the family.

In ancient India, prostitution is an organized and established institution. In Indus valley civilization there is some likelihood that bronze figure of dancing girl from Mohenjo-Daro represents a sacred prostitute. In Rig-Veda the term 'Nruturiv' occurring at several places proves the existence of dancing girls in that period. Aryan rulers of India developed the system of guest prostitution. Prostitutes were common during the age of Ramayana and Mahabharata. High class prostitutes were an important part of the court and both dynasties possessed harems of aristocracy in Brahmanic India. Kautilya's Arthashastra describe rules for prostitutes and their activities. They had certain definite prerogatives rights and duties. In Mauryan period the state protected the interests of prostitutes and gave them all facilities to ply their profession and brothels were looked as a source of governmental revenue. Vatsayana, the noted Indian sage of the third century B.C. in his 'Kamasutra', devoted a number of pages on prostitutes and their amorous way of life. They had to learn sixty four kalas like singing, dancing, chanting of poetry etc. They played a very important part in the social and cultural life of the people. Buddha made an attempt at conversion of prostitutes from their paths of sin. Many courtesans joined the devoted band of preachers and lived the ideal life of a nun.

In the medieval period temple emerged as the owner of Vast land property and the employer of large number of religious and non – religious functionaries. It included temple girls. This class consisted of girls who had been offered by the parents to the service of the God and their religion. In the

South India, they are known as Devadasi. These dancing girls were considered essential at the time of offering prayers and were given a place of honor. Due to the laxity of morals among the priests, they misused the temple girls for immoral purpose, and clandestine prostitution developed. In medieval period the Muslim rulers with the exception of Aurangzeb recognized prostitution and the profession flourished under royal patronage. Concubines and favorite slave girls led a pleasant life. They spent their time in decking their beautiful persons and in displaying or increasing their power of fascination. A large number of dancing girls were attached to the Mughal courts for dancing and singing. The Rajput states had employed the service of some dancing girls for singing and dancing in royal court.

The place of women in India did not improve during the British era. In the absence of State control and regulation, prostitution prospered on a large commercial scale. The British sought to regulate prostitution as a matter of accepting a necessary evil. Prostitutes were licensed by military officials and were allowed to consort with soldiers only. Between 1864 and 1869 Contagious Disease Acts were meant as a response to the growing number of cases of venereal disease amongst the British military.

Every civilized nation has made some legislative provision for control of prostitutes and prostitution, but the vice is flourishing at a large extent. Generally prostitution is mostly carried on in regular brothels situated in red light areas. Prostitutes who live in small hamlets with family or relatives, use road side hotels, besides the highways or in the carriages and conveyances.

Economic necessity is an important factor for prostitution then the material benefit. Income from prostitution is not very charming. The girls of tender age are more vulnerable for flesh trade. About 75 percent prostitutes are initiated in the flash trade below the age of 18 years. Demand of younger girls by customers seduced them in the profession. Customers usually prefer to have sexual satisfaction with younger girls. All attempts should be made to provide

protection to young girls particularly living in deprivation and destitution or otherwise happen to live in deprived conditions.

Now a day same women choose the prostitution in search of independence, to get adventure and enjoy easy life. In case of prostitution when a tag of prostitute is attached to a woman, it is difficult for her to come out from such institution. Society rejects and does not accept her back. Society not only stigmatized and rejects the prostitute only, but her children also stigmatized and only option left to them to be engaged in family profession.

In India the problem of child prostitution is more complicated than in other third world countries where it is directly related to sex tourism. In India commercial sexual exploitation of children has its roots in traditional practices, beliefs and gender discrimination. There are a number of prevalent myths that govern and influence behaviors towards the girl child in India. It is therefore important to create different set of knowledge base in the society.

In Indian sub – continent cultural and religious traditions play predominant role. The Devadasi system is that of the dedication of young girls to the service of god. The system which had initially started off as a purely religious practice soon come to be synonymous with prostitution. It was because while creating the system the priests, in the name of god, made their own arrangements. The devadasi system existed all over India. In spite of modern development, only the religious factor has kept the system alive even today. In recent times the economic factor forms a major portion of the reason why girls still continue to be dedicated. The system though started in ancient India, has modern roots – natural disaster, poverty and illiteracy which make it more stronger.

Procurers, pimps and brothel keepers are main causative factors of prostitution and for spoiling the life of a girl. Above than 50 percent prostitutes are continuing in the profession because they are not free to leave the

profession, they are confined within the walls of brothels by brothels and brothel keepers.

In India trafficking in women and children from rural areas to metropolises cities and other countries is continuing. Trafficking in women and children is a crisis of global proportions. For the girls and women who are victims of trafficking, the daily reality of this global sex trade is one of rape, sexual abuse, beatings, torture, imprisonment and humiliation. For the pimps trafficking means huge profits. The Suppression of Immoral Traffic in Women and Girls Act 1956 was the first sustained legal efforts to curb this social evil. The law relating to prostitution has totally failed in eradicating the vice. In recent years it is becoming more and more rampant.

In recent years AIDS is becoming adversary of human. The prostitutes are main vulnerable group having multiple sex relations. The forced medical check – up of AIDS will exploit the poor women by showing fear of confining them in hospitals.

Prostitutes as sensible women desire their children to take to honorable life. Their difficulties regarding education, training and upbringing of children require immediate attentain. Now people avoid to give them a house on rent for living. Their children do not get admission in good schools. No employer is prepared to give their children decent employment. Marriage of their daughters in good family remains only dream for prostitutes.

For solving the problem of prostitution rather than licensing of prostitution, the profession should be decriminalized and make open to ply or not on the sweet will of the sex workers. Decriminalization will enable sex workers to practice their work without police harassment. It will also demand better working conditions.

5.1. Suggestions –

- 5.1.1. Alternate shelter and support for prostitutes and their dependants must be made available.
- 5.1.2. Sex education programmes must be implemented from the school level itself.
- 5.1.3. Long term measures should be directed at preventing child marriage and raising levels of awareness about their rights through the imparting of functional and legal literacy.
- 5.1.4. Free and compulsory education for children in main stream schools with reservation of seats in Government run schools for children for women in prostitution.
- 5.1.5. Ensure admissions into schools without father's or male guardians identity or consent.
- 5.1.6. Residential hostel facilities for teenage and children of prostitutes, especially girls.
- 5.1.7. Allotment of ration cards and other privileges and subsidies under the Public Distribution System of the Government.
- 5.1.8. Develop services for health education and awareness for the women.
- 5.1.9. Ensure adequate supplied of drugs and medications for prostitutes.
- 5.1.10. Provision of counseling of prostitutes.
- 5.1.11. Ensure availability of free, good quality condoms through the Ministry of Health and Family Welfare.
- 5.1.12. Provide free legal aid.
- 5.1.13. Toole free helpline for prostitutes.

5.1.14. Any legal proceedings involving these women and girls should be held in camera.

5.1.15. Male police should not be allowed in the immediate vicinity of residence of the young girls and must not have any direct/close interaction with the girls.

5.1.16. Any prostitute who wishes to leave the profession must be assisted to do so.

5.1.17. Those who force women for prostitution must be dealt strictly and punished.

5.1.18. Special police squad should be set up to handle the problem of immoral trafficking in women and children.

5.1.19. The Government should strictly enforce the laws regarding trafficking of humans.

5.1.20. Cases relating directly to women in prostitution should be removed from the jurisdiction of the criminal courts to the civil courts.

5.1.21. Enforced testing of HIV should be considered a criminal act.

At last Lord Jesus Christ mediated and preached when the mob was stoning Mary Magdalene, 'those who have never sinned can cast the first stone' is a well known episode.

Amrapali was famous courtesan in ancient India who became Lord Buddha's famous disciple.

These historical mahatmas contain the germ of the desirable response from the mainstream society towards this group of women.