CHAPTER - I INTRODUCTION

Prostitution
Types of Prostitutes
Causative factors of prostitution
**Procurers,** Pimps and Brothel-keepers
Redefining prostitution
Commercial sex work: The Global Scenario
Prostitution in South - East Asia
Prostitution in Japan
Prostitution in Nepal
**Prostitution** in India
**Devadasi** system
Legislation on prostitution
Commercial Sex work in Tamil Nadu
Need for the study
**Chapterisation**
INTRODUCTION

*Boundary is lovers’ delight*

*its’ delight grows when they unite - Thirukural.*

In India, ideologies about sexuality are deeply entrenched within structures of the family. The social structures acknowledge various aspects of sexuality. Even the ethical and political ideas about sexuality and the sexual practices are socially conditioned and contextually specific. Like other human propensities and desires, the sex need is fundamental to human welfare. Pleasure, happiness, comfort and intimacy find expression through sexuality. On the one hand, we weave narratives around these in our literature and art, but, on the other, our societal norms and regulations allow for sexual expression only between men and women within the strict boundaries of marital relations in the family. Societal norms about sex and sexuality do not apply similarly to men and women. The sexual needs of men are acknowledged beyond procreation, whereas they are denied in the case of women. Even if there are minor variations from community to community in the name of modernity and certain customs have changed in some places, it is largely men who have enjoyed the right to be polygamous or seek multiple sexual partners. Women have always been expected to be faithful to a single man. Beyond scriptural prohibitions, social practices
severely restrict the expression of female sexuality. When a girl reaches puberty, her behaviour is strictly controlled and monitored so as not to provoke the lust of men. In the name of 'decency' and 'tradition' a woman is even prohibited to wear the clothes of her choice. While selecting a bride for the son, the men of the family scrutinise the physical attributes of a potential bride.

Prostitution

Prostitution has always aroused a wide range of emotions. Some are morally outraged by its presence, others merely curious. Some view it as a threat, others as a necessary evil. However, at least in recorded history, no society has completely accepted it as a valid and integral part of the community life. Prostitution is something to be abhorred or tolerated but never condoned. It is a nuisance, a problem, but above all, it is an embarrassment. For the religiously inclined, it reminds us that we are far from the moral standards set for us by most scriptures. For the government, it is considered a sign of their mismanagement since prostitution is taken to symbolize a society in decline. For the police, it is a remark on their record, an indication of incompetence, because it is something they are unable to control or eradicate. For many feminists, it signals the continued entrenchment of patriarchy, the ultimate exploitation of women, and a
significant indication of how far we are away from achieving full gender equality. Prostitution, besides having elements of venality, promiscuity and emotional indifference, enunciates the ingredient of exploitation and subjudication. Prostitution can be classified as exploitative and non-exploitative. Voluntary and independent prostitution prevailed in ancient India while traditional and institutionalized prostitution existed in medieval India, and coercive and organized prostitution was in vogue during the eighteenth and nineteenth centuries till 1956. Voluntary, clandestine, casual, call-girl or independent types of prostitutes of modern India indicate the low status of women. The practice of prostitution is now becoming largely casual and cooperative as against coercive, exploitative and organized types in the past (Bedi, 1992). Davis (1937), the American sociologist, has suggested that prostitution “is distinguished by elements of hire, promiscuity and emotional indifference”. Promiscuity, according to Davis (1966), means “sexual contacts not only with numerous people but also with strangers”. According to him, what is regarded as objectionable about prostitution is not the prostitute’s promiscuity but her willingness to sell her favours and her feeling of emotional indifference. Similarly, May (1933) mentions prostitution as “characterized by three elements: payment, usually involving the passing of money, although gifts or pleasures may constitute equivalent
consideration; promiscuity, with the possible exercise of choice; and, emotional indifference, which may be inferred from payment and promiscuity”. Ellis (1936) states that “those women are prostitutes who sell their bodies for the exercise of sexual acts and make use of this as a profession”. He believes that the act of prostitution is “intrinsically equal to that of a man or woman who contracts a marriage for economical reasons”. According to Ellis (1936), a definition of prostitution, to be sound, must be applicable to both sexes alike and state that a prostitute is a person who makes it a profession to gratify the lust of various persons of the opposite sex or the same sex.

Kinsey (1948), known for his classic and scientific studies of sexual behavior in the human male and female, considers a prostitute “an individual who indiscriminately provides sexual relations in return for money payment”. Kinsey gives a broader coverage to the concept of prostitution, covering the four types of prostitution. The commonest involves heterosexual relation in which the female is paid; another is homosexual prostitution among males who provide sexual relations for other males on payment; there is heterosexual prostitution in which females pay males; and, there is the fourth type of prostitution which is the rarest the prostitution in which females pay other females for homosexual relation”. Henriques
(1961) considers prostitution “any sexual act, including those which do not actually involve copulation, habitually performed by individuals with other individuals of their own or the opposite sex for a consideration which is non-sexual”. In addition, sexual acts habitually performed for gain by single individuals or by individuals with animals for sexual gratification can be considered acts of prostitution. The status of the prostitute has been analyzed according to three conditions: (1) the promiscuity is lessened by some basis of discrimination; (2) the earnings of prostitution are used for a goal considered socially desirable; (3) the prostitute combines other roles with that of sexual gratification. In ancient Greece, there were two types of prostitutes, one of the street type, who did not enjoy any status, the other of women who were highly cultured and cultivated known as hetaerae, who gave company to the nobles and highly cultivated people in the country, were selective in their association with clients. The hetaerae had an influential and enviable position but they were still not respectable. They were treated as prostitutes and had a reputation for being faithless, avaricious, vain and shrewd.

Throughout the ancient world, including Greece, except in Athens, there was the custom of attaching prostitutes to religious temples and using them in religious and festive ceremonies. Prostitution can be considered as
sexual harassment, rape, battering, violation of human rights, sexual abuse and a means of maintaining male domination over women. The commercial sex industry includes street prostitution, massage brothels, escort services, outcall services, strip clubs, lap dancing, phone sex, adult and child pornography, video and internet pornography, and prostitution tourism. Most women who are in prostitution for longer than a few months drift among these various permutations of the commercial sex industry (Farley, 2000). "[The prostitute] is a victim of every bad thing men do to women: physical and sexual abuse, economic oppression and abandonment" (LaSalle, 1995). The practice of prostitution is a practice of sexual objectification of women. "... every act of sexual objectifying occurs on a continuum of dehumanization that promises male sexual violence at its far end" (Stoltenberg, 1990). In prostitution, demand creates supply because men want to buy sex. Prostitution is assumed to be inevitable. Therefore 'normal' women become goods and services in an industry without national borders. The sex industry treats women as movable property, passing them from one club to another, from one district to another, and from one country to another (Raymond, 2000). All prostitution causes harm to women. Whether it is being sold by one’s family to a brothel, or whether it is being sexually abused in one’s family, running away from home, and then being pimped by
one’s boyfriend, or whether one is in college and needs to pay fees and one works at a strip club behind glass where men never actually touch one - all these forms of prostitution hurt the women (Melissa, 2000). “Prostitution may be defined as the practice of habitual or intermittent sexual union, more or less promiscuous, for mercenary inducement” (Geoffrey, 1935).

Prostitution as a practice involves illicit sex union on a promiscuous and mercenary basis with accompanying emotional indifference. Prostitution is not to be confused with the illicit sex union of lovers, for there is no affection in prostitution. Nor is the mistress who receives monetary blandishments a prostitute, for usually she is not promiscuous and her sex favours are granted on an affectional basis (Elliott and Merrill, 1941). The three important constituents of prostitution are (i) illicit and promiscuous sexual intercourse, (ii) mercenary basis whether in cash or in kind, and (iii) lack of affection or personal interest. These elements of barter, promiscuity and emotional indifference are features of commercial sex.

A prostitute is said to be “one who commits common indiscriminate sexual activity for hire, in distinction from sexual activity confined exclusively to one person; therefore, a woman who indulges in illicit sexual intercourse with only one man has been said not to be a prostitute. On the other hand, it has been held, when a woman is a common prostitute she does
not depend alone upon the number of persons with whom she has illicit intercourse but rather may be judged from all the surrounding circumstances (Irwin, 1984). “Comfort women” are women who were forced into prostitution by the Japanese Army during the World War II.

Types of Prostitutes

Prostitutes may be divided into two groups the overt and the clandestine. The overt group includes professionally registered as well as unregistered prostitutes, who generally live in brothel houses. But, there are many prostitutes who are nominally employed at other type of work, notably in personal service or as entertainers. Such girls are accustomed to practice prostitution as a more or less regular supplement to their legitimate earnings.

The clandestine prostitutes include a wide variety of women who enter into sex relationships for mercenary considerations. Firstly, there is the occasional prostitute who alternates periods of reform with periods of active prostitution. Secondly, there are the incidental prostitutes, who augment a scanty legitimate income by the sale of sex favours. They supplement their income from other sources by recourse to such illicit sources. Cast-off mistresses often enter prostitution as a last resort, after all other resources have failed. Thirdly, married women, on certain occasions, resort to such mercenary and adulterous practices, usually serving a
restricted clientele. Fourthly, the concubinage system prevails under which the mistress or her guardian eaters into an agreement with a male for a minimum stipulated period. Unlike common prostitution, which is generally characterized by indiscriminate sexual indulgence, here the relationship is between two parties. In India, the mistresses mostly belong to the class of professional singing girls or temple girls who sang and danced at the temple ceremonies in the olden days (Punekar and Rao, 1962).

Causative factors of prostitution

The causative factors of prostitution fall under the biological and socio-economic categories. The first one is a natural phenomenon, while the second one is a societal creation. The biological course operates through sex urge in human beings. It is only by applied efforts that a man can control his sex desires, but it is not possible to do so in all cases. Among the socio-economic factors, the most important is the poverty of the female who, in the absence of any other means of support for herself or for her children, resorts to prostitution. Davis (1937) has explained prostitution on the basis of dominance and subordination. In most of the societies, the male is the dominant factor in sex equation. This dominance is based upon both superior physical strength and certain traditional social forms. The female attempts to equalize this situation by attracting and holding the attention of the male,
by the use of the only power at her command - sexual stimulation and satisfaction. Among other socio-economic factors may be included modern industrialization and rapid urbanization which have affected the sex ratio in the cities, lack of family and social control, lack of moral teaching, frequent contacts between men and women, commercialized recreation, including cinemas and dancing hall, drinking and late marriage to keep up higher standard of living.

Ellis (1936) classifies the causes of prostitution into four categories, namely “(i) economic necessity, (ii) biological predisposition, (iii) moral advantages, and (iv) civilizational value”. Punekar and Rao (1962), who conducted a study of prostitutes in Bombay, have mentioned twenty six causes which led those women to prostitution. They have grouped these causes under six major heads. In the first group are included the death of parents or husbands etc.; in the second group are included economic causes such as poverty and destitution; in the third are included domestic causes such as ill treatment or neglect by parents, husbands or relatives, etc.; in the fourth group are included kidnapping, deception, bad influence, etc.; in the fifth group are included causes of physiological significance such as sexual urge, illegitimate pregnancy, etc.; and, in the sixth are included causes relating to mental disposition or attitude such as ignorance, desire for easy
life and low moral values. They further point out that any of these causes may occur as contributory causes, predisposing or as direct causes, depending upon each case.

In other words, there are always more than one cause which lead one to prostitution. The death of parents of a girl may render her vulnerable to prostitution, but the direct cause may be the exploitation of her by a procurer. In a survey of prostitutes in the Bombay city, it was found that one third of the non-hereditary prostitutes left their homes and entered the brothels under conditions which may be broadly termed as “involuntary”, that is, due to deception, kidnapping or being forced into the profession with no choice whatsoever. Economic factor is another predominant cause for women to become sex workers. In the rural areas, unemployment and poverty add fuel to this cause.

Bonger (1916) has discussed in detail the economic factors which are responsible for underprivileged girls entering prostitution, such as immoral environment, early employment and poverty. Most of the prostitutes come from the underprivileged economic groups. Their parents are unable to provide the proper physical or moral care for their adolescent daughters. The morality of their children is endangered owing to inadequate housing conditions where they are forced to sleep in the same room with older
persons. Early employment brings them into contact with immoral influences at an age when they are not equipped to make their own decisions. In many cases they are forced to work with men and women who give them a vicious initiation into the techniques and practices of promiscuous sex relationship. The League of Nations Advisory Committee observes that poverty, overcrowding and low wages are clearly contributory causes of prostitution. Ignorance is another main factor to resort to sex trade by women. The landlords, the headman and the contractors also exploit the girls from the rural community to indulge in sex trade. Disturbed marital relationships and inordinate sex desire are certain other reasons for the prostitution.

Procurers, Pimps and Brothel-keepers

The male partner of the prostitute is known as a procurer or a pimp. He is the person who makes business contacts for the prostitutes and generally acts as her “guide, friend and philosopher”. In return, he lives upon the earning of the prostitutes. They are found in almost all the countries where prostitution exists. The Advisory Committee on Social and Moral Hygiene has drawn the difference between the two. “Procurer is a person whose business it is to find a steady supply of girls, study the demand in the area they are serving, seek their victims in distressed areas of towns
and villages, reject those who have lost their charm and freshness and have perhaps become diseased and replace them with new victims.... whereas the pimp is one who brings to each brothel the appropriate client - he or she would know where to suit the special preferences of the customer, advertise the charms of the inmates of the special houses, and tempt the footsteps of those who need entertainment to certain specific houses. The procurers are often old prostitutes who have given up the profession due to ill health or age.”

The pimps may be taxi drivers, rickshaw pullers, labourers, or special agents operating in the area. The term, “brothel-keeper”, has also been mentioned by the Committee. She is one who provides accommodation for the new comers, to help them purchase all the requirements of the trade by advancing loans, finds doctors and cares for them in times of illness, and solves a hundred problems they may have to face. She usually takes 50 per cent of their earnings (Advisory Committee Report, 1954).

Redefining prostitution

Sex workers, usually referred to as prostitutes, have occupied an anomalous position in societies throughout history. Prostitutes are generally regarded as a social category, as women who do not adhere to sexual and other behavioural norms; pitied or despised, they are excluded from
mainstream society, their lowly and marginal position analogous to that of a low caste or minority ethnic group. The term “sex worker” was coined to redefine commercial sex, not as the social or psychological characteristic of a class of women, but as an income-generating activity or form of employment for women and men (Leigh, 1997). The term, “sex work,” doesn’t dignify the worker; all it dignifies is the sex industry consisting of the pimps, procurers and traffickers. The term “sex work” doesn’t convey the exploitation of trafficking and prostitution. It ratifies prostitution as simply another form of work, something that has become a way of making a living. But for most of the women, and children in prostitution, it’s not living; it’s barely surviving (Raymond, 2000). The concept of the ‘sex worker’ emerged in the 1970s under the prostitutes’ rights movement as well as feminist writings in USA. However, it is not an exclusively western concept. In the late eighties, Than-Dam Truong theorized the notion of ‘sexual labour’ based on her research on women’s activities in the sex tourist industries in South-East Asia. She argued that activities involving purely sexual elements of the body and sexual energies must be considered as a vital part of the fulfillment of the basic human needs of procreation and bodily pleasure. Therefore, sexual activity can be considered similar to mental and manual labour.
It is further pointed that the social organization of sexual labour takes a variety of forms in different historical contexts and political economies, whereby there is no universal form or appearance of either prostitution or sex work. Wet-nursing, temple prostitution, ‘breeding’ under slavery, surrogate child bearing, donor sex, commercial sex and biological reproduction can all be seen to be illustrations of the historical and contemporary ways in which sexual labour has been organized for recreation and replenishment with specific socio-cultural interpretations. ‘Exotic dancing’ that emerged in the 1980s in the USA is clearly another new form of ‘sexual labour’ (Kempadoo, 1998). Truong’s work (1990) enables us to conceptualize the trade of sex for money as involving the sale of sexual labour, power and energies, not one’s body, thus paralleling prostitution with waged labour. This conceptualization of sexual labour suggests that there is nothing inherently violent or abusive about sex work.

Commercial sex work: The Global Scenario

Over the last decade, the sex industry has grown enormously in the countries of Central and Eastern Europe. As a result of economic and social changes in the region, particularly women are affected by these transformations, which result in continuous increase in the number of women, girls and men who enter prostitution voluntarily or against their
will. They engage in prostitution either in their own country or in other
countries. There is enormous migration from Central and Eastern Europe
towards Western Europe on account of prostitution. An important change in
the prostitution scene has its origin in the enormous migration flows from
Eastern Europe towards Central Europe. The Central European countries
constitute the main entrance for these women who are going there as sex
workers. Many Ukrainian, Russian and Moldovan women went for work in
the sex business in Central Europe and after some time they moved to
countries like Germany, Belgium or the Netherlands. At the same time,
women from Central Europe leave their countries and look for work in
European Union countries. In other words, we observe an enormous
mobility of women looking for economic resources in the informal sector,
such as sex work in their own country, within the region and at the
transnational level (Brussa, 2002). Brazil’s economic crisis has aggravated
chronic social ills. There are about 500,000 girls (as young as 9 years old)
who have turned to prostitution to earn a living. The prostitution of girls in
Brazil is a direct consequence of years of economic recession, and the low
status afforded to women. Women have limited access to occupations and
other resources, and are the ones hardest hit by economic crises (Oliveira,
1996).
Prostitution in South - East Asia

Asian women bear the brunt of migration policies which channel them into gendered jobs, such as domestic labour and "entertainment," that often become sexually exploitative. The internationalization of the labour markets, and free trade, have also meant the internationalization of women’s bodies for sex (De Dios, 1993). Migration, turned into migrant trafficking, has also become a bonanza for organized crime. Large numbers of women from developing countries and, with the end of the cold war, from Russia and eastern Europe, are illegally brought into western European countries for sex. Major John Alleart of the Belgian national police states that these international crime syndicates are "...very sophisticated, far-flung networks with access to high-tech communications equipment and the best legal advice money can buy" (Hood, 1995). A report by the International Labour Organisation describes prostitution as one of South-East Asia’s major economic sectors. Prostitution and related livelihoods account for 2 to 14 per cent of the gross domestic product in Thailand, the Philippines, Malaysia and Indonesia (Berer, 1998).

Since the 1980s, according to the Philippines Government statistics, a quarter of a million women have left the country each year in search of work
elsewhere. In 1994 alone, 340,000 women migrated overseas. Obviously, the huge numbers indicate that the choices are not merely made by individual women. In fact, since the Marcos regime began in the 1970s, the Philippines Government has had an official policy called the Labour Export Program. Today, the Philippine most profitable export is its own people. The Philippines government annually earns US$ 6 billion from its migrant workers, of whom 65 per cent are women (Ting, 1997).

Based on her research into money, Pongphaichit from Chulalongkorn University reported that the commercial value of the sex industry in Thailand was four to five times that of the agricultural industry and exceeded that of drugs and arms trafficking combined. On a conservative estimate of 150,000 to 200,000 sex workers generating Thai Bt 1,000 each on 25 days of the month the total value was between Thai Bt 400 billion and 500 billion (l)S$ 18-20 billion). Business conducted outside of Thailand added another Thai Bt 72 billion. The prostitution market made as much as two-thirds of the country’s budget (US$ 32 billion) and represented 14-16 per cent of the Gross Domestic Product, US$ 144 billion (Ponghaichit, 1996). Prostitution and the sex industry are social ills, not legitimate occupations that the ILO claims will bring in better incomes than unskilled labour. For years, the governments in this region have been fighting a war
against the flesh trade. Their status as newly-impoverished countries should not give the ILO or anybody else the impression that Malaysia, Indonesia, the Philippines or Thailand are desperate and would do anything for economic growth. As an economic activity, prostitution institutionalizes the buying and selling of women as commodities in the marketplace. It further removes women from the economic mainstream by segregating them as a class set apart for sexual servitude. It reinforces the definition of women as providers of sexual services, thereby perpetuating gender inequality. It legitimizes and strengthens men’s ability to put the bodies of women at their disposal. “The sex business has assumed the dimensions of an industry and has directly or indirectly contributed in no small measure to employment, national income and economic growth...” (Raymond, 1998).

In South-East Asia, the ratio of sex industry prostitutes ranges from 0.25 per cent to 1.5 per cent of the total female population in Indonesia, whereas in countries like Malaysia, the Philippines and Thailand accounts for between 2 per cent and 14 per cent of the gross domestic product (GDP). In Thailand, “prostitution was the largest of the underground businesses winning out over drug trafficking, arms trading, contraband in diesel oil, trafficking in human labour and gambling. These economic bases underscore the importance of the commercial sex sector in the economy of Southeast
Asian countries, and help to explain why the policy issue cannot be seen only from the perspective of the welfare of individual prostitutes... It is worth considering... the possibility that official recognition of the sector would be extremely useful... for extending the taxation net to cover many of the lucrative activities connected with it” (Lim, 1998).

Sex workers in Cambodia are struggling to keep their families in their village of origin and to provide them with much needed shelter and clothing. The IOM-sponsored qualitative research conducted in Cambodia concluded: “The need to support the family financially has left young women with no other choice, but to leave their village and enter jobs that are not considered to be respectable, like prostitution... There is a saying in Khmer; a son does not feel responsible to take care of his parents, whereas a daughter, even when she works as a prostitute, will still think of her mother.”(Derks, 1997).

The harm of prostitution is graphically evident in its health consequences. Women in prostitution suffer the same injuries that women subjected to other forms of violence do, including bruises, broken bones, black eyes, contusions, and loss of consciousness. The reproductive health effects include a high incidence of unwanted pregnancies, miscarriage, multiple abortions and infertility. In addition to HIV/AIDS, chronic pelvic pain and pelvic inflammatory disease from sexually transmitted diseases are
alarmingly high among women in prostitution. In the study done by Human Rights Watch on Burmese women prostitutes in Thailand, fourteen of the thirty girls interviewed were HIV positive, infected by the men who bought them (Human Rights Watch, 1993).

Prostitution in Japan

Japan, until recently, had three classes of women outside the pale of respectable family life - the Joro in brothels, the Jogoku or unlicensed prostitutes on the streets or in bath houses, and the Geisha or dancing girls. The last named were trained in dancing, singing and for entertaining guests in the houses. Not all of them were open to outright prostitution; they were selective, were usually available as concubines and some of them were married. Prostitution in Japan has been considered an ugly or shameful enterprise. That is, the “selling of sex” was and is despised; but society’s judgment about the “buying of sex” has been extremely generous. For example, according to a recent government survey, 25 per cent of males who travelled abroad reported that they solicited prostitution during their trip. The development and present structure of the Japanese sex-related industry is said to be closely related to the 450 year history of licensed prostitution and the crimes of the Japanese government toward the “comfort women” during World War II. A large majority of foreign women forced to work as
prostitutes in Japan are Thai and Filipino. The rest are from other neighbouring countries, and some hail from Latin America, Africa and Northern countries (Cortada, 1995).

Prostitution in Nepal

In Nepal, until recently, young girls were offered to the temples by parents or to rich people who could purchase them from poor and socially disadvantaged families. The practice is very similar to the tradition of offering animals such as bulls or goats to temples in the name of religion. These temple girls would grow up with the temple premises, and eventually become prostitutes. In certain parts of Nepal, the accepted profession of the Badi caste group is prostitution. Whole new generations of “fatherless children” in that caste group continue the profession. Both these practices are now illegal: the former is declining fast, whereas the latter is being adapted to modern forms of urban prostitution. In 1951, for the first time, Nepal was opened up to the rest of the world. This meant that the traffickers of Nepali women and girls found a large market in the brothels of the notorious red light zones of India.

In the last 40 years, this trade has expanded beyond Nepal and India. There are reports of Nepali women working as prostitutes in a number of cities in other Asian countries, Europe and the US. The magnitude of the
problem is enormous, its origins and ramifications complex. Although there
are no accurate figures, it is suggested that at least 200,000 girls and women
are in brothels, and that about 5,000 arrive annually. The number of people
involved in the chain of business is also sizable. This includes the
organizers in Nepal’s remote villages, the brokers who take the girls to the
Indian cities, the owners and managers of the brothels and transit houses,
and their accomplices. The reports show that even parents are involved in
the trade of their daughters; other relatives such as uncles, husbands, nieces
and sisters are often, involved. In some cases a young man marries a girl,
leaves the village for a job in a far away city and then sells his wife to a
brothel (Cortada, 1995).

Prostitution in India

The profession of prostitution in India is as old as in some of the other
countries of the world. “The origin of this institution is shrouded in mystery,
yet some of the authorities on the problems associate it with religious
practices, which in the beginning were of a customary nature. The cause of
shame prevented it for a time from degenerating into license, but the strong
tide of circumstances forced it into a mercenary affair” (Jayakar, 1955).
Devadasi system

In India, until recently, the temples entertained dancing girls. The dancing girls attached to each temple were called devadasis. They were considered the servants of gods. The devadasi system started declining in North India as a result of the destruction of major Hindu temples by the Muslim invaders, but it continued to flourish in the big temples of South India. Devadasis were women who were dedicated in the service of God. They were married to God - and entertained God and his associates by their talents of singing and dance. At one time the devadasis were the only women in India who enjoyed the privilege of learning to read, dance and sing. They were highly respected and given more accomplishments by the society and were adorned by the rulers. In South India the devadasis originally provided service to the temples but later turned into secular prostitutes by entertaining pilgrims for personal earnings. According to Henriques (1961) there were seven types of devadasis namely

Datta - devadasi woman who gave herself as a gift to the temple
Vikrita - devadasi woman who sold herself to the temple
Abhritya - devadasi woman who dedicated herself for the sake of her family
Bhakta - devadasi woman who joined temple through devotion
Hrita - *devadasi* woman who was enticed into this service

Alankaras - *devadasi* woman who belonged to the special class of highly trained prostitutes presented to temples by kings and noblemen.

Rudraganika or Gopnika - *devadasi* who received wages from the temple in return for her services.

The amount received by the *devadasis* for the religious duties was very meager. They supplemented it by selling their favours to temple pilgrims. This led to temple based religious prostitution in ancient India.

Religious prostitution differs from commercial prostitution because the woman is a religious ministrant and the money given to her is used for religious purposes, and the act of intercourse itself is viewed as religious ritual.

Various efforts were made in the past to arrest its growth by the state through legislation or by public opinion with little effect. There was segregation of prostitutes in a town and a list of them kept by the state. Kautilya laid down the rules for keeping the public women (prostitutes) under control. The reference to prostitutes also comes in Mahabharata and Jataka stories, and all Hindu Shastrakars such as Manu, Gautam, and Brihaspati recommended suppression of prostitution. During the Mohammadan period also, prostitution was much in vogue and many Mohammadan kings had their ‘harem’. However, the rapid urbanization and
industrialization during the British period increased this evil, and certain legislative measures were taken in order to stop it.

Legislation on Prostitution

In pre-independent India, the East India Company made certain regulations dealing with sexual offences. Later on, provisions were made in the Indian Penal Code to deal with sexual offences, whose object was to protect women’s modesty and to protect women against forced illicit sexual intercourse. The Code provided for imprisonment up to one year or fine or both for insulting the modesty of any woman by any word, sound, gesture, or exhibition of any object, or intruding on her privacy. Similarly, a penalty of two years’ imprisonment or fine or both was provided for the offence of assault or use of criminal force upon a woman with intent to outrage her modesty. Kidnapping or abducting a woman, in order that she may be compelled to marry any person against her will, or in order that she may be forced or seduced to illicit intercourse with any person, inducing a woman to go from any place, by criminal intimidation or by abuse of authority or under any other compulsion inducing a girl under 18 years of age, by any means whatsoever, so that she may be subjected to the unnatural lust of any person: each of these offences was punishable with imprisonment for 10 years or fine or both. Selling, letting for hire or otherwise disposing of, or
buying, hiring or otherwise obtaining possession of any girl less than 18 years of age for any unlawful or immoral purpose was also made an offence.

Sexual intercourse with a woman under 16 years of age was termed rape, notwithstanding that she may have consented to it, and the punishment for rape was up to 10 years. Sexual intercourse by a person with the wife of another man without the consent or connivance of that man constituted the offence of adultery (unless it amounted to rape), punishable with imprisonment upto 5 years or fine or both. The woman herself was declared free from any liability as an abettor. Enticing a married woman, in order that she may have illicit intercourse with any person or concealing or detaining her with such intent was an offence punishable with imprisonment for 2 years or fine or both (Madan, 1993).

There are 400,000 prostitutes in India. They entertain clients in unhygienic environments. In Calcutta, recently, the prostitutes from different parts of the country gathered at the Salt Lake stadium for a three-day conference. The congregation demanded legal status for the sex trade. The undefined status of sex workers under current laws leaves them open to exploitation, not only at the hands of the police, but also the clients. They cannot be legally persuaded to use condoms to prevent the spread of AIDS and other sexually transmitted diseases.
A spokesperson of a prominent women welfare organization, however, points out a problem. Once prostitution is given official recognition, a whole new mafia may emerge in the racket of controlling licenses. It has been the common perception in India that legislations are not easy to implement. If anything, new laws imply more red-tapism and obfuscation. Legal recognition of prostitution, therefore, is not likely to improve things. This has been the experience in some other countries too.

The paradox was brought to the Calcutta conference’s attention. The Prevention of Immoral Traffic Act (PITA) is silent about the legal position of prostitutes. It only considers the issue of preventing forced prostitution and categorises child prostitution, pimping and soliciting as illegal. But the law has its limitations, and many feel that the PITA has not been useful at all. It is futile to carry on with the law. The Act has only encouraged the growth of the mafia in the trade. Indeed, in all the red-light areas of the country, from Kamathipura in Mumbai to Sonagachi in Calcutta, this is the resounding opinion. A sex worker has to pay local policemen between Rs.50 and Rs.200 a month as protection money.

Sex workers in India are not entitled to ration cards (an entitlement to low cost cooking fuel, food grain and other basics) and are often precluded from the democratic processes of the country because they are not issued
voter identity cards. One of the few victories that has come the way of the prostitutes is the ruling the IHO extracted from the Supreme Court in 1988, which allows the children of sex workers to be admitted to schools on the basis of the mother’s name alone (Prostitutes’ Rights, 1997).

Under section 3 of the Act, any person who keeps or manages, or acts or assists in the keeping or management of a brothel is to be rigorously dealt with (rigorous imprisonment of one to three years and fine up to Rs.2,000). Similarly, under sections 4 and 5, any person over eighteen who knowingly lives, wholly or in part, 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). Under section 7, any woman or girl who carries on prostitution, and the person with whom such prostitution is carried on, in any premises which are within a distance of two hundred yards of any public place are to be punished. Under section 8, soliciting in a public place is prohibited. Under section 13, special police officers are to be appointed for dealing with offences under this Act. There is also provision for the detention of girls in protective homes, which are to be established by the states or by private social welfare agencies. Under section 1.9, prostitutes have been given the right to seek shelter in a protective home and, under section 20, 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 (Madan, 1993).

Commercial Sex work in Tamil Nadu

In Tamil Nadu employing dancing girls from particular communities in the temples under the *devadasi* system (Religious Prostitution) was practiced in olden days, which paved way for the practice of prostitution in the society. Even after the vanishing of the *devadasi* system, women belonging to this community do not stop practicing prostitution as they are used to it and because they do not find any other means for their livelihood. In modern days, though women consider prostitution a sinful or shameful profession, it becomes one of the easy ways to earn. Thus prostitution becomes the easy way of earning for those women who are neglected by their family and society. Based on their attitude, behaviour and practice, the commercial sex workers are generally classified into four categories, namely the *home-based*, *street-based*, *brothel-based*, and *lodge-based* sex workers. The number of commercial sex workers in various districts of Tamil Nadu was estimated by Voluntary Health Services, Chennai, using the Delphi exercise through mapping for the year 2002 - 2003. The details are given in Table 1.1.
# Table-1.1

**Commercial sex workers in Tamil Nadu**

<table>
<thead>
<tr>
<th>District</th>
<th>BB</th>
<th>LB</th>
<th>SB</th>
<th>HB</th>
<th>Others</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chennai</td>
<td>3989</td>
<td>1729</td>
<td>4083</td>
<td>3912</td>
<td></td>
<td>13913</td>
</tr>
<tr>
<td>Coimbatore</td>
<td>45</td>
<td>337</td>
<td>290</td>
<td>218</td>
<td></td>
<td>890</td>
</tr>
<tr>
<td>Dharmapuri</td>
<td>950</td>
<td>580</td>
<td>1658</td>
<td>440</td>
<td>67</td>
<td>3695</td>
</tr>
<tr>
<td>Dindigul</td>
<td>93</td>
<td>180</td>
<td>72</td>
<td>218</td>
<td></td>
<td>563</td>
</tr>
<tr>
<td>Nagercoil</td>
<td>706</td>
<td>1670</td>
<td>1335</td>
<td></td>
<td></td>
<td>3711</td>
</tr>
<tr>
<td>Karur</td>
<td>99</td>
<td>84</td>
<td>148</td>
<td>31</td>
<td></td>
<td>362</td>
</tr>
<tr>
<td>Madurai</td>
<td>3886</td>
<td>1039</td>
<td>5874</td>
<td>185</td>
<td>Ill</td>
<td>11095</td>
</tr>
<tr>
<td>Namakkal</td>
<td>710</td>
<td>156</td>
<td>309</td>
<td></td>
<td></td>
<td>1175</td>
</tr>
<tr>
<td>Nilgiris</td>
<td></td>
<td>173</td>
<td>177</td>
<td></td>
<td></td>
<td>350</td>
</tr>
<tr>
<td>Rajapalayam</td>
<td>754</td>
<td>1603</td>
<td>1599</td>
<td>524</td>
<td></td>
<td>4480</td>
</tr>
<tr>
<td>Salem</td>
<td>590</td>
<td>662</td>
<td>3004</td>
<td></td>
<td></td>
<td>4256</td>
</tr>
<tr>
<td>Theni</td>
<td>179</td>
<td>171</td>
<td>221</td>
<td>533</td>
<td>21</td>
<td>1125</td>
</tr>
<tr>
<td>Thiruvallur</td>
<td>43</td>
<td>395</td>
<td>169</td>
<td>142</td>
<td>10</td>
<td>759</td>
</tr>
<tr>
<td>Tiruchendur</td>
<td>332</td>
<td>757</td>
<td>222</td>
<td></td>
<td></td>
<td>1311</td>
</tr>
<tr>
<td>Trichy</td>
<td>497</td>
<td>517</td>
<td>2561</td>
<td></td>
<td></td>
<td>3575</td>
</tr>
<tr>
<td>Vilupuram</td>
<td>78</td>
<td>104</td>
<td>87</td>
<td>17</td>
<td>9</td>
<td>295</td>
</tr>
<tr>
<td>District</td>
<td>BB</td>
<td>LB</td>
<td>SB</td>
<td>HB</td>
<td>Others</td>
<td>Total</td>
</tr>
<tr>
<td>-----------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>--------</td>
<td>-------</td>
</tr>
<tr>
<td>Ariyalur</td>
<td></td>
<td>45</td>
<td>105</td>
<td></td>
<td></td>
<td>150</td>
</tr>
<tr>
<td>Cuddalore</td>
<td></td>
<td>75</td>
<td>50</td>
<td></td>
<td></td>
<td>125</td>
</tr>
<tr>
<td>Nagapattinam</td>
<td></td>
<td>10</td>
<td>65</td>
<td></td>
<td></td>
<td>75</td>
</tr>
<tr>
<td>Erode</td>
<td></td>
<td>25</td>
<td>85</td>
<td></td>
<td></td>
<td>110</td>
</tr>
<tr>
<td>Kancheepuram</td>
<td>336</td>
<td>489</td>
<td>61</td>
<td>1016</td>
<td></td>
<td>1902</td>
</tr>
<tr>
<td>Perambalur</td>
<td></td>
<td>15</td>
<td>75</td>
<td></td>
<td>10</td>
<td>100</td>
</tr>
<tr>
<td>Pudukkotai</td>
<td></td>
<td></td>
<td>143</td>
<td>7</td>
<td></td>
<td>150</td>
</tr>
<tr>
<td>Ramanathapuram</td>
<td></td>
<td>60</td>
<td>30</td>
<td>10</td>
<td></td>
<td>100</td>
</tr>
<tr>
<td>Tanjavur</td>
<td></td>
<td>83</td>
<td>167</td>
<td></td>
<td></td>
<td>250</td>
</tr>
<tr>
<td>Thiruvarur</td>
<td></td>
<td></td>
<td>50</td>
<td></td>
<td></td>
<td>50</td>
</tr>
<tr>
<td>Tirunelveli</td>
<td>84</td>
<td>98</td>
<td>667</td>
<td>143</td>
<td>56</td>
<td>1048</td>
</tr>
<tr>
<td>Tiruvan.nam.alai</td>
<td></td>
<td>85</td>
<td>8</td>
<td></td>
<td></td>
<td>93</td>
</tr>
<tr>
<td>Virudhunagar</td>
<td>40</td>
<td>60</td>
<td></td>
<td></td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

*BB ~ Brothel based; LB.....Lodge based; SB- Street based; MB.........Home based;*
Need for the study

Studies are abundant on commercial sex workers from urban areas and metropolitan cities, both in India and foreign countries. But, studies on commercial sex workers in rural areas are rather scanty. In order to throw light on this, the researcher made a humble attempt to study the characteristics and problems of rural sex workers. The growing phenomenon of HIV/AIDS is a serious threat to the rural communities as well as the larger society. The economies of several countries are reported to be suffering due to the large scale mortality of people due to AIDS. India is no exception. Persons infected with HIV/AIDS are on the rise in Tamil Nadu and their number is steadily growing day by day. Sex workers from rural areas add to this segment of population. It is, therefore, imperative that an in-depth study is made on the rural sex workers, with a view to analyzing their socio-economic conditions, problems and suggest strategies for their rehabilitation. Policies and programs for combating and prevention of prostitution in rural areas have also been recommended based on the findings of the study.

Chapterisation

The research report has been presented in five chapters. The introductory chapter outlines the need for and significance of the study. A
critical appraisal of the related research on prostitution and sex workers has been attempted in the review chapter. The third chapter deals with research design and the procedure of the study. The socio-economic profile of the sex workers, together with the analysis of data on sexual behavior and practices, have been presented in chapter IV. A qualitative analysis through case study method has also been attempted. The summary of the study, its major findings, suggestions and interventional strategies are presented in chapter V. A plan of action for the prevention of prostitution in rural areas has also been formulated and presented in the final chapter.