
Unit-06 □ Problem of Prostitution in India

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6.1 Introduction

India, being one of the largest democratic countries in the world, is now facing a number of social problems of which immoral trafficking is one. Today, owing to various reasons, this has become a serious social problem for most of the countries in the world including ours. In fact it has gone to such an extent that it has alarmed like anything to the Government and the people. As we know, the existence of this social evil affects the health and happiness of the individuals concerned, the families concerned and of the society as a whole. Naturally it has drawn the attention of all concerned from years back.

6.2 Concept

By prostitution we mean the sell of body in exchange of money or material. Few definitions in this connection may help us to understand it more clearly.

- (i) The offering of body to indiscriminate lewdness for hire is Prostitution.
- (ii) A prostitute is a person who makes it a profession to gratify the lust of various persons of the opposite sex or of the same sex. (Eliss)
- (iii) Prostitution is granting of sexual access on a relatively indiscriminate basis for payment...depending on the complexity of the local economic system. (International Encyclopaedia of Social Science).
- (iv) A woman who offers herself indiscriminately for sexual intercourse for hire. (Webster's Dictionary).
- (v) Promiscuous bartering of sex favours for monetary considerations without any emotional attachment. (Encyclopaedia Britannica).
- (vi) Prostitution may be defined as the practice of habitual or intermittent sexual union, more or less promiscuous, for mercenary inducement. (Mr Geoffrey)
- (vii) The practice involves illicit sex union on a promiscuous and mercenary basis with accompanying emotional indifference. (Prof. Elliot & Merrill).
- (vii) The act of female offering her body for promiscuous sexual intercourse for hire whether in money or in kind. (SIT Act)

So, from the definitions cited above, it has become clear that the following elements are associated with prostitution :

- (a) promiscuous sexual intercourse
- (b) barter system
- (c) no gratification, and
- (d) absence of emotion, affection or love.

One thing needs to be clarified that extra-marital or pre-marital sex relationship with any individual-relatives, friends, servant, unknown person, should not be considered a case of prostitution. Such cases should be considered as rape or physical relation based on love or unusual attraction. So, there is no question of barter and promiscuity. Pramila Kapoor says, "Human sexual behaviour including the sale of sex, has long been the focus of attention. People have generally biased attitude towards prostitution and it becomes very difficult to look at the facts objectively. I have come to realise that these girls are simply girls who have been in trouble."

6.3 Historical Background

This practice of prostitution is as old as the institution of marriage. In religious epics like Mahabharata and Jataka we mark the reference of prostitutes. Manu, Gautam, Brihaspati-the Hindu shastrakaras and Kautilya recommended for suppression of prostitution which

gives indication that it was in practice during that period too. Through the institution of family and marriage efforts were made to regulate and control sex relationship. Nevertheless, a double standard of morality was accepted by the society in which men were allowed to have extra-morality was accepted by the society in which men were allowed to have extra-marital sex relationship, and the women were not. So, a special class of women was formed to meet the sex desire of these men who need sex relations outside the marriage. In ancient India, the aristocrats such as Zamindars, landlords, and big businessmen used to keep some such women under their custody. In Puranic period we find Devdasis—the religious prostitutes. In Muslim period this practice was ongoing through Harems, and after abolition of the princely states ordinary prostitutes came into being. Thus, throughout the stages of civilization, the prostitution has been universal. Due to various reasons the practice was speeded up in the 17th century onwards but it has taken the form of social problem in India in the 19th century onwards with the advent of industrialisation. In other countries also this system was prevalent. In Babylon some degree of prostitution was compulsory. In mediaeval time the religious body of particular religion shared the earnings of prostitutes.

6.4 Nature of Types

The prostitutes may be divided into the following types—

- (i) **Brothel inmates** : Generally they are procured from different areas, caged and controlled by brothel owners. They are compelled to live in the brothel den itself and are not permitted to mix with the society. Mostly they are illiterate poor coming from rural areas and their charges are comparatively less.
- (ii) **Call Girls** : This type of prostitutes generally operates the business independently or sometimes through agent. They are ‘respectable’, ‘refined’, ‘elegant’ or ‘aristocratic’ prostitutes whose charges are quite high. They are generally smart and educated. They talk interestingly and live in better areas. They may be called over telephone to visit male customers at the place arranged by the customer or the agent. Generally they remain successful to hide their profession. They are school/college/university students, office-goers, housewives, educated unemployed, actresses, etc.
- (iii) **Street Grils** : There is again a section of prostitutes who catch customers on the street corners and sell their body on boats, gardens, abandoned houses or any other hidden places. Generally they are very poor and their charges are very less.
- (iv) **Floating Type** : There is another type of prostitutes who are floating by nature. Generally they stand on the side of highlands, Phery Ghat, Mela of various kinds etc. Even they are available at important railway stations.

6.5 Extent & Magnitude

With rapid industrialisation and urbanisation today this problem is in existence throughout the length and breadth of the country. Rural areas are also not free from this problem but it runs in different form in the rural areas. According to a study conducted by Tata Institute of Social Sciences, there are about 20 lakhs prostitutes in India and they live in 817 red light areas with more than 50 lakhs children whose fathers are not known to their mothers. This figure of prostitutes has not included Call Girls./high society prostitutes or the street prostitutes. Call girls problem is extremely high in big cities today. Red light areas are also increasing significantly. Even in district towns today some such pockets exist. Number of street girls or floating prostitutes has been constantly increasing particularly on the sides of the high roads. The cities like Bangalore, Chennai, Delhi, Kolkata have large number of prostitutes whereas it is much less in Patna, Chandigarh, Bhubaneswar, etc.

In all the big cities several crores of rupees are transacted in this trade. Throughout India it is estimated to be around Rs.500 crores. The saddest part of the whole scenario is that the first category of prostitutes has very little right on their earnings. Majority of the earning goes to brothel keeper, ‘haftas’ to the Police and pimps, the moneylenders, parents and relatives, and medical bills. In fact, out of her total earning she can get only a small amount for herself and for her children a very little portion. As a result they are in most cases heavily indebted and when they cross the age of 40-45, the income further goes down.

In countries where sytem of licensing has been introduced, extent of the problem can be more or less estimated. In other countries like India, only some studies are conducted which can hardly give a complete picture. Particularly the floating girls and call girls mostly remain uncovered. Naturally, it becomes difficult to say the exact extent or magnitude of the problem. But one can safely state that the problem is constantly increasing and it has already reached to an alarming stage in a number of big cities in India including Kolkata, Mumbai, Delhi, Pune and Bangalore.

6.6 Socio-Economic & Health Situation of Sex Workers

- ★ Since most of the brothels are very unhygienic in nature and the victims are poorly fed, they face the following major problems-Venereal disease, Tuberculosis, Anaemia, AIDS, Skin disease, Cough & cold, mental agony.
- ★ It represents exploitation in its lowest form. The girls and women who are involved in the profession are considered as ‘fallen women’.

- ★ It is not accepted by any society but tolerated as a 'necessary social evil'. Hence our attitude is indifferent towards this problem.
- ★ Existence of this practice is reality in every stage of civilization as quasi-institution. It is invariably condemned by one and all but practised by a large number of them.
- ★ It is not the problem of the concerned girls and women only. The only right way is to consider this practice as one of the social problems of the global nature and dichotomy of our social values. But our outlook is very different from this.
- ★ Once a girl or woman is labelled as prostitute, she is not considered as a complete human being with her needs, desires, individual problems and limitations.
- ★ They are not allowed to lead a natural life and their children are considered as 'accidental birth' and almost untouchables.
- ★ It is human and social problem that needs to be examined in unbiased manner, but it rarely happens.

Three views on the profession

Social Scientists and common people generally have three kinds of views on Prostitution. They are :

- (i) **Moralistic view** : The prostitutes are marketable commodity, naturally not acceptable in the society.
- (ii) **Realistic views** : This is a deep-rooted problem, though not respected. Hence they are to live in red light areas only.
- (iii) **Liberal View** : This is a profession like any other profession. It should be given legal sanction so that they can live a life of dignity.

6.7 Plight of the Child Sex Workers/Children of Sex Workers

A sizeable section of prostitutes are married. Most of them got married before they joined in this profession. A high majority of them have children too. Some others become mother by accident. They may not know who is the father of the child. The plight of the children of sex workers is painful. They are looked down by others in the society. They become aware about their mother's life, which creates emotional problem in them. They do not get love, affection and normal family life, which again make their life painful. Because of the nature of occupation and poor income of their mothers, children of prostitutes do not get proper attention and opportunity of education and health facilities. In absence of a proper shelter they roam about throughout the day and pass the night anywhere they find it possible. They are discriminated from the rest of the society and the male children are neglected too. But the female children are nursed properly since they are treated as

pawn to moneylenders and brothel keepers. There is a stigma that these children are illegitimate.

The plight of child sex workers is not less painful than the children of sex workers. First of all, they are forced to start sex life when their body is not fit for that. Secondly, since they are preferred by customers everyday they are to attend about half a dozen customers. Thirdly, pimps and brothel owners exploit them most. Fourthly, they become the target of pimps for their sexual gratification on free basis. Fifthly, since their life as prostitute is long and awareness level is poor, they become easy prey of STD/HIV and other sexual organ related health problems. Lastly, they are exploited by their family members also. Rarely, they can keep their earnings under their own custody since the family members or relatives take the same away.

6.8 Reasons behind the causation of Prostitution

Perhaps there is no social problem, which is the creation of a single factor. It is true in case of immoral trafficking or prostitution also. For immoral trafficking we can enumerate the following salient factors as responsible—

- (i) **Economic factor :** It has been evidenced from various studies that the majority of the prostitutes belong to poorer section of the community. On the basis of such studies it has been estimated that the poverty and destitution force many girls and women to become prostitutes. S Venugopalan opined that, 'economic necessity is the most important factor' of prostitution. Mr Bonger, Dr Punekar and Smt Rao also stated that 'economic factor lies at the basis of prostitution'. Being pressurised by poverty sometimes the girls accept this profession voluntarily. Some others are forced to accept this profession by parents/husband/brother/relatives, etc. for ensuring some income everyday or every month
- (ii) **Unhealthy influence :** Adult films, sex-stimulating literature & photographs and lustful conversation affect the individual character very much. These create sex perversion among some girls who do not hesitate to fulfil their sexual urge by any means including prostitution. From the study of Mrs Pramila Kapoor it has been revealed that there is a section of women who are not satisfied with 1:1 relationship. They want to have physical relationship with many people for their sexual gratification. Naturally many of them enter into this profession by design.
- (iii) **Religious sanction :** Devadasis/Basavis/Yoginis are the examples of prostitutes having religious sanction. Devadasi system is the age-old practice in the southern part of India. Under this system at an early stage some girls are dedicated to temple deities and they are considered socially unacceptable later on. This ultimately forces some of them to live a life of prostitutes at later stage. Though this practice has now decreased considerably, yet it will be still

found practising in Maharashtra, Goa and Karnataka area. The religious taboos of the people of some communities in this part of the country have made some girl prostitutes at some points of their life. Besides, there are some tribal communities like Bhedia of Rajasthan and Sansi of Uttar Pradesh for whom this is a traditional occupation.

- (iv) **Prohibition on Widow Remarriage :** Indian widows generally can't remarry because of social customs even if they become widow a very tender age. A section of them may find it difficult to lead the life without sex relationship. Besides, in most cases, they are ill treated by the family members, so, to fulfil the biological needs as well as to avoid the unbearable ill treatment at the family level some widows leave home and take shelter in prostitutes' den.
- (v) **Kidnapping or Abduction :** To kidnap girls or women and to send them in brothels is a profession with some antisocial elements. From daily newspapers and Police department we get some accounts of such incidents. Dr Punekar and others in their study of prostitutes in Bombay city found that a large number of girls have been forced to accept this profession. The survey of Calcutta prostitutes conducted by the Central Social Welfare Board also reveals the fact that 32.3% of the prostitutes were kidnapped.
- (vi) **Mental deficiency :** Elliot and Merrill stated that a large number of prostitutes are mentally deficient. They suffer from inadequate capacity to judge what is right and what is wrong. As a result they become easy prey to antisocial elements and ultimately forced to start the life of prostitutes. Particularly the middlemen can lure them very easily by giving different kind of assurances and ultimately compel them to become sex workers.
- (vii) **Domestic causes :** Various domestic causes like unhappy marital relationship, unfaithfulness of husband, desertion by the husband, etc. are also responsible for prostitution. If we go through the case histories of the prostitutes, it becomes evident that a considerable section of them could not tolerate or adjust with the attitude of the husband and at a point of time they leave home and take this profession. Sometimes they are thrown out from the house and in absence of any way out they somehow reach to the den and adopt the profession.
- (viii) **Illicit sexual relations :** Many young girls, specially the teenagers, get emotionally and physically involved with some neighbour, relative, friend, family friend, teacher, or even driver or servant of the family. Sometimes they also establish sexual relationship. It has been found that a sizeable number of such girls, who had illicit sexual relations, may be 'afraid of social stigma and social criticism and take recourse to prostitution'. This particularly happens when the persons with whom they had illicit sexual relations abandon the girls or the concerned girls became pregnant and unmarried mother.

Besides the factors mentioned above, desire for easy sex experience, hatred for marriage, love for adventure, low moral values, desire for earning money by hook or crook, rape, etc. are also responsible for the growth and expansion of the profession of prostitution. Low status of women in male dominated society, early widowhood, social stigma faced by the children of prostitutes are also important reasons behind this problem.

6.9 Criminal Activities Associated with Prostitution

Social problems are never isolated. They are interlinked. Prostitution, which is one of the burning social problems in the world as a whole, is also interlinked with many other problems of which criminal activity is one. Prostitution seriously disturbs the life of all concerned and the rhythm of the family. It naturally deteriorates the normal fabric of community life. Such a situation ultimately weakens the environment and makes it a proper ground for emergence of unsocial and antisocial activities of various natures.

Criminal activities have close link with three things-property, wine and women. Centring women lot of criminal acts are performed. And for performing criminal act wine and women are commonly used. Starting from minor crimes to international crimes direct or indirect involvement of women is almost common. By following the media (Radio/TV/ Newspaper) and magazines of various kinds as well as crime records in Police Station or Detective Department one can come across many such instances, which ensure that women and girls involved in prostitution have close link with crimes and criminals. In last few decades this has multiplied like anything.

6.10 Legislations on Prostitution

The British government introduced some regulations to deal with sexual offences. At later stage Indian Penal Code was introduced to protect women from forced sex relationship. In brief the Codes include the followings.

- (i) Fine, Jail for maximum one year or both if women are insulted by any filthy word, gesture, exhibition of any object and disturbing her privacy. (S-354).
- (ii) Kidnapping, abducting, compelling to marry, forcing to go for illicit intercourse, making any woman subjected to the unnatural lust of anybody the person responsible is punishable with fine, imprisonment for 10 years or both. (S-366).
- (iii) Buying, selling, hiring or otherwise getting possession of a girl under 18 years for immoral purpose is equally punishable. (S-372).
- (iv) The person responsible for sexual intercourse with or without consent of the girl under 16 will be sent to jail for 10 years. (S-375).

- (v) A man can be imprisoned for five years if he goes for sexual intercourse with the wife of somebody without his consent. (S-497).
- (vi) Enticing any married woman for having illicit intercourse or detaining her with such intent is an offence and the offender is punishable with fine, 2 years imprisonment, or both. (S-498).

Before and after Independence the Central as well as the State Governments introduced laws to bring check in the practise of prostitution. Some such acts are-

❑ Bombay Prevention of Prostitute Act	1923
❑ Madras Prevention of Prostitute Act	1930
❑ Bengal Prevention of Prostitute Act	1933
❑ UP Prevention of Prostitute Act	1933
❑ Punjab Prevention of Prostitute Act	1935
❑ Bihar Prevention of Prostitute Act	1948
❑ MP Prevention of Prostitute Act	1953

Provisions in the Acts of the States were nearly the same with minor variations. Some Special Acts were also introduced such as—

❑ UP Naik Girls Protection Act	1929
❑ Bomay Devdasi Protection Act	1934
❑ Madras Devdasi Act	1947

The Government of India enacted Suppression of Immoral Traffic Act in 1956. The same was amended in 1980s and is going to be amended again in 2006. It is expected to be a very hard law. If it is passed in the Parliament, one needs to be very courageous to visit any brothel or other kind of sex dens. In the United States prostitution is banned in some States but that country has good record of giving social security measures. On the other hand, in many countries it has been legalized. Perhaps India will have to find a situation between ‘regulation and abolition’ considering its socio-economic situation.

6.11 Intervention made by the Government and NGOs

Since prostitution is such a problem which can challenge the very existence of the society, the world as a whole is seriously thinking and taking actions to bring the problem under control. Even the United Nations felt it essential to address the issue. As a result of that almost all the countries have adopted some policy. The policy-based actions taken by our Government are enumerated below :

- (i) Enacted laws to suppress the problem. Based on changing social scenario necessary amendments have been made from time to time.

- (ii) States have been advised to implement the law seriously and keep strict vigil on the situation.
- (iii) Provision of issuing licence to the brothels and its inmates has been made so that anybody and everybody cannot join the profession.
- (iv) System of regular health check-up by Government hospitals has been ensured.
- (v) Running Rescue Homes, Reception Centres, Protective Homes is another important intervention of Government in connection with prostitution.
- (vi) Forming Central Social Welfare Board, State Social Welfare Advisory Board, Social and Moral Hygiene Agency, appointing Advisory Committee on Social and Moral Hygiene.
- (vii) Organising raid in hotels, lodges, guest houses, parlours, dance bars, etc. from time to time.

Trafficking of women and children is an important issue to be addressed by the Government. Trafficking for commercial sexual exploitation is one of the worst forms of violation of the basic rights of children and women. Rescue and rehabilitation of such victims is a serious challenge to any Government and civil society. India is facing a tremendous problem of trafficking. To combat it Immoral Traffic (Prevention) Act 1986 was introduced which is the revised form of SIT Act 1956.

Besides, the Department of Women & Child Development has formulated a National Plan of Action in 1998 with the objective to reintegrate the victims of commercial sexual exploitation in society. It consists of the following action points.

- ❑ Prevention of Trafficking
- ❑ Awareness generation and social mobilization
- ❑ Health care services
- ❑ Education and child care
- ❑ Housing
- ❑ Shelter and civic amenities
- ❑ Economic empowerment
- ❑ Legal reforms
- ❑ Rescue and rehabilitation

The department has formed a Committee known as Central Advisory Committee (CAC) under the Chairmanship of the Secretary of the Department with members from different Central Ministries. Majority of the State Governments have formed State Advisory Committees under the Chairmanship of the Chief Secretary or Additional Chief Secretary.

The major steps that have been taken up in recent years include—

- (i) To sensitise the elected women representatives of LSG institutions so that traffickers find it difficult to lure the innocent victims.
- (ii) A Committee has been formed by the Department to suggest measures needed for prevention, rescue and rehabilitation of the victims as well as ways and means to tackle the cross-border trafficking.
- (iii) Coordinating efforts for ensuring widespread reach of appropriate programmes and necessary fund to tackle the problem.
- (iv) Preparing manuals for sensitisation in collaboration with UNICEF India country office.
- (v) Lot of projects have been sanctioned in the recent years NGOs.
- (vi) Took initiative to conduct studies in coastal areas and tourist destinations.
- (vii) Initiative has also been taken to bring out a comprehensive legislation on sexual abuse of children.
- (viii) Massive awareness generating campaign has been undertaken.
- (ix) The Department is processing the ITPA-1956 to widen its scope.

Some NGOs are also playing important role in this field. In Kolkata itself there are dozens of NGOs, which are significantly contributing in the following manner.

- (i) Rendering health services to the prostitutes and their children.
- (ii) Improving level of awareness with regard to basic hygienic practices, STD/HIV and other sex related diseases, safe sex, etc.
- (iii) Taking care of the children of sex workers by providing health, education and shelter.
- (iv) Protecting the prostitutes from being harassed and exploited by police, pimps, and brothel owners.
- (v) Arranging vocational training programmes for both—the sex workers and their children.
- (vi) Distributing Condoms.
- (vii) Conducting study on various aspects of the problem.
- (viii) Introducing the system of SHG formation and running.

The Government and NGOs have already taken the above-mentioned actions. Nevertheless, to mitigate these problems more appropriate actions should be undertaken. Government has enacted the SIT Act, 1956 in conformity with the resolution taken during the UN International Conference for the SIT in New York in the year 1950. But this Act is not being implemented properly anywhere in this country. For example, there is a

provision under Section 13 of the Act that the State Government will form an Advisory Committee to find out ways and means to tackle this problem effectively. But such Committee is almost non-existent in most of the States of the country. Provisions are also there in the Act that preventive and corrective institutions should also be established but because of the following problems, these are also not functioning properly—

- Inadequate number of Homes
- Inadequate Infrastructural facility
- Poor quality of staff
- Inadequate monitoring and supervision.

Another big problem, which stands on the way of solving the problem is that a prostitution landlord, brothel managers, pimps, agents, clients, etc. are seldom brought to the book by the police and administration. In the circumstances, it is essential that a concerted effort with adequate seriousness be made by the Government and non-Government organisations to suppress the problem effectively for a better social life.

6.12 References

1	The Unadjusted Girl	W I Thomas
2	Social Disorganization	Elliot & Merrill
3	A Study of Prostitutes in Bombay	S D Punekar & Kamla Rao
4	The Sociology of Prostitution	Kingsley, Devis
5	Prostitution in Historical and Modern Perspectives	Biswanath Joardar

6.13 Exercises

- (i) Define the terms Prostitution and enumerate its characteristics.
- (ii) What are the possible reasons behind the causation of prostitution?
- (iii) Analytically write about the plight of children of sex workers and the role of professional social worker in bringing improvement in the condition.