



## Prostitution and Its Impact on Society-A Criminological Perspective

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### Abstract

*Long before Rome introduced the system of licensing prostitutes ancient India had a fully organized state agency to control prostitutes and make them pay tax to the government. But this profession and those who visited prostitutes were looked down upon society. Only the arts of dancing and music in which these professionals were masters were honoured. But in the Muslim period, prostitution became more widespread than in ancient India. In the present day this profession is legally forbidden and important court judgments have defined a "brothel" as a place "resorted to by persons of both sexes of the purpose of prostitution who are strangers to the occupancy." This means that both, the women and men, have to go to this place to constitute a "brothel" in the light of above an attempt will be taken to analyze the problem of prostitution and tries to suggest reducing such problems.*

**Keywords:** Prostitution, India problem effects, history, techniques, remedial measures.

### Introduction

Prostitution, flesh trade, whoredom, the world's oldest profession and a host of such references are actually qualitative indicators of the state of a society vis-à-vis the treatments to and expectations from its women. A new definition has been coined for the word "prostitution" in the government of India's "Prevention of Immoral Traffic Act" (enacted since January 1987); which now means "sexual exploitation or abuse of persons for commercial purpose." The old definition of prostitution in the "Suppression of Immoral Traffic in Women and Girls Act (1956)", was "an act of a female offering her body for promiscuous sexual intercourse for hire etc.," has been completely discarded.

Prostitution is one of the kaleidoscopic images nurtured by a social fabric which wishes to perpetuate the status of its women as sexual objects. Surprisingly this is a belief perpetuated not only by the 'male' but also a gender-stereotype with which many a woman clothes herself. This is evident in the utterings of many a middle-class housewives who see urban prostitution as a protective thermostat against the rape of 'respectable' girls and women. Any statement for elimination of prostitution is seen as the reflection of a Quixotic ambition any action towards this desirable (and not necessarily ideological) state is met with confusion. The legislative attempts on attacking the problem present a confusing mixture of approaches including suppression of sexual exploited and toleration of prostitution expecting in certain areas and circumstances (though practically nothing is achieved effectively and efficiently). As per the P.I.T Act as well as the erstwhile S.I.T Act, prostitution per se is not an illegal activity. It is the exploitation of the Prostitution; which is illegal and crime. But in reality prostitution does not exist

without the exploitation. Are precisely these complexities; which we can recognize but not wish away, that led us to develop an attitude which we call the Trojan-horse approach in the development of our policies and protocol for the women in prostitution in India. There can be little doubt that only a gross social revision and a diversion of our present histories is the only true possibility if prostitution and its debasing implications for 'women' is to be eliminated. No individual or one organization can contribute a little to the mechanics of this revision, is also crystal clear.<sup>1</sup>

Though we are true to the above perceptions in our actions, we have chosen to provide succor, relief and support to these women. Expect in our attempt to eliminate forced prostitution, child prostitution and the Devadasi system we do not appear to be explicit in our position against prostitution per se. In this our efforts seem to be directed at the second order of the exploitation and this hopefully constitutes the main-frame of our Trojan-horse. It has created for us a space within the otherwise shadowy world of these women. If allowed to grow and take root we may be confident that one day we could touch the inner spaces of these women (and men why not?) and then a change from within, the only true change can definitely neither be impossible nor remote. The origin of prostitution is masked in history. The flesh trade or selling the body for money or material is perhaps as old as the male-female relationship. Scholars assert that the profession of prostitution is old as the institution of marriage itself. It seems that marriage and the institution of prostitution evolved together. In the west, scholars, intellectuals and administrators made efforts to curb the flesh trade as the profession of prostitution was related to spread of venereal diseases. To safeguard the public health such attempts were made.

In Europe during the middle Ages, church leaders made some efforts to rehabilitate penitent prostitutes. Their attention was focused more on prostitutes who repented for entering the flesh trade. Still the profession flourished owing to political and financial reasons. Society not only tolerated prostitution but also protected it. Prostitutes were given licenses and law regulated them. Such permission constituted a considerable source of public revenue. Public brothels on a large scale were established in large cities throughout the Europe. In England, the bordellos or brothels were originally licensed by the bishops of Winchester and subsequently by the parliament. Later in the 16<sup>th</sup> century, in the west some restriction was imposed on "Flesh trade" with the outbreak of an epidemic of venereal disease. Also new ideas and ideals of sexual morality gained ground with the Protestant Reformation. Brothels were closed throughout Europe, and when the disease continued to claim a good number of victims, regulations became even more stringent. Some laws passed in those days made a periodic medical inspection obligatory. However, they did not yield expected results to the administrators. International cooperation to end the traffic in women for the purpose of prostitution began in 1899. In 1921, the League of Nations established the committee on the Traffic in women and children, and in 1949, the United Nations General Assembly adopted a convention for the suppression of prostitution.

In the United States, prostitution was virtually uncontrolled till the Mann Act was passed in 1910, which prohibited inter-state transportation of women for immoral purposes. By 1915, nearly all states had passed laws banning brothels. In most of the large Western cities, prostitution was tolerated: law enforcement agencies are more concerned with regulating the crimes associated with prostitution. A British Parliamentary Act of 1959 prohibited open solicitation by prostitutes but permitted them to operate in their own homes and provided rehabilitative training to all who wish to change their occupations. Regulations in the Scandinavian countries emphasized hygienic aspect. They made medical examination and hospitalization of the victims who are infected with venereal diseases compulsory.

Chinese officials maintain that prostitution no longer exists in their country. Throughout Asia, the trade continues to flourish openly. Until the mid- 20<sup>th</sup> century, prostitution almost was the only occupation that was open to helpless and debased women who wanted to earn their own livelihood. In most Eastern countries prostitution is an urban problem, but in India, a majority of prostitutes are in rural as well as urban areas. Female prostitutes are very often economically disadvantaged, are usually unmarried, and lack skills to support themselves. Many are drawn at an early age in to the subculture of prostitution and associated crimes. They are frequently associated with a male procurer, or pimp, or with a house of prostitution, or brothel, managed by a supervisor, or madam. In exchange for residence, appointments, and protection, a prostitute must share a large portion of her earnings with her

pimp or madam. Health hazards to female prostitutes include venial diseases, acquired through indiscriminate sexual contact, and, in some subcultures, drug abuse. Male prostitution has received less public attention in most cultures. Heterosexual male prostitution-males hired by or for females-is very rare. Homosexual male prostitution, however, has become increasingly common in the 20<sup>th</sup> century<sup>2</sup>.

**The main objectives of this article are:** i. To know the causes and consequences of prostitution in India. ii. To understand the types of prostitutes in India. iii. To know the effect of prostitution on society, iv. To understand the history of prostitution in India. v. To know the techniques of sex used, vi. To understand the remedial measures.

## History of Prostitution in India

The profession of prostitution in India is as old as in some of the other countries in 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 string tide of circumstance forced it into a mercenary affair." 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 Shastrakaras such as Manu, Gautam, and Brihaspati recommended for suppression of prostitution. During Mohammad King had their Harem. However, the rapid urbanization and industrialization during the British period increased this evil, and certain legislative measures were taken to stop it<sup>3</sup>

## Types of Prostitutes

According to H. Benjamin, writing in the Prostitute in Society, the following are the important types of prostitute found in the modern societies:

**The Call Girl:** Greenwald writes that: "while the dictionary defines the call girl as independently operating prostitute. They live in the most expensive residential sections of our large cities they dress in rich, good taste. They charge a minimum of twenty dollars per sexual contact."

**The streetwalker:** Street-walking is probably the most ancient of prostitute operating methods. It is also the method most objectionable to many persons, because of the street-walker's high degree of visibility.

**Bar Prostitutes:** R.E.K. Masters talked over the past 15 years with hundreds of young bar prostitutes in most parts of the

United States. Most of them are not full-time whores, but are girls supplementing incomes earned as barmaids, B-girls, waitresses, etc. Some “hustle” only when they are between jobs, or in case of financial emergency. Since the closing of most American brothels, this group may well constitute a majority of all white females presently engaged in prostitution in the South, South-West and Mid-West states. Certainly, if one accepts a few large cities they constitute such a majority.

**Brothel Prostitutes:** There certainly exists and existed no single “type” of brothel prostitute, or brothel. Houses of prostitution traditionally have ranged from the most elegant, catering to the most affluent and best-educated members of our society down to the most sordid, catering to the lowest levels of male humanity with all gradations in between. Girls working in the various types of houses are selected by the large with a view of their capacities for meeting the needs of the respective clientele.

**Camp Followers:** Camp followers, in the broad sense, are simply prostitutes who gather and operate where large numbers of soldiers, and other servicemen are stationed, and who serve principally the sexual needs of those males, although civilians are seldom discriminated against. They are usually prostitutes of the bar girl and brothel girl varieties, more attractive than the average street-walkers, not up to the standard of the too expensive call girls.

**Interracial Prostitutes:** A good many prostitutes have members of all races among their customers, but the customers are not solicited or accepted primarily on a racial basis. We will deal here mainly with those women who intentionally specialize in race or races different from their own, taking advantage of such racial barriers as exist, or unconsciously exploiting the racial difference in the service of neurotic goals.

**The Fleabag:** The “fleabag” or prostitute, whose customers are skid row males, is the lowest of the low in the hierarchy of American whoredom. Typically, she is aging, unattractive, and alcoholic. She cannot, of course, afford to be narcotics addict. She works skid row because she no longer can attract any but humanity’s flotsam and jetsam. In some case, she is probably the skid row male’s female counterpart and feels at ease only with other derelicts.

**Dance Hall Prostitutes:** There remain in some cities, although they are less numerous than in the past, dance halls employing, “hostesses” who either dance or “sit it out” with males purchasing tickets entitling them to a stipulating number of minutes of the hostess’s time.

**Beat Prostitutes:** Some girls living members of the “Beat Generation” and subscribing to the values characteristics of that sub-society, reportedly engaged in the prostitution as a matter of principle, and in accordance with an ethic which may or may not be rightly adhered to.

**Elderly Prostitutes:** Gerontophilia, or the desire for a sex partner much older than oneself, is a not uncommon aberration. Probably in most cases it attests to incestuous cravings. A young man unconsciously equates the older woman with his mother; a young girl equates an older man with her father.

**“Gimmick” Prostitute:** What we have in mind here are special techniques of marketing prostitution and unusual modus operandi of prostitutes. These include auctions and raffles, billboard and newspaper advertisements and call girl directories, credit card scheme, travelling brothels, window displays of harlots, and so on.

**Fricatrice and Feliatrice:** The Fricatrice or the prostitute specializing in masturbating her customers and Feliatrice or the prostitute specializing in fellating her customer are seldom to be found in the United States. The prostitutes specializing in anal intercourse is so rare that we seem to be wanting a term with which to refer to her, so where she is mentioned at all she is likely to be (mis) called a pederast, a sodomite whore, analist or by some other term that leaves much to be desired.

**Fetishism and Sodomasochism:** Both many individual prostitutes and some brothels cater to almost the entire gamut of sexual deviations. And almost every kind of deviate, the extreme sodomasochism most often excepted, is able to find prostitutes willing to provide for his (or her) needs. The text books even recount cases of procuresses who have kidnapped women and children and plucked them, for a substantial fee, at the disposal of lust-murderers.

**Adolescent:** A great deal is heard today about high school girls living at home with their parents and perusing prostitution as an evocation, sometimes for “kicks,” sometimes for money, probably most often for both. The tendency seems always to regard this phenomenon as something unprecedented – which of course, it is not- to serve it up as evidence of the “widespread moral decay”, in U.S.A. Since comparatively few girls of kind are ever formally changed with prostitution, or their activities otherwise recorded and the records made public it is impossible to say whether adolescent, school girl prostitutes are more numerous now than at various time in the past.

**Child Prostitutes:** Child prostitution apparently is as ancient as civilization. Temple prostitutes were sometimes no older than 7 years as in Babylonia, where they practiced their calling in temples of Venus at that age. In ancient Egypt, also the prostitution of young girls was a religious practice, so that, according to Strabo, some of the most beautiful and highest born Egyptian maidens were forced into prostitution and they continued as prostitutes until their first menstruation.<sup>4</sup>

## Techniques of sex used

The prostitutes are introduced to “the line” either by associating with, and/or being persuaded and convinced by other “sisters”

already in the profession' "madams", contacts or persons involved in the activities; "friends" and "acquaintances" who are in the 'sex trade'. The 'novice' learns the techniques of their 'sex trade' from well-established prostitutes or the madams who have long passed the age for having sexual intimacy, but who are experienced. Such women teach the 'fresher' the philosophy of exploiting the 'exploiters-the clients; and they are trained in the art acquainting themselves with the specific sexual 'habits' of the particular category and their likes and dislikes. 'Sex-trade techniques' are learnt through imitation as well as through advice and instructions.

"Further, a girl must also have a capacity to be a hypocrite and make her "man" feel important, wanted, needed and desired. The more perfectly she can pretend not only that she is an active partner enjoying sex with him, but also that he has been the "most enjoyable" and "desirable" man that she has ever met, the more successful she is in playing her role as a prostitute. The place often used for "prostitution" is the private residence of the prostitute or the brothels. Sometimes playgrounds, open fields, deserted places, posh hotels, and motels, automobiles, and rented accommodation, may also be used. At the bottom rung of the shady world are the brothels meant for the labour classes. Here the women are crowded together in demoralizing and degrading conditions, little short of any image in hell. The dark, dangly, putrid smelling rooms contain not only them but also numerous male hangers-on such as cooks, chowkidars, dancing masters and musicians. The over-all in-charge is the madame, nearly always a retired prostitute.

The air is heavy with suspicion. Privacy is impossible. A ledge fitted with small-box like compartments, just big enough to squeeze two bodies, spells out the main purpose of the establishment, despite claims that only respectable dancing and singing performances are given. The girls are heavily rouged and powdered, their faces reflect an unnatural biscuit-and-pink hue.

Vulgar skin tight outfits highlight the curves of their bodies. They flaunt big bows in their hair and blotched scarlet lips. It is a cynical reflection on the worth of human dignity in India that these girls can be procured for Rs. 1.60 per session, a cheaper form of entertainment than at a cinema theatre – and there is no such thing as a full house. The prostitutes can handle as many as 15 customers a night.

In the higher class brothels the rooms are brighter, cleaner and more spacious. The walls are usually lined with pictures of gods and goddesses, possibly a photograph of the Madame in her youth. Occasionally there are even framed letters of appreciation from government officials expressing gratitude to the madam for raising funds by dance performances for some worthy cause. The girls who work here are dressed with some taste and refinement, their appearance is similar to a middle class college girl. They sport gold bangles and expensive watches. The girls are procured here for 'trade in flesh' by the

underworld. Kidnapping is common. The age group of these girls is 10 to 40.<sup>5</sup>

### **Traffickers/procurers/pimps, etc.**

These are the agents who gather a sufficient number of young and good looking girls by several unscrupulous means to keep the brothels full with every type of "good" to cater the needs of different types of customers. Some procurers have one at a time under their control and others more-as many as 5 to 6 at a time. The brothels keep from a few to dozen or more girls of all ages and physical contours. Women losing earning capacity are soon replaced by the "fresh goods".

A distinction has been drawn between a "procurer", and a "pimp". "A procurer is a person whose business 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 hands, and tempt the footsteps of those who need entertainment to certain specific houses. The procurers are often the old prostitutes who have given up the profession, while the pimps may be taxi drivers, rickshaw pullers, tongwala's or special agents operating in the areas. "Pimps are of various kinds such as: i. some of them are found in the evenings in the brothels areas, round the picture houses, hotels or at the sea shores." ii. There are others who do not roam about but only sit at home and supply information to the customers who approach them for the 'goods'. They are very clever and often entrap customers while on train or elsewhere. These procurers and pimps have been described as the "dirtiest, filthiest lot in the creation", by Dr. Edwards; Reginald Bennett calls them "the Monarchs of Industry"<sup>6</sup>.

### **Causation of Prostitution in India**

**The chief causes of prostitution can be classified in the following categories:** **Economic causes:** Through the economic compulsions constitute the major factor in the causation of prostitution, it is by no means the only and exclusive causes of the phenomenon. It is not the cause that every prostitute accepts money for her services or that all prostitutes hail from indigent homes. There are many prostitutes who hail from well-to-do families. In India, of course, there are many prostitutes who are compelled to adopt prostitution to feed themselves and their dependents. However, poverty is not the only economic factor, there are many other factors which are economic. The economic factors are comprised of: i. poverty, ii. Under age employment, iii. Unhealthy working conditions, iv. The pollution and corruption in industrial centres and v. Immoral traffic in women and children.

**Poverty:** As referred to earlier, the poverty is the main economic factor responsible for prostitution. A woman who is unable to get any gainful employment and who has no supporter must either starve to death or earn her livelihood through prostitution. The illiterate the semiliterate women cannot easily get employment. More often than not they have to sexually gratify their prospective employers. More often than not they have to sexually gratify their prospective employers. Many parents feel so utterly helpless that they prostitute their own children. The maid servants are after objects of the lust of their employers. The concept of poverty however is relative. Woman may prostitute herself in order to live well and give first-class education to her children.

**Under-age employment:** Many females have to work in hotels, officers, industry and shop at immature age, At this impressionable age they are easily misled by lust-seekers.

**Bad working conditions:** In India many women are able to get employment through intermediaries. These intermediaries and agents recruit women and keep them at their mercy whenever opportunity offers itself they exploit it fully and often succeed in receiving sexual bribe. Once a woman falls prey to their lust they in no time make a professional out of her.

**Pollution and Corruption in Industrial Centres:** The living conditions in most of the industrial centres are barbarous in India. Living accommodation is scarce and whatever is available is in slums. "Due to paucity of accommodation most of the workers are compelled to leave their family and live alone. In the absence of family, cinema going gambling etc. Make prostitute mongers of these persons. The industrial towns have busy brothels and innumerable prostitutes. In India women are paid less wages than men. Therefore, contractors make it a point to recruit maximum number of women in the labour force. These women in the labour force. These women are easy prey to the lusts of contractors and their friends. Due to poverty and habit the labour women wear scanty clothes and often their raw bodies are exposed to full view of these lust seekers. In slums the unmarried girls have to witness sexual activities of their relatives and are often seduced prematurely. The precocious development of sex often drives women of prostitution.

**Immoral Traffic in Children Women:** Many tender girls are kidnapped from their homes by unscrupulous gangsters. They properly train them in the art of prostitution and when these girls mature they are sold.

**The Social Causes:** The social causes are extremely important factors in encouraging and promoting prostitution. The social factors are comprised of: i. family causes, ii. Marital factors, iii. Bad neighbourhood and iv. Illegitimate motherhood.

**Family Factors.** A study of London Prostitutes published as Women of the Street reveals that most of the prostitutes are connected with family troubles. Their parents were either living

separately or their family relations were so strained that as children they were left to their own machinations and received no love. An unloved child when she grows up offers all of herself to any one showing any degree of love and affection. The children of criminals show a marked tendency to become prostitutes. If the mother is characterless and has to carry her clandestine liaisons, she rarely escapes the eager eyes of her daughter. Often it happens, that a man sleeping with mother succeeds easily in seducing the daughter.

**Marital Factors:** Many a superstition prevalent in India force women into prostitution. For example, widow-remarriage is still frowned upon. But as a recent Hindi film 'Phir Bhi' depicted even amiable aged woman is noble to eliminate and repress here physical needs and that the more you fight against them the more passionate and demanding these become. Therefore, the widows unable to remarry due to social stigma may fulfill their physical needs by self-abuse, seducing of young etc. But as these are poor substitutes for the real sex. they may choose to become prostitutes Secondly, in India it is still common to marry persons very young. If these girls become widows they often do so when they are very young. In India homes particularly in villagers and poor, the illicit communications are common. Even Brothers step so low as to have sex connections with their sisters. As a matter of fact there is no relationship so sacred that it does not get sometimes consumed by the fire of passions. Evidently these illicit connections are temporary and do not meet the sex needs of young women fully. Therefore, they seduce their servants or 'themselves to outsiders. Due to the irregular security, unable to satiate their desires, they take prostitution as a last resort.

**Bad Neighbourhood:** The children living near brothels or in the company of immoral persons become so used to seeing sex trade that they come to accept it as normal. The brothel keepers usually haunt these areas for their prey. The children who get exposed to sex business want to have these exhilarating experiences at the first available opportunity. The young boys are lured to serve as sex slaves of wealthy sex crazy women. A recent survey of an American slum revealed that a woman of more than fifty would lure couple of boys to other apartment and offer them food and drink. Thus in a subtle manner she would develop intimacy and engage inward sex circus with them. She would have them play with her and was able to satisfy five boys at a time.

**Illegitimate Motherhood:** The women who become pregnant as a result of their liaisons and who cannot get abortion get exposed in society. Nobody wants to marry them but everybody wants to enjoy them sexually. Desperately such women prefer to become regular prostitutes.

**Psychological causes:** There are some psychological facts which tend the person towards prostitution. A woman who is frigid becomes desperate. She tries one man after another. Because of frigidity she is unable to experience pleasure and

becomes a prostitute by trial and error. Some women are incapable of submission. In order to assert their independence they consort with other men. There is a psychological abnormality known as troilism. A husband who suffers troilism wishes to watch her submitting to the embraces of another man, sometimes he wants another woman to embrace his wife sexually and at the same time he sodomites her. It is not possible to go into the full range of psychological factors.

**Biological Factors:** The persons born with defective sex organs or over active glands may feel compelled to seek sex gratification in a bizarre manner.

**Religious and Cultural Factors:** In India there has been religious sanction to prostitution. In south, every family was supposed to offer one daughter to the temple where apparently she was supposed to serve gods with total dedication. They were known as devadasis –god-slaves. But in actual practice they lived a life of prostitution. In ancient and medieval Indian prostitutes enjoyed the status of courtesans, that is, pleasure girls of courtiers and kings. These courtesans enjoyed high status in society. There are certain religious sects in India as well as abroad in which the priest has the right to deflower every newly married girl. The polyandry and polygamy sanctioned by many societies are sophistications of prostitution. A man with numerous wives has to countenance lesbianism and illicit liaisons with servant in his family. Even eunuch are used by such women to obtain relief. It is natural that if a person lives in a highly lascivious and erotic atmosphere his or her desire is multiplied and seeks release in normal as well as abnormal channels. In many cultures a guest is honoured by the offer of wife or daughter by the host<sup>7</sup>.

### Effect of Prostitution

No doubt, prostitution causes personal, family and social disorganization. The prostitutes suffer from deterioration. The prostitute and the person who approaches her lead a sort of 'double life'. They suffer from moral collapse and lose their status and position which other respectable men and women enjoy in society. Respectable people hate them, avoid their company and want to isolate them in society. As a result, the pimp and the prostitute become 'hated and isolated islands'. They lead a life with their own definition of promiscuous sex conduct and a life with their own definitions of promiscuous sex conduct and immoral principle. This will be quite different from the society's conception of morality.

The man who approaches a prostitute may be contaminated with venereal diseases. If married he may communicate the disease to his wife and children. The children born to the parents having venereal diseases are likely to be maintained for life and many a time are born blind. The illegitimate and adulterous sexual union, if known to the wives, brings tension in the family and ultimately to desertion to divorce. There are clinical and psychoanalytic evidence to show that many young men who had

pre-marital sex –union with prostitutes suffer from 'psychic –impotency' in married life. The reasons for this may be many and various depending upon the individual. One of the reasons for the 'psychic-impotency' is the hatred owned towards the prostitute's sex developed before, during or after the sex-union and fear of the contamination of venereal diseases from the prostitute at the time or after he had sexual relation with her.

A prostitute performs two functions in the society-viz., the commercial functions and health function. The brothels, call-flats and disorderly hotels where prostitution is permitted become accessible places for the public to have free sex satisfaction. This brings money to those who conduct it, but, at the same time, it spreads venereal diseases. The managers of hotels, pimps, panders and prostitutes perpetrate criminality in society by inducing and kidnapping girls. They resort to various foul methods of procuring young innocent girls and women to make their trades very prosperous and profitable. By this, they wreck the personality, communicate diseases, scatter marriage and ruin the family of many girls and people in society.<sup>8</sup>

### Remedial Measures

**International concern:** The international cooperation to end the traffic in women for the purposes of prostitution began in 1899. In 1921, League of Nations appointed a committee, The committee on the Immoral Traffic in Women and Children. In 1949 the United Nations General Assembly adopted a convention for the suppression of prostitution. In 1977 in America's Los Angeles an international conference was organized. Around 1000 sex workers participated in this conference. It drew the international attention towards prostitution and the problem of prostitutes.

**Pre-independent efforts:** In the beginning the East India Company made certain regulations to deal with sexual offences. Later on provisions were made in India Penal Code in order to deal with sexual offences, whose main objective was to protect the modesty of women against forced illicit sexual intercourse. The Code provides punishments, an imprisonment up to one year or fine or both for insulting the modesty of any woman by word, sound, gesture or exhibition of any object, or introducing on her privacy.

### Indian Penal Code and Prostitution

**Section – 354:** A penalty of two years imprisonment or fine or both was given for the offence of assault or use of criminal force upon a woman with an intent to outrage her modesty.

**Section -366:** Kidnapping or abducting a woman, and in order that she may be forced or reduced to illicit intercourse with any person, including a woman to go from any place in order that she may be reduced to illicit intercourse by criminal intimidation or by an abuse of authority or under any other compulsion inducing a girl who is under 18 years of age, by any

other means, go to from any place or to do any act, in order that she may be forced or reduced to illicit intercourse, kidnapping or abducting any person in order that she may be subjected to the unnatural list of any person, each of these was a grave offence punishable with imprisonment of either description for 10 years or fine or both.

**Section 372:** Selling, Letting for hire or otherwise disposing of. Or buying, hiring or other obtaining possession of any girl under 18 years of age for any unlawful or immoral purpose was made an offence.

**Section 375:** Sexual intercourse with a woman under 16 years of age was treated as rape notwithstanding that she may have consented to it and punishable for rape was upto 10 years.

**Section 497:** Sexual intercourse by a person with the wife by another man without the consent or connivance of that man constituted the offence of adultery punishable with imprisonment up to 5 years or fine or both.

**Section 498:** The woman herself was declared free from any liability as an abettor. Enticing a married woman, in order that she may have an illicit intercourse with any person or concealing or detaining her with such an intent with imprisonment for 2 years or fine or both.

the above given provisions made in the Indian Penal Code did not make prostitution illegal, nor did it make procuring a criminal offence under all condition. But, as far as adult females were concerned the provision was that it must be accompanied by kidnapping abducting or criminal intimidation. Whereas it was an offence in the case of minor girls under 18 years of age for their buying and using for immoral purposes and importing into India girls under 21 years of age for immoral purposes. Thus, the efforts on the part of the Government of India to check prostitution were salutary.

The credit of putting an effective check on prostitution goes to Bombay state when the Bombay Prevention of Prostitution Act was passed in 1923. Some separate other acts were also passed to protect certain girls who were made prostitutes under certain social custom. These act were the U.P. Naik Girls Protection Act 1929, the Bombay Devdasi Protection Act 1934, Madras Devdasi (Prevention of Dedication) Act 1947. In spite of all these Acts, The problems of prostitution could not be easily tackled. Some of the reasons for this are stated as follows:

Firstly prostitution by itself was no crime and the acts dealt with activities connected with its practice. Secondly, law defines its policy towards the problem and provides the tools to the officials entrusted with its enforcement. But the mere existence of law is no guarantee that the problem itself is being tackled effectively. Besides, it is difficult to get at the pimps, the procurers and the property owners who let their premises for this purpose. Thirdly, many a time the police officials were

apathetic or corrupt and there was no special police or special courts for this purpose. Fourthly, the enactment passed for the suppression of immoral traffic also is varied from state to state and some time there were many deficiencies in the law, For ex, there was no restriction on brothels away from educational institutions, religious places or any other public place. IN some states there were no such special acts and no actions could be taken only through the Indian Penal Code which were not sufficient for suppression of Immoral Traffic. Fifthly, Sometimes it is also asserted that that prostitution is any ancient profession as old as the world itself and it has been impossible to stop it, Further, it was thought that prostitution acts as a safety valve absorbing the violent passions of the dissolute and saves society from ugly overtire.

### Programmes after Independence

The evil of prostitution leads to personal, family and community disorganization as well as it causes the exploitation of helpless girls and women.

**Role of Association of Moral and Social Hygiene:** After independence the Association of Moral and Social Hygiene intensified its campaign for checking this evil. Among all voluntary agencies Association for Moral and Social Hygiene is playing an important role. It has its branches in 128 districts of 18 states. The functions of association are as follows: i. Rehabilitation of prostitutes, ii. Liberating the prostitutes from the profession, iii. Control of sexually transmitted diseases iv. Survey and research in the areas, v. Creating a public opinion against the exploitation of women taking place in prostitution further, the association has opened two rescue homes in Mumbai and Hyderabad. It also opened four hospitals for the treatment of sexually transmitted diseases at Delhi, Meerut and Nagpur.

### Advisory committee on social and moral hygiene

The Central Social Welfare Board in pursuance of the international Convention signed at Geneva in May 1950, for the suppression of immoral traffic in women and girls. All India Conferences of Moral and social Hygiene appointed an advisory committee on Social and Moral Hygienic in December 1954 with Smt. Dhanwanthi Rama Rao as Chairman to investigate the problem in all its aspects throughout India.

**The Committee recommended that for the proper enforcement of laws:** i. There should be a comprehensive legislation on All India basis to check prostitution. It would be impossible to introduce other measures in the absence of such legislation. ii. There should be an Inter-State Police Organization in order to link up or coordinate activities all over the country. iii. Only good institutions and organizations should be allowed to work in the areas of rehabilitation of prostitutes. iv. There should be a special police squad for the enforcement of this Act. It should comprise only of women. v. Women

produced before courts should be remanded to approved places or remand homes, where they can be contacted by social workers and probation officers. vi. Special courts should be constituted, consisting of a few trained women to look after the social and human aspects of the problem and not solely from the point of view of guilt determination, and vii. One who uses the lodge or public places for the purpose of prostitution should be punished.

#### **Conferences, Workshops and Seminars on flesh trade- Attempts to draw the attention of Public Prostitution:**

Regular All-India Conferences were being organized prior to 1951. Association for Moral and social Hygiene organized such conference in Delhi, Agra, Chennai. After 1961 it also organized training programmes for social workers. IN 1978 the Association for Moral social hygiene conducted for days of programme and thoroughly discussed the problems of prostitution.

These conferences were of the opinion that the existing laws in various sate for the suppression of Immoral Traffic were not just enough to bring drastic changes. The Third All-India conference held in the year 1953 recommended that both individual as well as commercial prostitution should be abolished.

The Central Social Welfare Board in the year 1990 organized a National Workshop on Prostitutes and their Children. It gave many important suggestions to the government concerning the rehabilitation of prostitutes. Did the government successful in attracting the attention of society towards the problem of prostitution.

#### **Suppression of Immoral Traffic of Women and Girls Act of 1956:**

India Being a welfare state. All effort are underway to control and eradicate the curse of prostitution. Several laws were enacted to safeguard the interest of women. In 1956, Suppression of Immoral Traffic in Women and Girls Act was enacted under which it was declared a legal offence to keep brothels, to entice girls and women and use them for prostitution.

#### **The Parliament passed the Suppression of Immoral Traffic in Women and Girls Act in 1956. The main provisions of this Act are as follows:**

i. Under section 3 of the Act any person who keeps or manages, or acts or assists in keeping or in the management of a brothels is to be vigorously dealt with i.e., a rigorous imprisonment for one to three years and fine up to Rs. 2000 be imposed. ii. 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 severely dealt with imprisonment of two years or fine or both. iii. 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. iv. Under section eight

soliciting in a public place is prohibited. v. Under section 13, special police officers are to be appointed for dealing with offences under this Act., vi. Under section 19, prostitutes have been given right to seek protections in a protective home. vii. 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. viii. This Act provides some special powers on the administration to deal with various aspects of prostitution. These are, appointment of special police officers; power to search promises without warrant; power to issue directions for the rescue of girls; ordering the closure of brothels and eviction from certain promises; power to order removal of prostitutes from any place; and establishment of protective homes etc.

In spite of this Act, it is disheartening to note the prostitution and immoral Traffic in women is still prevalent in India. Prostitution by itself is no crime and the Acts deal only with particular activities connected with its practice. The visitor of the prostitute is into punished even if he visits her in a brothel. The prostitute herself comes in form punishment only for soliciting or for carrying on prostitution in a prohibited locality or premises.

#### **Preventive Measures to Tackle the Problem of Prostitution**

Many efforts have been made to close the brothels and the places which encourage prostitution. The legislations have been enacted. Besides, some necessary measures those are necessary to root our evil that is given below:

**Sex Education:** Both men and women should be educated about and dangers of venereal diseases or sexually transmitted diseases and the sources of such diseases and their negative impact on marital and familiar relations, there are various steps to educate people. The values of self control should be taught at an early age. These should be a provision for sex education to young people in schools and colleges. Suitable literature for sex education should be distributed to the young ones by some social welfare agencies. The Association for Moral and Social Hygiene in India is also working in this direction. The sex education is also helpful in avoiding unwanted pregnancies before marriage and also after marriage.

**Employment opportunities for Women:** Girls and women are forced to take up this profession because of extreme poverty. Hence training and education should be provided to them. Imparting education, training and skills will increase the employability of women in job market. Economic empowerment can prevent the poor women from entering this degraded profession.

**Abolition of Certain Social Customs:** Widow Remarriage should be encouraged. With Window Remarriage Act window became free to marry. Unfortunately the restriction of Society



on widow marriage has perpetuated. The system of dowry which debarred many girls from getting married should be discouraged wholeheartedly in practice. There is an urgent need to change the society's attitude towards the widow marriage, dowry and devadasi.

**Double Standards of morality has to be discouraged:** The notation of double standards of morality should be discouraged. As Smt. Ranganayaki observes, "It is in reality impossible to have double standard morally in matters of sex for without male chastity, female chastity is impossible. As a result of a double standard of morality which demands woman to be chaste, and expects man to be irregular and there developed tolerated vice".

**Publicity and propaganda:** Public should be enlightened on the legislations and if any such nuisances in the surrounding areas are found then, immediately one should come forward to report this event. Besides, films stimulating sex interest and pornographic literature should be discouraged. The present younger generation has a free access to Internet. In internet there are many sites are there that are capable of bringing down the moral standards among youngsters, hence, parents should be cautious about the internet habits of their children.

**Establishment of Venereal Disease Clinics:** Special Venereal Disease Clinics should be opened to treat the victims of venereal diseases. Diagnostic facilities should be provided to vulnerable groups like prostitutes and lorry drivers.

**Bulletins:** Pamphlets should be issued to create public awareness about the flesh trade. Public should be advised to seek treatment immediately if they are suffering from such venereal diseases. Besides, there should be free blood test examination and treatment of all antenatal cases to ensure the birth of normal, healthy children free from all congenital blemishes.

### **Role of Voluntary Agencies in Rehabilitating Prostitutes**

Besides, many voluntary organizations have also come forward to provide shelter to such women. Some important agencies are actively working to reform and rehabilitate prostitutes and find them useful work. They are They Women Home, Chennai; Shardhanand Anath Ashram, Mumbai; The good shepherd Home, Chennai; Chris pins Home, Poona; The Salvation Army Home, Bengal; Khusalbagh Mission orphanage, Gorkhpur; Mahila Anthalaya And Varanasi, They are some of the important centers that are dedicated to the rehabilitation of fallen women.<sup>9</sup>

### **Conclusion**

It may be said that the practice of prostitution is a hydra-headed serpent who has many facets and therefore, must be dealt with at various levels and from various angles,. It requires a radical change in the society. This would involve a comprehensive review of the whole problem of social customs and mores regarding marriage, divorce, sex education as well as socio-economic conditions, and also evolving a suitable and comprehensive programme to raise the economic level and the socio-moral and emotional level of the people. It is important to realize that "economic hardship is a form of psychological stress. And all mental stress of whatever kind is one of the commonest precipitation factors in abnormal conduct" Hence, efforts should be made not only to alleviate every variety of psychological stress, but to provide compensatory children the love, affection, proper knowledge of facts of life' and sense of security and belongingness that is necessary for their normal life, we cannot expect them to lead normal life. This calls for reorganization of the entire problem of child care and child upbringing<sup>10</sup>.

### **References**

1. Prasad B.K., Social problems in India, publisher, Ananail publications Pvt. Ltd. New Delhi, 1<sup>st</sup> ed, 556-557 (2004)
2. Verma, Paripurnanand, sex offences in India and abroad, B.K. Publishing Corporation Delhi 1<sup>st</sup> ed., 151 (1799)
3. Madan G.R., Indian Social problem, volume 1, 6<sup>th</sup> ed, Allied publishers pvt, Limited New Delhi, 210 (2002)
4. Sharma R.N., Criminology and penology: social disorganization and social problems, surjeet publications, New Delhi, 101-105 (2008)
5. Dinitz S. and hale B.M., Deviance, Publisher Horper and brothers, London, 330, (1989)
6. Memoria C.B., Social problems and social disorganization in India 2<sup>nd</sup> ed. publisher, kitabmahal Allahabad, 802 (1981)
7. Kumar, Urban sociology, 7<sup>th</sup> ed, publisher lakshmi Narayan Agarwal, Agra, 198-202 (2008)
8. Vadackumchery, Criminology penology, publisher , M/s Kairali, Books International, Trivandram 124 (1983)
9. Mulgund I.C., Reading in Indian Sociology, Publisher, Shruti prakashan, Dharwad, 408-4014 (2009)
10. Sion A., Abraham 'prostitution and Law, 1<sup>st</sup> ed, publisher western printing service Ltd London, 26 (1977)