

Historicizing Sexuality: A Study on the Conceptualizations of Sex Work/ Prostitution in India through the Ages

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ABSTRACT

According to the modern social conventions sex is considered to be a strictly private thing that happens between man and woman inside the boundaries of the institution of marriage. Modern society recognizes only heterosexual monogamous relations as natural and all other variants of sexuality are looked upon as "unnatural" or "aberrations". The others like homosexuals, transgender, and sex workers have no place in this patriarchal heterosexual monogamous discourse. The pre- British Indian sexual culture, in which sexual relations were comparatively more liberal, was viewed as uncivilized or barbarous by the colonial powers. This paper attempts to take a look at how alternate sexual discourses like sex work /prostitution were practiced and perceived in India over the ages.

1. Introduction

The socio-political/cultural histories of India delineate how prostitution/ sexuality are conceived upon in India. It is generally viewed that ancient India had a more tolerant and liberal approach towards sexuality in comparison with the modern times. Ancient sexological studies like *Kamasutra* by Vatsyayana gives an account of the sexual culture of ancient periods. It is with the advent of the colonialism that Victorian moral conceptions take domination and attitudinal changes occur in relations to sexuality in India.

2. Contextual Analysis/Review

It is in *Rgveda* that the earliest mention of prostitution/ adultery occurs. *Rig-Veda* says about "Jara" and "Jatini" — illicit male / female lover of a married spouse. What distinguishes prostitution from adultery is the regular payment or favours a prostitute received. In the case of adultery there may or may not have an exchange of gift. During the ancient periods, when barter economy existed such gifts were equal to money. They are oblique references to women been given gift for their favours. So sexual relationships outside wedlock were a familiar phenomenon in the ancient Vedic period.

Though prostitution was pervasive in the Vedic society, literature depicted it as a profession appeared a few centuries later. In course of time there arose a group of women who had to be their own breadwinners and masters. They were considered to be free women while other women were wards of men. The terms "Svatantra" (independent) or "svadhinayauvana" (one who can freely enjoy her youth) in scriptures are used as synonyms for the prostitutes. Meanwhile other women were wards of their fathers in childhood, of their husband in youths and son at old age.

There is no accurate information on when prostitution emerged in India as a recognizable profession or how much they received by way of payment. Its emergence and recognition as a profession was presumably concomitant with the institution of marriage and its strict rules like monoandry regards wife as the private property of her husband. Then

terms "sadharani" or "samanya" (common), synonym for prostitute distinguish her as women not possessed by one man. Other terms like "Varangana", "Varastri", "Varavadhu" and "Varamukhya" mean one who can be possessed or enjoyed by different men in turns and used as synonyms for prostitute.

Sukumary Bhattacharji, in her essay "Prostitution in Ancient India", describes the causes of the emergence and existence of the prostitution in ancient India. She writes:

Gradually there arose the section of women who, either because they couldn't find suitable husbands, or because of early widowhood, unsatisfactory married life or other social pressures, especially if they had been violated, abducted or forcibly enjoyed and so denied and honourable status in society or had been given away as gift in religious or secure events - such women were frequently forced to take up prostitution as a profession. (32-33)

The process of the emergence of the prostitution must have been very slow, varying from region to region and age to age. By the later Vedic period, i.e., around the eighth or seventh century B.C there were references to a more regularized form of prostitution recognized as a social institution. Early Buddhist literature especially the "Jatakas" bear testimony to the existence of the different categories of prostitutes. They also provide some information about their fees and financial position.

There are various myths and Legends regarding the origin of prostitution. The *Mahabharata* accounts the destruction of the Yadavas and subsequent situation in which the women of the tribes were abducted by the barbarian brigands. In *Matsya Purana*, Ksemendra says that wicked mothers give their daughters, enjoyed and abandoned by men to others. Another one is the story of Jayopojivans or Jayajivins - husband who lived on the wife's income, which she earned through prostitution.

All these stories indicate certain channels by which women came to prostitution. Another way is through the young virgin given away as gift on special religion and secular occasions. The "daksinas" given to the officiating priests included a large number of women and many of them after a short period were sent to become prostitutes. Yet another source of supply was royal palaces. A king could summon pretty maids to his palace, enjoy them for some days and sent them away. Moti Chandra, in his work, *The World of Courtesans* (1973), writes, "in Vidarbha, pretty maids were enjoyed by the king for months and then sent away. When such women come out of the palace, one obvious solution for their future life was prostitution". (66) Kautilya in his *Arthasasthra* says that prostitutes were recruited from four sources, either they were born as prostitutes' daughters or they were purchased or captured in wars or they were women who had been punished for adultery/ (section II, chapter 27)

Different names used as synonyms for a prostitute in ancient India vary in many aspects like social positions, beauty and knowledge, caste and so on. A number of them which were in use during that period are "Vesi" or "Vesya" from which the Malayalam word "Vesya" is supposed to have been originated, "Pumsacali"-one who walks among men, "Manahanagni"-women of great nakedness, "Rajajitri"-one who entertains and is given to sensuality. The *Jatakas* mentions "Vannadari", "Nariyo", "gamaniyo", "Janapadaklyani", "Kulata" and "Svairini"- all of these terms were used to address a prostitute in ancient period. Other two groups of socially respectable rank in the period are "Rupajiva" and "Ganika".

Many of the professional prostitutes in that period received training in different arts and crafts. They were supported by the state for acquiring the skills. Kautilya writes in the chapter entitled as "Ganikadhyaksha" in *Arthasasthra*:

those who teach prostitute, female slaves and actress arts such as singing, playing on musical instrument, reading, dancing, acting, writing, painting, playing on instrumental such as "vina", "pipe" and "drum", reading the thoughts of others, manufacture of scents and garlands, shampooing and the art of attracting and captivating the mind of others shall be endowed with maintenance form the state. (174)

In return to the favours received from state they had to pay taxes to the state. Kautilya gives accurately the amount that is to be paid to the state. State gave them protection. The state exacted fines from men who exerted force or violence upon the prostitutes. Kautilya gives a detailed account of the figures in relation to the remuneration and fines.

Ancient society had constructed rules and code of conduct for prostitutes. *Kamasutra* by Vatsyayana delineates how a prostitute should behave in her profession and in society. He writes:

A courtesan well dressed and wearing her ornaments, should sit or stand at the door of her house, and without exposing herself too much, should look on the public road so as to be seen by the passerby, she being like an object on view for sale. She should form friendship with such person as enable her to separate

men from other women and attach them to herself, to repair her own misfortune, to acquire wealth and to protect her from being bullied or set upon by person with whom she may have dealings of some kind or another. (205)

3. Analysis

While historicizing prostitution in the socio-political /Cultural/religious context of India, it is important to look at the Devadasi system in India.

Temple/ religious prostitution was a common feature of most of the ancient urban civilizations. In ancient Greece, Rome, Egypt, Babylon, Phoenicia, India and in the Far East, prostitution flourished under the dual patronage of church and the state temple priests frequently got paid from the royal treasury and the temple prostitution was an extra allowance to them.

The term Devadasi literally means servant of god. The term indicates that it originally denoted a group or class of women who gave themselves to a life of religious sexualities and austerities. They sang and danced for their favourite God. Devadasis were not supposed to marry and remained as concubines and prostitutes.

It is with the religion/temple culture that Devadasi system grew up in India. Specific information regarding the origin of these sexual/ religious practices is not known clearly. Kautilya in his *Arthasasthra* mentions of Devadasis while discussing the post- prostitutional phase of their life. According to him they are employed in the state textile factories after their service in the temple.

Amritha Srinivasan provides an account of the structure of Devadasi system in the article "Reform and Revival: the Devadasi and her Dance" published in EPW she writes:

The Devadasi or slave of god was usually dedicated at an early age to the service of the temple corporation, which committed her to a period of rigorous training in the arts of classical dance and singing. These skills in turn entitled her to a portion of the temple revenues and also made her legible for sexual liaisons with (usually upper caste) patrons and protectors. Although denied the customary ceremony of marriage, she was "nithyasumangali", the ever-auspicious one, who could never be widowed. She also enjoyed the privilege of having a family outside the conventional domestic became since she commanded independent sources of income and a great deal of religious honour.

There were many sects in the Devadasi community. P. Surendran in his work, *Devadasi Theruvukaliloode* (2005) -a travelogue describes about seven sects among the Devadasis. He writes:

There were seven sects in the Devadasi community. Those who dedicated themselves to the temple belonged to the two groups, known as Dutha and Vikritha. Bharitya, another sect engaged in temple

services for the betterment of her home. Another sect known as Bhakta engaged in temple services due to her ardent devotion. Gopika belongs to "rudraganika" and is dedicated by kings and lords. She has to sing and dance in the temple. (21)

Devadasi system continued even in modern India and it still continues in certain parts of the country. P. Surendran's work gives a detailed picture of the deteriorated condition of the Devadasi system that remains in the rural villages of the Karnataka and Andhra Pradesh. To him they are spoiling their life in the name of religion.

In modern India, laws banned Devadasi system in modern period. In pre independent India Madras Legislative assembly banned it in 1929. In Bombay, Bombay Devadasi Protection Act 1934 banned Devadasi system and in the post independent period the system was banned all over in India. Though authorities have banned the practice, it still continues in many rural villages of India.

Though prostitution enjoyed more freedom and gained acceptability in ancient Indian period, society looked down upon it. In a settled agricultural economy with paternalistic perception the institution of prostitution was protected by man. It satisfied his sexual desires and to the women in this profession it mattered a lot in relation to income, pleasure, devotion etc.

So prostitutes were a marginalized community and at the same time they were at the center too. Though they constituted the evaded and ill treated, their service was an unavoidable necessity to the citizens of all walks of the society.

During the medieval period too, prostitution continued without much inhibitions. It was the period of Mughal rulers and they propagated Islamic views in the Indian society. But what happened in India are not the domination of Muslim religion but an amalgamation of different religion views. The medieval Indian culture entertained the ideas of sexual liberty and polygamy. The ideas taken from *Kamasutra* led to the Islamic versions of the text. In short the question of sexuality was comparatively more freely addressed.

It is with the advent of British colonialism and the subsequent down fall of Mughal dynasty that sexuality in India was more rigorously regulated, controlled and suppressed. The puritanical /Victorian moral conceptualizations were implemented in Indian society by the colonizers. It is with the introduction of English education that the so-called Victorian ideas on sexuality gain domination in India. This was crucial in shaping the sexuality of modern India.

Western conception of oriented sexuality included many exotic and bizarre imaginations. Travel writings on India by western travelers depict a fantastic and mysterious sexual world to the Occident. Writings on the sexual activities included 'lingam' worship, brahminical sexual privileges and religions prostitutions. Kali Teltsher's work *India Inscribed: European and British Writing on India 1600-1800* (1995) accounts how the oriental sexuality is presented to the westerners, he writes:

Travel writing grants considerable license to its authors; its quasi-scientific status confers authority, while the public expectation of foreign outlandishness ensures that sensational stories are happily consumed [...] Hindu female devotees are represented as deluded by the devil, or the European witches, copulating with him. The accounts map out a very alien region of occult sexual practices the dark side of paganism from which travelers is excluded. (47)

Kate Teltsher describes many sexual encounters by European travelers with Indian women as dangerously exciting, determined to seduce the Europeans and available on their wedding night and involved in occult sexual practices. His work contains a passage from the writings of Francois Purad de Laval, an early seventeenth century traveler that gives a view on the prostitutes by the westerners. "The prostitutes are created with knowledge of a poisonous drug, which will lie dormant for months inside the body for killing. Sexuality available women like the mysterious female Hindu devotees, are endowed with threatening secret powers." (Teltsher) (49)

These kinds of conceptualizations by colonial powers were influential in shaping the sexual identity of India in modern period. They had long painted the Indian people as weak, effeminate and morally very lax. A great deal of missionary activity was centered around unveiling the mysterious of east and in "civilizing" a people who are taken in practicing many secret sexual desires. An instance to the colonial intolerance against the oriented/ Indian sexuality is evident in the banning of the poem "Radhika Santhwanam" (Appeasing Radhika) written by a courtesan Muddapalani (1730-90). Susie Tharu and K. Lalitha in their work *Women Writing in India* delineate about this poem. This subversive erotic poem enchanted Bangalore Nagaratnamma, a musician and well-known courtesan of Mysore and she tried to bring out a new version in 1919. But it was severely attacked and in 1911 the police Inspector Cunningham seized all copies of the "obscene book" under section 292 of the Indian penal code. It was with the independence that the ban was removed.

As a result the middle class nationalist/ intellectual patriarchy was deeply influenced by the colonial/Victorian moral perception and the emergence a new morality had a major role in shaping/ regularizing the sexuality of modern India. These people who actively participated in the nationalist struggles used the legal system to bring sharp distinction in familial and non-familial sexuality. Janaki Nair in her work, *Women and Law in Colonial India*, delineates how the middle class rationalist patriarchy used the legal discourse to suppress the Devadasi system. She writes:

In 1892, a small but extremely vocal set of educated Hindu upper caste men began calling for the abolition of the entire gamut of ceremonies and practices by which young girls dedicated themselves as Devadasis to Hindu temples. [...] They were able to use their relative autonomy from the colonial state to abolish Devadasi tradition by invoking their power within the colonial social order against what they saw as corrupt morality [...] At the centre these initiatives lay a

narrowly defined conception of morality, which made divisions between domestic and non domestic, public and private sexuality increasingly clear .(164)

This shows how the question of sexuality was addressed in British India. In another way she is of the opinion that the lost extra marital relations which were accommodated in pre British Indian society were forced into illicit remains.

4. Discussion

The question of prostitution was addressed in the colonial period in a complex way. The double standard adopted by the colonial authorities and middle/ upper class nationalists made the issue a very problematic one. The Contagious Disease act of 1868 and the Suppression of Immoral Traffic Act in various provinces show how prostitution was created in the colonial period.

The large number of low rank, common British soldiers in India had no choice but Indian women for their sexual appetite. The serious threat to them was venereal disease. British officers found the solution for the problem in the regulation of prostitution rather than the complete abolition of the system. The Contagious Disease Act (XIV) of 1868 provided complex regulations on prostitutes and brothels, periodic medical examination and compulsory treatment for those who found infected. Even hospitals were building for the reception of diseased women at Behrampur, Kanpur, Dinapur and Falehgrab. Prostitutes were also forced to live in separate areas. All these things show, how in the discussion of the venereal disease the cause of the disease is attributed, leaving man as the passive object of their virulence. The possibility of banning this institution is rarely discussed and what emerges finally is the regulation. The colonial government exerts its power over it by regulating it and not by the abolishment of the institutions.

Another instance of double standard of morality adopted by Indian man could be seen in passing of several laws to "suppress the immoral traffic". The nationalists saw prostitution as a violation of community or national honour rather than an act of violence against women. In 1923 the Calcutta Suppression of Immoral Traffic Act and the Bombay Prevention of Prostitution Acts were passed. In 1930 Calcutta Act was replaced by the Bengal Suppression of Immoral Traffic

act. Other states like Mysore (1932), Punjab (1935), and U.P. (1923) also followed the same kind of legislation. All kind of these laws wanted to suppress the institution of prostitution from public view, rather than abolishing this practice completely.

It was in the nineteenth and the twentieth century that prostitution became free of its religious / cultural ambience. This period also saw an increase in the practice of prostitution. The abolition of Devadasi system has caused a major increase in the number of commercial/ proletarian sex work.

A great number of sex workers in big cities, are recruited from many Devadasi communities. The emergence of big cities and the exploitations circumstances created by the colonial rule were also significant in the expansion of commercial sex services: Janaki Nair writes:

The massive disruptions engendered by the colonial economy both in the countryside and towns left large sections of the rural and urban populations without regular and assured incomes. Migration into the towns, military cantonments and other urban centers, primarily for the job opportunities was overwhelmingly male. The wide sex disparity (which revealed the weakness of family structures for first generation migrants) constitutes an ever-increasing source of custom for women willing to provide sexual services. (172-173)

5. Conclusion

It was in the modern period that the attempts to regulate sexuality gained momentum. The laws passed to "suppress the immoral traffic" reveal the rigidity attributed to the idea of sexuality. The middle/upper class nationality and the colonial government together wanted to tame sexuality. The "civilizing" project of the missionaries in collaboration with the indigenous intellectuals set the standards for "Indian sexuality". Prostitution/sex work is "not" criminalized in modern India. But created in accordance with the patriarchal ideology the law found the criminal in prostitute / woman while leaving her male counterpart free. A double standard was adopted in the conceptualization of sex work/sexuality and it still continues.

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