

Practice of Child Prostitution in India

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ABSTRACT: I learned about the Devadasis system, a custom that is widely practiced in several Indian regions. In this ritual, a young girl is wedded to a temple god and sexually exploited for the delight of priests and other clients. The practice is referred to as "Child Prostitution." The practice is prevalent, infecting a huge portion of India's population. Various communities carry out the practice as a family vocation in different regions of tribal India. Mumbai, Kolkata, and Delhi are major prostitute hotspots. The wicked stigmatizes both boys and girls. The behavior is motivated by unequal distribution of power and money, as well as other socioeconomic issues such as poverty and unemployment. Diseases such as Acquired Immunodeficiency Syndrome (AIDS), unplanned pregnancies, and psychiatric problems are transmitted as a result of this behavior. Articles 5 and 8 of the Immoral Traffic Prevention Act, 1953, as well as sections 373 and 374 of the Indian Penal Code, 1860, determine the legal position of prostitution. This action must be stopped immediately. But only after taking a peek at the other side of the coin. Sex workers are being attacked, brothels are being searched, sex workers and their tiny children are being left alone, and citizenship is being denied to such individuals in the name of law. They are being denied the right to live a dignified life. Furthermore, India's present judicial system and public resources are insufficient to rehabilitate such a huge population. It is necessary to decriminalize prostitution. Currently, the government should focus on slowing down the regulation and administration of health, sanitation, and improving people's socioeconomic situations. This will undoubtedly result in the slow and peaceful eradication of evil from the country in the long term.

KEYWORDS: AIDS, Child, Prostitution, Trafficking, Women.

1. INTRODUCTION

While surfing through Facebook, I came upon a video about Devadasi. I had heard of it before but didn't know much about it, so that prompted me to read it. The movie depicted a bleak image of our society, in which women and children are viewed and treated as commodities. I discovered that it was child prostitution after doing further study and looking at it from a different viewpoint. "The act of engaging or providing the service of a minor to conduct sexual acts for money or other consideration with that person or any other person," according to the United Nations[1].

Devadasis are minor girls who, according to Hindu tradition, are dedicated to be married to a god and are then forced to offer sexual favors to the priest or other clients. When they marry a deity, it is thought that they are forbidden from marrying anyone else, but not from having sexual intercourse or bearing offspring. In reality, devadasis were auctioned off for sexual services in public, and it is being done in secret today[2].

According to a study by the United Nations Committee on the Rights of the Child, devadasis started fifty percent of all prostitutes in Maharashtra. Because of their religious standing, devadasis in commercial prostitution are largely secure from clients and authorities. As a result, brothel owners frequently hire devadasis to shield themselves from law enforcement[3].

2. DISCUSSION

Nearly 1.2 million sex workers in India are under the age of 18, with roughly 40 young girls pushed into prostitution every day. The Bedia Tribal Community in Bharatpur takes pride in their family's prostitution industry, which used to be run by performers. Minor girls wait by the side of the road with their dads or brothers, who establish a 'price' for them. Kanjars, Nuts in Khakranagla, Wadia in Gujarat, Natpurwa in Uttar Pradesh, and the Bachara tribe in Madhya Pradesh are some of the areas and tribes where this practice is widespread. Every year, between 6,000 and 10,000 minors from Nepal and Bangladesh are smuggled into the nation for commercial sexual exploitation. These youngsters are taken to Mumbai, Kolkata, and New Delhi's major prostitution hotspots[4].

It is also not unusual for boys to be sexually exploited. Male youngsters are involved prostitution at Hindu temple sites in three of India's biggest pilgrimage hubs, Puri, Tirupati, and Guruvayoor in southern Andhra Pradesh, according to a research. A study of youths aged 6 to 18 years in Tirupati revealed that sexual exploitation of minors is prevalent owing to domestic tourist demand. The explanation given was the pressure on guys to make a living. 'Family members recognized less danger when male youngsters were involved in

selling sex as compared to females,' according to the research, because there is less social shame and no fear of pregnancy.

Despite the fact that India has ratified a number of international human rights agreements, the devadasi system remains a localized religious concern, therefore the conventions' rules do not directly address it. Foreign clients, in addition to local customers, encourage brothel keepers to continue their business through the devadasi system, which allows them to easily purchase adolescent virgin females.

Young males were shown to be more vulnerable to sexual assault than child girls in all but four states: Maharashtra, Madhya Pradesh, Gujarat, and Goa. Sixty-six percent of boys in Delhi have been sexually exploited, according to reports. According to a research, children aged 11 to 18 are the most vulnerable to sexual exploitation, however substantial incidents of assault have also been documented among youngsters aged 6 to 10. According to the research, 63.64 percent of child respondents in the age category of 15-18 years, 52.43 percent in the age group of 13-14 years, and 42.06 percent in the age group of 5-12 years were sexually assaulted.

2.1 An Embarrassing Stigma:

In 2007, the Union Ministry of Child and Women issued a sobering research on child abuse and prostitution in India. To arrive at an empirical picture of child sexual abuse or prostitution in India, more than 12,000 youngsters were questioned. 53 percent of youngsters say they have been subjected to sexual abuse in some form or another. More over a quarter of those surveyed said they had been subjected to "serious sexual abuse," which includes things like fondling an adult's private parts, being forced to be photographed naked, and so on. According to the survey, males made up more than half of individuals who experienced serious sexual abuse[5].

2.2 Causes:

While speaking on "Feminist ways to combating sex trafficking and prostitution," author/activist Gloria Steinem stated that "prostitution is not inevitable; it is solely about unequal distribution of power." Ruchira Gupta, the founder-President of Apne Aap, a prostitution-fighting organization in India, stated that family socio-economic issues play a significant role in the exploitation, trafficking, and prostitution of children and women in India. "India's most disadvantaged social economic strata, especially the lowest castes, are particularly vulnerable to forced or bonded labor and sex trafficking," she added.

Girls have been coerced into temple prostitution under the guise of the tradition due to extreme poverty, a lack of free public education, and a lack of work possibilities. My parents didn't have a male kid, therefore there was no one to earn a living in the household, according to one devadasi girl. They turned me into a whore instead. Because I was so little, I have no recollection of when I first began. My parents reasoned that if nothing else, they would collect some money from me. Another devadasi girl testified that her parents auctioned her her virginity to the highest bidder when she was thirteen years old[6].

2.3 Consequences:

The exposure to the acquired immunodeficiency syndrome virus is the most serious and lethal risk that sexually exploited youngsters face across the world (AIDS). Young female prostitutes are often regarded as the major carriers of the AIDS virus, and as such are mostly responsible for the disease's spread across India. As a result, many choose child prostitutes because they believe the danger of infection is smaller.

Pregnancy is also prevalent among young female prostitutes, since delivery problems are becoming more common. Child prostitutes and other sexually exploited youngsters are at risk for a variety of psychological problems, including severe depression, poor self-esteem, post-traumatic stress disorder, and suicide attempts. Some children run away, while others are placed in restitution homes, where they develop an addiction to alcohol and narcotics. Poverty is the primary cause for parents to send their daughters to this area in search of work. According to a police source, even when females are rescued, their families are hesitant to accept them back. In a rural region, this has become a common narrative[7].

2.4 Should It Be Made Legal: Handling The Current Scandal:

For starters, India lacks both the legal and police framework necessary to combat crimes against minors. Two Punjab and Haryana High Court judges have stated that they want to issue guidelines on prosecuting child abuse cases. However, in order for such actions to produce results, suitable legal tools are necessary.

Children were named a "Supreme National Asset" in 1974 by the National Policy for Children. No country can honestly claim that when half of its youngsters report sexual abuse. Our inactivity and quiet in the face of pedophiles in our homes and brothels makes us complicit in the atrocities against our children.

Without a doubt, every effort taken to combat prostitution must be aimed at putting an end to the scourge. According to the group "Apne Aap," child traffickers purchase children from their parents for a low fee and sell them to another, where they are repeatedly raped. If the locations are searched by authorities and the children are restored to their parents, the youngsters are sold to the same broker again. According to a survey conducted by the organization, more over 30% of prostituted people in India are under the age of.

Prostitution should be criminalized, according to the majority view in the country right now. With the rising demand for sex, it is expected that the number of people who fall under the prostitution umbrella would only expand[8].

2.5 The Ugly Side of the Coin Emerges from the Shadows

We are first and foremost women, and then sex workers. We want you to see sex labor for what it is. We hope you would see us for who we are rather than through the prism of societal morality. Many of us are single mothers who are responsible for our children and elderly parents. We are unprotected, unorganized laborers. Why are you and the cops treating us like criminals?

Sex workers are emerging from the shadows across India, representing an estimated three million people. Sex workers from Chennai, Delhi, and Kolkata, fueled by a newfound but hard-won confidence, are stigmatized as they resist assault, criminalization, and continual citizenship denials that have become a part of their daily existence.

Their main grievance is with the Immoral Traffick Prevention Act of 1956, which does not criminalize prostitution per se, but according to a group of lawyers working on the criminalization of sex work, the act "de facto criminalizes sex work" because it prohibits soliciting, brothels, and street work, effectively "preventing sex workers and even their relatives and associates from engaging in it[9].

It is stated that a hard and fast rule is required to remove child trafficking and prostitution; nevertheless, what is required are particular, robust laws that destroy the evil, not broad legislation that deprive women, children, and their family members even the right to live their lives with dignity. Furthermore, the women who are engaged are voluntarily attacked and harassed in the name of the law.

The statute makes brothels, as well as any other properties shared by sex workers, including their inhabitants, illegal. They are frequently forced out of their own home by the authorities, along with their children, in the pretext of shutting down brothels. They, their children (as soon as they become 18), and the individuals they assist are all criminalized under the legislation.

Section 8 of the Immoral Traffic Prevention Act, which criminalizes solicitation, drawing attention of consumers from a public, conspicuous place, either on a street or in a private residence, is particularly harsh on sex workers. "The criminalization of soliciting is the most obvious legal problem faced by sex workers, as the act does not clearly define what constitutes the term 'soliciting,' and sex workers are frequently arrested even when they are not soliciting, as the police incorrectly interpret the term," according to the lawyer's collective[10].

3. CONCLUSION

Prostitution is unquestionably a degrading and infectious activity, and past experiences and results have demonstrated that dealing with it is difficult. Prostitution, as strange as it may sound, is the oldest profession and has persisted despite several attempts to eradicate it. The fact that it has resisted several forceful attempts to eradicate it suggests that completely controlling the practice in its current form may not be a realistic solution to the problem.

Certainly, several approaches to dealing with the problem must be considered. We must accept the practice and devise a strategy to reduce, if not completely remove, the detrimental impact it has on society.

Because there is a severe lack of legal instruments, healthy rehabilitation cells, police infrastructure, cost-effective alternatives, and public resources for compensating those involved in prostitution in India at the moment, a blanket ban on prostitution will undoubtedly cause a stir rather than alleviate the situation. We must approach the problem with extreme caution and consideration of both sides of the coin. Decriminalizing

the sex trade would be the first step toward achieving this aim. Prostitution that is legal will be regulated and managed.

According to present legal position in India, the sale of sex is only liable, while the buyer is unaffected. As a result, intermediaries, such as brokers, become involved in the activity, resulting in a significantly larger number of individuals being interested in the activity. The author is arguing that rather than permitting government action against one or more parties, both the buyer and the vendor should be permitted to conduct business in a regulated setting. This will result in the removal of brokers, the involvement of a huge number of people in the activity, and the safety of both the buyer and the seller.

Furthermore, because the vast majority of those participating in the activity originate from extremely poor socioeconomic backgrounds, government action aimed at improving health, cleanliness, and other socioeconomic levels of those involved will almost certainly result in a decrease in participation. By establishing legislation that criminalizes prostitution, Sweden has been effective in reducing the number of prostitutes. It would be naive, however, to compare Sweden to India. Sweden is a genuine welfare state, whereas India only claims to be one. Sweden has sufficient public resources to compensate workers in an amount equivalent to or more than their lost pay. The first stage in rehabilitating the workers will be to compensate them while they are laid off.

It will be hard to do so in India due to a lack of resources and a significant level of participation in the activity. Finally, we must address the issue of health in a nation like India, where sexually transmitted diseases are a major concern. According to a World Health Organization bulletin, monitoring prostitution makes sense, and what better way to monitor it than by legalizing and regulating it? It is impossible to conduct such an operation on a subterranean population.

Prostitution is undeniably despicable, especially when it involves minors. However, we must approach this matter pragmatically rather than emotionally. We may be able to offer consolation to the exploited once we reach Sweden's socio-political and economic levels. However, it might take a long time.

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