
LEGALIZATION OF PROSTITUTION IN INDIA

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Through this article focus has been laid on the legal aspect of the prostitution that how it being an activity which has been always against the social norms of India is given the legal status by the government of India which is said to be a democratic government that is the government of the people. And here by legalization government is in favor of its people only and thus in order to protect the rights of those who has been forcefully engaged in this profession and then are unable to come out of it and even if they somehow make it out they don't remain the same in the eyes of the society therefore they are being hurt by people. For the purpose of stopping all the mistreatment towards these prostitutes it is good thing that we have prostitution as a legalized profession in India.

The practice of prostitution can be found right from the mythological era as we have several religion books mentioning about apsaras clearly indicating the fact that sex workers used to exist even at the time of God. We can locate the origin of prostitution in India from the ancient era when the practice of donating female child's to the temples for the purpose of dancing in and decorating the temples was very much prominent among the Hindus. The female child's sacrificed for this purpose were widely called by the name devdasi in the society. India was slowly becoming financially weak from the time when mughalrule failed here thus demanding from the people of India to search for an alternate source of income specially from the female servants who were in continuous service of one or the other royal and after some time India got attacked by the britishers thereby raiding the textile industries of India which were acting as one of the major source of income for the citizens and on the other side we found the devdasisbeing taken advantage of that too by the temple priests. The already existing shortage of income promoted the misuse of devdasis in order to earn money, thus introducing a new practice into the Indian society known as prostitution. Not only these devdasis but with time even the other females of differenthouseholds got employed in this field so that they can survive which would have been not at all possible in any other way since they weren't educated enough to join any other profession.

Many may have the assumption of prostitution being illegal in India due to it being a practice which is against the social and ethical norms of society, however it is not so as Supreme Court of India itself has recognized the legal existence of prostitution in the country although it sounds funny but it is the harsh reality of our society due to which the activity so vicious as that of prostitution is still being practiced in India and that too legally. It is due to the Indian society and it's believes that certain practices like child marriage, prostitution etc., aren't being criminalize as doing so might end up with an innocent getting the punishment since not all the people involved in these type of activities have willingness to do so. Although prostitution is legal but the activities associated with it like managing a brothel for the purpose of prostitution, maintaining sex rackets, forcing someone into being a prostitute etc., are illegal and thus any person found in India carrying out these activities would be severely punished as per the Indian laws. Occurrence of prostitution with consent that too in private is considered to be the most pure form of prostitution thus considering it appropriate to be done as per the Indian law standards.

India is a country where talking about sex either in public or even in private both are forbidden since sex is considered as a serious taboo but that too for the aspect of pronounciation only and not for the commission of same. Time and again we have seen patriarchy prevailing in our society and at the same time the women status being degraded, the patriarchy prevailing in our society is to such an extent that where committing sexual intercourse by the men with any of the women in exchange of money is not found be wrong rather it got adopted as a profession that too a legalized one where in exchange of satisfying men they earn their livelihood. At some point like the majority of the people of this nation I too want to get prostitution illegalized in India so that the ones behind all of this can get punished and those who involuntarily got involved in it can attain their freedom back. However upon seeing the other aspects where illegality of this law would prove to be harmful for the innocent victims thus it is a better step taken by Supreme Court to keep this law legalized. This would help us in catching the real culprits who are the main root cause behind this activity and in this manner we won't also be able to save people who never wanted to become a part of this profession. Hence we must accept the bitter truth that it is the Indian society where demand for sex is so high that it has promoted prostitution on a wider basis compelling apex court to make it legalize for the safety of innocent lives who has got involved in not so innocent profession.

Basically prostitution means the sexual abuse of a female in exchange of the monetary benefits received by her. Prostitution gives a major impact on events like marriage, abduction of girl child, etc., that is, the situation of society has been made so where marriages are not being able to continue due to the distrust formed by one person upon another as the other partner particularly male are found to be engaged in a sexual relationship with a third person disrespecting a pure activity like that of marriage that too in the Indian society where marriage is considered as something sacred yet gets disrespected just because men of our society are giving more value to their sexual desires than the moral values which they have been taught all their life by their parents and our culture, also it has resulted into many parents getting robbed of their daughter this destroying the complete life of that girl. And since prostitution is an activity which has been carried out in India right from the ancient era or we might say even before that it has become a dream to curb our society free from this curse, although being free from this would be the best thing for our country but keeping in view the forced prostitution and the cruelty faced by the prostitutes as a human being it is a better idea to have it legalize it than to eliminate it.

The legalization of prostitution will mostly help the prostitutes in attaining their human and constitutional rights being the part of the country which they always have been denied by stating that they are not human and that they do not deserve to enjoy these rights. Prostitution being legal one can carry it out in front of the eyes of government and there exists no need to hide things from the police and government officials. These females who have been given the title of prostitutes by the society were always treated like animals even worse than them as if their life doesn't matter at all which quite actually is the truth as per some of the people of society, it's like they wish for these prostitutes to die assuming them to be the main reason for existence of such activity in our society due to which our values getting degraded. Earlier the situation was like that they were even denied the basic right to life guaranteed to every human in general but all thanks to the legalization that now they are able to achieve the same. I agree that prostitution is not such an activity which shall be promoted but it is not the promotion because of which it got legalized rather it is the women employed for the protection for whose basic rights legalization was done so that these females could be able to live their life if their profession got the recognition of the government.

Prostitution will also help them to attain the right to education helping them to understand things and may also be able to get employed in a different profession if got the requisite

support from the society that is the acceptance of other people. With education they will be able to fight for themselves and their rights. In some cases of prostitution we may also see the male beating the female that too very badly and without any reason but with the help of their rights they will be able to fight against such injustice of men. Our Constitution talks about right to equality and we may always find people here and their claiming it even in small-small things then why not a prostitute is being treated with equality, is it her fault that she is not educated enough or is it her fault for getting deceived or is it her

fault that her family is too poor, nothing is her fault but still the society blames them for innumerable reasons and deny them from getting equally treated as the other members of the society. There are always exceptions and same can be the scenario here too as few ladies might be there who with their own interest got into this profession and highly the reason behind this is the assumption that they would be able to make easy money just in exchange of their body but the majority do not belong to such group and thus themselves want to end this. All I am saying is that legalization of prostitution would help them lead a life as a normal human in the society without having to hold their head low.

At the same time we many disadvantages to this legalization as well since many are assuming it to be as an act of government whereby it is helping the ladies to make easy money indirectly making them

help to increase the revenue of the country. However it not the truth and everybody needs to understand the reasons for its legalization. Forced prostitution is very much prominent in our country and the tragedy is we can never come to know about it until and unless we get to deal with ladies since a huge crowd for sure comprises of the black swans but at the same time it too have the white swans breathing the same air. With the changing time along with the female prostitution even the male prostitution is getting initiated and getting hiked up by society as well. It has become very much important for the government to take strong measures for it despite of prostitution having the legal status as there are various activities in relation to the prostitution that are illegalized at the same time and thus government is in need to bring laws containing severe punishments which would be awarded in case of violation of laws by performing the banned activities in relation to that of prostitution. There are certain laws existing at present regulating these banned activities namely Immoral Traffic Prevention act,

Indian Penal Code, Constitution of India etc., still they are not able to prevent these activities from taking place.

Altogether I want to say that there is an urgent need on the part of Indian society to recognize sex as an activity which takes place between two individuals and is not any such forbidden action which cannot be discussed aloud. It is with their recognition towards the sex that it will start becoming a natural topic to be discussed among the people or even being mentioned by the people in the public. Still in India after hearing the word sex from someone certain people react as if what alien thing the other person has said or what grave mistake the person has committed by pronouncing such a word in the public. The major reason why prostitution still exists in India is because many are still not able to talk about it then how would they be able to raise voice against it, there are even people who aren't ready at all to give recognition to the sexual activities taking place in our society then how will it become possible to ask government to make laws on it or to curb it. For me legalization of the prostitution is not a problem but the existence of prostitution in our society is that too for a long period and thus instead of thinking about giving it an illegal status the focus shall be on the elimination of same.