

Devadasis

Cultural Practice or Unacceptable Form of Work?*

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1. Introduction

1.1 Historical context of Devadasi practice

The term 'Devadasi' is of Sanskrit origin. The women dedicated to temples and men's entertainment were called *Devadasis* in Karnataka, *Joginis* or *Mathammas* in Andhra Pradesh, *Mathangi/Murali* in Maharashtra, *Devaradiar* or *Dasis* in Tamil Nadu and *Kudikkars* in the Travancore region (Kerala).

The majority of Devadasis are dedicated to Goddess Yellamma whose other names are Renuka, Jogamma and Holiyamma.¹ The Yellamma cult is popular in Karnataka,² Andhra Pradesh and Maharashtra. A famous Yellamma temple was built in 1514 in Saundatti hills of North Karnataka, which illustrates the significance of the cult and by extension, Devadasis at that time. The temple continues to be a major site of dedication even today.⁴ Devotees of Yellamma who dedicate young girls are mostly Dalits and Bahujans from the Madiga and Valmiki castes, and sometimes from

other Scheduled Castes as well. The Devadasis are married to the god and hence are not allowed to marry mortal men. These girls are substitutes for human sacrifices for the deities in the temples and it is believed that Devadasis bring blessings to the entire community. As *Nityasumangalis*, meaning women who can never be widowed and are ever auspicious, Devadasis were at one time welcome guests at weddings and other auspicious functions but did not participate in funerals or other mourning rituals.⁵

In the Medieval period from 8th to 18th century AD, the Devadasis became more and more attached to the temples and some researchers report that they enjoyed a respectable status in society, next only to the priests, and that their families were inclined to matrilineal traditions and females had significant power within the household^{6,7}.

This view is challenged by other research, which finds that while girl children were made Devadasis to consolidate family wealth and to make sure that daughters stayed within their families, the women had neither agency nor

* This paper is based on a study conducted by Sampark, Bangalore and International Labour Organisation, South Asia office, in Karnataka, Maharashtra and Andhra Pradesh on the present context of the Devadasi practice and the circumstances of Devadasis in these three states.

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control. Srinivasan⁸ states that women were made to be the ‘economic backbone’⁹ of the family, as ‘earned and ancestral wealth was acquired through them.’¹⁰ The temple allotted land to families who dedicated girls, to be kept within the family over generations, as long as someone was employed with the temple. Women were also not free to move to other professions, unlike men, keeping their ties with the temple property secure. This land however was owned by the temple rather than the household, and the money, jewellery or goods that the women earned through patrons was what really constituted household wealth. The senior-most female, usually a retired dancer, managed the wealth and its disbursement.

During British rule, the Devadasis began to lose their wealth and after independence this trend continued. By the late 1990s when Sampark started its research, hardly any rich Devadasi households could be found in the villages. We shall explore the present-day context to examine whether the practice is now more, less or differently exploitative than it was historically.

1.2 Current context of Devadasi practice

Many researchers have commented on the practice as a glorious one that makes women *Nityasumangalis*, taking cues from temple inscriptions and scriptures.¹¹ They tend to concentrate on the sacred and auspicious aspects of Devadasi duties and how the practice has helped in propagating temple culture and the associated wealth and traditions.¹² The present-day Devadasi and her glorious ancestors seen in temple scriptures and literature are two radically different people.

The term Devadasi, meaning ‘servant of God’, reflects the caste relations at play as it seeks to cover up the abhorrent elements of the practice. Other local terms such as ‘Jogini’ or ‘Basavi’, also obfuscate the nature of the practice, i.e. sexual exploitation

of Dalit women. The real nature of the practice is reflected in the derogatory terms used for the institution at the local level, which are equivalent to ‘free to fuck’.

In the 19th century, with the advance of British imperialism in India, native traditions, customs and practices like Sati, Child Marriage and the practice of Devadasi were under threat. Temples lost royal patronage and their wealth diminished. Devadasis had to resort to sex work for their livelihood. By the late 1800s, reformists who were heavily influenced by their colonial rulers had begun to criticise the Devadasi practice and they insisted on legally banning it.¹³ The Madras Devadasi Act of 1947¹⁴ was an outcome of such efforts. Further, The Karnataka Devadasi Act of 1982 (Prohibition of Dedication),¹⁵ Andhra Pradesh Devadasi Act of 1989 (Prohibition of Dedication)¹⁶ and Goa Children’s Act (2003)¹⁷ were implemented to abolish the practice in India.

Despite the Prohibition Acts being hailed as a positive step towards curbing the perpetuation of the practice, their enactment has been criticised because it criminalises the actions of Devadasis but not those of their patrons.

The practice of offering girls as Devadasis is followed by Scheduled Castes and Other Backward Communities.^{18, 19} A majority of the households with Devadasi members at present do not have a history of dedication in the family indicating the fact that they were first-generation followers of the practice.²⁰

The study carried out by Sampark found that 84.57 per cent of the Devadasi women belonged to the Scheduled Castes, followed by 5.14 per cent Other Backward Castes (OBC), 4.57 per cent Scheduled Tribes, 4 per cent General and with 1.71 per cent belonging to other categories.

All the Devadasi women in Belagavi district belong to the Scheduled Castes and 14.55 per cent of Devadasis in Sholapur district are Scheduled Tribe women.

The other castes mentioned are Brahmin, Chamar, Dhobi, Gosavi, Hindu Marathas, Koli, Lingayath, Lingayath Wani, Maratha, Maratha Shinde, Matangi, and Vaddar. Among the Scheduled Castes, Devadasis belong to the Madar, Madiga and Valmiki communities. While the practice is caste-based, in some cases OBCs and upper caste families dedicate girls due to superstitions, for instance, like dedicating a daughter may be followed by the birth of a son, or that some illness in the family may be cured. The cultural construction of the Devadasi system as an SC practice has also contributed to non-Dalits starting to withdraw a little bit from it.

Earlier the partners of Devadasis were invariably from the landed castes, but now their profile too has changed. The women have found that SC people are kinder to them and generally become long-term partners. Often the women look for relationships which are more akin to marriage than sex work.

The traditional practice involves girls being dedicated at any age before puberty and forced into sex from the time they start menstruating.²¹ Devadasis are therefore victims of the worst forms of child labour.²² These women are trafficked into the practice and subjected to forced sex, rape and other violent atrocities (bodily disfigurement from biting, beating, torture etc.) from early adolescence. The Devadasi practice is much more abhorrent than sex work; it is a form of caste-sanctioned rape, made socially acceptable by giving it the status of local culture.

Devadasis are invariably asset-less, with little or no farmland, education or skills, and very low incomes (which is the case for a large majority of Dalits). In addition, traditionally, when families are superstitious, or consist of several daughters, or ill persons, there is a high likelihood that one or more daughters get dedicated as Devadasis. This reality contrasts with the literary narrative of the Devadasi wielding significant power and influence through her patrons. While this may have been the

case for some Devadasis, the current reality is that behind the ritual dedication lies extreme poverty, vulnerability and sexual exploitation of young Dalit girls. In the case of the Bedia community, who follow a similar practice, the whole community is rendered helpless and confined to the sex industry, the women being socially assigned to sex work and the men becoming pimps or turning to alcohol-related businesses. The case then, is one of economic and social subjugation, resulting in extreme forms of sexual exploitation that have become a normalized part of the social structure. Men from castes in which the Devadasi practice is common are often not able to earn sufficient incomes for the family, which pressures them into again dedicating their young women to the Devadasi practice. This fact underscores the extreme need for creation of assets as a way out of the practice.

Devadasis are tied to one or more men during the dedication period but are never married to them. Marriage after becoming a Devadasi is virtually impossible, leading to depression, trauma and a sense of abandonment and isolation, as marriage in India is considered to be of key importance to the status of a woman.

Devadasis are sometimes barred from taking up other employment as well.²³ Devadasis have an economic arrangement with their partners by which they are supposed to get maintenance, but this is not enforced and the women don't have recourse to any mediating agency. Their earnings are low, haphazard and completely dependent on the 'generosity' of their partners. Once Devadasis lose their value as an object of lust, they end up in bonded labour, agricultural daily wage labour, begging or living by their participation in ritual functions surrounding festivals, births, cremations, and so on.

When patrons stop paying them any money, Devadasis are hard put to earn to sustain their families, which usually consist of one or two aged parents and two or three children. In order to earn

more than what meagre agricultural wages offer them, Devadasis move to semi-urban and urban areas, taking up jobs in the construction industry, *beedi*²⁴ making, domestic work or sex work. In many cases, Devadasis begin to do both casual labour and sex work. In the construction industry, for example, chances are higher that these women will be subjected to sexual exploitation and begin practising sex work on a full-time basis. In Mehboobnagar in erstwhile Andhra Pradesh, the research showed Devadasi women to be living in abject poverty, while in Karnataka, where the community remained rural in nature and an NGO had supported the formation of groups, they improved their economic condition and got social support as well.

Another aspect of the practice is the caste glorification of the Devadasi, implying that Devadasis have a higher status than ordinary sex workers. Since the perception exists that Devadasi women have some social 'status', sex workers have been known to label themselves as Devadasis in an attempt to get some social acceptance for their work. This has particularly been observed in Maharashtra, where many sex workers claimed to be Devadasis, whether or not they had been dedicated at a young age.

While the practice has been legally banned, clandestine dedications continue even as recently as January 2015. The practice has mutated in different ways in each state. Saundatti in Karnataka continues to be a location for dedication. Sholapur in Maharashtra, on the other hand, is a site of more commercial sex work, whereby many sex workers claim to be Devadasis. The practice has also transformed, with caste oppression becoming less visible and market forces coming into play.

1.2.1 Size and geography of the group

The number of Devadasis in India is highly contested.²⁵ The most ironic fact about this highly vulnerable group is that official agencies do not acknowledge its existence. Many officials,

especially in the state of Maharashtra, claim that as the practice is outlawed, Devadasis do not exist—almost by definition.

Sadly, this solace is not available to us. Although dedications are on a decline, there are thousands of Devadasis spread over the three research states. Estimates of the number of Devadasis are available to us from various sources for the three states in India where the practice is highly prevalent: Karnataka, Andhra Pradesh and Maharashtra.

The Karnataka government conducted two surveys, first in 1993–94 and the second in 2007–08. The first survey found 22,873²⁶ Devadasis and the second enumerated 23,787.²⁷ In undivided Andhra Pradesh, a survey in 1987–88 found 24,273²⁸ Devadasis. However, the one-man commission appointed by the government to examine the status of Devadasis estimated the number to be about 80,000 (across Andhra Pradesh and Telangana).²⁹ The State government of Maharashtra, reported the existence of about 3,900 Devadasis during a survey carried out by the National Commission for Women.³⁰ These figures are highly underestimated and, according to the one-man Commission report, the estimate is about 4,50,000³¹ Devadasis spread across many states in India.

1.3 Classification of the practice

Activists and scholars have struggled to conclusively define the Devadasi practice in a way that captures its characteristics in relation to caste, culture, poverty, and labour. Devadasis have themselves embraced several identities in order to negotiate with the state and society for better living conditions. The practice has been alternately referred to as child labour, child marriage, child sexual abuse, sex work, caste-sanctioned rape, or, at the other extreme, a religious/cultural/traditional practice.

A singular classification is not sufficient, as the practice lies at the intersection of all these categories. For this reason it is valuable to look

I don't know my age. My eldest daughter has 4 children, so you can guess it.

I make a living by doing agricultural labour. My youngest daughter, who is about 15 years old, also works as a labourer. She goes to school only when there is no work. I have no option but to make my daughter work. I sold the two acres of land I inherited from my grandparents to get my three elder daughters married but I have two more children to take care of. What's more, the mud house I inherited from my parents fell down and I had to take a loan from my relatives to build a concrete house. I am yet to repay this loan.

I am illiterate and all my children are illiterate. I begged, shouted and frequently beat my son to go to school but he didn't go. I did not want him to roam around the village like a vagabond, so I got him the job of a sheep/goat herder. He is now 12 years old and gets about Rs 15,000 per year. He goes in the morning and comes home in the evening. I have no cattle of my own even though I am from the Kurva community. I still have Rs 1 lakh as debt and all our earnings go in day-to-day living, I have no money to buy sheep or goats!

Except for the house I have nothing. I used to have silver bangles that Basavinis wear traditionally. But once in my village a caste panchayat was held, locally called "Gounithanam". In the Kurva community, when this panchayat is held, money is collected from the caste members. Rs 500 was levied on each person and I did not have the money. So a woman related to me paid on my behalf to save me from disgrace. But I didn't have any money to repay her, so I sold my bangles. I could not repurchase them because I had too many responsibilities. I had to perform one marriage after the other and take care of one delivery after the other. Even now I still have two children who are yet to be married.

My mother did not have any children except me and made me a Basavini so I could keep the lamp of the house lit and take care of my parents. The hell with the house lamp, my life is messed up. My parents died, what do they know what I am going through! My aunt's son, whom I call "Mama" tied the sacred thread at the temple and I became a Basavini at a very young age. I do not know the age when I reached puberty but after that my Mama started coming to me frequently. After one year of association with him, I gave birth to a daughter. My Mama did not pay a single paisa. In fact, in a few days after my delivery he left me and went away and later got married. He is not my husband so I can't demand anything at all. What can a Basavini say? After my Mama left, I met another man when I was working in the fields. We fell in love. He visited my house for 2 months. But he used to drink a lot and one day he drank some illicit toddy and died.

In a few months I fell in love again with someone who is distantly related to me. He's from the same village and community, but he's married and has children. He used to come home once in fifteen days. I had four children with him. He gave me saris and small amounts of money for vegetables and groceries. But he did not give me any gold or silver, forget about property! My children never asked me about why I had multiple partners. My partner did not bother about my children and my children did not bother about my partner. But after ten to fifteen years of living with him, when my two older daughters got married, I feared that my sons-in-law would look down upon me and my daughters. So I asked my partner not to come home anymore. He agreed without any fight. I told him that the children should be

our joint responsibility. I asked him to help me take care of them. He said that he wasn't bothered and only came to me because I asked him to. I did not know what to say to that.

Luckily, I did not face any abuse from my partners. In fact my third partner's wife knew about me and was not angry that her husband was visiting me because I'm a Basavini and not a married woman. I am still on talking terms with her. My children were never discriminated against when it came to their marriage since they were born to a Basavini. When any marriage alliance came for them, my caste people would stand by me and say that I was made a Basavini because there were no sons in the family. They supported me, saying that I had not roamed with men irresponsibly.

Since I left my third partner I have not seen anyone. My health is okay. I never used a condom nor saw one, but when I had my third partner, I clearly told him that he cannot go out with other women. I know about AIDS and I know about people who got diseases because they had associations with many men. Knowing all this, I was careful not to do such stupid things.

People in the village are still making their daughters Joginis. They believe that it's easy to make money as a Jogini. I have not made any of my daughters a Basavini because it spoiled my life to have no husband, no stability. Why will I repeat that for my daughters? My relatives pressurised me to make my elder daughter a Basavini, but I vehemently disagreed. Being a Basavini, I have to do everything on my own—I have to take care of the house needs, run to hospitals when the children fall sick, if my son-in-law is sick I have to rush there! If I had a husband he would have accompanied me.

I've never tried to migrate. I just worked in the village itself. When MGNREGA works happen, I go there. We get anywhere between Rs 60 to Rs 100, but there is no consistency in the payment. I used to get pension when it was Rs 200, but since they enhanced it to Rs 1000 I haven't got any. It's been four months now since I got pension. I haven't been going to work for a few days now. My second daughter just had a caesarean while giving birth to her third child. Her mother-in-law was not taking care of her, so I brought her home.

Today I have no steady means of earning money, no asset and no husband. I drink a bottle of toddy every evening because of all my tensions. But I never go to the toddy shop. I send my son.'

—Narasamma, age 45 to 50, from Mahabubnagar district in Telangana.

differently at the different stages in the life of a Devadasi. For clarity and guidance, we will look at many of the arguments made around the Trokosi tradition in Ghana that bears striking similarities to the Devadasi practice in India—although the push factors may be quite different.³²

1.3.1 Cultural practice or forced labour?

Much of the literature on Devadasis speaks of

it as a cultural practice and although the caste embeddedness of the practice is highlighted, the facets of forced labour are not.³³ These scholars have looked at the practice only through the cultural lens, valourising the ritual/aesthetic aspects of the practice, while ignoring the women and other actors involved.³⁴

Devadasi practice falls within the definition of forced labour which includes 'all work or service which is exacted from any person under the menace

Saraswathi, a Devadasi from Belagavi says, 'When I was 8 years of age, my mother and her relatives took me to Saundatti Yellamma temple and made me wear a new sari, green bangles, lots of flowers in my hair. They sat me down on a blanket and the women sat around me and sang bhajans and then offered pooja to the Goddess. The poojari of the temple tied a pearl necklace around my neck. I enjoyed all the attention given to me on that day. I was happy as I got to wear new clothes and bangles on the day.' The true import of the dedication dawned on Saraswathi only when she attained puberty and her mother forced her to take a partner. She has taken another partner since her dedication and continues to live with him. She rues the day she was dedicated as a Devadasi. She has borne the brunt of stigmatisation of this cruel system and thus, has ensured that both her daughters are married.

of any penalty and for which the said person has not offered himself voluntarily'.³⁵ Dedicating oneself to a lifetime of religious service is not forced labour, however, as for instance in the case of nuns in a religious order. Involuntary induction, the excision of control over her body and labour, and her inability to escape the Devadasi identity are what make this practice degrading and exploitative, and consequently, unacceptable.

Many ILO documents already recognise the Trokosi tradition as forced child labour and this is also a useful way of looking at the Devadasi practice. In both the Trokosi and the Devadasi practices, the child's labour is offered in exchange for relief for the family—whether it is economic or religious. The offering of a minor to the temple for a lifetime of servitude puts it firmly within the boundaries of the Worst Forms of Child Labour Convention of the ILO (no. 182) which bans 'all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom,

and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict', which has also been extended to include traditional forms of exploitation.³⁶

Most Devadasis come from Dalit families that are asset-less and live in abject poverty, dedicating girls as a result of their economic vulnerability. Research findings showed that the majority of respondents, 79 per cent, were dedicated as Devadasi through close family members (father, mother or grandmother), in Belagavi 93 per cent and in Mehboobnagar 91 per cent. In Sholapur district, 31 per cent of the respondents said that temple priests and self-styled godmen (locally known as Gurus) were also involved in the induction.

An adult Devadasi seldom finds non-ritualised paid-work opportunities other than casual labour or sex work. Often, in order to survive, she must provide sexual services to all that demand it from her or face punitive action and starvation. One report even refers to Devadasis as the collective 'property of the village'.³⁷

Even Families are Exploitative Swarnalatha, from Sholapur who is involved in sex work says, 'All relations depend on money. Till the time I was giving money to my family, they were supportive to me but after my daughter's birth when I stopped giving them money, they stopped all relations with me. My mother and sister always demanded money and other things from me but now, when I stopped helping them they don't take care of me and my daughter. If my own family does this to me, then how can I trust my partner? I know that he will also look after me only till I give him money. Here I am happy with my peer group in the brothel house as they help' me, so now this is my family'.

1.3.2 Child labour and child marriage

Research findings showed that as many as 70 per cent of the Devadasis were dedicated before they attained the age of 15 years and 37 per cent of the girls were dedicated between 6 and 10 years of age. At such young ages, Dalit girls are not aware of the implications of turning into a Devadasi and later, once they attain puberty, they are forced to enter sex work.

Children who are dedicated at a young age face extreme risks to their health due to early sexual encounters and routine sexual abuse with multiple partners. Many are raped as soon as they reach puberty and some even earlier. While there are child protection laws under which offenders can be prosecuted for child rape, and the Protection of Children from Sexual Offences Act can be invoked, these laws are never used to book the criminals,

including parents. The normalisation and social sanction of this practice provides a cover for this heinous crime. The fact that there are multiple partners also provides anonymity to the offenders. Instances of these offences being reported are almost unheard of. These children are denied their fundamental right to education and spend crucial years in conditions of slavery. The cumulative impact of this situation on their psychosocial development is immense and the damage is irreparable.

1.3.3 Sex work or slavery?

Some scholars maintain that this ritualised sexual activity must be viewed as prostitution, as the Devadasis receive compensation in return for sexual services. Others argue that it is similar to marital support and therefore not exploitative.³⁸ However, neither is a fair assessment as the Devadasis do not

'When I was a child, we had our own land where I worked. My father told me that they had given me to Goddess Yellamma and he planned to sell the land for my future. My father then sold the land after 10 years for the Devadasi ceremony. They performed the ceremony like a marriage. They did Abhishek with curd, banana, sugar, lemon, bhandara mixture, I had a new saree and they put moti mala on me. The priest was my own aunt. At that time, I didn't realise what they were doing. It was only after two years that I realised that as a Devadasi I cannot get married to anyone. I remember that as a child my parents had given me an idea that they might make me a Devadasi, but they didn't until my sister started to face problems in her marriage. This usually happens with people in the Below Poverty Line bracket, they are the ones who decide to give their girls up to the Devadasi system.

I used to have a sexual association with my neighbour when I was very young. He promised to marry me and spoke to my parents about it but they opposed it. He was 16 years old and in the 9th grade. They told him that if he was willing to stay in our house without marriage they were fine with it. But he was not ready. So after 10 years, he left me. I engaged with him sexually during this period. I was very young and knew nothing about sex till I had sex with him. In his house no one knew about our relationship. We met at parks and hotels. Once even the police caught us but the police officer left us as he was a nice man. After that incident he ran away and I realised he was not good for me. I told him that I didn't want to continue our relationship. After some time he got married, and now has two children. I got to know from others and I felt very bad. He tried to speak with me but I didn't respond.

After some time, I got involved with another partner. He was a Muslim and worked as a construction worker. He also worked in a hotel so I shared with him the fact that I was a Devadasi. He was ready to stay with me. We began to interact and also engaged in a sexual relationship. I spoke about him to my parents and begged them to give me one chance to live a good life. I assured them that he would take good care of me. So they allowed me and we left. We stayed together happily but after seven months my parents asked us to return as both of them were alone.'

'My partner gave me money for expenses but after sometime he got married to another girl and he didn't tell me. He shared with me after three years that he has three daughters. I felt very bad when he came to meet me with his wife, but I asked him not to leave his wife and children. He told me that he got married because of his parents, and his wife was very jealous of me. When we were staying together, I used to work as a construction worker and he used to help me. He used to give me Rs 200 everyday. I had two children with him, a boy and a girl. It was our decision to have children and my family also knew. I also lost one baby due to a miscarriage. I was always happy with him even as a sexual partner. He never forced me to have sex nor did he ever harass me. But, I left him after two years. I didn't know about the use of condoms at that time. I got the knowledge about condoms much later from an NGO.

I met my next partner through a friend. He was 33 years old. He knew everything about me. We slowly got acquainted and we are staying together for the past four years. He always helps me and asks me not to have relations with other men. I have asked him to marry me but he says he is not ready. Marriages are not allowed in the Devadasi system, but living with multiple partners is! I was not pleased about this when my parents told me.

Society looks down upon us. Many times people have created problems for my partner and me, but my partner has always helped me. I know that people talk badly about me behind my back. And I know I am doing wrong things according to the societal norms by being a Devadasi. I feel that women who are married have a better life as they can enjoy familial activities. They also have respect in society and can mix in society openly. I feel sad since I have missed these things. All my 5 sisters are married and live in Sholapur. They know I am a Devadasi and feel bad for me, but they don't help me.

I have had three regular partners till date but no one has abused me physically.

Finally, I have found a good partner and I hope for a better future. My partner looks after me well. He respects me. He always thinks about my future. I am happy.'

—Shavithri, from Sholapur, Maharashtra

determine what they receive for their services—the men do. Whatever the Devadasi receives in the form of money for basic expenditures, land or assets is not compensation but should be recognised for what it is—an exercise in patronage. The slave must remain alive for her to be available for exploitation. For a Devadasi to be said to have undertaken sex work, she must be in a position to demand payment and to refuse to provide sexual services if the conditions of the transaction are not acceptable to her.

Unlike Trokosi slavery, sexual slavery is not traditionally integral to the Devadasi practice but a consequence of her inability to marry, her caste

status and her poverty. The vulnerability of young girls to sexual abuse is heightened through the absence of the security usually offered by families.

The conditions under which Devadasis agree to have sexual intercourse with men, therefore also meets many of the conditions of 'Unacceptable forms of work', defined as those that 'deny fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of poverty'. This also allows us to conceptualise the Devadasi system as a highly hazardous form of work, which increases workers'

vulnerability to being sexually exploited. However, the normalisation of the practice as well as the gender, caste and economic status of the victim do not allow this exploitation to easily come to light. Incidents of non-consensual sex are not reported or taken seriously by government authorities as the rape of Devadasis is both socially acceptable and expected.

While all sexual interactions with Devadasis in

return for money may not be termed as sex work, it is an inescapable fact that Devadasis are highly likely to take up sex work as an occupation. Being uneducated, female and Dalit, most jobs, except for the most physically strenuous or humiliating, are out of their reach. Most Devadasi women interviewed in the study reported taking up sex work voluntarily, although there are clear links to trafficking that have been noted in other reports.

'I belong to the SC-harijana community. My father died when I was very young and my mother and brothers tried to educate me, but I didn't like studying. So, remaining illiterate, I started working in the agricultural fields along with my mother where we earned Rs 40 to Rs 50 per day. When I turned 14, my family started looking for a groom for me. A number of suitors visited our house but nothing materialised. I got fed up and told my family I was not interested in getting married.

When I was 17, I liked a man who worked in the same field. He was the first man I had sex with and our relationship was secret for a long time, until one day my mother found out. My brothers beat me and threw me out. My mother couldn't bear it and came with me. We hired a small place in the same village and struggled to earn a living as nobody gave us work. My mother was too weak to work. That's when I heard about the brothel and considered visiting it. One day the brothel contacted the women in the street and they took me there. I used to get 2 to 3 clients a day at the rate of Rs 100—Rs 150 client, but for every Rs 100, I had to give Rs 20 to the brothel. I worked there for nearly one and a half years but wasn't happy. The Devadasis who lived in our street couldn't bear my struggle and persuaded me to become a Devadasi. They arranged the ceremony and took me to the temple, where I became a Devadasi.

I took to one partner and stayed with him for about 15 years. He had come to Athani to work in a hotel. He was not married and used to visit me once in 4 days or so. He took me to his village and introduced me as his colleague. He supplied a monthly ration and gave me Rs 100 or more for vegetables.

I was 20 when my son was born. When he came of age, my partner started drinking a lot and stopped supporting us. He used to fight with me often and finally left when my son got married. I haven't known about his whereabouts since. As time passed, I went back to the brothel to earn a living—my son wasn't supporting me. I used to go to the brothel in secret as I didn't want my son and his wife to know.

I was adamant to become a member of the SHG for Devadasis' promoted by MASS NGO and did so with my weekly savings of Rs 20. I now have a total of Rs 5000 in savings at the SHG. I even availed of a loan once for my son's wedding and paid it back. Today I live with my son and his family in the pukka house that I got from the Government under the Devadasi scheme and get the Devadasi pension of Rs 500. MASS organization helped me to get treated as I am suffering from tuberculosis and am in the primary stages of HIV.

I wish I had agreed to get married when I was younger and had settled down so I didn't have as many regrets as I do today. As for my brothers, I am going to fight them to get a share of my family property.'

—Khushboo, age 45, from Belgaum district in North Karnataka.

Devadasis who have not been trafficked are much more likely to be able to demand payment as sex workers, set the terms of the exchange, and be in a position to refuse the exchange if they are unhappy with the terms. This is a significant step up from coercion and exploitation under the guise of a 'traditional practice'. Moving to an urban environment also brings anonymity and an escape from the area they associate with their ritualised exploitation. Sex workers are better organised in terms of claiming their civil and political rights and this identity could potentially aid Devadasis in claiming their own rights.

1.3.4 Gender norms as basis for the practice

The Devadasi practice is deeply rooted in gender stereotypes and pre-defined gender roles—all Devadasis are women (both cis and trans) and are 'married to serve' God. Article 5 of CEDAW draws attention to the discrimination inherent in 'the social and cultural patterns of conduct of men and women... and customary, and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women'.³⁹

While the conceptualisation of this practice as a 'forced marriage' to God may seem absurd, scholars have drawn attention to the fact that the violation in forced marriages occurs when 'one or more parties lose their right to choose their partner',⁴⁰ which is certainly the case here. This is mentioned explicitly in Article 16 of CEDAW, which protects a woman's 'right to freely choose a spouse'.⁴¹

Even when in long-term relationships with a single partner, Devadasis have no legal right over the assets or incomes of their partners. However, gender discrimination is nowhere more explicit than in the highly sexualised form of exploitation suffered by Devadasi girls and women. The preference for young, pre-pubescent girls also indicates the preference for 'virgins' as dedicated

slaves, which is further evidence of patriarchal ideas of pleasure and control.

1.3.5 Caste-based discrimination

As noted previously, most Devadasis are Dalit women and there is a distinct caste character to this practice. The priest and members of the highest castes are actively involved in the dedication—the priest sometimes actively recruits the girls, performs the dedication ceremony and is also often involved in their sexual exploitation post-dedication.

While in traditional slavery, economic benefit was also crucial, the situation is slightly different in the case of Devadasis. Here, the priests and elders maintain the socio-religious order through the continuation of the practice, as the post holds a religious significance. It also maintains the gender and caste order through the exercise of power by men of higher status (most notably the priest) over the bodies and labour of the Devadasi.

The importance given to caste oppression with regard to organizing and rehabilitation is, however, currently contested. While some activist organisations (for instance, Navsarjan⁴²) highlight caste oppression as the key problem to be addressed, locating the problem as one of caste oppression will not serve the needs of Devadasi women today. Ending the Devadasi/Jogini system requires focus on issues specific to Devadasis, which would be lost if attention is directed to caste oppression more generally.⁴³ Further, if rehabilitation programmes of Devadasis are placed under SC welfare programmes, the special focus on Devadasis may be lost, and Devadasis would find it difficult to gain access to official benefits.

Civil Society Organisations engaged in working with Devadasis hold that caste oppression lies at the foundation of the system and unless eradicated firmly, the oppression of Dalit women will emerge in new forms. They also caution that without

addressing caste-based discrimination and stigma, rehabilitation programmes for Devadasis would not yield the desired results.

Others further point out that caste indoctrination is also achieved by using women as the gateway of the caste system. In contrast to Dalit women, women from dominant castes are kept out of public view by 'purdah', meaning they stay at home to the maximum extent or appear veiled in public. These patriarchal tactics also prevent a degree of solidarity between women from different castes. Women from non-Dalit castes do not oppose the oppression of Dalit women through the Devadasi system. This reinforces the role of caste in oppressive practices, showing that the women's movement in India has failed to create solidarity of women across castes and class.⁴⁴

1.3.6 Unacceptable form of work

A key question that arises after a comprehensive discussion of Devadasi lives and livelihoods relates to whether it can be classified as an unacceptable form of work (UFW). Three key considerations of such classification are relevant:

(i) Lack of fundamental rights at work

The situation of Devadasis in relation to their work can be evidenced by the following facts:

- **They are socially excluded:** They have no political recognition as a group, with inadequate estimates of their numbers and the mandatory committees for the elimination of the practice being non-operational and ineffective. They also face discrimination in temples, at social functions, etc., with most customs associated with them being insulting and degrading, such as dancing, begging, etc.
- **Child labour:** Girl children are dedicated at a very young age, when they are not in a

position to comprehend the violence that would be inflicted on them. Their social fate as sex workers is already decided at this time.

- **Forced labour:** Once dedicated, Devadasi girl children are forced into sex work on attaining puberty, without their consent. They have no scope for escape, as they are not able to marry and any attempt to escape this work is seen as a violation of their promise to God. Once dedicated, the Devadasi girl is doomed to a future of sexual slavery to men, sex work or other unskilled, manually strenuous work if she has the possibility to do so.
- **Low collectivisation:** Devadasi women are not organised, except in very few cases where NGOs have facilitated such organisation. As unorganised workers, they lack voice and recognition, and as their work does not have the legal status of being 'work', there is total absence of legal protection. Social norms also militate against them, as there are no social means or fora whereby they can demand payment or maintenance from their patrons/partners.

(ii) Risk to lives, health and security

The risk to the lives, health and security of Devadasi girls arises from:

- **Risk to health:** The practice amounts to human trafficking, with girls being forced into the sex trade, and physical abuse in occupation, even if the site of such forced sexual activity is the homes of their parents, and at social functions. They experience pregnancy at a young age, causing poor health and anemia. They are at the risk of sexually transmitted diseases (STD), isolation, alcoholism, depression and psychological disorders.

Sold for Rs 25

Lakshmi, a Devadasi from Utkur, Mehboobnagar recounts her tale of dedication and how her father identified her first partner thus: 'My parents decorated me by wrapping flowers around my wrist in clockwise direction and they also decorated a sacred mound in the temple with lot of flowers, garlands, bead chains, etc. They got two pendants (locally called Basingam) and tied one to me and one to the mound. The most important part of the ritual is when the Dasari (priest at Temple) unties the flowers around my wrist in an anticlockwise direction. This signifies that I am married to the Dasari who is representing God. My father gave the Dasari a new pair of clothes. Soon after this ritual, there came along another man who gave Rs 25 as dowry to the Dasari and took possession of me. I was literally purchased from the Dasari by this man for Rs 25! According to the ritual I can never reveal the name of my partner to the society even if I bear children with him.'

- **Denial of right to freedom:** Once dedicated, the Devadasis cannot get out of the socially sanctioned sex work, nor can they demand payment for their services or a share in the property of their partners. They also lack access to education, skill development and livelihood opportunities. Dedication at this young age also implies being denied their right to education and a gainful employment leading to stable livelihood. The very aspect of right to life is at stake here. They cannot marry or introduce their partner as their husband or the father of their children. Due to this they also face discrimination at the workplace, temples, functions and other social occasions. Devadasis do not have social right to their partner's property. As mentioned earlier, this chain of discrimination gets transferred to their children's lives in various significant ways as well.

The Lack of Social Security

Narsamma from Utkur Mandal, Mehboobnagar, does not know her age, she thinks she is between 45 to 50 years. She belongs to the backward community of Kuruva, who traditionally rear goats. She sold her ancestral property of 2 acres to get her three elder children married. Now she struggles to eke out a living, in which the labour of two of her children also plays a vital role. Her youngest son, aged 12 years works as goat herder and earns about Rs 15,000 per annum. Her daughter, aged 15 years, works as an agricultural labourer. Narsamma has little or no access to state-run schemes. She says: 'I have no land today. I lost both my parents. I have 2 children to take care of. Who in these days will give me anything at all! They will say we gave you children and that is it.' I have never tried to migrate. I just worked in the village itself. In summer when there is no work I take loans and repay them when working season comes. When Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGA) works are implemented I go to those works. The works have not yet started this year. We get anywhere between Rs 60 to Rs 100 per day as wages. There is no consistency even in MGNREGA payment. They pay whatever. I have no sheep or goats though I belong to Kuruva community. I still have a debt of Rs 1 lakh to repay. All our earnings go in day-to-day living and repaying the loan. Where will I have additional money to buy sheep or goat? I used to get pension when it was Rs 200. I stopped getting any pension from the time they enhanced it to Rs 1000. It has been 4 months now since I got pension.'

- **Lack of security for workers:** The Devadasi practice being a social practice, its nature as sex work is undermined; with informal arrangements being made for sexual partnerships and meagre, uncertain or no financial contributions being made available by the partners. Rejecting sex work is often not an option, with the only alternative for sufficient earning being through migration to semi-urban and urban areas for work.
- **Denial of human dignity:** Devadasi girls are denied the status of married women,

and their children are not legitimate children of their partners, with no social acknowledgement of the paternal descent of the children. The children are also put at risk, with their sense of belonging and dignity being denied, as their identities are not socially acknowledged as respectable. Devadasis are also at risk of abuse not only by their partners, but also the general public, through social practices such as dancing in *Jathres*, where they are sexually abused by women.

(iii) Extreme Poverty

The life of a Devadasi is characterised by extreme poverty. This arises due to:

- **Lack of livelihood opportunities:** Devadasis come from the poorer Dalit households and typically have low literacy levels, with few skills other than in manual agricultural work. They therefore do not have access to gainful employment. Given their low incomes, they are also unable to educate and provide skills to their children, thus becoming caught in a vicious and perpetual cycle of poverty. They are tied to sex work in rural areas, and even when they migrate for construction or other work, their identities as Devadasis and single women put them at high risk of entering sex work.
- **Lack of social protection:** Presumably, Devadasis who are poor should have access to official social welfare schemes or those which are specifically targeted at them. However, most Devadasis are either unaware of, or unable to access these schemes for various reasons. Support to help them educate their children is also lacking, thereby perpetuating inter-generational poverty.

- **Ineffective legal provisions:** The lacunae in the implementation of Devadasi Abolition Acts has led to the continuation of the practice, albeit at a low-intensity level and having undergone mutation due to the market and other factors. Due to the lack of prosecutions, Devadasis do not have access to the compensation and rehabilitation they can claim by statute. The provisions themselves lie unused, with government officers claiming that the practice has been eradicated. Devadasis do not have legal rights to the property of their partners. Therefore, legal provisions do not provide significant support for Devadasi women's livelihoods, recommendations for which are discussed later.

These facts show that on all counts, Devadasis are in an unacceptable form of work, which needs political, administrative and social attention.

2. Processes of Exclusion

2.1 Access to public goods and rights?

Devadasi households face several consequences as a result of following the practice. The current research on the lives and livelihoods of Devadasis finds the following evidence:

2.1.1 Literacy

Of the 175 respondents in the three study states, around 77.71 per cent of women were illiterate. Only 6.29 per cent of them were able to complete high school, and the remaining 16 per cent had to drop out after their primary education. Mehboobnagar has the largest proportion of illiterate Devadasi women at 83.33 per cent, followed by Belagavi at 75 per cent and Sholapur at 74.55 per cent.

I do not know my surname because my mother was a jogini too. My grandmother converted my mother into a jogini because she didn't have any male children. My siblings and I are all born of different men. I was made a jogini because I was born weak and fell ill frequently. My brothers didn't look after me and this made my mother feel very concerned. She decided to make me a jogini, so that I would have partners and bear children. But things did not work out quite that way!

While we were growing up, my mother moved to Hyderabad to make a better living and support us. Soon my elder brother got married and moved out with his family. My second brother started doing some painting work and my younger brother worked at a hotel. I was only eight when I started working as a domestic servant and was happy enough doing this till I was 14.

A year later my mother was in a road accident and died.

I was distraught. At this time, I started working in the fields and met Venu. Venu promised to marry me. I believed all his talk. In the two years I was with him, I got pregnant twice. He got me medicines to terminate both pregnancies. After terminating my first pregnancy I kept asking him to get married to me. He said he would once he got a good job in the municipality (he is educated). Venu was raised by his aunt who was not happy with our relationship. When I got pregnant for the second time, she found out and shouted at me, using foul language. There was a big fight. I got very scared and when Venu asked me to terminate my second pregnancy I accepted immediately. After that Venu never came back to me.

Venu never hit me but used very abusive language. He used to doubt my loyalty and accused me whenever I spoke to anyone. But I really loved him. He would get me food from the kirana shop that he was running and even got me a few dresses. If not for his aunt, I believe he would have married me. But it has been 3 years now and Venu is married to someone else.

My brother, who lives with me, gradually lost his health. Due to muscle deterioration he could hardly do anything. During that time a lady that I know introduced me to Balappa, who owned a gold shop. She told me that though Balappa was 50 years old, he would take care of me. His family stayed in a big house and he let me live in his second, vacant house where he would visit me. We had a good relationship in the beginning and he'd come to me at least every other day. He showed me places, got me clothes often and even gifted me gold earrings and silver anklets.

However, Balappa started verbally abusing me when he came to know of Venu. I had stopped working and would make do with the money he gave me, which was only Rs 100 for the entire week. I didn't have enough food to eat. While I was with him I got pregnant again—twice. He got my pregnancies terminated. I agreed because I was angry that he was not taking care of me. After a few months of being with Balappa, a neighbour advised me to go to Mumbai for household work and I did. I borrowed money from here and there and gave it to my brother for his welfare. In Mumbai, I stayed with the family of my employer and the men in the house treated me with respect. I used to earn Rs 5000 at that time.

Soon Balappa came to Mumbai and convinced me to return. After I came back, he took care of me for two to three days. He even promised that he would not see any woman other than his wife and me. But within a few days, I saw a woman coming out of his room and questioned him. He got defensive and shouted at me. He said he would sleep with as many women as he liked and it was none of my business. From that day he stopped visiting me and we haven't spoken since.

He never beat me, but if I denied him sex he would come home drunk and shout at me. He would threaten to beat and rape me. I was scared that neighbours could hear and would quietly give in. I wasn't close enough to anyone to share my feelings. But I met Eswaramma who works in the anti-Jogini campaign. I told her my story. I wanted to punish Balappa. He taunted me that I couldn't live without him. I want to show him that I can live, and that too much better without him.

I went to Hyderabad for a couple of months to work in a hostel. They were paying me Rs 3000, but my brother's health deteriorated and I had to return. I didn't have money to get my brother treated. He is now 30 and cannot even get up and cook for himself. I have to stay with him. I have a ration card; we get 20 kilos of rice from PDS. When I have money I get vegetables and pulses else we just eat rice and chilli powder. My other two brothers do not acknowledge our existence. My second brother's is a love marriage and they stay nearby but they never come home. All my brothers are doing well except the second one. So I felt bad and decided to take care of him.

I now work in a house where they pay me Rs 1000 to do all their work. I go at 8 in the morning and come back at 12. I don't have energy to work in the evening. I get fever and become bedridden for 15 days at a stretch. The doctors suggest that I should eat good food and rest. But how can I? What option do I have? I attended school till the 5th standard but I don't know how to read or write.

I used to go for construction work earlier and they paid me Rs 80 per day. Now the wages have increased to Rs 120, but I hardly get work and they don't pay on time. I'm afraid to migrate as a construction labourer because I have heard stories of people falling off buildings and dying. More importantly, when I had gone to Mumbai and Hyderabad, some relatives snatched a piece of empty land in front of my house and built their house. I am still fighting to get it back, so I have to stay here. People suggest that I should run a kirana shop. I'm told that the road will get widened soon and my house will come onto the main road. Even now if I had seed capital I would run a kirana shop. I have the courage and interest as well. I want to stand on my own feet rather than do this domestic work.

I do not face ridicule in the society. No men tease or solicit me. But what good is a jogini life? There's no stability. We have to go to various men. I've heard of diseases that are caused by not using condoms, though I've never seen a condom nor have my partners volunteered to wear them. If someone is being converted into a jogini I inform the madams. I know that laws exist. People call me infertile and say I have no children. What do they know of the pregnancies I've lost? I feel like having a partner but I do not trust anyone. I have already been cheated twice. Now I am not interested in men. I want to show my partners that I do not need them and am capable of living on my own with dignity. It should be a slap on their faces.

—Gauri, age 20, from Mahabubnagar, Telangana.

2.1.2 Health

Devadasis are highly vulnerable to Sexually Transmitted Diseases (STDs) including HIV/AIDS from a young age, due to multiple sexual partners. More importantly, the study showed that although most women knew about the importance of using condoms, they were unable to influence partners and clients to use them. As many as 69 per cent of Devadasis are sexually active and they may start bearing children at the early age of between 12 and 16 years. There is a lot of pressure from partners to get pregnancies terminated at that early age and whether they give birth or terminate the pregnancies, they suffer poor health due to undernourishment and anaemia. Most Devadasis, especially the younger women, have taken to drinking alcohol. They drink toddy, beer and other types of liquor and are also addicted to tobacco, which causes a huge drain on their finances besides harming their health.

2.1.3 Denial of sexual and reproductive rights

Research by Sampark shows that Devadasis are being dedicated at ages much younger than 21 years. In fact more than 70 per cent of the respondents were dedicated at less than 15 years of age. 69 per cent of Devadasi women were made sexually active at the age of less than 16 years. In spirit, the Prohibition of Child Marriage Act, 2006 is clearly being violated. However, since the Devadasi is not married, no action can be initiated under this Act. Statutory Rape as per section 375 in the Indian Penal Code states that having sexual intercourse with a woman of age below 16 years is legally considered rape. As Devadasis are involved in work by the age of 16, it is also a violation of The Child Labour Prohibition and Regulation Act, 1986. Most Devadasis are from the SC caste, so dedications and sexual offences against them are

also a violation of the SC and ST (Prevention of Atrocity) Act, 1989.

A Devadasi loses the freedom to get married after being dedicated and is also not free to announce her partner as the father of her children. Due to this, children of Devadasis face social discrimination and are also denied admission to schools. This amounts to a violation of human rights.

Vulnerability can be heightened in certain situations, as illustrated in the case studies. When Devadasi women have regular partners who give them sufficient maintenance for themselves and their families, they can lead reasonably comfortable lives. However, such cases are rare.

Devadasis do often select partners from among the Dalit communities, with whom they may share short-term or long-term relationships⁴⁵. Short-term relationships stem largely from the Devadasis' need for financial support. In shorter-term relationships, male partners are seen to reduce their association with Devadasis after they get married. Generally, within their own community, Devadasis share good relationships with other members and with Self Help Group members, with whose help they access credit and other facilities.^{46,47} Community members usually help Devadasis in childbirth and serious illnesses. The reasons for termination of relationships with partners from their own community are economic pressure and lack of support from the partner, the partner's inability to take care of their households, failure to meet the cost of religious rituals (e.g., gold ceremony) and domestic violence.

Most Devadasis are involved in manual labour like agricultural work. All Devadasis are also sex workers. Many Devadasis have relationships with a patron and a few of them are married. As many as 95 per cent of the women were not able to register their patrons as parents in the admission records of schools for their children. This indicates that the children of Devadasis are not able to prove

connections to a father and are therefore unable to claim any inheritance rights.⁴⁸

In addition to the above, Devadasis may face discrimination from their own children, who question the mother about her practices. The situation gets worse when the children marry. In many cases, particularly among earlier-generation Devadasis, they were compelled to give up their relationships with their partners completely after the children had grown up. There are also instances where the spouses of the children have abused the Devadasi mother both verbally and physically. The Devadasi woman often becomes very lonely at this point in her life. Her parents have died by then, her siblings are busy with their own lives and she is discriminated against and punished by her grown-up children for a situation which she had little control over.

NGOs working with issues of Devadasis and sex workers found that most Devadasis stop getting any maintenance from their partners very soon, and are forced to move to the city for better incomes. Typically, they enter construction and other sectors requiring unskilled work. From these occupations, they frequently slip into sex work again, as they are also marked as single or Devadasi women and approached for sex work.

As a result of the various laws prohibiting it, the practice now unfolds in secrecy and in some cases it has been converted into trafficking⁴⁹. Dedications in the state of Karnataka and parts of Andhra Pradesh are no longer cause for a public celebration out of the fear of fines or imprisonment.

2.2 Laws and their violations

The Devadasi practice violates laws that have been specifically enacted to prevent the practice. In the three study states, these are as follows:

- **The Bombay Devadasi Protection Act** was promulgated in 1934, and later amended

in 2005. The amendment was intended to strengthen the Act and offences under this act are cognisable and non-bailable. The amendment sought to address the problems with the procedure, the appointment of officers, and the authority to take action against those dedicating Devadasis. In order to address these gaps in the previous law, the amendment provided for:

- Rescue, care and protection, and welfare and rehabilitation of women in the units of the government,
 - Appointment of a Devadasi dedication prohibition officer with powers to prevent dedication, and
 - Authority given to the police department/magistrate to arrest those dedicating Devadasis.
- **The Andhra Pradesh Devadasi (Prevention of Dedication) Act**, first promulgated in 1947, was amended in 1988. However, the rules under the Act have not yet been formed and adopted. The rules outline the procedures for action in case of violation of the law and the authorities responsible for examining the case and pronouncing judgements. In the absence of rules, therefore, implementation of the law has not been possible.
 - **The Karnataka State (Prevention of Dedication) Act** was enacted in 1982, and amended in 2010. Although the amendment was not significant, it brought attention to the law and provided the impetus for the government to identify and support Devadasis.

While the Devadasi practice spreads over many other states, only three states have enacted legislations to prohibit and outlaw the system, and identify and rehabilitate Devadasis. However, there are very few cases registered or filed by the district collectors and superintendents of

police, who are the officials responsible for implementation of the Act. Further there are no prosecutions and penalties imposed on perpetrators under the Acts in Andhra Pradesh and very few in Karnataka and Maharashtra⁵⁰.

Given our understanding of the Devadasi practice and its implementation, described in the previous section, there are several laws that are violated by Devadasi practice. In spirit, the Prohibition of Child Marriage Act, 2006 is clearly being violated.⁵¹ However, since the Devadasi is not married, no action can be initiated under this Act. Statutory Rape as per section 375 in the Indian Penal Code states that having sexual intercourse with a woman of age below 16 years is legally considered rape.⁵² Section 370A is also applicable, which addresses the offence of human trafficking,⁵³ as does the Immoral Trafficking Act, 1956.⁵⁴ As Devadasis are involved in sex work by the age of 16, it is also a violation of The Child Labour Prohibition and Regulation Act, 1986 and the Protection of Children from Sexual Offences Act, 2012,⁵⁵ as well as the UN Convention on the Rights of the Child, 1989. Most Devadasis are from the SC caste, so dedications and sexual offences against them are also a violation of the SC and ST (Prevention of Atrocity) Act, 1989.⁵⁶ Most Devadasis are from the SC caste, so dedications and sexual offences against them are also a violation of the SC and ST (Prevention of Atrocity) Act, 1989.⁵⁷

Many Devadasis are also subject to intimate partner violence that could be addressed by the Protection of Women from Domestic Violence Act 2005⁵⁸.

The promulgation of laws for protecting a special group has both advantages and disadvantages. The advantage is that it outlaws unacceptable and exploitative practices, as is the case of Devadasis, manual scavengers and bonded labour. The disadvantage, however, is that once these laws are promulgated, they draw attention away from the root cause of the practice. The duty bearers for implementation of these laws (the

police, district officials, judicial officers, even NGOs) do not take cognisance of the underlying phenomenon as one rooted in caste, gender and structural inequalities, and simply limit it to the realm of traditional practice. This is why one finds hardly any prosecutions not only under the Devadasi Acts, but also under the other Acts, e.g., SC/ST Prevention of Atrocities Act.

2.3 Government schemes for Devadasis

When Devadasis were recognised as a vulnerable group, the government made schemes to provide them with rehabilitation assistance. The programmes and schemes for Devadasis may be summarised in the following table:

To begin with, some of the schemes suffered from faulty design. Further, implementation has created problems as well. For instance, the state of Karnataka perceived that the Devadasis need marriage to improve their condition, hence it provided a financial incentive for the marriage of Devadasis. Some men came forward to marry the Devadasis and got the incentive of Rs 10,000 from the government. In most of these cases, the men left the women soon after and the women were further ostracised socially for having broken their contract to God! After the first round of such marriages, the Devadasi women stopped availing of this scheme and the government stopped implementing the scheme as well.

These schemes have been implemented with varying effectiveness over time and across the states, and some issues that have plagued the implementation of these schemes are as follows:

2.3.1 Lack of information/ demand-side issues

Devadasis did not know about the schemes and did not know how to access them, so the demand for these schemes has remained low.

Table 1: Government Schemes for Devadasis

	Karnataka	Maharashtra	Telangana
IGA support	Rs 20,000/- with 50% subsidy	None	Rs 20,000/- with 50% subsidy
Devadasi pension	Rs 500 per month, for Devadasis, as per Devadasi card Demanding for Rs 1,000/- month	Rs 500 per month for <i>Joginis</i>	Rs 1,000 per month, some disqualified in new survey because this was a widow pension
Land distribution	After the first survey, 2 acres of land was given to some Devadasis	Land distribution was not considered	3 acres of land per SC/ST landless household, by the SC/ST corporation
Housing scheme	Rs 75,000 to 1,20,000/- under called Indira AwasYojana/Rajiv Gandhi Grameen Housing scheme	Not offered	Rs 75,000/- to Rs 1,00,000/- from The Scheduled Caste Corporation ⁵⁹
Marriage grant	Rs 10,000/- (earlier provision, not provided any more)	Rs 10,000/- (earlier provision, not provided any more)	
Create Awareness to eradicate the practise		Rs 10,000/- per year programme to the NGOs	

2.3.2 Departmental variation in success when implementing schemes

Government officials reported that when the scheme is with the women and child department, many programmes got implemented: mass awareness, campaigns, to stop dedication, etc. are conducted. However, when the scheme is implemented by the SC/ST department, the Devadasi issue competes with other caste-related schemes and does not get sufficient attention or funds.

2.3.3 Livelihood financing schemes

Among the official livelihoods promotion support, two major types of financing schemes have been initiated in Telangana:

- Housing scheme of the corporation (IAY)
- Income generating activity

The SC/ST cooperation has a provision to extend loans and subsidies; usually they give a proportion of the total funding needed (60:40), with the latter coming from the bank. The amount available ranges

from Rs 75,000 to Rs 1 lakh. However, as there have been earlier defaults on loan repayments by their family members, most Devadasis are not considered creditworthy by bank standards and are unable to use the provision.

Consequently, even when subsidies and loans are available, Devadasis are unable to use these to build homes or their businesses.

2.3.4 Non-accessibility of government welfare schemes

Many government schemes require that the beneficiary provide the husband's name, an income certificate, or a marriage certificate. Many Devadasi women are not able to produce this evidence and hence are unable to access these welfare schemes, especially the ones emerging from the Women and Child and SC/ST departments. Lack of these certificates also prevents Devadasis and their children from getting passports, depriving them of income-earning opportunities outside India.⁶⁰

2.3.5 Landless Devadasis and key challenge of land possession

The Andhra government had announced a scheme for allotting land to Devadasis during the land reform programme, however very few Devadasi families were allotted land and received legal deeds. Some received the deeds but do not have possession over their land. Consequently, many Devadasis are landless and sometimes do not even have a roof over their heads.⁶¹

2.3.6 Stigma and Discrimination in Labour market

Most Devadasi women who have not entered commercial sex work are daily wage labourers or work in unorganised sectors like agriculture and construction. Devadasi women in Karim Nagar district of Andhra Pradesh are working in the

beedi industry, mainly rolling *beedis*. These women do not get equal wages for equal work compared to other labourers, and are also deprived of the provident fund scheme. These facts were noted by the one-man Commission on Devadasis in Andhra Pradesh. The discrimination, social exclusion, the stigma related to being temple prostitutes and the attitude of the general community have prevented Devadasis from engaging in alternate professions.

2.3.7 Lack of psycho-social counselling support service and health security

Devadasis are dedicated during early childhood or at puberty, at 6 to 12 years of age and are later sexually exploited by patrons and also by upper caste men of the village. They are subjected to forced sex, abuse and exploitation at an early age, causing emotional trauma and psychological disorders, as well as sexually transmitted diseases. They also suffer problems arising from isolation, social exclusion, and stigmatisation, leading many Devadasi girls and women to become depressive, which may manifest in abnormal changes in their behavioral pattern, including psychosomatic disorders.

2.3.8 Pension scheme

Devadasi women are unable to avail benefits of any pension schemes such as widow pension, single women, etc., due to their nomenclature. They are neither widows as they are married to a deity, nor single women because of their association with their patrons. The government has not been able to consider the case of Devadasis as single women, as this is open to abuse by non-Devadasi single women who claimed to be Devadasis, thus depriving the actual beneficiaries.

2.3.9 Lack of funds with the government

Although the government has announced

schemes for the rehabilitation of Devadasis, the implementation has been wanting for lack of funds as well. In Karnataka, an NGO working with Dalits reported that Devadasi women had not received their pensions for the past 19 months, as they had not received funds from the central government. Hence, non-disbursements of funds, lack of appropriate allocations and allotment of funds are key challenges in the implementation of state rehabilitation schemes.

2.3.10 No property rights for Devadasis and their children

Typically, Devadasis and their children are given no share in the property of their partners (fathers of their children). Recent judgements by the Supreme Court have granted these rights to partners, and children from live-in relationships.⁶² While the provision has not yet been used, Devadasi and Dalit associations have cited the judgements in a few disputes to get Devadasis their due maintenance from partners. On the basis of these experiences, the associations believe that in cases where Devadasis have relatively long-term relationships with their patrons, an effort should be made by them to claim maintenance for themselves and a share in the property of the partner for their children. NGOs need to support them in these efforts and provide legal assistance to claim these property rights.

Such measures have not been initiated so far under any government programme for rehabilitation of Devadasi women.

The Judiciary's presumption of marriage in live-in relationships is valid only among partners who are both unmarried at the time of co-habitation. Hence, the Devadasis suffer a further disadvantage as their partners are often married men engaging in extra marital affair/intercourse'. Though the above interpretation is limited in its application, the benefits of property rights and child legitimacy could be availed of by the Devadasi if the partner is

unmarried and all conditions provided in the 2010 judgement are fulfilled.

2.4 Deliberate invisibilisation

Discussions that revolve around numbers of Devadasi women and their identification process are similar to those around other highly exploited and extremely vulnerable groups such as manual scavengers, bonded and forced labourers, child workers, etc. These practices are outlawed, and duty-bearers such as the police and local government officials are charged with preventing these practices and prosecuting those found practising them. The fallouts are many.

The first is that there is an underestimation of numbers of people in these groups. In the case of Devadasis, all CSOs and even the commission representatives admitted that the government data of Devadasi women is highly underestimated and unreliable. The report submitted by the one-man commission estimates the number of Devadasis in Andhra Pradesh to be about 80,000—much higher than the figure of 24,273, provided by the AP social welfare commission. Importantly, the Commission report was submitted to the (undivided) Andhra Pradesh Government two years ago and has still not been made public. Furthermore, Ms. Subhadraa, a leading Hyderabad-based activist mentioned that more than 100,000 Devadasi women gathered last year for Yellamma deity's annual festival, indicating that the number of Devadasis in the country is much higher than what the government estimates.⁶³

Another reason for the underestimation of the number of Devadasis is the lack of official funds for rehabilitation. While welfare schemes for Devadasis exist in some states, the government has been resistant to identifying their numbers correctly through a comprehensive survey for fear that the number of beneficiaries may increase

dramatically, putting a strain on the meagre resources available.

Identification of Devadasis would also increase the pressure on the government to take action to prevent this practice, which is another deterrent to the survey that has often been demanded by many civil society groups. The experience with governments across states has been variable. In Karnataka, there is a separate cell working for the welfare of Devadasis, which is active in the

Superstition, blind faith and financial vulnerability are the reasons that made Prabhavathi, from Sholapur, a Devadasi: Her father was a scrap dealer and her mother worked in cotton fields. When she was 7 years old her father left them and went away to Pandharpur. He gambled and lost everything they had. They were left without a house and started living near a bus station. Every year her family visited the Saundati temple in Karnataka during Jathre. Once during Jathre, her mother noticed that Prabhavati's hair was completely entangled and had formed a 'jat', considered a symbol of God's will and calling. Her mother took her to the temple town, worshipped their deity and when Prabhavati was given a bath, a garland fell around her neck. This was again taken as a sign she was needed for the God. Also, a lady who was possessed by a Goddess (Devi) came to their house and said, 'I want this girl to be initiated into a Devadasi.' Initially her mother refused, but obstacles and financial problems made her mother relent. Prabhavati was immediately taken to a guru called 'Majukh' who performed various poojas, tied a moti mal around Prabhavati's neck and took her under his care. Ceremonies were conducted, gifts were given to guests and the ritual of going to the jathre every year began. She was also taught music, singing and dancing and was made to perform at the jathre each time in the festive season.

eradication of the practice. In Telangana, neither the social welfare department nor the women and child department has taken responsibility in the identification of Devadasis. The police too are either unaware of the law or not being proactive; they prevent dedications only when complaints are made. Without proper identification, it is difficult to stop this practice or to provide welfare benefits to existing Devadasis.

The illegalisation and criminalisation of Devadasis and their families is another feature that creates problems. When people are caught dedicating, it is the Devadasi's parents who are punished. Thus public policy blames the group that is victimised to begin with, i.e., the Dalits. The fact of non-Dalit oppression over the years that has sanctioned the exploitation of Dalit girl children is overlooked.

3. Good Practices and Suggested Interventions

Some good practice examples of interventions and support to Devadasis, for partial or complete 'inclusion' for this excluded group are detailed below:

One key change that has made a significant difference is a change in the norm and practices relating to school admissions. Earlier, children of Devadasis had to fill in the name of their fathers, and found this difficult. More recently, Devadasis have been permitted to admit their children to schools with only the mother's name being filled in the admission forms. With the enactment of the Right to Education Act, it has become compulsory to admit children regardless of parents' names being available, making it much easier for children of Devadasis to gain admission to schools.

Another good example is in the field of livelihoods support. Sampark, an NGO with field projects in Koppal district, mobilised women into Self Help Groups (SHGs) in about 100 villages.

While paying special attention to the poorer women, Sampark realised that the Devadasis were some of the poorest and most marginalised people in the society. They brought Devadasi women into these groups and to reduce their marginalisation, included many Devadasi women in SHGs formed by other Dalit or non-Dalit women. This reduced the stigma that Devadasi women face and also enabled them to benefit from the higher savings, loan taking and loan repayment capacities of non-Dalit women and women who are less poor. Over time, the Devadasi women transited from taking consumption loans to taking loans for income generation and asset building, and many have built assets and overcome poverty. In addition, the Devadasis also gained voice and social empowerment, as SHGs have reduced caste-based inequalities in the SHGs, cooperatives and villages. The example shows the value of investing in organisation-building, voice, and livelihoods enhancement of excluded groups such as Devadasis.

The research in Belagavi and Mehboobnagar offers similar lessons. In both locations, 70 per cent of the Devadasis are members of Self Help groups, or collectives of sex workers, and such membership provides them the opportunity to access credit, discuss their problems, collectively increase their awareness of and access to government schemes. By contrast, in the third research location, Sholapur, more than half the respondents were not part of any collective, because most of the women are geographically scattered and cannot attend the meetings of collectives. Consequently, they had lower access to government schemes and financial cooperatives.

These collectives do not yet, however, work as forums to stop the Devadasi system, which has to happen within households, i.e., women deciding within their families that they will not dedicate their children and in caste associations, which are mostly led by men.

4. Recommendations

The recommendations follow the Gender Equality and Social Inclusion (GESI) framework which outlines three domains of change for inclusion and empowerment: provision of assets and resources, organisation-building for creating voice, influence and agency and changing norms and institutions that create exclusionary processes, and bringing in policies, norms and institutions that encourage inclusionary systems and processes. The recommendations for action by state and NGOs, as well as Dalits and Devadasi households themselves are presented in four categories: those relating to data and monitoring systems, those relating to providing assets and services for rehabilitation of Devadasis, especially through livelihoods promotion; those relating to organisation-building to aid agency and voice of the Devadasi women, and effective prevention and rehabilitation through changing norms and institutions at the policy level and in society.

4.1 Information and monitoring

Critical to designing schemes for the rehabilitation of Devadasis as well as strategising prevention is a measure of the extent of the problem. Devadasi practices should be recognised and repeated surveys should be conducted to find out where Devadasis are located and what is happening to them. Caste-based organisations, such as Dalit Sanghas,⁶⁵ can be used to keep track of Devadasis and assist the government in discovering dedications. More data is also needed on the reproductive health problems and psychological disorders faced by Devadasis, and the legalities of property rights to Devadasis.

As the practice exists in different forms in many states other than the three states where research was carried out (such as Madhya Pradesh, West Bengal, Odisha, Kerala), a comprehensive study needs to be undertaken across the country. The study would need to be conducted under the

aegis of the Ministry of Women and Children at the national level, with the participation of state departments of Women and Child Development, National and State commissions of Women, and NGOs in each state. The participation of the Ministry and Corporations looking after Scheduled Castes and Scheduled Tribes will ensure that they engage with the identification of Devadasis and with increasing the outreach of departmental schemes to Devadasis.

The state also needs to form Committees at the national level and in each state for effective monitoring of spots where Devadasis are dedicated, making prevention more effective. The committee can also monitor the effective implementation of the schemes for Devadasi households. The membership of the committee needs to draw from the Department of Women and Children, SC/ST and national and state Rural Livelihoods Systems, NGOs, Dalit associations and community-based collectives and cooperatives of Devadasis and sex workers.

The National Commission for Women (NCW) has commissioned a research study to develop a database and profile of Devadasi women in the states. Hence it would be worthwhile to advocate learnings and best practices in the identification of Devadasis with the Commission as well as with academic institutions, e.g., Chennai University.

The government needs to provide budgetary support for the monitoring, prevention as well as the implementation of state schemes.

4.2 Providing more assets and resources to the excluded group: Devadasis

Ensuring rehabilitation of Devadasi women is a crucial challenge; although there are initiatives undertaken by the government as well as civil society organisations, a comprehensive rehabilitation (socio-economic and political) policy and programme for Devadasi women is still lacking.

Some key suggestions for effective rehabilitation programmes are detailed below:

- **Compulsory free, quality and discrimination-free education** to children up to graduation level ensuring that all girls from the community and Devadasi girl children get priority education, admission, and scholarship.
- **Hostels for girls:** Given that parents are culpable in the dedication of Devadasis, there is a need to ensure that girl children at the risk of dedication are removed from such an environment and given the opportunity for safe stay in residential homes, where they can have access to education as well.
- **Skill development programme:** Children above 14 years of age should be imparted training on life skills and vocational skills for increasing their employment opportunities once they are out of school.
- **Livelihood support:** For Devadasis with no land or unproductive land, the government could provide fertile land with irrigation facility, easy access to credit along with backward and forward linkages. In addition to land, the government needs to provide grants for income-generating activities, and enterprise-promotion support. As with groups such as bonded labourers and manual scavengers, Devadasis could also be classified as a special group eligible for 100 per cent subsidies for income generating assets. This provision has been drafted in Telangana but is yet to be approved.
- **Marriage and financial assistance:** The government should promote Devadasi marriages and provide monetary assistance as reward.
- **Financial inclusion and services:** Bank accounts should be opened for Devadasis so they are financially included and can claim

official rights and entitlements easily and without any leakages.

- **Pension for Devadasis:** Given the problem of identification of Devadasi women under the widow or single women's schemes, a separate pension scheme should be formulated and targeted at such caste communities from which girls are dedicated as Devadasis.
- **Universal old age pension for poor families:** As mentioned earlier, one of the main reasons for dedicating girls as Devadasis is that the parents do not have social security schemes in their old age. There is a need to design effective universal old age pension scheme and ensure that the amount is sufficient to meet their food and health care needs.

In addition to economic support, Devadasis require social, legal and psychological support. These include social security schemes, counselling and mental health support, legal aid services, pension schemes, etc. These measures would rehabilitate Devadasis who have been identified by the government, and will ameliorate the extreme poverty and vulnerability that they have faced till now.

4.3 Organisation building

Lessons from working with excluded, exploited and vulnerable groups clearly show the advantage of organising, which provides safe forums for sharing common issues and collaboration in order to have a stronger voice. The agency and voice of Devadasi women would be significantly strengthened by helping them to organise themselves into collectives such as Self Help Groups (SHGs), federations, unions, and cooperatives through which they can claim their rights and resources, as well as derive mutual support. The collectives will also provide the women with safe spaces where they can discuss mutual needs and organise themselves to

communicate these needs to the government and other organisations.

4.4 Changing norms and institutions

A comprehensive policy should address the stigma and discrimination faced by Devadasis and their children. There is also need to address labour market discrimination which is often neglected in rehabilitation policies. Norms, laws and policies need to allow for the following:

- **Law for providing property rights to Devadasis:** This provision will seriously deter exploitative partnerships by landed and rich villagers with Devadasis. The provisions of 'live-in relationships' may be used to get Devadasis and their children their due maintenance and property rights from the partners, as detailed earlier in the chapter.
- **Engaging males of Devadasi families and communities:** The male members of the relevant communities and families there in are substantially under-employed and often suffering from excessive alcohol consumption. They therefore make no conscious efforts to stop this dedication or retaliate against the practice. Caste norms are ingrained and deeply rooted in the psyche of the community, hence raising critical awareness and conscientization are crucial to turning community members into social advocates who could help end the practice. Proactive action by a sensitised male population will result in a reduction in the family pressure faced by Devadasi women at the family level.
- **Education to children of Devadasis:** It is important to ensure discrimination-free education and respectful socialisation in family and schools for the children of Devadasis in order to bring about social

change. In addition, children as change agents could be instrumental in sensitising parents against the Devadasi system.

- **Prevention of dedications:** Prevention strategies are crucial to uproot any social evil, and this is also true for the Devadasi system. These strategies include conscientization and raising awareness of the ill effects of the Devadasi system. In addition members of these vulnerable communities should be made aware of their rights so they can challenge cultural norms, and demand accountability from the State and society. The parents, priests, implementing government officers, NGO staff and police need to know the laws and the procedures by which they can prevent the practice.
- **Using laws as deterrents:** For effective prevention of the Devadasi practice the government, police and civil society organisations need to invoke not only the Devadasi law, but also other legislations such as the relevant sections under the Criminal Penal Code (CrPC) and the Indian Penal Code (IPC), the child marriage act, atrocities against SC/ST and other relevant acts. For effective enforcement of the laws it is required that the Acts have teeth; rules for acts need to be framed and adopted, responsibilities and time frames for this need to be fixed, and the parents of the girl should not be criminalised, as they are not the perpetrators, but also victims of a practice that involves caste-based oppression. The real perpetrators who may be parents, but

also the pimps, self-styled gurus and other brokers of the system need to be penalized. The partners should be punished too, and the provisions for those 'living in partnership' be applied to Devadasi children, conferring on them the right to inherit the property of their fathers. The application of these laws will have a strong deterrent effect on dedications and the sexual exploitation of Devadasis by non-Dalit and Dalit men.

- **Attending to the larger needs of the SC/ST groups:** As most Devadasis are from the SC/ST groups, it is important to organise and create awareness among this community, enlisting the support of Dalit groups in preventing the practice. Further, socio-economic and political concerns of these communities such as education, health security, livelihood, shelter need to be addressed in order to ensure that their fundamental rights are protected.

In conclusion, Devadasis represent a highly exploited group, whereby exploitation is on the grounds of caste, gender and poverty. Despite laws to the contrary, the practice has continued to exist, and even though new entrants to the traditional system have reduced significantly, the market for commercial sex has led to the mutation of the practice whereby many sex workers have adopted the label of Devadasi. Furthermore, the marginal economic security available to Devadasi women, has led many of them to move into sex work. The eradication of the practice will require a concentrated effort by government and civil society organisations, and will need close monitoring till the system is fully eradicated from the country.

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 52. Section 371 applies to habitual dealing in slave, section 372 to selling minors for purposes of prostitution, etc., Section 374 to unlawful compulsory labour, and Sections 375 and 376 to rape and punishment of rape.
 53. This defines human trafficking and 'provides stringent punishment for human trafficking; trafficking of children for exploitation in any form including physical exploitation; or any form of sexual exploitation, slavery, servitude or the forced removal of organs.'
 54. Enacted in pursuance of an International Convention signed in May, 1950 to combat trafficking of women and children; the Act defines prostitution as, 'the sexual exploitation or abuse of persons for commercial

- purposes or for consideration in money or in any other kind' and clearly penalises trafficking (recruitment, transport, transfer or harbouring) or abetment of trafficking of individuals, for prostitution as well as those who live knowingly on earnings from the prostitution of others.
55. The Act penalizes sexual offences (encompasses touching children with sexual intent and penetrative sexual acts, including the performance of oral sex) committed against any person below 18 years of age as well as abetment/aiding of sexual offences against children.
 56. Signatories to the Convention are required to enact necessary legal measures to prevent inducement or coercion of a child to engage in 'unlawful sexual activity' and to prevent the exploitative use of children in prostitution.
 57. The preamble of the Act is 'to prevent the commission of offences of atrocities against the members of Scheduled Castes and Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offenses and for matters connected therewith or incidental thereto'. The sexual exploitation of a woman belonging to a Scheduled Caste or a Scheduled Tribe, where the offender (not being SC/ST) uses their position to dominate and sexually exploit the woman, is punishable under the Act.
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 61. This was reported by Devadasis in a workshop in Hyderabad in February 2015. The findings of the survey in the study show that 75% of the Devadasis have a home, which could be due to the fact that the sample was largely drawn from among NGO-assisted Devadasis.
 62. In the case of *Lata Singh v. State of U.P.* AIR 2006 SC 2522, the Supreme Court observed that a 'live-in relationship between two consenting adults of heterosexual sex does not amount to any offence even though it may be perceived as immoral'. In the case of *Indra Sarma V.K.V. Sarma 2014-1-L.W.(CrL.) 129*, it was held that in-equities exist within 'live-in' relationships and when they break down, the woman is invariably the sufferer. Besides, she also suffers from social disadvantages and prejudices and has been regarded less worthy historically. The SC also empathised that it is unfortunate that there is no express statute or legislation governing termination and disruption of live-in relationships in India.
 - . In this context, the nature of relationship existing between the Devadasi and her partner is said to fall within the parameters of a 'live-in' relationship, thus protecting her right of inheritance of the partner's property. The Bench of M Y Eqbal and Amitava Roy cited in their judgement, 'Where a man and woman are proved to have lived together as husband and wife, the law will presume, unless contrary is clearly proved, that they were living together in consequence of a valid marriage, and not in a state of concubinage.'
 - . Another progressive judgement by the Supreme Court is the affirmation of the legitimacy of a child born out of live-in relationships in *Bharata Matha & Ors v. R. Vijaya Renganathan & Ors.*
 - . Justice Markandey Katju laid down the following criteria for live-in relationships in the *D. Velusamy V. D. Patchiammal* Case.
 - (a) The couple must hold themselves out to society as being akin to spouses;
 - (b) They must have attained the legal age of marriage;
 - (c) They must be qualified to enter into a legal marriage, including being unmarried;
 - (d) They must have voluntarily cohabited for a significant period of time.
 63. Taware, Conditions of Devadasis in India.
 64. See: Sampark, Devadasis and their Livelihoods *and* Marglin, Wives of the God-King, The Rituals of Devadasis of Puri.
 65. Sanghas are associations of different types of groups; here the reference is to Dalit Sanghas, associations of scheduled caste persons.