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The Devadasi System: An Exploitation of Women and Children in the name of God and Culture

By Tameshnie Deane¹

Abstract

This article looks at an ancient tradition of India called *devadasis*, which literally means “servant of God”. It requires girls as young as four years to be ‘married’ or ‘dedicated’ to a temple deity. Once a revered practice, over time the traditions evolved allowing women and children to become sexually exploited in the name of God. Looking at the reasons for the difficulty in combating this issue, this paper will first analyse its practices through a historical lense. Secondly, the extent of this exploitative practice will be discussed, and a major objective will be to explore the cultural underpinnings of a practice that permits the sexual exploitation of minors under the guise of religion which leads to sexual servitude and trafficking. This paper analyses the reasons for its continued practice and will conclude with some recommendations for improving the status of these vulnerable persons.

Keywords: Devadasi, Sexual slavery, Caste system, Sexual exploitation, Cultural exploitation, Trafficking in children

Introduction

Sexual exploitation, especially of women and children,² whilst an international epidemic (ILO 2008), spanning almost every country on the globe and one that transcends cultures and geography (Shingal 2015), is especially at its worst in India (Nair 2007). Whilst acknowledging the difficulty of obtaining accurate statistics regarding child sexual exploitation, mainly because of its underreporting, it is estimated that the number of child victims trafficked worldwide for sexual exploitation or cheap labour on an annual basis is 1.2 million (ECPAT 2016). It is further estimated that there are approximately 20 million commercial prostitutes living in India, and of this, almost 16 million of them are female victims of sex trafficking (Nagaraj 2019), but this number is only a portion of the total number of humans living in modern-day slavery in India (Toast 2019).

It has been reported that a major contributing factor to this extreme level of exploitation can be linked to the continued practice of an ancient Hindu tradition called *devadasi*, a Sanskrit word which literally means ‘servant of God’ (Hartmann 2019). The *devadasi* practice is one in which low-caste girls, who have not yet reached puberty and who may even be as young as four or five years old, are ‘married’ or ‘dedicated’ to a Hindu goddess. The practice requires the girl to become sexually available for community members leading to these children being sexually exploited by temple patrons and higher caste individuals (Nagaraj 2019). From these temples the *devadasis* are meant to sexually satisfy the priests, *zamindars* (landlords) or higher caste patrons because “for her service to them is akin to service to God” (India TV 2015). The cult of dedicating young girls to the temple and assigning them to be sexually exploited by the deity's priests or devotees, existed in many ancient cultures, including in Europe, the Middle East, West Africa and South Asia (Black 2007, 1). This type of ritual slavery or sexual servitude

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² The Convention of the Rights of the Child, 1989 defines anyone below the age of 18 years as a child.

has continued into the present day in a few settings around the world, including the practice of *Trokosi* in some parts of West Africa and *devadasi* in India. This paper will focus on the exploitative practice in India.

Despite being declared an illegal practice, the *devadasi* tradition remains deeply entrenched in certain States in India, like Kolkata in West Bengal, Tamil Nadu, Maharashtra, Uttar Pradesh, Rajasthan, Gujarat, Orissa, Karnataka, and Andhra Pradesh (Desai 2007). It is a practice that prevails throughout India in different forms and names, such as *Devadasi* in Karnataka, *Maharis* in Kerala, *Natis* in Assam, *Murlis* in Maharashtra, *Jogins* and *Basavis* in Andhra Pradesh, *Thevardiyar* in Tamil Nadu, and *Bhavins* in Goa (Arun 2011, 102). Due to its deep-seated roots with tradition and religion but because of its illegal status, the practice of *devadasi* continues but remains largely underreported. According to a 2020 report the main reasons for the lack of a true estimate around the number of *devadasis* is due to the government's lack of will and commitment to this issue and their failure to conduct a survey around this practice for the last eighteen years (Belagere 2020).

Therefore, conservatively speaking reports estimate there to be around 450,000 *devadasis* in India, (Rajam 2017) about 80,000 *devadasi* women in Andhra Pradesh and Telangana (Vadlapatla 2015), and over 80,000 *devadasis* in Karnataka alone (Belagere 2020). These women and children dedicated to the deity as *devadasis* usually end up leading a life of religious and culturally sanctioned prostitution and sexual exploitation.

Aims and Objectives

This ancient *devadasi* practice is a particularly difficult one to combat, as it arises out of a crossroads of tradition, poverty, and societal norms. In addressing this issue, this paper will firstly analyse the practice from a historical period, to modern times, looking at how traditional practices evolved into modern-day slavery. Secondly, the extent of this exploitative practice will be discussed. A major objective will be to then explore the cultural underpinnings of a practice that permits the continued sexual exploitation of women and children under the guise of religion that leads to them becoming vulnerable to trafficking for further exploitation. This paper will briefly look at the legislative framework banning this practice and analyse why, despite a strong legal framework, the practice continues. Some reasons for its continued practice will be discussed and includes reasons related to poverty, the caste system, societal norms, and poor implementation of existing laws. This paper will conclude with some recommendations for improving the status of these vulnerable persons.

The Historical Background

Though generally agreed upon that it is an ancient tradition, the traditional beginnings of the *devadasi* culture have been a subject of debate amongst scholars. Whilst having its origins in southern India, some argue that it can be traced back to as early as the third century (Bharathi 2017, 7) while some trace its origin to the sixth century AD in South India (Shingal 2015, 109) and others date it back to seventh century, during the reigns of the *Cholas*, *Chelas*, and *Pandyas*³ (Lee 2011). Authors of both early (Ramachandran 1900) and recent (Saskia 1998, 60) critical works on the reason for the socio-religious institution of *devadasi* dedication agree that the practice was initially constructed with noble intentions; viz., they were handmaidens intended to be of service to Gods and who had to perform the sacred arts of dance and music within and outside the temple premises (Ragini 1928). The common factors of this

³ At the beginning of the common era, southern India and Sri Lanka were home to three Tamil dynastic chiefdoms or kingdoms. Collectively known as the Three Crowned Kings of *Tamilakam*, the *Pandya*, *Chera*, and *Chola* dynasties ruled over the Tamil people during ancient and medieval India, each fighting for dominance over the region. See National Geographic (2020) Three Crowned Kings of *Tamilakam*. <https://www.nationalgeographic.org/article/three-crowned-kings-tamilakam/>. Accessed 11 July 2020.

ancient tradition are that being defined as '*sebaets*', they served God through sacred dance and music, whilst the generic term *devadasi* referred to a “multiplicity of female communities” known as *gudisani* (temple lady), *bhogam* (embodiment of enjoyment), *kalavati* (receptacle of the arts), and as *devaradiyal* (slave of god) (Saskia 1987). Very importantly, they were seen as sacred and were meant to be *bramachariyas*, celibate for their lifetime. They were revered and a respected cult enjoying a high status in society (Soneji 2012).

The terms referenced above is evidence of the intention of the original role of the *devadasi*, which was to serve as temple handmaidens who cared for temples and offered daily prayers and worship (Arun 2013, 2). They were regarded as an important part of the temple and were acknowledged as being on the same level as the *brahmins* (priests) (Torri 2009). They were educated, literate in the scriptures, and learned music and dance.

These were women with complete knowledge in *sahitya* (literature), *sangeeta* (music), and *shastra* (sacred scriptures of Hinduism) and knew many art forms pertaining to the *alankara shastra* (poetic ornamentation) and hence were considered “complete artistes” (Khokar n/d). The *devadasi* system was at this time regarded as a beacon of the arts.

Being trained artists, they performed dance and music. Dances that the *devadasis* learned, practiced, and performed included *Sadir*, *Odissi*, and other classical Indian artistic traditions (Khokar, Shah and Pandaya n/d). *Devadasis* were considered to be the hereditary proprietors of the cultural practice that eventually emerged as *Bharatanatyam*⁴ (Indian dance) in the early part of the twentieth century. These classical dances were all considered to be of such an intricate nature that the performance of it added to their standing as a receptacle of the arts (Accelerated Motion n/d). Dancers were thus dedicated primarily for propitiating gods.

Indeed, the more *devadasis* a temple secured the more prestigious and auspicious that temple was considered to be. *Devadasis* were said to be set aside from the rest of Hindu society and their presence; their sacred dancing and singing in temples, in front of royalty and others, increased the Kings and temples prestige (Pran 1999). They were rewarded for their artform and service to temples with gifts or given tax-free land from the temple or the feudal kingdom in the region (Arun 2013, 2).

These handmaidens were ‘dedicated’ to deities of the local temple like *Yellamma-Renuka*—the Goddess of fertility—and being so ‘dedicated’ they were considered being ‘given’ in marriage to God. They therefore could not marry any ‘mortal’ (Shingal 2015).⁵ So-called marriages of girls to *Yellamma* have been taking place for at least 2,000 years and is a practice continued to date (Bharathi 2017). This status of being dedicated and of being married to an immortal meant that these women were regarded as auspicious beings who enjoyed a high social prestige (Shingal 2015, 109).

However, over time the role of a *devadasi* started to evolve, and it is believed that some *devadasis*, in addition to their earlier roles of being hand-maidens and dancers, were expected to provide sexual favours to Kings, priests, and temple patrons. It was during the *Chola* period 850-1300 CE, that the *devadasis* became far more popular and gained much more attention through their rituals. It was at this point that many believe that their roles started to change and that they became sexual beings vulnerable to being exploited (Kadetotad 1983). What should be noted is that even though the *devadasis* started engaging in sexual favours during this time, they were still revered, respected, and no stigma was attached to them, mainly because they were courtesans of the King. Throughout recorded Indian history in poems, scriptures, writings

⁴ Bharatanatyam (developed from *Sadir* dance, *Chinna Melam* and *Dasi Attam*) and *Odissi* (developed from the *gotipua* and *mahari* dances) are both modern incarnations of the dance of the *devadasis* of Tamil Nadu and Odisha respectively.

⁵ *Yellamma* is considered to be the “Mother of the Universe” by many South Indians and is the patron goddess of Andhra Pradesh, Karnataka, and Maharashtra. It is notable that these same states have the highest population of *devadasis*.

and research, being a courtesan was an accepted profession to which certain prerogatives, rights, and duties were attached (Chakraborty 2000). Being chosen as a *devadasi* and to be 'dedicated' was therefore still considered an honourable practice.

The Dedication Ceremony

Traditionally the pre-pubescent *devadasi* underwent a ceremony of dedication to the deity of a temple (Anil 2002, 11). This 'dedication ceremony' was done with the very explicit intention of announcing to the community a girl's availability for future sexual liaisons with a proper patron. Generally, it was the Kings who provided patronage and made *devadasis* perform within the palace grounds (Bharathi 2017, 14). Over time *devadasis* offered sexual favours to persons other than the Kings (Black 2007). The cost of the dedication ceremony was often met by the man who anticipated a particular *devadasi's* favours after she had attained puberty. The *devadasi's* sexual partner was always chosen by 'arrangement' with her mother and grandmother (Anil 2002, 12).

After dedication and upon attaining puberty, the ceremony of a first night was then celebrated, traditionally called a 'deflowering ceremony'. Once a girl gets her first menstruation cycle she would participate in this deflowering ceremony with her chosen patron, usually someone rich with connections to royalty or the King of the time. This deflowering ceremony is when she would secure a patron (Desai 2007, 287). A patron who secures this right of spending the first night with the girl could choose to maintain a permanent liaison with the girl by paying a fixed sum of money or he can maintain the relationship for a fixed period of time, on payment, or he can simply terminate the liaison after the deflowering ceremony (Shankar 1994). The women were still free to choose other partners, from among married and unmarried men alike, unless specifically forbidden to do so by the patron. *Devadasis* of this time were not paid but were given gifts. They were different from prostitutes/commercial sex workers because they had rights, were respected, and they did not charge for their services but only received and accepted gifts (Bharathi 2017, 21).

The Denigration of the *Devadasis*

The popularity of *devadasis* seems to have reached its pinnacle around the tenth and eleventh centuries CE. The rise and fall in the status of *devadasis* can be seen to be running parallel to the rise and fall of Hindu temples (Altekar 1956). When the kingdoms of India fell to Islamic invaders in North India, they began destroying Hindu temples, displacing the *devadasi*, cutting off their patronage, and stripping them of their social status (Pran 1999). The system was further limited under British rule, which unlike the Islamic empire, reached the entirety of the subcontinent (Sahoo 2006). It was under British rule in the nineteenth century (1850s) that temples were left penniless and the *devadasis* found themselves without their traditional support system (Lee 2011), and it was during this period that the *devadasis* started offering sexual favours to the common visitors of the temple (Bharathi 2016, 21).

This was the start of their status in society being tainted, and exploitation on a grander scale began. They were forced to find other work, which may have included performing at weddings and private events (Hartmann 2019). Under the British rule, *devadasis* were equated with prostitutes. Dancing and prostitution therefore became synonymous within the culture (Shingal 2015, 110). The *devadasi* system was also frowned upon during this period because it did not fit into the 'normal' and acceptable standards of womanhood that was being enforced by Victorian colonialism and a nationalist resurgence of indigenous patriarchy that valued a women's 'more domesticated' role in society (Puri 2015). This new paradigm shift meant that the impoverished girls and women of this traditional *devadasi* practice entered or were forced into sexual slavery and became even more vulnerable to social exploitation.

The Reformists and the Revivalists of the Dancing *Devadasis*

The late 1800s saw Indian socio-religious practices being challenged which also led to social movements against the *devadasi* system. The social movements arising during this time can be classified as the Reformist and the Revivalist movements.

Indian “reformers”⁶ began a social purity movement aimed at dislodging the *devadasi* from their social spaces (Harp, 1997). The first anti-*nautch* (play on the Hindi term ‘*nacah*’) (Srinivasan, 1985; Shankar 1994, 39) and anti-dedication movement was launched in 1882 with the main aim of abolishing the system. The supporters of anti-*nautch*, being all highly educated, all part of the middle and upper class in India, and also Hindus, attacked the *devadasis*’ dance form (Shankar 1994, 39). They sought to illegalise all dancing in temples as a way of targeting prostitution that could be linked to Hindu temples (Puri 2015). This led to the full suppression of ‘*Sadir*’ and its secular acts before the final proposals were sanctioned in 1947. The Reformists stressed the abolition of all such customs and practices through which young girls were being transferred as *devadasis* towards the Hindu shrines (Srinivasan 1985).

In 1927, Muthulakshmi Reddi, a powerful leader of the women's movement and the first female legislator, proposed a Bill which was to illegalise females dedicated to temples (Reddi 2010). Reddi emphasised the morality of these women as a part of the problem (which was a central issue for the further development of the dance of the *devadasis*). In response, a number of *devadasis* founded an association arguing against the proposal, and among other things highlighted that: “2. Devadasis are not prostitutes [...] 5. [The] Real purpose of our caste is Religion and Service [...] 9. [A] Whole community cannot be condemned for sins of a few [...] 13. Legislation increases tendency to prostitution” (Madras Devadasi Association 2010).

These *devadasi* women argued against being associated with only one type of vocation: prostitution. They emphasised their roles as artists, women doing religious services in and beyond temples, while also indicating that illegalising *devadasis* in temples would not benefit those women within their community who were sex workers (Srinivasan 1985). Some authors argue that the threat of the *devadasi* community came not only from the reform movements, but also from within the community itself (Whitehead 2001; Puri 2015). The problem was that the *devadasis* at the time had become increasingly polarised between those who were recruited to the community as sex workers and those trying to uphold its ties to honourable services (Whitehead 2001).

In 1934, the Bombay Act was passed, which illegalised the ritualised connection of *devadasis* to Hindu temples. As the *devadasi* tradition was one associated with South and East India, and not Bombay, the Act at the time had little impact and in 1947 the *Madras Devadasi (Prevention of Dedication) Act* was passed. Building upon the Bombay Act, which saw the ‘dedication’ of females to temples made illegal in order to target those involved in prostitution; the *Madras Act* went further and proclaimed that all dances by any female was made illegal around religious institutions and in the presence of Hindu deities. Part of the problem of the *Madras Act* was that it took part in the construction of a singular *devadasi* identity.

Parallel to the anti-*nautch* movement that had led to legislation abolishing ‘dedication’, there was another movement of people of the Madras elite; known as the ‘Revivalists’, who advocated for a revival of the dance of the *devadasis* disassociated from prostitution (Puri 2015). They propagated for the revival of *devadasi* institutions and the associated art of *Sadir*. The scholars of this revivalist movement attempted to disassociate the dance forms from the *devadasis* as they were not considered pure or pious enough to practice the art (Rao 2018). The support given to the revival of *Sadir* as *Bharatanatyam* by the Theosophical Society in Madras

⁶ The social reform movements spearheaded by Ram Mohan Roy, Periyar, Muthulakshmi Reddy, S. Muthiah Mudaliar and various other prominent social thinkers, questioned the practice of *devadasi* system and pleaded for its abolition.

was largely due to the efforts of Rukmini Devi Arundale (Devi) and E Krishna Iyer (Bharati 2015-16, 16). The Revivalists mostly belonged to the *brahmin* dominated Theosophical circles and many *brahmin* girls started to learn the dance from *devadasis*.

In 1935 Devi established a dance institution where she taught non-hereditary dancers as well as teachers. She gave the dance a new name, '*Bharatanatyam*', and also framed *Bharatanatyam* to be a highly spiritual practice, which had unity with God as its ultimate goal (Rao 2018). The Revivalists tried to present an idealistic view of the institution of *devadasi*. According to their view, it was the model of the ancient temple dancer as pure, sacred, and chaste women. They sought to preserve the traditional form of *Sadir* dance by "purifying" it (Bharati 2015-16). As a consequence of this purification, some modifications were introduced into the content of the dance, which was strongly criticised by dancer Balasaraswati and other prominent representatives of the traditional *devadasi* culture. Balasaraswati challenged the image of the *devadasi* as an immoral victim.

One of the most important features of this discourse is that Balasaraswati and her contemporary Devi disagreed on something very fundamental—the depiction of *sringara rasa* in dance⁷ (Knight 2011). During the 1930s Balasaraswati was known for her outspoken criticism of carnality in *sringara rasa* as presented by some traditional dancers. However, during the 1940s she expressed parallel objections to puritanism and the shift away from the heart of the traditional practice. (Knight 2010).

The difference between Devi and Balasaraswati concerned the space for sensuality in the dance, and the connection between spirituality and eroticism. Whereas Devi was developing a dance that downplayed emotions and sought to embody respectability, Balasaraswati emphasised the importance of sensuality in the dance as a central aspect of *sringara-bhakti* or devotional love (Rao 2018). The debate⁸ was simultaneously about the source, and thereby also ownership of the dance. As a Brahmin, Devi emphasised the relevance of Sanskrit texts for the dance and positioned the dance within Vedanta philosophy⁹. Balasaraswati in contrast, as part of a *devadasi* community, emphasised its connection to the region of Tamil Nadu (O' Shea 2007).

The *devadasis*, who were the hereditary female musicians and dancers from a variety of non-Brahmin castes, came to be regarded as prostitutes and their opportunities to perform were gradually diminished, whilst upper-caste women were encouraged to learn, and eventually perform, music and dance (Weidman 2003). Eventually the dance of the *devadasis*, which had developed through centuries, was revived and reconfigured among the Indian upper class and eventually declared one of the Indian national dances, called *Bharatanatyam*.

Both the legal debates of the anti-*nautch* movement working for juridical interventions in the *devadasi* institution, and the concern of the revivalists developing a new tradition for the dance, illustrate the way that moral lines were drawn around the female body. These "moral lines" meant a polarisation that deemed lower caste dancing women immoral, while upper caste dancing women were considered "pure" and idealised as exponents of "classical" culture (Puri 2015).

Present Status of *Devadasis*

The practice of worship, dancing, and singing in the temple slowly degraded and *devadasis* become directly involved in prostitution. As has been shown, the practice of

⁷ *Shringara Rasa*, one of the nine rasas in the classical dance arts of India, can simply be translated as erotic love, romantic love, or attraction or beauty.

⁸ Out of the debate, different dance styles within *Bharatanatyam*, thus Rukimini Devi has become an exponent of the *Kalakshetra* (temple of art) style of *Bharatanatyam*, and Balasaraswati represents the Thanjavur style.

⁹ Vedanta is a philosophy taught by the Vedas, the most ancient scriptures of India. Its basic teaching is that a person's real nature is divine.

dedicating young girls to the service of a deity began in ancient India, but in modern India the custom has degenerated into an excuse for their sexual exploitation. During every transition, the *devadasi* tradition has suffered socially, culturally, and economically to such an extent that contemporary *devadasi* practice is only associated with social evils.

Currently, the practice of induction and sustenance of *devadasi* is largely consistent with the earlier traditional system. The initiation of a young girl's dedication to God begins at around 6-9 years of age (Sathyanarayana 2012) whilst the initiation ceremony into *devadasi* typically begins around the age of 5-10 years. However, they become fully-fledged *devadasis* (practice of *devadasi* service) only after attaining puberty (Shankar 1990). In a study of the ancient *devadasi*'s contribution to arts and culture, Shakunthala Narasimhan points out how the *devadasi* repertoire in arts and society not only consists of their major contributions to music and dance, but also in their expertise with unique musical instruments:

“a unique drum, known variously as the chondke, chawandga or chandike, was handled only by devadasis..... It was held tucked under one arm while manipulating the stick strung through the centre of a small cylindrical drum, inside which she created fantastic rhythm patterns using her nimble fingers, to the accompaniment of a single stringed tuntune (ektara)..... In a display of extraordinary musical skill, the pitch of the rhythm patterns changed with the tension on the string attached to the drum” (Shakuntala 2014, 6).

Despite legislation abolishing the practice of *devadasi*, the practice of dedicating girls to the temple continues; but with these very same instruments that were once considered prestigious, the *devadasis* of today are not entertaining the divinity or royalty but are begging for their survival (Bharathi 2017, 43). The *devadasi* practice of today is not so much about temple worship or temple dancing as it is about sex trade, prostitution, and exploitation of the lower caste (Shingal 2015, 111). Present-day *devadasis* are not proficient in any arts or even literate, they are not wealthy nor are they the descendants of courtesans. It has been argued that the only art that today's *devadasis* are conversant in is the art of submitting to any man who desires them and to anyone who is willing to pay for their favours' (Jordan 2003).

The practice of dedication to *Yellamma* and other deities continues in various regions of India. A study has confirmed that complex issues surround the cult of *Yellamma*, the biggest controversy being its association with prostitution (Kirsti Evans (n/d)). The contemporary custom is seen as a social problem affecting particularly the scheduled caste women. Despite this, goddess *Yellamma* attracts a large following and villagers continue to dedicate their daughters to the goddess. In addition, *devadasis* are still not allowed to marry, and this is largely consistent with its earlier traditional system. However, the difference between the *devadasis* of the past and those of today is stated as being,

“an almost unimaginable gulf separating the devadasis of ancient poems and the lives lived by women [today]. In the Middle Ages, the devadasis were drawn from the grandest families in the realm—among them princesses of the Chola royal family—and possibly from slaves captured in war. Many were literate, and some were highly accomplished poets; indeed, at the time they seem to have been among the few literate women in the region. Today, the devadasis are drawn exclusively from the lowest castes..... and are almost entirely illiterate. The majority of modern devadasis..... are straightforward sex workers” (Dalrymple 2008).

The practice of *devadasi* has therefore become synonymous with commercial sexual exploitation and slavery of women and children (Ruspini et al 2019). The dedication and tradition is used as a means to ensure that there is a continuous stream of sex slaves and child prostitutes available for exploitation (Ruspini et al 2019).

It also systematically exploits a particular subclass of women and girls in the form of discrimination, social exclusion and stigma against prostitutes (Sathyanarayana 2012, 158). A large number of *devadasis* continue to live in their native villages, or within larger village communities, with no prospect for improvement in their low socio-economic or low-caste 'untouchable' status (UNICEF 2001). Furthermore, in some southern states of India *devadasis* are not even allowed to enter into any other profession thereby guaranteeing their subservience to this practice (Shankar 1994).

It has been argued that the figure of the *devadasi* in contemporary India is a corroded version, which does not display their artistic and intellectual accomplishments (Bharati, 2015-16, 1). Interestingly, a contemporary *Bharatanatyam* dancer, Nrithya Pillai, has recently reopened the old debate between *bhakti* and *sringara* with regard to dance. Writing for the Times of India, Pillai states "that the stain against *devadasis* was and is ill-judged" (Pillai 2018). She further writes that from being women dedicated to god, they were seen as mere dancers with questionable repute. With the call to abolish the system and the subsequent abolishment thereof, which was done "in the name of sanitising society", the artform and livelihood of these women were taken away. Alling into question the double standards of the call to abolish the system she writes,

".... At the end, the patrons, who victimised the *devadasis*, got off scot-free. *Sabhas* or concerts were funded by the same upper caste men who engaged with *devadasis*. But their reputation was intact..... The male patrons who engaged with the *devadasis* were never questioned or ostracised in the way *devadasis* were..... and thisis one of the first examples of double standards in the dancing world, where the reputation of the upper-caste men was protected at the cost of the reputation of the lower-caste women" (Mohan 2018).

In this way the male patrons were allowed to abuse and exploit the system. She further writes that the reason for this can be attributed to patriarchy and the lack of thought to bring about social reform in the *devadasi* system (Pillai 2018). She argues that as for the Prevention of Dedication and Devadasi Abolishment Act, the situation needed a better solution where the perpetrators of the system needed to be punished. Or society needed to have taken the blame for promoting a system that allowed the abuse of women. Calling for reform and rehabilitation, she further questions why women were not allowed to have their own lives or why they were not provided with safe havens to sing, dance, be artistic, and continue with their lives (Pillai 2018). By failing to do so, the *devadasis* were condemned to a life of shame and made vulnerable to continued exploitation.

Extent of the Problem

The *devadasi* system has been described as "religious prostitution" and "an ancient religious practice that still ensnares young girls in India today into a life of sexual exploitation" (Mission India 2014). Despite the practice's honourable past, the *devadasi* system has devolved into institutionalised sexual exploitation of the poorest segments of Indian society. Almost all of them are *Dalits*, with most of the *devadasis* belonging to the *Madiga*, *Valmiki*, *Mahar*, and *Matang* castes; some of the most underprivileged classes in India (Desai 2007). People

belonging to these communities are so poor that the immediate families of the girl including parents or husband have no objection to dedicating the girl to the system to become a regular source of income (Shivasharanappa 2012).

There are no official statistics on the number of *devadasis* living in India (Bharati 2016). However, according to various reports, the system of religious sexual exploitation today is largely concentrated in parts of Karnataka (Orchard 2007), Andhra Pradesh, Maharashtra (Torri 2009), Tamil Nadu (Pal et al 2010, 27), and Orissa (Sabharwal et al 2015). A further primary survey by the *Aashray Jogini Vyayastha Vyatireka Sanghatana* on the *devadasi* system estimated the number of *devadasis* in six districts of Andhra Pradesh to be around 21,421 (Pal et al 2010, 27). The National Human Rights Commission corroborates these findings and estimates that Andhra Pradesh had 29,000 *joginis* (The Hindu 2012). In northern Karnataka too, the *devadasi* system remains a culturally and economically valued form of sex work, and approximately thousands of girls are inducted into the system annually (Saskia 1998, 60).

In Karnataka, the practice is found to exist in 6 districts: Raichur, Bijapur, Belgaum, Dharwad, Bellary and Gulbarga. In Andhra Pradesh it is prevalent in 14 districts: Karimnagar, Warangal, Nizamabad, Karnool, Hyderabad, Medak, Ananthapur, Adilabad, Chittoor, Rangareddy, Nellore, Nelagonda, Srikakulam and Mahaboobnagar. And in Maharashtra the *devadasi* culture exists in 10 districts: Pune, Sholapur, Kolhapur, Sangli, Mumbai, Latur, Usmanabad, Satara, Sindhudurg, and Nanded (Malagi et al 2015).

In another survey carried out in Bangalore by the Joint Women's Programme for the National Commission for Women (Bharati 2015-16, 20); amongst the 375 *devadasis* interviewed, approximately 63.6 percent of young girls stated that they were forced to become *devadasis* due to the custom, 38 percent reported that the family had a history of *devadasis*, and 40 percent of the *devadasis* were involved in the commercial sex industry and others were involved within the villages. These *devadasis* were all considered "public property" in their villages. A majority of *devadasis* were single, and 65 percent of them were associated with the patron. An approximate 95.2 percent of the *devadasis* have children and 95 percent were not able to register the names of their patron as father of the children during school admission (Bharati 2016, 20-21). Whilst historical studies refer to the *devadasi* system as "sacred prostitution", today the *devadasi* system is a form of open prostitution and many poor people dedicate their daughters to the system in the name of appeasing the gods (Colundalur 2011). It has also been reported that around 250,000 *Dalit* girls are dedicated as *devadasis* to *Yellamma* and *Khondaba* temples in the Maharashtra-Karnataka border (Shetty 2014).

Whilst the *devadasi* system is prevalent only in a few states, the problem is considered to be a national one (GK Today 2016), because firstly, despite the geographic concentration of the system being limited (Drishti 2019), the trafficking of girls from other parts of India to make them *devadasis* makes it a bigger problem, and secondly, many of the *devadasis* are trafficked to Mumbai/Kolkata or other cities to work in brothels (GK Today 2016). Thus, despite not being at its historical peak, the *devadasi* practice continues to persist in India, even thriving in select states.

Whilst trafficking of girls for marriage is prevalent, trafficking in children for commercial sexual exploitation is one of the primary manifestations of commercial sexual exploitation of children in India and exists on a large scale and in many forms (ECPAT 2016). By virtue of their status as a *devadasi*, they are especially vulnerable to recruitment into commercial sexual exploitation and trafficking, and their children are similarly vulnerable because of their birth status (Nair 2007).

The issue is so severe that the International Labour Organisation (ILO) has noted that the *devadasi* system was one of the main links to the practice of trafficking of girls for commercial exploitation (ILO 2010). Child trafficking for sexual purposes seems to be a primary form of commercial sexual exploitation in India. Various media outlets have also

found that many *devadasis*, along with other prostitutes, “are trafficked to the red-light districts of Mumbai, Pune, Bangalore and other large cities” (Taylor 2012). Though the country is a source, transit, and destination country for trafficking (US Report 2017), it was reported in 2013 that almost 90 percent of girls trafficked are trafficked within India (Toast 2019), and, to date, a majority of human trafficking still takes place internally (US Report 2019).

Becoming a *devadasi* or the practice of *devadasi* not only contributes to the high rate of trafficking and commercial sexual exploitation of women and children in India, but it is a form of modern-day slavery. The *United Nations Supplementary Convention on Slavery* specifically prohibits,

“any institution or practice whereby a child or a young person under the age of 18 is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person”.¹⁰

The *devadasi* practice is a practice that falls within this definition whereby the children are dedicated by family members and village elders without their consent or understanding of what it is to be a *devadasi*. Once dedicated, they become the servant of the deity and the common property of her devotees. They are subject to gross exploitation, in the form of sexual servitude or non-consensual sex with one or many partners, often on demand (Toast 2019). They are then unable to escape or renounce the cultural status of being a *devadasi* and it is a stigma that follows them throughout their life.

India’s Legislative Framework

Various laws have been enacted to ban the *devadasi* system. The purpose of this section is not to provide a critical analysis of the legislative framework but to have a holistic view of the laws aimed at preventing the *devadasi* practice in order to develop a better understanding of what is required to improve the plight of the exploited.

The *devadasi* system was first made illegal under British rule with the enactment of the Indian Penal Code Amendment Act of 1924 (IPC). Section 372 of the IPC prohibits selling minors for purpose of prostitution whilst sections 372 and 373 declared the practice of dedicating girls for the ultimate purpose of engaging them in prostitution as illegal. It was prescribed that whoever disposes off any person under the age of 18 years (or attained the possession of any person) with the intent that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse with any person or with the knowledge that the person is likely to be employed or used for any such purpose at any age, is liable to be prosecuted. Section 370 also criminalises the trafficking of persons when the trafficking is for the purpose of exploitation.

There are various State specific legislations enacted to deal with this practice. The Bombay Devadasi Protection Act, 1934, applied to the entire State of Bombay as it then was¹¹ and included the State of Maharashtra, declared dedication of a woman as an illegal act, irrespective of whether the dedication was made with her consent or not (section 03). According to this Act, section 4 states that marriage to a *devadasi* was to be considered lawful and valid, and the children from such wedlock were to be treated as legitimate. The Act also laid down grounds for punitive action that could be taken against any person or persons who

¹⁰ See Article 1 (d) of the United Nations Supplementary Convention Trade, and Institutions and Practices Similar to Slavery, 1956.

The State of Bombay changed its name to Mumbai in 1995 on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956.

¹¹ The State of Bombay changed its name to Mumbai in 1995.

were found to be involved in dedications, except the woman who was being dedicated (section 5). Those found guilty of such acts could face a year's imprisonment or a fine or both.

Concurrently with this Act, the *Madras Devadasi (Prevention of Dedication) Act of 1947* (also called the *Tamil Nadu Devadasis (Prevention of Dedication) Act*) was also in operation in the then Mysore state which was renamed as Karnataka in 1972. These two Acts were later replaced by the *Karnataka Devadasis (Prohibition of Dedication) Act of 1982*. The *Karnataka Act* also declares dedication as a *devadasi* to be an unlawful practice whether the dedication is done with or without the consent of the dedicated woman. This Act strengthens the penal provisions that were hitherto available under the *Bombay Act*. The maximum punishment was increased to three years imprisonment and the maximum fine was also increased. The *Karnataka Act* has made involvement of guardians, family members, and relatives a more serious offence and prescribed higher punishment if the guilty was found to be a parent or guardian, or relative of the dedicated woman.

In addition, the *Karnataka Act* quite significantly provided that rules may be framed to provide for the custody, protection, welfare, and rehabilitation of the *devadasis*. On rescue and rehabilitation, under section 3B, the State Government is directed to take:

“all necessary steps to rehabilitate the women rescued from dedication...by providing counselling and awareness and [they] shall be economically empowered by involving the said women in income generating activities, if necessary by providing protection or shelter in remand homes up to six months andsee that the said woman shall become self-sustained by availing subsidy and loans through banks.”

The Act therefore mandates that Rules must be drafted to implement the statute. This Act made rehabilitation of the *devadasis* central to the realisation of the objectives set out in the Act (Ramesh 1993), however the State Government is yet to draft these rules.

The *Karnataka Act* was followed by the enactment of similar acts like the *Andhra Pradesh Devadasis (Prohibition of Dedication) Act of 1988*, and in that year the *devadasi* system was formally outlawed in all of India. The latest law to be passed is the *Maharashtra Devadasi System (Abolition) Act of 2005*.

In addition to these State specific legislations, there are other general legislations that also address the *devadasi* practice and the rights of *devadasi* women and girls. Section 3(k) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 is applicable herein, but this provision is ineffective to the extent that it only prosecutes persons who are not a member of a Scheduled Caste or Scheduled Tribe (SC/ST) for the act of dedication; since most dedications are done by the family members who would also be members of SC/STs. Under the National Legal Services Authority Act of 1987 SC/ST members are entitled to legal assistance when faced with discrimination and sexual exploitation. The Immoral Traffic (Prevention) Act of 1956, also makes prostitution within the vicinity of public places an offence; the 2008 *Devadasi Prohibition Rules* and the Protection of Children from Sexual Offences Act of 2012 strengthens the legal protection of children against sexual abuse and exploitation.

In the international arena, India is a state party and a signatory to various international conventions that prohibits any practice similar to that of *devadasi* and is obliged to end institutions similar to slavery, the exploitation of children, human trafficking, and forced marriages. Under Articles 10(1) and 10(3) of the 1966 International Covenant on Economic, Social and Cultural Rights; Articles 8(1), 23(3) and 24(1) of the 1966 International Covenant on Civil and Political Rights; Articles 6 and 16(1) of the 1979 Convention on the Elimination of All Forms of Discrimination Against Women; Articles 19, 24(3), 32(1), 34 and 36 of the

1989 Convention on the Rights of the Child; and Article 1 of the 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, to name but a few, India is under a legal obligation to report on and to take necessary action, including legislative and administrative measures, to ensure that all individuals under its jurisdiction enjoy the rights enumerated therein and that they are educated of such rights. Reports have noted that the government of India has not taken sufficient sustained and systematic action to modify or eliminate stereotypes and culturally sanctioned harmful practices like dedication which has led to the continued sexual exploitation of women and children (ILO 2016).

In summary, this discussion highlights several laws that criminalise the *devadasi* practice and establishes penalties of imprisonment of up to five years and a fine for those responsible for ceremonies and rituals of dedication. However, despite these prohibitions, the *devadasi* system and its regional variations continue to exist in practice. It therefore becomes important to understand the reasons behind this continued practice in order to develop targeted initiatives at eradicating it.

Why the *Devadasi* System is still Practiced

Even though many of the States have since outlawed the dedication of young girls as *devadasis*, the practice still continues in different forms and guises. One of the biggest hurdles in understanding why the *devadasi* practice is not diminishing is the lack of accurate data on its prevalence (Kothari et al 2019) and the veritable gap between official statistics and ground reality, but what is certain is that religion, caste domination, patriarchy, economic necessity, and social beliefs are the main causes for the continued practice of the *devadasi* system (Kothari et al 2019, 34).

Caste and Dalits

The Hindu caste system is one of the oldest surviving forms of social classification in the modern world and is broken into four main categories consisting of the *Brahmins* (priests, religious teachers), the *Kshatriyas* (warriors, rulers), the *Vaishyas* (farmers, traders, merchants), and the *Shudras* (labourers) (BBC 2017). The *Dalits* (street sweepers, latrine cleaners) fall outside of this rigid caste system and they are known as the 'untouchables' in society (Deane 2009). They are discriminated against to such an extent that *Dalit* children are frequently made to sit in the back of classrooms; *Dalits* may not cross the line dividing their part of the village from that occupied by higher castes, and they may not use the same wells, visit the same temples and churches, drink from the same cups in tea stalls, or lay claim to land that is legally theirs (HRW 1999). They are forced to work in slave-like conditions (Deane 2009) and are routinely abused, or even killed, at the hands of the police and of higher-caste groups that enjoy the state's protection. *Dalit* women are frequent victims of sexual abuse (Deane 2005).

Today's *devadasis* are overwhelmingly identified from the *Dalit* community (Omvedt 1983; Bharati 2015-16, 25, Colundalur 2011). They are subjected to systemic socio-economic oppression (Bej 2018), as they already poor, mostly illiterate, and a discriminated group. In her seminal work, *Volatile Bodies* (1994), Elizabeth Grosz projects the idea that the female body has a "lived" existence in historical and cultural terms, in that the *devadasi* is neither a reprehensible figure nor an exotic being. She has been shaped by a socio-cultural context, dominated by patriarchy, caste/ class hierarchy as well as religious superstition. This idea is important because the marginalisation of *devadasis* over a period of history has culminated into an oppression based on caste, class, and religion. In the contemporary context, *devadasis* are drawn from lower caste (SC) and lower-class backgrounds. Thus, caste hierarchy and poverty

join hands with illiteracy and religious superstition and customs to attack vulnerable communities of women (Bharati, 2015-16, 2).

It is important to highlight herein that sociologists¹² and historians have extensively analysed the treatment of women under the caste system (Bourdieu et al 1992; Freeman 1971). It has been witnessed that in Indian history the caste system not only determined the social division of labour, but its sexual division as well (Sharma 1984), making women from this section of society even more vulnerable to exploitation. The literature also suggests that endogamy, which remains a crucial feature of the caste system (Nagappa et al 2019; Shingal 2015), should be seen as a mechanism of recruiting and retaining control over the labour and sexuality of women.

The labour market experiences of *Dalit* women differ from those of the upper-caste women because of the traditional notion of the caste system of purity and pollution. The concepts of “purity” and “pollution” segregate groups and also regulate the mobility of women (Dasgupta, 2000; Bidner et al 2014).

Regarding control over sexuality, most *devadasis* are *Dalit* women and are sexually exploited by priests and higher caste men. By keeping *Dalit* women as prostitutes, upper-caste men reinforce their declaration of social and economic superiority over the lower castes. The females of lower castes are exploited through their caste and gender-based social evils such as dowry practice, child marriage, *devadasi*, etc., of which, *devadasi* remains a social stigma. As women and *Dalits*, they are already members of the two most exploited groups in India. At dedication they are degraded further by the stigma of being a *devadasi* (Rowland 2013). Together, all these factors combine to form a web of discrimination and oppression, a so-called ‘intersectionality’, making *devadasis* victims of caste, class, religion and more (Bharati, 2015-16 2). The *devadasi* practice can be labelled as a particularly severe, gendered and caste-based form of forced labour, targeted at girl children, that endangers their safety and puts them at high risk of vulnerability to experiencing routine sexual exploitation (Sampark 2015).

In addition, *devadasis* are of the religious belief that they may not marry, seeing as they are already married to God. This belief system means that they are unable to obtain the status of a wife in society. This impacts the legitimacy and upbringing of their children, making them and their children the subject of further discrimination in the community (Sampark 2015). Therefore, in addition to belonging to the ‘untouchable’ caste the children of *devadasis* also suffer further discrimination because they have no recognised fathers.

The discrimination, social exclusion, stigma, and attitude of the community have forced current *devadasis* not to engage in alternate professions (Sampark 2015, 39). The former chairperson of the One-Man Commission, (Retired) Justice Raghunath Rao discussed an additional issue wherein children of *devadasis* cannot obtain a passport as they are unable to produce their father’s name which is essential for issuing a passport. As a result, they remain stagnant, unable to escape the cycle of exploitation, or have even the hope of pursuing any form of employment or higher education in foreign countries (Rao 2013).

Their mother’s status, their status, and the tradition of having roles handed down through generations mean that these *Dalit* children remain among the most vulnerable of all children to commercial sexual exploitation and trafficking (Black 2007, 3).

Poverty

Even though in ancient times religious belief was the only reason that girls were dedicated, nowadays poverty has become a major reason for one’s dedication. Poverty causes many poor families to dedicate their young girls as *devadasis*, using religion as a means to

¹² Like Marx, Weber, and Durkheim found that class inequalities and class struggles are the primary feature of the structure of any society and play a key role in the development of these structures.

unburden their daughters (Bharathi 2015-16). Nowadays, *devadasis* are dedicated only to be sent to brothels in different places of the country, clearly indicating that dedication is done with the clear intention to only earn money (Moni 2001). Prostitution is considered immoral in society, but families choose to believe that being a *devadasi* gives them the religious sanction to indulge in prostitution (Deepa 2016). The religious cover of 'dedication' where sexual service is seen as being of service to god is used to justify the practice of prostitution.

Families believe that their daughters can therefore escape the social stigma attached to prostitution (Reach 2013). Many *devadasis* are sold into the sex trade by their parents and families though they are well aware of the fact that they are not really dedicating their children to the temple or god but to the brothel (Black 2007, 7). Sometimes the parents dedicate the girls in order to avoid paying a dowry necessary for a girl's marriage (Anil 2002). Poverty is also the main cause of trafficking, and citizens from the poorest and most disadvantaged backgrounds, like the *Dalits* and *devadasis*, are the most susceptible to being trafficked (US Report 2017).

Religion and Customs

As discussed above the post of a *devadasi* was once considered dignified and respectable and the *devadasi* practice was treated as a holy custom with the greater aim to serve the deities, by unmarried and young women. The *devadasis* were held in such high esteem that they were considered equal to the priests of the temples and had certain duties and responsibilities that they had to perform for the temple. It was considered such a privilege that there are various instances of rich and aristocratic families dedicating their daughters to the temple to become *devadasis* (Ganesan 2019).

However, with the change of time, *devadasis* have become prostitutes by upper caste communities. A *devadasi* cannot belong to any one particular husband instead she is a common property; meaning that the practice of *devadasis* is a "system of votive offering of girls to the deities" of temples (Torri 2009) and the cycle of abuse and exploitation is allowed to continue with somewhat impunity.

Today, there are many people who still believe that they are honouring *Yellamma* by dedicating their daughters and that the younger a girl is when she is dedicated, the more she and the family will be blessed. Dedication is also done as a ritual to ensure the fertility of the land and to increase the human and animal population; it is also considered a substitute for human sacrifice, in that dedication can appease and secure blessings for the community as a whole (Shankar 1994). In fact, continuing the tradition is considered a religious duty to avoid the wrath of gods, and any familial crisis furthers the idea of dedication as a bribe to the deities.

Many Hindu priests preserve and condone the long-standing tradition in their communities by playing on these fears and superstitions. They claim families will be rewarded by dedicating their daughters or attribute poverty or poor health to the wrath of the deity (Hartmann 2019). The deities to which girls are 'married' are still worshipped at shrines in villages all over southern India, it is however difficult to ascertain the exact number of devotees who still believe in dedicating daughters for spiritual gain since *devadasi* ceremonies no longer take place publicly (Black 2007, 2-3).

Social Pressure

As mentioned, most of the *devadasis* belong to the lower classes of society, therefore, some families believe that dedicating their daughters will improve their social status and help them to rise in the rigid caste system (Shingal 2015). It is also common for landowners (of a higher caste) to believe that having sex with as many young girls as possible is prestigious. Some believe that having sex with a young girl wards off diseases (Hartmann 2019). These entrenched cultural norms help keep this practice alive today.

Weak and Poor Enforcement of Laws

The legal framework provides the best way to protect *devadasis* against slavery, exploitation, sexual abuse and caste-based atrocities. It provides the legal foundation within which to provide protection to the ‘dedicated’ women and children. However, some of the laws are so weakly drafted that it does not adequately address issues directly dealing with the perpetrators and offenders of the practice and where there are adequate laws, the major issue is that it suffers from poor enforcement.

The government’s lack of will and commitment to strictly enforcing the legislative framework that bans this practice leads to exploitation being committed with almost certain impunity (GK Today 2016). The Supreme Court in the Vishal Jeet case echoed these sentiments and observed that desired results have not been achieved in checking the *devadasi* system in spite of the stringent and rehabilitative provisions of law under various acts.¹³ In 1997, the Supreme Court went further and directed all States and Union Territories, especially Karnataka, Maharashtra, and Andhra Pradesh, to strictly enforce the directives to check such an unethical practice.¹⁴ Directives included but were not limited to rehabilitation programmes to be put in place to assist *devadasi* women and bring them out of prostitution and the rescue and rehabilitation of child sex workers.

The Supreme Court further concluded that the dedication of *Dalit* girls was unconstitutional and in violation of Articles 23(1), 39 (e)-(f), 14 and 21 of the Indian Constitution.¹⁵ It directed State Governments to take appropriate steps for their rehabilitation by providing all supportive rehabilitation measures.¹⁶

In 2015, the central government issued an advisory to State Governments and Union Territories to implement the *devadasi* prohibition legislations strictly, to initiate special drives, to identify *devadasi* women and rehabilitate them with counselling, provide them with medical treatment, guidance, support and motivation, along with the assistance of non-governmental organisations (Ministry of Home Affairs 2015). However, despite this and the various directives of the Supreme Court, there has been no improvement in the implementation processes (Kothari et al 2019, 33).

Rehabilitation of Devadasis

As can be seen from the above discussion, the role, status, and position of women has not been static through the ages but has ranged from freedom and importance to considerable subservience. There are several NGOs active in the fight against the *devadasi* system.

The rehabilitation measures for *devadasis* started during the late twentieth century. Currently, providers of rehabilitation are NGOs, Government agencies, and *devadasis* themselves (Bharati 2015-6, pg 52). However most of the work in the area of rehabilitation is done by the NGOs. The government has taken many initiatives for the rehabilitation which will be discussed briefly below. However, these rehabilitation measures are seen to be ineffective mainly because the provisions are not forceful in addressing the issues.

To name a few, the State government of Karnataka has a *Devadasi* Rehabilitation Centre to implement the schemes by the government and the *Devadasi* Rehabilitation Centre is funded and monitored by State Women’s Development Corporation. A once off financial assistance is being given for the remarriage of destitute widows and extra incentives are given

¹³ *Vishal Jeet v. Union of India* [1990] 3 SCC 318.

¹⁴ *Gaurav Jain v. Union of India* [1997] AIR SC 3021.

¹⁵ The Constitution of India of 1950.

¹⁶ *S.L Foundation v. Union of India* [2014] W.P.(Civil) 127/2014.

to a couple where the bride is a *devadasi*. The State Government has also enhanced financial assistance for SC/ST (Reach 2013).

There are also income generation activities, scholarships, and hostels for children of *devadasis* and special importance is given to girl children of *devadasis*. But the major problem is that there is no mechanism to identify the *devadasis*, leading to exploitation of the state programmes for *devadasis* (Orchard, 2007). Another major problem with these interventions is that it fails to address issues such as regular income for *devadasis*, proper education for the children of *devadasis*, and the overall rehabilitation of *devadasis* (Deepa & Suvarna, 2016).

In Maharashtra, an amount of Rs.10,000 is given every year to the NGOs which work for the *devadasi* eradication programmes. There is also a pension scheme for *devadasis* who are above the age of 40. There are other schemes such as loans for *devadasis* to start a small business and financial incentives are given for the marriage of the unmarried *devadasis* or the daughters of the *devadasi* (Reach 2013). However, a study has found that the beneficiaries of *devadasi* pension schemes stopped in 2012 (Bharati 2015-16).

Andhra Pradesh (Andhra and Telangana) does not have many schemes for *devadasis*. The latest scheme that was launched by the government was in Anantapur district on July 30, 2020 (Hans India 2020). The Andhra Pradesh Devadasis Prohibition of Dedication Rules 2015 was enacted in 2015. The Act has provisions for rehabilitation and relief of *devadasis*. The Act says that the government should fund preventive activities, and should provide education and housing for *devadasis* as well. However, these schemes only appear on paper, but have yet been instituted (Bharati 2016)

Despite various reports identifying Tamil Nadu as a *devadasi* prone area, the Social Welfare Department of Tamil Nadu disagrees and argues that there are no *devadasis* in Tamil Nadu, hence they don't have any rehabilitation programmes. Consequently, the urgent need for reliable data on *devadasi* practice is required.

Rehabilitation Work Done by NGOs

Most of the rehabilitation work is carried out by NGOs. There are schools for children of *devadasis* and self-help groups for *devadasis*. There is work done for the rehabilitation but the major problem of identifying the *devadasis* makes the implementation hard since there is no proper mechanism to identify the *devadasis* (Blanchard, et.al, 2005).

At present, all the Rehabilitation Programmes are economically oriented and there are no schemes to address the physiological and psychological wellbeing of the *devadasi*. Sathyanarayana et al (2012) states that *devadasis* are excluded socially, are stigmatised, and young girls are potentially at a high risk of becoming victims of health and psychological stress factors. According to a recent survey, in Karnataka state alone, most of the female sex workers struggle to develop healthy sexual practices, and grapple with the stigma of their profession, HIV, and other sexually transmitted diseases. Therefore, more than just monetary compensation is required for the rehabilitation of the *devadasis*.

Despite official proclamations about the numerous government schemes designed to improve women's economic and social conditions, their present status still shows much cause for concern. Although efforts have been made over the years to assist these women socially, economically, and politically, much more remains to be done.

Conclusion and Recommendations

However sacred and prestigious the *devadasi* practice was intended to be, its continued practice today is due less to religious and ancient reasons than it is to its commercial interests and socio-economic realities. An important component to male dominance and maintaining the lower status of women in society is the proliferation of gender ideology through the sanctioning of religious and cultural practices. The sustained practice of the *devadasi* system is ideal in that

it feeds into this thought and suits a male-dominated patriarchal society of initiating girls from lower classes for sexual gratification whilst doing so under the guise of a sacred duty.

Furthermore, a persistence in the belief of the need to propitiate deities in modern times, despite its negative effects on women and children, serves the interests of those seeking recruits into the commercial sex trade. The *devadasis*, given their vulnerable position in society as ‘untouchables’, are natural recruits. This paper has shown that the traditional and religious practices of the *devadasis* in India aggravates the problem of trafficking in women and children in present-day society and is therefore a practice that needs to be addressed with urgency and commitment.

Suffering from profound discrimination, a lack of education, and strength of religious beliefs, the *devadasi* practice has enabled upper-caste men to retain a pool of *Dalit* women for their sexual enjoyment. Poverty, social pressures, prejudice against girls, weak enforcement of laws, and a continuously blind belief fostered by society, priests, and temples that dedication confers spiritual favour creates the enabling environment within which the practice has survived until the present day.

Whilst noting the strong legislative efforts made by the government to legally ban the *devadasi* practice it is noted with greater concern that the persistence of this culturally sanctioned sexual exploitation of women and children, in the name of God, still continues.

Enforcement and Strengthening of Laws

It is recommended that the government take the necessary measures required to bring an end to the *devadasi* system in practice, including the systematic enforcement of legislation adopted in the different states. The government should, under its national and international obligations, provide to international reporting committees like the ILO, accurate and sustained information on the number of investigations, prosecutions, and convictions concerning this culturally sanctioned harmful practice involving sexual exploitation, as well as the specific penalties imposed, and copies of the relevant court decisions must be provided. This is to hold the country accountable on an international level and to have transparency on a national level.

The *devadasi* prevention laws are plagued by weak enforcement. Under the *Andhra Pradesh*, *Karnataka*, and *Maharashtra* legislations, specific bodies are tasked with responsibilities, but there is still no implementation. Under many of the laws, rules are not framed to give effect to these legislations. In Andhra Pradesh even where rules were framed in 2015, there is no effective implementation. It is recommended that the implementation bodies set up under each of the statutes be formed and made functional.

The government must first attend to framing rules to strengthen the implementation of the statutes with specific provisions on the rehabilitation of *devadasis* and secondly, it is the government’s responsibility to ensure compliance of States through monitoring and accountability measures similar to that discussed above. Bearing in mind that the government has international reporting obligations, each State should call upon its specific bodies as contemplated in the Acts, to provide detailed statistics on the *devadasi* practice, the number of complaints, actions taken, false claims etc. The government must show its commitment to eliminating this exploitative practice by ensuring that every state is held accountable. Strengthening and implementation of already existing legislations, policies, and programmes for the prevention of dedication and rehabilitation of *devadasis* is required as a starting point.

Furthermore, the *Karnataka* and *Maharashtra* legislations need to be amended to include a proviso, as done in the *Andhra Pradesh Act*, declaring that women and girls dedicated as *devadasis* shall not be prosecuted for the act of dedication and related practices. A failure to carry out these amendments mean that persons being dedicated will fear being prosecuted themselves and will therefore never complain.

It is also recommended that the definition of trafficking in section 370 of the IPC be amended to include forced labour trafficking in its definition of trafficking and ensure that force, fraud, or coercion are not required to prove a child sex trafficking offence.

It is recommended that the directions in the Supreme Court cases of *Vishal Jeet* and *Gaurav Jain* be complied with. States must proceed to establish committees to evolve welfare programmes and they must also set up Advisory Committees at the state level to make suggestions on social welfare programmes to protect and rehabilitate children and young girls who have been forced into prostitution. The provision of welfare homes should be a key part of this programme.

Awareness and Advocacy Campaigns

Religion is being used as a tool to sexually exploit female children into prostitution and *devadasis* are one of the most vulnerable to being trafficked. The major issue with the women being trafficked is the lack of awareness among the people and the poor families living in the villages who are the most vulnerable to being deceived by traffickers. It is recommended that awareness campaigns be held with teachers, health workers, and local law enforcement to ensure that *devadasi* women and their children are not subject to discrimination or denial of services. Government must take targeted and effective initiatives such as sexual exploitation awareness programmes into these villages. Resources must be set aside to establish anti-human trafficking units in all districts with clear terms of references and accountability measures.

Advocacy measures against the perpetuation of the *devadasi* practice, either through clandestine or corrupt means and in favour of the delivery of rehabilitative services and programmes to victims of the *devadasi* practice and their children as well as measures aimed at reducing the discrimination that they face, must be promoted and supported by as vast an assemblage as possible. It should include government, non-governmental organisations, schools, traditional leaders, priests, community engagement projects, and other stakeholders. Sensitivity and awareness training of law officers, police personnel, welfare officers, and magistrates must be provided in order to make them aware of the nature of intersectional discrimination faced by *devadasi* women. The *devadasi* prohibition legislations and schemes must be included in the training curriculum for the police and judicial officers.

Coordinated Efforts for Rehabilitation

The success of rehabilitation depends on the coordinated efforts of various stakeholders like government officials, NGOs, law enforcement agencies, judiciary and correctional administrators. The role of NGOs cannot be ignored in dealing with the total eradication of the *devadasi* system. It is apparent from the various initiatives that NGOs play a pivotal role towards eradicating the *devadasi* system and in the rehabilitation of existing *devadasis*. Hence the government should liberally fund NGOs to carry out the rehabilitation measures. The government and the NGOs should work hand in hand for the welfare of *devadasis*. However, the government must exercise caution in monitoring the activities of NGOs. There should be a mechanism to monitor and ensure that the benefit reaches the intended beneficiaries.

In addition, there remains a clear lack of focus on the victimological perspective in the existing legislations, policies, programmes and schemes. The existence of victims of the *devadasi* system cannot be ignored and there should be proper inclusion of provisions relating to the protection of victims. It is recommended that shelter homes for *devadasis* for the purpose of reformation and rehabilitation be established.

The stigma attached to the *devadasis* in mainstream society makes them vulnerable to continue the system. The religious and superstitious beliefs are some of the deep-rooted causes which hinders the process of rehabilitation. Sensitising both the perpetrators who commit the offence and the stakeholders who are the torch-bearers for eradication of the *devadasi* system

will help in combating the problem and facilitate the smooth process of rehabilitation. Rehabilitation and correctional centres must be established and located in rural areas where there is a high prevalence. These institutions can be voluntary organisations and managed by trained social workers. The government should provide the necessary financial assistance. These centres should be subject to monitoring and inspection by the Government.

Coordinated Social Reform Initiatives

Whilst a solid legal framework provides a legal foundation to dealing with this exploitative tradition; laws alone and its implementation thereof will not be sufficient to curb this ancient practice. Whatever the law may say the *devadasi* status once entered into can never be entirely cast off. The caste system is so entrenched in the social and economic order of India that being a *devadasi* and that too within the *Dalit* community is a life sentence to being deprived of rights; like the right to a regular marriage and family life; and to being subject to stigma, discrimination and being sexually exploited (Black 2007, 2-3).

The social constrictions that is the caste system and religious taboos make them slaves of this practice. The religious and superstitious beliefs are deep rooted in Indian society and it will be impossible to eradicate this system without dynamic policy interventions by the government. Crucially, there remains an urgent need for widespread coordinated social reform initiatives covering the entire spectrum of society to effectively move towards eliminating these kinds of social harms.

Poverty is the leading cause of a *devadasis* vulnerability to exploitation and for the persistence of this practice. Poverty eradication schemes spearheaded by the government will go a long way towards abolishing various social harms, including the *devadasi* system.

Dedication is more prevalent among the SC/ST community. The discriminatory and economic vulnerability of these lower caste *devadasis* make them more prone to sexual exploitation. Empowering people around their social, economic and political situation will strengthen their status in society and help them to understand the vulnerability of their position. It is essential to raise awareness and provide education to the *devadasis* to help them overcome the social and economic hurdles they face today. At present as a member of a SC/ST, women and children are entitled to legal services. In compliance with this obligation States must work to proactively identify *devadasi* women and girls and provide them with legal and any other assistance as needed.

All dedication ceremonies are conducted pre-pubescent. In addition to advocacy, awareness campaigns aimed at young girls, educating the girl children of *devadasis* and their parents must be conducted. The popular belief is that female education is meant only for the *devadasi* who has to learn the fine arts and literature and it is this regressive thinking that contributes to a girl's and women's lack of education. Illiteracy therefore stunts progress and contributes to the continuance of the *devadasi* system.

Education is the key to addressing the problem at its roots. A grassroots approach is ensuring empowerment through education of the *devadasis* to develop their own sense of dignity, self-worth, self-confidence and social consciousness to help them realise the exploitation of the practice. They must also be provided with the necessary information around their rights to for example, autonomy, the legality of the practice, options for rehabilitation, counselling services, economic opportunities and any other options available to them to be adequately informed and economically empowered to enable them to turn away from an exploitative system. There must be an awareness invoked amongst the exploited that the *devadasi* practice amounts to a form of slavery and is illegal, both nationally and internationally.

A sustainable solution to ending the practice of *devadasis* requires addressing the root causes of the problem; poverty, caste and cultural oppression. Comprehensive rehabilitation

schemes, like the provision of financial assistance, access to low-cost housing, land, access to health facilities and education, must be introduced to empower and rescue *devadasis*.

Skills development is crucial to employment opportunities. However merely equipping the *devadasis* with skills is not enough. Measures must be introduced whereby they are provided with opportunities to effectively utilise their skills to access employment.

It is necessary to provide education, skills development and employment opportunities to women in their own socio-economic setting. If *devadasis* are empowered to support themselves and their families financially they can turn away from this ancient exploitative practice. A system of compulsory education should be implemented specifically in the case of girls dedicated as *devadasis*. In this regard, the State needs to take more consistent efforts to tackle the oppression of the *Dalit* community. Empowering girls from this community to support themselves and their families is key to escaping the cycle of marginalisation, poverty and exploitation.

Obtaining Precise Statistics

In a report submitted to the ILO (Sampark 2015) and based on various other reports (The Business Standard 2017; Live Law News Network 2017), including one recent study published by the National Commission of Women (Bharathi 2016), have all identified some of the *devadasi* prone areas in various districts of Karnataka, Maharashtra, Andhra Pradesh and Tamil Nadu. However, there remains a dearth of official statistics on the exact number of *devadasis* in India. Importantly, the lack of official data on the issue leads to insufficient, inadequate or no measures being taken. It is recommended that there remains a crucial need to conduct a systematic survey covering the entire country to ascertain the exact population of *devadasis*. This is needed in order to concentrate efforts towards the elimination of the *devadasi* system. This will also provide a database for any future programmes aimed at *devadasis*. It is recommended that even whilst acknowledging the sometimes-clandestine measures engaged in, in the continuation of this practice the Government must develop targeted interventions that allow one to identify the prevalence of various forms of the *devadasi* system. One such measure could include the availability of an anonymous tip line to allow people to report on this practice without fear of prosecution or punishment. These tips should be followed through with an investigation and actions carried out should form part of a reporting structure. Each police station where such cases are reported should keep an accurate database of these cases and then also detail how they dealt with the complaints. If the police do not act on reports given, they themselves must be held accountable. A proper survey initiated and funded by the government must also be conducted.

Tasks teams should be constituted with the specific aim of finding ways to identify the prevalence of this practice. In addition, temple priests and village level Government officials should be tasked and made responsible for reporting all the new dedication of girls as *devadasis*. They should be made to immediately report such events to the police or face penalties themselves, should they fail to do so.

Unless the various layers of socio-economic disadvantage, religious and superstitious beliefs, and the cultural acceptance of the *devadasi* practice is addressed, penal action will never be enough to eradicate this deep-rooted system of sexual exploitation of women and children in the name of God and culture.

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