



## The Shadow Lines of Citizenship: Prostitutes' Struggle over Workers' Rights

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### Abstract

This paper explores how a prostitute belonging to a marginalized community on account of societal moral stigma, is posited in contrast to the notion of an impersonal, individual, citizen-subject. The colonial experience had cleared the fuzziness and transformed the 'traditional way of life' of prostitute women into a specific 'livelihood' of certain women. In post-colonial perspective, the homogenous category of workers did not incorporate the prostitutes in this domain because of the 'ignominy' of a livelihood based on sexuality. The prostitutes, now more commonly known as 'sex-workers', demanded worker's rights and decriminalization of the profession but her corporal mode of living could not be changed into a modern, liberating form like that of the worker. In spite of the extension of universal rights and apparently shared equality with other workers, the marks of violation on her body could not be erased. The liberal democratic space thus produced the prostitute, seeking entry within the folds of citizenship through work, and again excluded her because of the typicality of her work.

### Résumé

Cette communication examine la façon dont une prostituée appartenant à une communauté marginalisée du fait de la stigmatisation morale sociétale est considérée à travers la notion de citoyen-sujet impersonnel, individuel. L'expérience coloniale a dissipé la confusion et transformé le «mode de vie traditionnel» des prostituées en un gagne-pain spécifique pour certaines femmes. Dans une perspective post-coloniale, la catégorie homogène des travailleurs n'incluait pas les prostituées, du fait de l'«ignominie» liée à un gagne-pain basé sur la sexualité. Aujourd'hui, les prostituées, plus communément appelées «travailleuses du sexe», exigent des droits de travailleurs, ainsi que la «décriminalisation» de leur profession. Cependant, leur mode de vie lié au corporel ne peut être transformé en une forme de travail moderne, émancipatrice. Malgré l'extension des droits universels et l'égalité avec les autres travailleurs, les marques de violation présentes sur leurs corps, quant à elles, ne peuvent être effacées. L'espace libéral démocratique a ainsi produit les prostituées, qui cherchent une place dans le milieu clos de la citoyenneté grâce à leur travail, et les a ensuite exclues, du fait du caractère typique de leur travail.

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... am I a lawyer or a prostitute, that I would have a (definite) profession?... do I, Kamalakanta Chakravarty, live by begging?... I live by accepting invitations from those who wish to feed a Brahmin.<sup>1</sup>

This incorrigible phrase is the voice of 'uncolonisable' Kamalakanta, a witness in court, in reply to a question trying to locate the identity of the colonial subject. A witty and knowledgeable Brahmin Kamalakanta, a unique character in Bangla literature—created by Bankimchandra Chattopadhyay in 1875—proudly declared that he led a life despite no steady income—to support him, was often offered shelter by his neighbours and never had to resort to a particular occupation for living. The whole episode is a mockery of colonial justice available to 'subjects', which has been discussed with ingenuity by scholars on more than one occasion.<sup>2</sup> In the literary piece quoted above, the ambiguity of modern categories of classification is ridiculed in the context of 'livelihood' and 'way of life' used to characterize a person. Kamalakanta dwells upon the play of word with *pesha* (profession by choice) and *vritti* (vocation by caste) of a Brahmin who lives without a fixed occupation in sneering at the lawyer and the prostitute, both of them engaged in those nascent professions emerging in colonial times. The lawyer's profession is bereft of a root in earlier societies while that of the prostitute's traditional 'way of life' is transformed into a precise and regular 'livelihood' in colonial modernity.

Today, how would a woman belonging to a marginalized community on account of her livelihood based on sexuality be posited, in contrast to the notion of an impersonal, individual member of a definite, occupational category where caste, religion, gender and so on are not the deciding factors? That is, how would one contextualise a prostitute as a citizen within post-colonial space in India today?

Prostitution never emerged as a social issue inspiring national debate in the immediate past. A 'tolerationist' approach towards prostitution was the attitude of the state while the Indian women's movement was less concerned to consider the issue among principal struggles including domestic violence, dowry deaths or even *sati*. Anxiety and confusion mark public opinion generated around the movement of prostitutes following its emergence as a political group during the last decade, making demands for workers' rights.

Once she is let out of the social closet, the humanist, liberal agenda wants to posit her as a subject-citizen, to take up the responsible role of a worker. The line-girls enthusiastic in the cause are seen to organize themselves, raise slogans and move in a procession right in the heart of the city where they are least anticipated with banners and posters that say: *gatar khatiye khai, sramiker adhikar chai* (sex work is real work, we want worker's rights).<sup>3</sup> All she demands is the status of a regular waged worker. To highlight the 'work' aspect of her activity, to have direct entry into the mainstream labour-force, to be recognised as a professional therefore, grounds her claim for 'right to work'. Erasure of the moral stigma associated with her is the immediate concern; nothing about sexual exploitation, physical harassment or

change in work condition arises. She is against the marginalisation of her profession and learns to valorise her work.

The prostitute identified as the marginalized female other, was based on the discursive production of sexuality that separated the reproductive woman against the non-reproductive other. Among outcasts, possessing the 'dangerous sexuality of the non-mother', she was put in social and moral quarantine away from home and family. She belonged to a minority group that remained excluded and separated in abstraction as well as in actuality from the realm of civil society. As a community, prostitutes lived by selling sexual services to male clients and were enumerated in the census as a section of the female population engaged in a specific category of 'ungainful' occupation different from others. The bodily service offered by the prostitute woman that fetched a living was not in commonality with that of the other workers. This unique feature gave her an inimitable subjecthood. In demanding workers, right she outlived the subject of being merely constituted by discourse and was in direct confrontation with her own self.

The prostitute woman by demanding the right to work seemed to acquire agency. Did the universal rights of the citizen-subject generate an emancipatory space for the prostitute women? Or does prostitute woman marked by her sexual identity dwell outside the realm of civil society ever after?

The question seems to bother us since the domain of civil society was still restricted to a fairly small section of 'proper citizens'.<sup>4</sup> The excluded, improper (?) citizens, constituting the lot of workers such as the migrants, poor and destitute, belonged to the political society as objects of government welfare policy and remained outside the modernising aspirations of equality and citizenship. The workers exerted pressure for a better living as a survival strategy against the political obligations of the developmental state. To whatever extent the strategies of negotiation of the workers' community with the state could be successful and whatsoever were the limits of the language of rights in formulating demands of popular struggle towards that end, has been an object of discussion for scholars.<sup>5</sup>

It is commonplace knowledge that 'the everyday practice of citizenship' always already excluded the prostitutes from the domain of civil society. Their standing as citizen was far from being justifiable as they were formerly criminalised. They were posited as a 'necessary social evil' of the public sphere until the government's HIV prevention initiative in the early 1990s led to a dialogue between the state and the sex workers. While the government's concern was public health, it helped prostitutes to make their voices heard in the language of rights proclaiming a more democratic labelling of their work. The dialogue was contained within the medico-moral discourse and did not present the opportunity to influence legislative approaches towards prostitution in any way.

As an empirical category the prostitutes, ghettoised within red light zones and demanding the rights to livelihood and collective bargaining, based their demands on the same validity of claims as those of other workers. The conceptual problem stemmed from the fact that the state could not grant recognition to the rationale of the claim asking for equal and free civic life of citizens by the subaltern who was already an excluded category of/among women. On

the other hand, the state could not ignore the collective claim of the community put forward in the language of rights. How far the 'gendered' political community of the prostitutes could negotiate with governmental agencies, and whether the logic of universal rights could be extended to incorporate the prostitute as a subject, was yet to be seen.

The language of rights imparting an 'impossibility of justice' to women as empirical subjects has been termed as becoming 'redundant' in being addressed to the state and the law.<sup>6</sup> The process of othering for the woman-subject as structured by caste, class, gender and other markings was often rendered invisible in universalistic frames. The cultural meanings were being contested and explored at various levels from feminist perspectives.<sup>7</sup> The contention here, in this paper, is about a specific subject of a prostitute as the other of the other, with an overlap of differences in terms of gender, class and 'sexual identity', that cannot do away with the language of rights based on notions of equality in proclaiming subjectivity and agency. It remains to be seen if the workers' rights movement created an emancipatory potential for the prostitute with the positivity of her body and specific livelihood in making her demands within the universalistic framework of a worker.

### Genealogy of the Prostitute

The process of societal exclusion of the prostitute was initiated in the colonial phase. To the colonisers, the prostitutes were a specific category of subjects whose diseased bodies infected the British soldiers. The 'fuzziness' of the community that lived by sexual activity as a way of life was carefully erased, to project them instead as 'substantive entities in themselves', the prostitutes were soon reduced to 'a definable, enumerable' category.<sup>8</sup> The process of criminalisation of the prostitute was instituted by demarcating red light zones away from the residential areas instead of being scattered through out the city. The medicalisation of the prostitute-body as an object of inquiry was initiated during the colonial regime. Prostitutes were bodily subjected to periodic medical examination and treatment of those infected with syphilis was conducted in the legal confinement of 'lock hospitals' to provide the state with the knowledge of the subversive act that was 'immoral, seditious and diseased.'<sup>9</sup>

To the colonial authority the native prostitute by her very origin was perceived as an amalgam of filth, vice and disease. The 'sexual myths of the Oriental woman were now eclipsed by the image of this diseased creature whose major harmful potential lay in her powers of flight and ability to evade the British law'.<sup>10</sup> Regulation of the brothels and registration of the prostitutes through enumeration by religion and caste was taken up in the census of colonial India in 1872. The recording of births, deaths and number of children in the brothels was followed by registration of pimps and brothel keepers. The effort to regulate the private action of their subjects revealed the anxiety of the colonisers in framing their public health policy in the colony.

How did the resolution of women's question in the late nineteenth century accommodate the prostitute, the other of the woman-of-home? To the colonised, the modernity of Indian women had been 'resolved' without making it a matter of political agitation. The 'new

woman' emerged as the educated and refined companion of modern man up, holding traditional purity in being a home-loving and caring mother. As an 'impure' entity prostitutes could not be accommodated in the nationalist discourse being shaped by 'our own modernity'. A differential construct of the public sphere had to be monitored by ostracising the other woman. The excluded other comprised the desexual widow within the home, or the over-sexual prostitute cast out from home. The social norm in the upper caste middle class families thus preserved spiritual purity by eliminating unrestrained promiscuity and 'vulgarity' from the domestic sphere.

The Indian elite agreed to the legal territorialisation of the prostitutes within red light zones, far apart from home and women of home. The prostitute woman who posed a constant threat to the emerging concept of new companionate conjugality of the middle class, upper-caste home, had to be restricted physically and degraded morally on account of her sexual performance that determined her entity. Therefore, legislation enacted to regulate and control the prostitutes was supported both by the social reformers and by the nationalist political leaders. Opposition came only on occasions when Indians were not included within the law-enforcing authority or when the autonomy of male clients was hurt.

The non-sexual performance of prostitutes did not disturb the upper caste, middle class families of the indigenous elite. Rather it was a stance of 'good nationalism'. The incorporation of the prostitutes as public-stage actresses or later, as instruments in raising funds for nationalist welfare measures was a gesture to rehabilitate the 'victim with lost respectability'. Therefore, prostitutes taking part in the cultural realm under the leadership of the liberal bhadrals of the period was accepted with few minor protests.<sup>11</sup> Inclusion of the condemned was a mark of spiritual superiority of the Indian elite who did not exclude even the degraded and the moral outcasts. It was perhaps necessary for the construction of a liberal and tolerant 'non-western' nationalist ideology.

Because of the concurrence of interest in territorialising prostitution, the Indians did not contest the legal measures undertaken by the English for criminalising prostitutes. The Suppression of Immoral Traffic Act was passed in 1923, and the regime of control over prostitutes continued.<sup>12</sup> The post-independent period for a substantial length of time was relatively settled and undisturbed regarding the issue of prostitution. The Immoral Traffic Prevention Act (ITPA) was enacted in 1956 in India.<sup>13</sup> Under this Act and its later amendments in 1986, the commercial exploitation of prostitutes was made punishable but prostitution per se, which was not open prostitution, was not considered an offence.

From early 1990s many more dimensions were added to the scenario. With the advent of the previously unknown disease AIDS, a 'sexual panic' pervaded the political and cultural life of the developed nations that permeated down to the developing countries. Modernity was eager to erase the profane and diseased image of the prostitute and regard prostitution as a lawful occupation. Local NGOs along with international partners left their mark according to their brand of being radical, liberal, or Marxist. Public opinion was created in favour of the victimisation of prostitutes replacing the earlier image of criminalisation. The prostitutes were claiming to have achieved a new subject position by trying to voice their words through media campaigns and protest movements within their immediate public sphere.

Kolkata achieved a unique position in this respect. In 1992, a local organisation assisted by NGOs and funded by international donors soon formed a common platform to serve the interests of prostitute women. With direct support and assistance from the Indian government, a STD/HIV Intervention program at Sonagachi, one of the largest red light districts in the city, was launched. In a short spell of five years, the programme was successful in extending its approach from a 'medical intervention project to wider sociological issues associated with the AIDS question'. The emergence of the 'global epidemic' of AIDS positioned the prostitute body to be demarcated as a specific domain of sexual exchange and rendered sexual behaviour as a disciplinary object.

#### Governmentality

The prostitutes, identifiable by certain 'behavioural criteria', earned a new name: sex-workers (jouna-karmi in Bangla). The worker-status was important from the point of view of intervention so as to buttress the demand for workers' right regarding health care, safety against police harassment, and protection from fraud. As long as prostitution was identified with disease, sin and crime, it was difficult to normalise it within the protocols of work. The attempt to erase the image of a diseased prostitute body and to include them as a specific category of workers as part of the organised labour force with the rights to work, choice and collective bargaining, was a project of modernity taken up in an independent nation. Soon the logic of intervention manifested itself in prostitutes wanting a 'wage-labour' status denied them.

The mode of functioning of the governmental technologies was '...an elaborate network of surveillance through which information is collected on every aspect of the life of the population' based on the '...instrumental notion of costs and benefits'.<sup>14</sup> The prostitutes as the most likely group to contract and spread the disease soon became a social priority. NGOs and government assistance were invoked to implement and formulate public policy. Resources were available too. Various donor agencies considered it an important cause to support as a way of prevention of the epidemic, and the money was invested for providing efficient safety measures. The governmental apparatus were often prompted and aided by international and non-governmental organisations. The deployment of ex-prostitutes in the information collection system was executed through NGOs. As 'peer educators' ex-prostitutes were assigned the task of the identification of prostitutes, awareness creation, and motivation for safe-sex practices. The recording of information to the extent of minute details regarding the identification of prostitutes and their sexual behaviour was possible without going through formal registration of the prostitutes. The governmental schemes for the prevention of HIV/AIDS, considering the prostitutes as easy victims of infection, brought them under the purview of health programmes that promoted the practice of male contraceptives. The prostitute's forum publicised the practice of using condoms and convinced its members to adopt their regular usage in the face of infection. The ex-prostitutes re-inforced its practice and counselled the defaulters in favour of its use. The surveillance was in-built to the system and cost-effective. 'In many cases, classificatory criteria used by colonial governmental regimes continued into the post-colonial era, shaping the forms of both political demands and developmental policy'.<sup>15</sup>

The community of sex-workers became a target population for policy making. The site of intervention was no more the body alone; achieving worker-status was a crucial moment. Legal enforcement or compulsion was not required as it was in the colonial times when prostitutes had to flee to avoid registration. Physical well being through sexual health care measures and economic well being through co-operatives and saving schemes were introduced. The enthusiasm of the prostitutes was noteworthy. Health check-ups were also almost voluntary once the process was initiated. The prostitute emerged as the 'speaking woman' aware of her rights in collective bargaining.

Though the point of intervention in both periods was health policy, in the colonial era a curative approach for treating sexually transmitted syphilis was taken up in contrast to preventive measures of the present, since no cure for AIDS was yet available. The concern to regulate the sexual norms did not exist during the colonial period when the prostitute was a passive object of inquiry. Intervention in the post-colonial period was not coercive and took place at the level of regulating sexual norms explicit in the choice of contraceptives, the denial of specific sexual acts, the institution of sexual health check up for clients etc. Sexual behaviour was standardised and correctives were issued in the name of avoiding infection.

The inscription of the colonial phase did not differ much from that of the post-independent regime. The social and moral quarantine imposed on the prostitute continued. The heterosexual male model of a non-reproductive, non-familial source of pleasure in the prostitute stereotype remained unaltered. Only when the prostitute was eager to erase the victim image by demanding a worker status on the grounds of equality did the state feel the need to intervene. The post-colonial states deployed governmental technologies to negotiate and bargain with the demands. In response to the adoption of these technologies communities formulated their struggle and shaped their demands in the likeness of any other civic body of workers.

### Political Community

In a way, the form of human rights discourse was instrumental in decriminalising the body of the contemporary prostitute. The emergence of the prostitutes' rights forum and the declaration that prostitutes were only a specific group of (sex) workers helped them to acquire a political identity.<sup>16</sup> In the charter of demands, in the public meetings, in the newsletters, press-releases and booklets, prostitute women formulated their right to self-determination through workers' rights. They spoke of the 'powered' position of a sex worker that a housewife was denied. They even pronounced sex work to have a 'therapeutic role' by providing a comfort-space for male clients.<sup>17</sup>

The prostitutes acted as a collective. The most common metaphor that they used while referring to their forum was family. They did not want to pursue the individual interests of community members in terms of property or legal problems, but relied on the intimate bonds of kinship while voicing their words through the forum. Collective action against police harassment and arrests was organised by the forum in the red light zones of the city as well as in the suburban pockets. Regarding entry of adolescent girls into prostitution, the forum

took the responsibility as the familial head and escorted minor girls back to their parents in the villages. The forum also functioned as a welfare association, by organising sports, coaching classes for young students, cultural functions for children and arranged monetary loans for the aged prostitutes from their co-operative. In an attempt to foster better living the forum also looked after HIV-infected members, arranged for their treatments and even provided counselling.

The forum was the body through which the community negotiated with the outside world. The leaders of political parties, academicians, artists, and media persons sympathetic to their cause were often invited to participate and express their solidarity with the family of prostitutes. The forum organised peace meetings, inviting representatives of other associations of prostitutes across the country and NGOs, even the ones hostile to its stand. The forum organised processions and sit-in demonstrations in support of Bangladeshi brothel prostitutes against police atrocities. They supported and submitted memoranda on a common agenda with leftist trade unions against the economic measures of the structural adjustment programme of the central government. The forum set up a cell and hotline connection for awareness and help for any HIV-positive citizen as well.

The forum invented convenient strategies to interact with state agencies such as the police, administrative authorities, and health providing agencies. In the process the forum emerged as a conspicuous community ready to negotiate on their claims. On the legislative front the post-colonial state continued with its 'tolerationist' attitude towards prostitution. The legal enactment of decriminalisation was yet to be achieved, although the demand for the recognition of prostitution as a legitimate means of work was being raised. The prostitutes while making their demands did not stake their identity on sexuality but with regard to their work. Their mode of interaction included questioning the dubious legal stand of the state regarding prostitution and the repeal of ITPA, to which only deaf ears were turned.<sup>18</sup>

Thus, the community of prostitutes wanted to achieve a place in civil society. The reach of civil society being limited to a small section of a homogenous category of citizens, and the exclusion of gender in the universal logic of citizenship, were contested on several occasions.<sup>19</sup> The community of the prostitutes in their pattern of negotiation with the state brought to the fore their direct exclusion from civil society to which they demanded entry as non-stigmatised women workers. Their strategy of negotiation with the state included the modern rhetoric of autonomy and equal rights of a worker. The 'everyday practice of citizenship' already excluded the prostitute in several ways.<sup>20</sup> Yet in selecting the language of rights, the popular movement of prostitutes wanted to establish their claims as rights. The claiming of worker's rights was a claim for equality, it was opting for the 'right for not being different' from other groups of workers. The assertion of a collective cultural right by the 'gendered' group of workers meant an engagement with the state and law. The struggle was for classification as universal subjects with other workers. It was not a dependence on the state to achieve social transformation for their inclusion, nor was it about settling contesting claims with the aid of law. It was a case of subjects emerging out of their own experience seeking solidarity under a larger identity named 'workers' and sharing a common experience of oppression and exploitation with them.

In claiming workers' rights the prostitutes did not ask for better working conditions, job-security or minimum wages; all that they demanded was 'right to work'. This right to work implied an erasure of the moral stigma associated with their profession. The state was not the social agent to achieve this aim and law could not actualise this claim. It was in a way a social claim that required transformation of meanings and power relations within society. The revision of meaning could only be effective through inclusion in civil society as a subject-citizen. Therefore, the language of rights was the only language to be pursued through organised struggle.

However, the subject formation process for the prostitutes, sharing subaltern traits as they did, was a complex matter in Kolkata. The prostitute was produced and constituted through the exclusion-inclusion-exclusion process. The position of the citizen-subject in civil society was to be longed for, while she belonged to a world of subjection through economic, political and cultural processes. The identity of the prostitute contained the strain of the fracture manifested in the ambiguities she expressed while relating her lived experiences in the becoming of her severed self. While proclaiming a subject position for herself, she was in two minds about presenting the image of an abused/empowered body. She was unsure and undecided about situating herself as a worker in projecting a non-wife, non-mother image of her self as revealed through the representations and meta-narratives. Her day-to-day experiences of oppression regulated by loss of affect or domination due to the relations of power within which she had to operate and her subjugation to capital were all in stark contradiction to her position as a worker with agency.

### Ambiguity as worker

The ambiguity of the prostitute woman was visible in relating the lived experience.<sup>21</sup> The assertive and articulated prostitute woman confident about her participation in the public sphere, was not so assured when personal issues were discussed. Ambiguities were most revealed through meta-narratives and personalised conversations. The following three instances exemplify how the assertive tone of the 'official' language of a member of the forum becomes sadly non-confident and diffident in relation to her other, the housewife. Gradually, the imagery of self is transformed from an empowered women position to that of a victim, which she would have vehemently rejected in public speeches.

If other workers can work within the structures of their profession to improve their worker status why can not we remain in the sex industry and demand a better deal in our work and life?

If we are called *barbanita* (public woman) why wouldn't the housewives get the name *ghar-banita*?

That I am a *fallen* woman, is not my responsibility. I did not want this life. I was forced into this... how would I ever escape from being looked down upon by others? Practically, that is why I joined the forum, to overcome the helplessness.

While in newsletters and bulletins, the role of the entertainer and comfort-giver is emphasised, in personal conversation the prostitute seemed to be more concerned with her fertility. She was less sure about wanting to possess a safe and disease-free body of a sex-worker which was easily accessible to her at present, than a fertile, receptive, maternal body. Her belonging to the non-reproductive, extra-familial domain by the compulsion to earn was often shattered.

I wanted to flee from hunger at thirteen... now after seventeen years, I have enough money, enough and more... all I lack is a home... children... the desire to be domesticated ... I know my desire for a home of my own and children would never be fulfilled.

I dare not think of conceiving at present, I would lose clients after the first few months ... but I can not accept this life without children... someone who would be my very own... it is difficult to fill up the void... perhaps, someone to depend on during old age.

In spite of being excluded from the reproductive domain, the prostitutes considered childlessness to be a curse, a mark of incomplete womanhood. They looked up to their children and took every opportunity of not letting girl-children into this profession.

I pray at the *darga* and offer *puja*... I want a girl child... non-fertile women were cursed as witches in my village, my grandmother said they brought evil.

My little daughter can sing and dance to Hindi film songs so well, but I do not want her to suffer like me. I would get her married far away from this place, she would have a home and her husband,—a shopkeeper—and children would tend the goats.

This conflict regarding motherhood was further reflected in the allure of marital values. Perhaps this led to her miming the role of the housewife within domesticity, convincing herself about the affect-laden, make-believe sexual act that she had to enact as work.

I always put on the red vermilion on my forehead and wear red and white bangles used by housewives (traditional motif of purity and fidelity towards the husbands). My babu (regular and fixed client) likes it. In fact we went to the Kalighat temple together to put on the blessed sindur on my forehead, like the newly-weds do. It makes me feel loyal to him... (he is) like a husband to me... I cook for him and give him money for drinks... he says he won't leave me, though threatens to do so... I wish he wouldn't, I want to trust him.

Apart from the work-contracts with clients, prostitutes espoused men in a partnership relation within the pleasure economy. This personal space of domesticity with each of her short-lived, transient lovers, however much violence and deceit she may have had to put up with, was in imitation of heterosexual, reproductive family norm from which she was excluded.

Given the affective code of the couple within marriage, the prostitute seemed to be aware of the pain involved in sexual performance. Did she possess more knowledge about pain than pleasure in comparison to a housewife in being aware of the seeming inability to perform

without affect, a situation into which she had been pushed? In the heterosexual performances to which a prostitute was confined, did the excluded moments remind her of the inherent lack that was designed to be her own? Did this foreground her subservience to the logic of affect and pleasure to be derived from heterosexual activity, and subject her to unquestioned acceptance?

'We are pet dogs of johns and pimps doing what we are asked to do,' 'looks does not matter, we always find customers for our bodies dressed in loud and gaudy make-up,' 'cramp or pregnancy makes no difference... at any hour of the day or night we gratify men... and very efficiently... just undressing at the genitals,' 'we fake and act as if heated and aroused in real flesh and blood... to please every customer... we are better than film-stars in their job,' 'we are not heroines of the Hindi films like Madhuri Dikshit or Monisha Koirala... men dream about them and come to us to fulfil their fantasies'.

This was not physical pain to which she was referring. There was violation implicit in the act of erotic performance, not as coercion on the body, but from the violence marked on her being, her selfhood. In spite of the consent of a contractual worker, her apparently active participation in the act and in becoming a speaking subject in formation, she had a severed self, a dismembered body. Aspiring to the realm that never belonged to her was perhaps an attempt at acquiring entry into the abject zone that excluded her. The mimicry of domesticity and affect that marked a housewife were moments that erased the un(re)productive image of a prostitute woman. Perhaps these were the moments beyond the boundaries of the discursive construct, the excluded moments, which framed the identity of the prostitute.

### Politics of Citizenship

Why was this ambiguity present within the prostitute? She was, at the same time, wanting to transcend her denigrated status because of her profession, assuring herself and others of her worker status, her trade union rights and her impersonal being. At the same time she was captivated by the implication of the sexual nature of her work, her corporeal entity and non-alienability of work from the body. This tension and conflict was revealed in her constantly.

The prostitute was not a sexual-minority at work with 'erotic preferences',<sup>22</sup> rather her livelihood evolved from sexual activity with a partner in exchange of money; a sex-worker with work underlined. She represented the complex of a trader, a worker, a commodity, (or service) all in one, to be consumed by the logic of the market from the site of her body. She exchanged her own use-value in every transaction. In spite of being able to name her price in the market and provide the service, she was restrained from being able to act with autonomy and agency. She had to deliver pleasure in compliance to the desire of another. The subjugation of her labour to capital was rather invisible in her case. There was no capitalist class visible for appropriation of surplus value. The complexity was further implicated with her class position and her subjection to power within the trade network. Her

work was imbued with economic exploitation and oppression, both, subjugation to capital and power which was different from other women workers as well.

The implication of the body as the site of work was a significant marker of difference in her case. Even if equality with workers could be achieved on grounds of their subjugation to capital, the oppression resulting from the livelihood where body was instrumental could not be traced for others. The discriminatory principle and power relations that operated within family and community towards their woman was not her's. Within the extra-familial domain the body generating a livelihood rendered her a unique subject position. Her marginalisation from civil society, from the category of worker, or even from different groups of women was the cause and effect of her own subject position. She could never achieve the status of an impersonal individual seeking citizen's rights because of her bodily profession. She was a worker, who could not alienate her self from her body, as her body was instrumental to her work, to be acted upon and to activate. Therefore she was not alienated labour as other workers were and could not claim a citizen-subject status through workers' rights. This differentiated and excluded the prostitute as a specific subject.

The principle of exclusion operated at a different plane for the prostitute. It was not exclusion outright. As a special category of 'minority' worker, she could not be incorporated within the public sphere. However, even if the attempts of the state were earnest and successful for other marginal groups, the prostitutes would be excluded from the efforts at incorporating them within the bounds of civil society. The prostitute was different from other workers even without the moral implications of her work. The difference lay in the subjection of the body through/in one's sexuality faced by prostitute alone. It was a violation of the personhood of a woman. Her work violated her self. It was not a familiar form of work as alienated labour. Rather, it was work as alienated labour and more. Her work impinged upon a personal zone of her being mediated through the body, it was a violation of self-hood through the bodilyness of her being, unlike any other labour form.

The prostitute was trying to transform into an impersonal self through her work and at the same time was vulnerable to the bearings of the positivity of her body. She was thus the manifestation of the contradiction of a split self, seeking universal identity in the worker status. The prostitute identity was thus constituted by aspirations for the citizen-subject and the actuality of the sexual-being. In effect a severed, dismembered subject was formed. She was a self that was split in halves, possessing the identity of the political subject aspiring for citizen-subject status through workers' rights and the empirical subject with the personal adherence to the body. The prostitute wanting to be included within citizenship was the legal-political-moral subject. She wanted to be acknowledged within organised labour through her claims for workers' right, to be free of the stigma attached to her and possess the impersonal individuality of a citizen-subject. Her split self, the empirical subject could not abide by the required criteria because of she remained tied to her body. Perhaps because of this contradiction, the corporal trait of the slogan of the prostitute's struggle demanding workers' right was submerged in the general categorization of work in English. The English translation of the slogan, aiming at reaching wider, liberated and modern citizens, bears a

more universal connotation of 'objective' work excluding the 'subjective' bodily aspect of sex-labour.

In colonial times, *Kamalakanta* had objected to the categorization of people through the enumeration of profession. The necessity of being identified by a regular occupation as against the traditional way of life determined by markers of caste and convention had seemed redundant to his logical understanding. The colonial state formulated the pattern of livelihood by clearing the fuzziness and transforming the traditional life style of certain women into prostitute workers with a specific occupation. In the post-colonial perspective, a homogenous category of workers was produced, disciplined and normalised, through various governmental technologies. A homogenous category of workers based on the universal principles of equality was projected. Yet, the prostitutes were not incorporated into this domain. The extension of universal rights for the prostitute woman would not erase the marks of exclusion in spite of an apparently shared equality with the worker. No liberating stance of modernity could erase the marks of violation of a prostitute woman on her body. Her stained, corporal 'way of living' could not be transformed into a modern, liberating form of 'livelihood'. She remained within and beyond the reach of the liberation granted by modernity—beyond the efforts of modernity and yet being constituted by it. The democratic discourse of citizenship thus produced the prostitute, wanting an entry within fold of citizenship through her work, but excluded her because of the typicality of her work.

The prostitute body as the other of the other, being aspirant to the world of rights and being subjected to a constant othering, embodied the shadow lines of citizenship in post-coloniality.

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## Notes

1. 'Kamalanter Jobanbandi', in *Bankim Rachanabali*, p. 104.
2. The play upon the different connotation of the term *jati*, by Kamalakanta has been depicted by Partha Chatterjee in 'Communities and the Nation', *The Nation and its Fragments: Colonial and Postcolonial Histories*, Oxford University Press, New Delhi, 1993; the analysis of the character of Kamalakanta has been cited by Sudipta Kaviraj as a critique of colonial reason in 'Signs of Madness: The Figure of Kamalakanta in the Work of Bankimchandra Chattopadhyay', *Journal of Arts and Ideas*, 17-18, June 1989, 9-32.
3. Note that in the English translation of the slogan, the word 'body' does not appear. The subversive, corporeal connotation of the Bangla word *gatar*, implying body, is replaced by work in the translation from a regional to a more universal English language. I am grateful to Anirban Das for this insight.

4. Partha Chatterjee in *'Introduction' to Wages of Freedom: Fifty Years of the Indian Nation-State*, Oxford University Press, 1998, p.11.
5. The strategies of negotiation of the workers have been dealt in 'Community in the East', Partha Chatterjee, *Economic and Political Weekly*, February 7, 1998 pp. 277-282; The limits and the necessity of the language of rights are discussed in "'Right to Work": Reading Rights through Discourse on Work', Aditya Nigam, *Economic and Political Weekly*, January 31, 1998 pp.6-24.
6. Nivedita Menon, 'The impossibility of Justice: Female Foeticide and Feminist Discourse on Abortion', *Contributions to Indian Sociology*, (n s) 29,1and 2, 1995.
7. Janaki Nair, 1992, 'Nationalist Patriarchy and the Regulation of Sexuality' in *Women Law and Colonial India: A Social History*, Kali for Women, Delhi p.171.
8. Sudipta Kaviraj, 'The Imaginary Institution of India', in Partha Chatterjee and Gyanendra Pandey, (eds), *Subaltern Studies VII*, Oxford University Press, New Delhi, 1992, pp. 1-39.
9. The Indian prostitutes were defined as criminals according to several laws: the Cantonments Act XXII of 1864, the Contagious Diseases Act XIV of 1868 and their various amendments.
10. Ratnabali Chatterjee, *The Queen's Daughters: Prostitutes as an Outcast Group in Colonial India*, 1992, Bergen, p. 11.
11. The actors and playwrights of the Bengali stage were keen to accommodate the prostitutes as actresses of the public stage. There was resistance from the more puritan section because of the degraded and defiled livelihood of the prostitutes. Yet at the same time negotiation went on. Prostitutes were represented as erroneous, 'fallen women' from their previous status of social-sinners. Women of home too expressed sympathy for the prostitutes as 'victim of her own folly', echoing the voice of male reformers. Their participation for a short while in the nationalist struggle for freedom and raising money for the cause, was encouraged and accepted by a liberal section of the nationalist leadership. Sumanta Banerjee, 1998, *Dangerous Outcasts: The Prostitute in Nineteenth Century Bengal*, Seagull Books, Calcutta, pp. 126-141.
12. The Calcutta Suppression of Immoral Traffic Act was passed in 1923, later it was replaced by Bengal Suppression of Immoral Traffic Act, 1930.
13. Immoral Traffic (Prevention) Act, No. 104, of 1956 is commonly known as PITA since its amendment in 1986.
14. *Op cit*, Chatterjee, p.279.
15. *Ibid.*, p.282.
16. The forum of prostitutes known as Durbar Mahila Samanwaya Committee (DMSC) was formed in 1995. DMSC published several newsletters and bulletins at a frequent interval:

'We Demand Workers' Rights', Calcutta, 1998, Namaskar 1999, Sohagnama, January, 2000, 'Santi Utsab', 2002.

17. Such claims were in tune with the declarations of the northern forums of sex-workers at global meetings, where they claimed to be entertainment artists, healers and even teachers. Sujata Singh, 'Five Years' Stint at Sonagachi: 1992-1997' p. 21; Shannon Bell, 1994; Nagle, 1997.
18. ITPA allowed for oppression of all prostitute women being subject to police regulation and harassment on the plea of soliciting. Amending ITPA to achieve partial decriminalisation was still far away a demand from the repeal of the Act as suggested by Jean D'Cunha and Ratna Kapur, pioneers in the field of policy research on prostitutes. The response of the government was to commission studies by National Commission of Women, organize workshops, and initiate networking with SAARC members nations on trafficking of women across the border. Child prostitution was being banned and legally enforced. However, recommendations of the National Law School, Bangalore, regarding reform of ITPA were not consulted. Prabha Koteswaran in "Preparing for Civil Disobedience: Indian Sex Workers and the Law," Boston College, *Third World Law Journal*, Vol. XXI, No. 2, Spring 2001.
19. Susie Tharu and Tejaswini Niranjana, in " Problems for a Contemporary Theory of Gender," *Subaltern Studies IX*, eds., Shahid Amin and Dipesh Chakrabarty, Oxford University Press, New Delhi, 1996, p. 232-260; Nivedita Menon, in "State/ Gender/ Community: Citizenship in Contemporary India," *Economic and Political Weekly*, January 31, 1998, PE 3-10; These are a few important articles among them.
20. Prostitute was a citizen with rights denied and worker with a moral stigma that modernity proposed to erase. Prostitutes were 'citizens' with voting rights and possessed voters' identity cards. Yet, their freedom of movement was restricted within the red light zones. They could not dwell anywhere in the residential areas of the city as independent, rent paying tenants for practising 'immoral activities on commercial terms'. They were entitled to medical and health facilities, which in reality came down to some non-formal (NGO) kind of local arrangement. Children of prostitutes were refused admission to both public and private schools. Often a fake name of the father of the child had to be stated in school admission forms. If the mother chose to disclose the nature of her occupation, the child was socially ostracised. Prostitutes were required to produce a certificate of 'good moral character' when they participated in mainstream activities.
21. These were bits and pieces from narratives of prostitute women relating their personal histories. An interview based survey conducted by the author at Sonagachi, that formed a major source. The columns of their monthly newsletter, Sohagnama, January, February, 1999 and the report, Namaskar, 1998, Durbar Mahila Samanwaya Committee, were also used.
22. Gayle Rubin, in "Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality," *Pleasure and Danger: Exploring Female Sexuality*, ed. Carole S Vance, Boston, Routledge and Kegan Paul, 1984, p. 286.

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