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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

# **A CRITICAL STUDY ON THE CHALLENGES FACED BY PROSTITUTES IN SOCIETY WITH SPECIAL REFERENCE TO CHENNAI**

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## **ABSTRACT:**

Sex workers face many challenges related to their well-being and human rights, including increased risk of HIV infection, inadequate health care, violence, labour rights violations and economic instability. Sex worker-led organisations have emerged globally to address these challenges and advocate for the rights and needs of this marginalised community. In the Indian context, the sex industry is tragic and exploitative, often silencing the voices of the women involved. This study aims to understand the experiences, structures, processes and policies that facilitate the rehabilitation and social reintegration of former sex workers. This paper explores the challenges sex workers face and proposes solutions to alleviate their difficulties, thereby

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promoting their empowerment and successful social reintegration.

**KEYWORDS:** Prostitutes, Society, Financial status, Health issues, Family

## **INTRODUCTION:**

Despite the fact that business sex work is thought of as quite possibly of the most seasoned calling on the planet, it is exceptionally trashed. The sex laborers, including ladies, men and transsexual individuals, are the people who get cash or merchandise in return for sexual administrations and who deliberately characterize those exercises as pay producing regardless of whether they consider sex fill in as their occupation. In India, The Immoral Trafficking (Prevention) Act accredits sex work that is carried out in private as legal, while soliciting in public places, such as maintaining a brothel and pimping, are considered to be illegal. These were times when the women's movement began to demand financial independence, control over their bodies, and more sexual choices for women. Radically questioning the prevailing moral and economic arrangements. The conceptualization of stigma and the extensive literature on the stigma of sex workers suggested that Female Sex Workers may experience multiple levels of stigma, namely social stigma, structural stigma, and self-stigma. Social stigma is the attitudes and beliefs that the general public hold toward the stigmatized population. Structural stigma refers to the ways institutions legitimise and perpetuate stigma. For example, health care providers' stereotypes about Female Sex Workers may result in refusal of treatment, sub-optimal care, humiliation, breach of confidentiality and privacy, and other forms of discrimination. This ultimate objective of this paper is to fill this gap by including the voices of sex workers with an aim to explore how they experience discrimination and develop coping strategies when accessing health care services. It should be noted that this work does not only focus on prostitution-related diseases but also includes other health conditions that require access to health care services. There are many challenges in the sex industry that stem from poor socioeconomic structures and inadequate services at the individual level, poor implementation of policies to protect women at the national level as well as Gender stereotypes and traditions are deeply ingrained at the societal level. The purpose of this study is to understand the experiences, structures, processes and policies that help former sex workers recover and reintegrate into society. There is a need to understand the multi-level factors and challenges that sex workers face when working in the prostitution industry. By analyzing structures, this study will explore the resources and tools that sex workers have to reintegrate into society, such as learning a new skill and gaining financial independence by earning job. The results of this study can increase awareness among health professionals about



the health risks and health care needs of sex workers, as well as the barriers they face in accessing services. health care. Additionally, this study aims at identifying the major challenges faced by sex workers in our country and the stigma which they face in a day to day basis in the society. Thereby understanding the victimisation of sex workers through police brutality and discrimination is fundamental to understanding the challenges of reintegration into society. This paper aims at finding the the effectiveness of rehabilitation centres in empowering and disempowering sex workers. This paper will also focus on finding the solution to improve the livelihood of sex workers in the society by supporting reasonable public opinion.

## **OBJECTIVES:**

The objectives of the study are

- To study the challenges faced by prostitutes in Chennai
- To analyse the impact created by society on the life of prostitutes

## **LITERATURE REVIEW:**

1. **(Bartosch and Malmgren 2022)** This article conducts a qualitative study with a focus on understanding the significant challenges encountered by female commercial sex workers (CSWs) in Puducherry Union Territory, South India. The study involved in-depth interviews with 15 CSWs. Thematic analysis was employed to analyze the gathered data comprehensively. The research delves into the various challenges faced by CSWs, encompassing economic, psychological, and social aspects of their lives.
2. **(Sakeena, Bennett, and McLachlan 2020).**Sex work is frequently depicted as involving coercion, poverty, and a lack of agency. However, research suggests that the reality of sex work in India is far more varied than these common stereotypes portray. This study aims to challenge these inaccurate depictions and present a nuanced understanding of sex work in India. By drawing from findings in four studies conducted across three distinct urban areas in the country, this paper illuminates the diverse experiences within the sex work industry.
3. **(Adiga 2022).**Prostitution has deep historical roots in India and sex workers have long faced discrimination and harassment. This article concentrates on the legislation enacted by the Indian government to legalize prostitution in the country. By exploring the benefits that prostitutes receive through legalization and examining the impact of this law, the article delves into the specific regulations and laws related to the profession. Additionally, it weighs the pros and cons of legalizing prostitution in India.

4. **(Laba 2014).**The population of sex workers has doubled over the past decade in India. This increase has led to a growing demand for the legalization of prostitution. Legalization is seen as a means to prevent the exploitation of sex workers and their children by intermediaries, especially in the context of the escalating HIV/AIDS crisis. The focus of this research is to analyze the socio-demographic characteristics, life satisfaction, and self-esteem levels among female sex workers in Chennai. Data for this study were collected from registered members of the Indian Community Welfare Organization (ICWO), an agency in Chennai dedicated to the welfare of commercial sex workers. The aim is to provide an in-depth understanding of the lives of female sex workers in Chennai, shedding light on their social and psychological well-being.
5. **(Harshavardhan et al. 2021)**The aim of this study is to shed light on the lives of sex workers. In contemporary discourse, prostitution and related activities within the sex industry are increasingly viewed as forms of labor or income-generating activities. Unfortunately, these professions are often stigmatized by society. The primary objective of this study is to provide society with a realistic perspective, helping people comprehend the challenges faced by sex workers. The goal is to encourage empathy and support from the community, fostering a sense of responsibility among citizens. The intention is not to judge sex workers based on their occupation but, rather, to extend a helping hand and contribute to creating a safer and healthier environment for them.
6. **(Reza-Paul et al. 2012).**Trafficking issues were tackled through the creation of a self-regulatory board (SRB). The community's proactive approach to combatting violence was facilitated by enhancing community mobilization efforts, ensuring that the community took ownership of the intervention, and addressing underlying structural vulnerabilities. This strategy involved encouraging sex workers to actively engage with influential figures, fostering a supportive environment that enabled positive change.
7. **(Gogoi et al. 2022).** The concept of trafficking itself lacks a specific legal definition; nevertheless, existing legislation in India, including the Indian Penal Code of 1860, the Immoral Trafficking (Prevention) Act of 1956, and the Constitution of India, takes a prohibitive stance against the trafficking of humans for sexual exploitation, including prostitution and related activities. This paper aims to shed light on the challenges faced by female sex workers and delves into strategies for regulating and recognizing prostitution as a legitimate profession.
8. **(Vijayabhaskar et al. 2018).** In the present day, one of the most pressing concerns in our nation is the alarming rise in the number of sexual assault incidents. Legalizing prostitution could be a step forward in addressing this issue. This paper investigates public

opinion regarding the legalization of prostitution across all states in India, exploring why it is often perceived as taboo. Conducting surveys in public spaces, this research aims to shed light on societal perceptions and attitudes towards the legalization of prostitution.

9. **(Weaver et al. 2013)**. This paper explores the historical context of the Bedia community as sex workers and their present-day situation. The research data was gathered through ethnographic fieldwork conducted in two villages (Habla and Fatehpur) as well as secondary sources. Specifically, the paper will delve into socio-cultural aspects, family and kinship structures, lifestyle, the status of women, and the influence of cultural dominance in the community.
10. **(Salter et al. 2010)** The findings suggest that there is an urgent need to integrate services, along with public-health interventions among FSWs to protect them from violence. It is very much vital in identifying the intimate relationship of women with her loved ones versus the sex work of women in order to prevent her from any sort of sexually transmitted diseases.
11. **(Dhaor 2021)**. Societies naturally establish norms to facilitate the coexistence of their members effortlessly. These norms encompass prescribed behaviors and proscribed actions. However, not everyone adheres to these societal norms, leading to marginalization from the mainstream community. Commercial sex workers represent one such marginalized group, deviating from the sexually normative behavior accepted by society. Throughout history, they have faced stigmatization and sexual exploitation.
12. **(Behera et al. 2021)**. The factors contributing to prostitution encompass a range of issues such as parental abuse, negative peer influence, family involvement in sex work, societal traditions, challenges in arranging marriages, absence of comprehensive sex education, media influence, previous experiences of incest and rape, early marriage followed by abandonment, limited access to recreational opportunities, lack of awareness, and social acceptance of prostitution. Additionally, in rural India, truck drivers engaging in unprotected sexual activities with multiple partners could serve as significant vectors for the transmission of HIV.
13. **(Cornish and Gillespie 2009)**. These arguments become credible for sex workers when supported by evidence indicating the possibility of change within their specific circumstances. In my conclusion, I emphasize that interventions aimed at challenging stigma and discrimination should be substantiated with tangible proof of the transformative impact on individuals' real-life situations.
14. **(Silverman et al. 2008)**. The outcomes of the multivariate analyses reveal that female sex workers (FSWs) often enter the sex trade due to adverse economic conditions or negative

social circumstances. This finding underscores the necessity for meticulous evaluations of the pre-entry contexts within HIV prevention interventions. Addressing these factors is crucial as they could persistently impede the effectiveness of initiatives aimed at curbing the spread of HIV/AIDS in India and other regions.

15. **(Vidushy n.d.,2009)** The fundamental causes and factors contributing to trafficking, including structural inequality, culturally sanctioned practices, poverty, economic insecurity, organ trade, bonded labor, and gender violence, have often been overlooked in academic and policy discussions. This paper contends that these underlying root causes and the methods associated with human trafficking, compounded by corruption, have not received adequate attention. The paper emphasizes the need to focus on these core issues and crimes related to human trafficking, as they pose a significant threat to the safety and security of trafficked individuals in India. Consequently, the paper offers preventive measures to effectively tackle and mitigate the problem.
16. **(Buzdugan, Halli, and Cowan 2009)**.The high prevalence of HIV among female sex workers in India is a pressing issue that necessitates a detailed examination of the specific factors contributing to their vulnerability within different sex work settings. This research paper conducts an in-depth analysis of the HIV-related vulnerability factors unique to each of these settings, shedding light on the modes of operation and the vulnerabilities that expose sex workers to HIV. The insights derived from this study have significant implications for local programs aimed at addressing the HIV risk among female sex workers. The findings reveal that women employed in various contexts, including brothels, lodges, dhabas, and highways, face distinct factors that significantly increase their susceptibility to HIV, underscoring the urgent need for targeted interventions in these specific environments.
17. **(Azhar et al. 2020)**. Sex work is frequently depicted through stereotypes of coercion, poverty, and lack of agency, perpetuating a limited and inaccurate understanding of the industry. However, research conducted in various urban areas of India, including Mumbai, Kolkata, and Hyderabad, challenges these misconceptions. This paper seeks to move beyond these inaccurate portrayals and explore the diversity within the realm of sex work in India. Instead of viewing sex workers solely as oppressed victims, the paper aims to present a nuanced perspective by sharing common themes identified across four studies. By shedding light on these themes, the paper aims to provide a more comprehensive and accurate portrayal of the diverse experiences within the sex work industry in India.



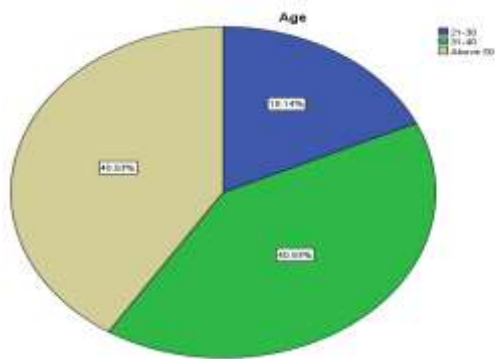
18. **(Patel et al. 2019)**. Strengthening institutional frameworks and fostering community mobilization initiatives play pivotal roles in tackling the structural challenges faced by Female Sex Workers (FSWs) and in reducing their financial vulnerability. Moreover, ensuring enhanced financial security is essential not only for the sustenance but also for the improvement of individual empowerment among FSWs. It is imperative to emphasize the continuity of existing community advocacy and engagement systems. These efforts are essential in addressing the vulnerabilities experienced by marginalized populations and in bolstering their empowerment. This sustained focus on institutional support, community mobilization, and financial stability is crucial for creating meaningful and lasting change in the lives of FSWs.
19. **(Bailey et al. 2007)**. This research aimed to investigate the prevalence of HIV and other sexually transmitted infections (STIs) among a specific sample of clients in southern India while also analyzing the factors influencing the spread of these pathogens. This study plays a significant role in enhancing our understanding of clients' demographics in this region, addressing gaps in existing knowledge. The study's findings, particularly the observed strong connection between HIV and HSV-2 infections, underscore the complexities involved in devising successful prevention, intervention, and management strategies for this discreet and often overlooked population. These insights are crucial for developing targeted and effective programs to address the unique challenges faced by this hidden demographic.
20. **(Ryan, Nambiar, and Ferguson 2019)**. Our analysis leads to the conclusion that within contexts where sex work is criminalized by law, interventions aimed at enhancing the health of Women Providing Sexual Work (WPSW) encounter a dual challenge. Both non-governmental and governmental efforts often inadvertently perpetuate existing stereotypes and symbols that stigmatize sex work and those involved in it. This observation underscores the need for interventions to be critically examined and restructured to avoid reinforcing harmful societal biases against sex work and the individuals engaged in this profession. Addressing these stereotypes is essential for creating more effective, inclusive, and non-stigmatizing interventions to support the health and well-being of WPSW.

## METHODOLOGY:

The research method followed here is Empirical research. The sample size of 203 samples have been taken out of which is taken through convenient sampling. The sampling frame taken by the researcher is by using google forms. The independent variables used are age, gender, educational qualification, occupation. The dependent variables are What do you think are the challenges faced by sex workers? , What do you think are the reason for women to act as a sex worker ? , Do you think sex workers are often subjected to rape ? , Do you think the government and society should take initiatives towards sex workers dignity , Sex workers are often forced into prostitution, On the rating scale 1 to 5 how much would you rate that sex workers are treated with dignity?

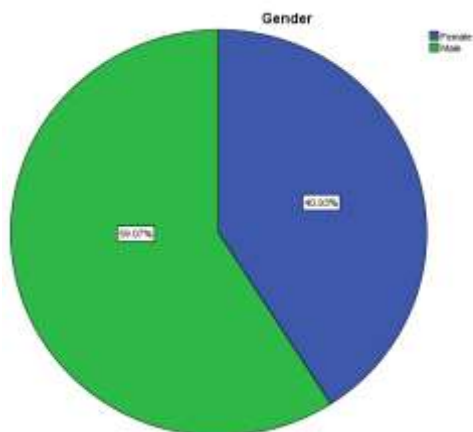
## ANALYSIS:

**Fig 1:**



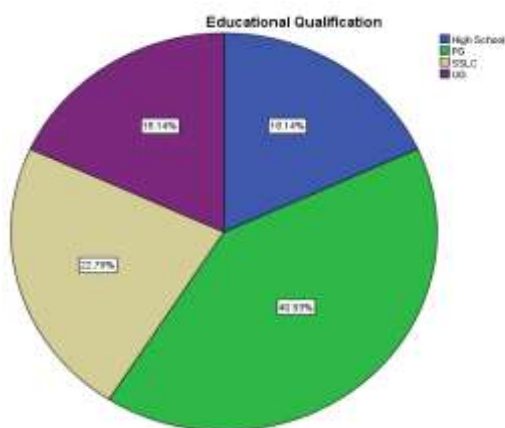
**LEGEND:** Fig 1 represents the age of respondents

**Fig 2:**



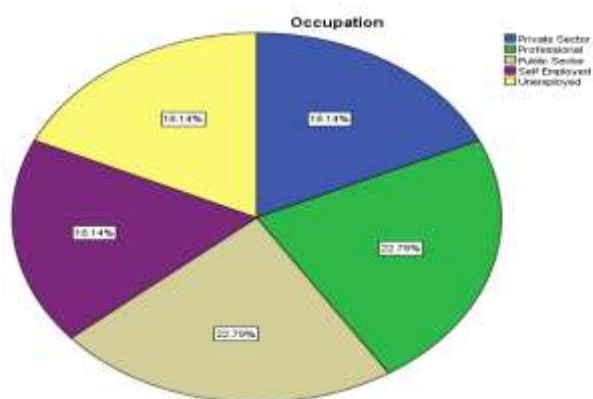
**LEGEND:** Fig 2 represents the gender of respondents

**Fig 3:**



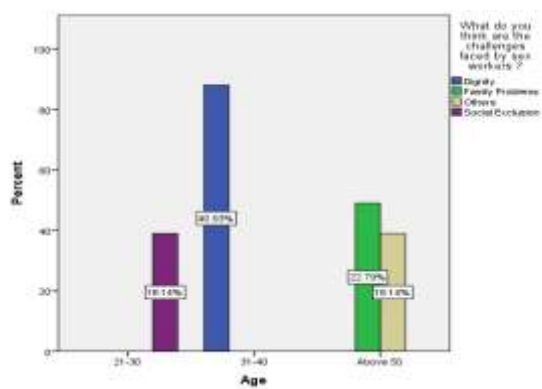
**LEGEND:** Fig 3 represents the educational qualification of respondents

**Fig 4:**



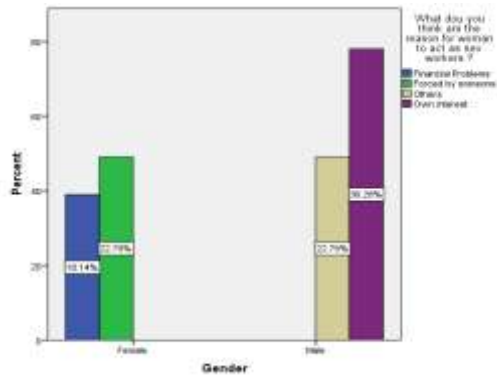
**LEGEND:** Fig 4 represents the occupation of respondents

**Fig 5:**



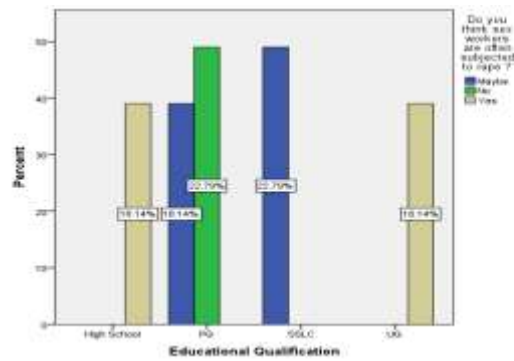
**LEGEND:** Fig 5 represents the response to the question “What do you think are the challenges faced by sex workers ?”

**Fig 6:**



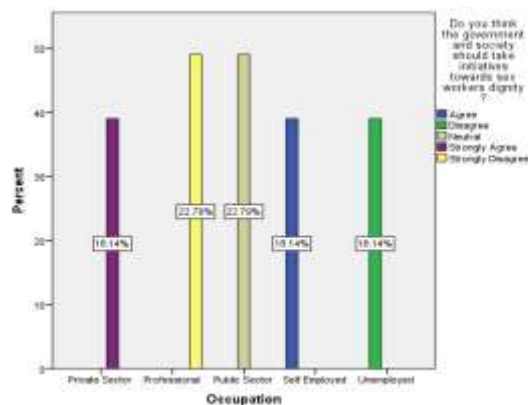
**LEGEND:** Fig 6 represents the response to the question “What do you think are the reason for woman to act as sex workers ?”

**Fig 7:**



**LEGEND:** Fig 7 represents the response to the question “Do you think sex workers are often subjected to rape?”

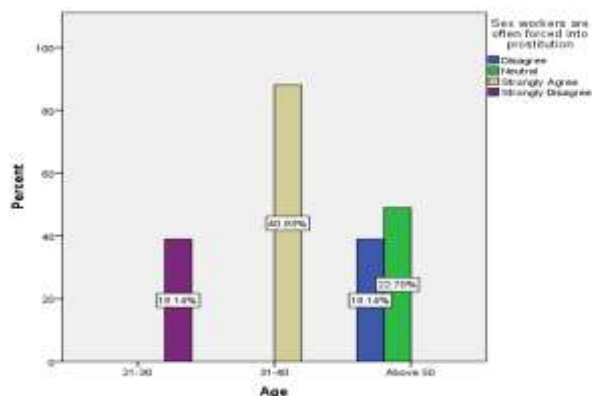
**Fig 8:**



**LEGEND:** Fig 8 represents the response to the question “Do you think the government and society should take initiatives towards sex workers dignity ?”

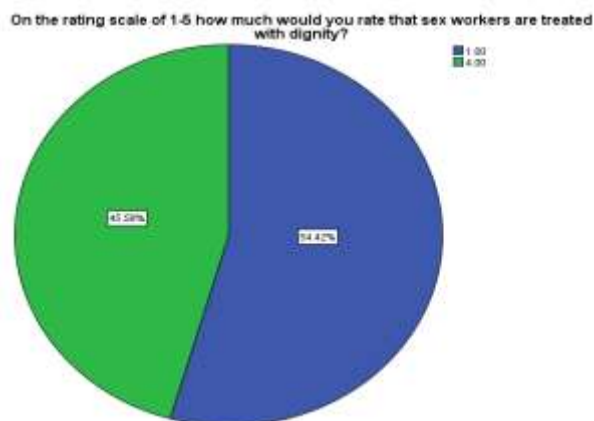


**Fig 9:**



**LEGEND:** Fig 9 represents the response to the question “Sex workers are often forced into prostitution”

**Fig 10:**



**LEGEND:** Fig 10 represents the response to the question “On the rating scale of 1-5 how much would you rate that sex workers are treated with dignity?”

## **RESULTS:**

**Fig 1:** 18.14% of the respondents are of the age group 21-30, 40.93% of the respondents are of the age group 31-40, 40.93% of the respondents are of the age group Above 50. **Fig 2:** 40.93% of the respondents are female and 59.07% are male. **Fig 3:** 18.14% of the respondents have completed High School, 40.93% of the respondents have completed PG, 22.79% of the respondents have completedSSLC, 19.14% of the respondents have completed UG. **Fig 4:** 18.14% of the respondents are working in private sector, 22.79% of the respondents are working as professionals, 22.79% of the respondents are working in public sector, 18.14% of the respondents are working as self employed, 18.14% of the respondents are unemployed. **Fig 5:** 18.14% of the respondents have chose social exclusion, 40.93% of the respondents have choseDignity, 22.79% of the respondents have chose family pressure, 18.4% of the respondents

have chosen others. **Fig 6:** 18.14% of the respondents have chose Financial Problems, 22.79% of the respondents have chose Forced by someone, 22.79% of the respondents have chose others, 36.26% of the respondents have chose own interest. **Fig 7:** 18.14% of the respondents who completed high school have chose yes, 18.14% of the respondents who completed PG have chose maybe, 22.79% of them chose no, 18.14% of the respondents who complete UG chose yes. **Fig 8:** 18.14% of the respondents who are working in private sector chose strongly agree, 22.79% of the respondents who are professionals chose strongly disagree, 22.79% of the respondents who are working in public sector chose neutral, 18.14% of the respondents who are self employed chose agree, 18.14% of the respondents who are unemployed chose disagree. **Fig 9:** 18.14% of the respondents chose strongly disagree, 40.93% of the respondents chose strongly agree, 18.14% of the respondents chose disagree, 22.79% of the respondents chose neutral. **Fig 10:** 54.42% of the respondents chose 1, 45.58% of the respondents chose 4

## DISCUSSIONS:

**Fig 1:** The largest age group among respondents is 31-40, making up 40.93% of the total respondents, The second-largest group is above 50, also at 40.93%, The 21-30 age group comprises 18.14% of respondents. The survey has a significant representation from middle-aged and older individuals, which may skew the results towards their perspectives and experiences. **Fig 2:-** There is a clear gender imbalance, with 59.07% of respondents being male and 40.93% female. Gender-related topics or issues addressed in the survey may be influenced by this gender imbalance, potentially leading to biased results. **Fig 3:-** A substantial proportion of respondents have completed post-graduate (PG) education (40.93%). High school completers represent 18.14%. The rest are fairly evenly split between SSLC (22.79%) and undergraduate (UG) (19.14%) completers. The higher percentage of PG completers may suggest that the survey's questions or topics may be more relevant to individuals with advanced education. **Fig 4:-** The respondents are distributed across various employment statuses, with professionals and those working in the public sector each representing 22.79%. Private sector workers and self-employed individuals both make up 18.14%. The survey captures a diverse range of employment statuses, allowing for insights into different perspectives on the survey topics. **Fig 5:** Respondents have diverse reasons for participating in the survey. The most common choices are "Dignity" (40.93%) and "Family Pressure" (22.79%). Understanding the motivations behind respondents' participation can help interpret their responses and identify key areas of concern or interest. **Fig 6:** - A significant portion of respondents chose "Own Interest" (36.26%). "Forced by someone" and "Others" each represent 22.79%, while "Financial Problems" accounts for 18.14%.

Respondents' motivations provide insight into their engagement and may help researchers understand their level of commitment to the survey. **Fig 7:** Respondents who completed high school and undergraduate education are more likely to answer "yes" to a specific question (18.14% and 18.14%, respectively). PG completers are more likely to choose "maybe" (18.14%), while 22.79% of them chose "no." Education level seems to influence respondents' answers to this particular question. **Fig 8:** Respondents from different employment sectors have varying degrees of agreement with a statement. For example, private sector workers are more likely to "strongly agree" (18.14%), while professionals are more likely to "strongly disagree" (22.79%). Employment sector may impact how individuals perceive or relate to certain issues discussed in the survey. **Fig 9:** Respondents' attitudes vary, with the largest group "strongly agreeing" (40.93%) and the smallest group "disagreeing" (18.14%). A significant portion chose "neutral" (22.79%). The survey's results may reflect a generally positive sentiment among respondents, but a substantial number remain neutral. **Fig 10:** The majority of respondents (54.42%) chose the response "1," while 45.58% chose "4." The survey might be designed to measure agreement on a scale, with a tendency toward the lower end of the scale.

### **LIMITATION:**

The major limitation of my research is the vagueness of the topic, since the topic is sensitive in nature, people weren't able to answer the questions in a much effective manner thereby reducing the efficiency of the surveying process.

### **SUGGESTION:**

My opinion is that, obviously there are various laws and legislations available in our country to protect or improve the livelihood of sex workers in our country, however the effectiveness of such legislations is of major concern, thus a separate body must be created in order to spectate the livelihood of women and thereby promoting livelihood of sex workers. Moreover the perspective in which people look at sex workers must change completely and they smuts understand or accept the reality that sex workers are also normal human beings like fellow human being and their dignity should also be protected.

### **CONCLUSION:**

This paper highlights an important social issue about the profound impact on the livelihoods of sex workers due to widespread stigma. Despite many protests, demonstrations and campaigns demanding equal treatment for sex workers, social awareness has remained largely unchanged.

Sex workers continue to be looked down upon and judged without taking into account the complex circumstances that lead them to practise, such as family or financial difficulties. It's fundamentally unfair to judge a person's worth based solely on their profession. Based on these findings, it is clear that there is an urgent need to change social attitudes. Public awareness initiatives are critical to changing these deep-seated biases. In particular, the Government plays a central role. Efforts should be aimed at changing mindsets, promoting understanding and eliminating discrimination against sex workers. A society in which sex workers are treated equally and without prejudice is not only possible but necessary to foster a more compassionate and inclusive community. Thus spreading awareness about the empowerment of sex workers alone isn't enough to improve the livelihood of sex workers, but the perspective of the society in which they view the sex workers have to change, it's high time the society accept the reality that prostitution is also a work and most of the women are forced into prostitution due to personal reasons and moreover ill-treating them should be stopped ultimately, because they are also equal to other fellow human beings and illtreating them would abruptly violate their fundamental rights.

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