

JOURNAL FOR LAW STUDENTS AND RESEARCHERS**PROSTITUTION IS A BLESSING AND A DISGUISE****Parth Vishnoe****Manipal University, Jaipur**

“A person works under different profession to feed their stomach and their families.” Prostitution is also a profession which means engaging into sexual activities for money. Prostitution is considered as the oldest profession in the world. People choose prostitution as their profession when they have no particular skill and are from low background. When 117 countries are taken under a report by Global Hunger Index, India is ranked in 102nd position. Which is literally under Pakistan.

Prostitution in India is considered as sin as it is evil and violates the dignity of women. It is considered to violate the moral principles of the society. It is considered by a lot of people that the prostitution is done only by women, but, many don't understand that even men are involved in the sexual activities, i.e. prostitution.

For full filling the sexual desire of the men they pay the women, which is not considered as a sin. But the women received the money/pay who is engaged in prostitution so that she can feed her family is treated as a sin. 60% of the prostitutes agree that they indulge in prostitution due to poverty but other 40% agree that it is inherited. Prostitution is wide spread and hidden in many parts of India and also other parts of the world. Brothel houses are considered as an illegal business activity, instead brothel houses should be legalized in India by providing the protection to the women. As now, prostitution is considered to be an illegal activity, the prostitutes cannot approach the court for claiming any deceive during the process of the sexual activity.

When people in India see or hear the statement referring to that the prostitution should be legalized for the better protection of women involved in this type of profession as women are treated badly compared to men that are involved in prostitution. But many disagree by saying it should not be legalized. Here, the question arises, why should it not be legalized? According to me most women are indulged/engaged in sexual activities by their own will and very few of them engages by force.

“Prostitution is known as a blessing and disguise”. Legalizing prostitution has the following benefits:-

1. Protection of minors.

The number of children engaged in prostitution globally is 10 million, the problem of child prostitution exists in all countries but it is mostly seen in Asian and South American countries. In India they are 1.2 million minor girls who engaged in prostitution, legalizing prostitution will not only regulate it but it will also ensure the removal of minors from this profession.

2. Regular medical check-ups.

Legalization of prostitution would amount to its regulation by the state through conducting regular medical check-ups for sex workers and birth control tools to lower the risk of sexually transmitted diseases amongst the workers providing cleaner working conditions, making it a much safer and healthier process.

In 1998, a study carried out in Australia concludes that the predominance of sexually transmitted bacterial infection was 80 times greater in 63 illegal street prostitutes in comparison to 753 prostitutes working in legal brothels.

In brothels of Singapore, it is mandatory to have shower before and after the session and to use condoms. The prostitute also have to keep their health cards up-to-date and the prostitutes is immediately required to stop providing services once tested positive of sexually transmitted disease or infection which ensures the safety of both the parties.

3. Reduces number of rapes and other sexual assaults.

In earlier times women were not allowed to go outside their house after sunset due to lack of safety. Now with the changing world and environment, women started working in order to feed their family members. But the rape cases registered in Delhi, Capital City of India were alone 1,176. India is listed under fourth position for dangerous countries as there is no safety for women.

With availability of a legal and easier alternative, the one who wishes to satisfy their sexual urges will resort to prostitution instead of committing heinous crimes such as rapes.

For Example: When Queensland closed their legal brothels it experienced a 149% increase in rates of rape.

4. Removal of pimps and middlemen.

Middle men are the person who forces women to engage into sexual activities against her will or is the person indulged in trafficking of the women to earn money. These middleman or pimps use the amount earned by the women and pay them wages monthly or weekly depending upon the area of the brothel house. Legalization of prostitution will remove pimps and middlemen in the society decreasing the criminal behaviour and improving the wages of sex workers.

5. Elimination of forced prostitution.

Once decriminalised, the entire industry will be legally controlled which enables the law upholders to identify the cases of forced prostitution and take legal actions against them. Not all person engaging in prostitution holds criminal records or have the tendency to assault them, a few of them are normal men with no criminal records who would not indulge in the activity if the victim is forced against her will. A legal system in place will significantly reduce the smuggling and slavery of women and children.

6. Taxation

Prostitution in India is approximately an \$8.4 billion industry. Legalizing it will generate Incentive for the government through taxation, which can be used for providing regular medical check-ups, protecting the rights of people engaged in this profession. Through this the health of the women is secured along with the health of the customers.

7. Right to use body according to free will

Every person has the right to use his or her body according to their free will. Portraying it as morally wrong depicts anything but a skewed value system. If any person finds prostitution morally wrong, then it is perfectly acceptable for that person to stay away from it but nobody has a right to force someone to adhere to somebody else's moral standards. Prostitution is not oppressive but the way it is being practiced by some people makes it oppressive.

8. Police can do much better work then

The women get police protection if needed, and the police has rues to arrest the customer or the women in case of breach, the women can be bound by rules and regulation when the prostitution is legalised in India.

9. No downsides

Doing illegal business is restricted. But drugs and arms took first and second positions respectively in illegal business activities. But prostitution doesn't destroy countries or doesn't destroy health of a person unlike them. Prohibiting legalisation of prostitution is not justified.

10. Rights of workers will be protected

If there is a competent authority to govern the rules and regulations of prostitution there is no misuse of the profession but also creates an employment for women, who are willing to give their body. The authority can limit the profession. It gives a fundamental right to the women under this profession to carry on business legally.

