

SHOULD PROSTITUTION BE LEGALIZED IN INDIA?

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Abstract

Prostitution is a swamp in which no women want to get stuck but in reality the situation is not so satisfying. Many get trapped in this illegal act mainly due to trafficking. In India the concept of prostitution is quite confusing; organized Prostitution is illegal but if the Prostitution is running individually by prostitutes herself then that will not commit offence. The burning question is that whether it is the right time to declare Prostitution to be legal in India. We all know that India is a country which is bind by its rich culture and traditions. The reason why it should be legalized is the social trauma, a prostitute had to suffer. The Society considers them trash, having no social respect and dignity; although they are satisfying the lust of the same Society just for the sake of bread. The Legalization of prostitution will certainly reduce some of the problems of prostitutes. Corruption in our country is the major reason which is providing fuels to run Brothels smoothly without any hustle. There are some existing laws in our country to eliminate Prostitution but they are insufficient due to corruption and lack of implementation. After Legalization of prostitution there will be some pros and cons such as on one side Legalization will provide better economic condition, reduce the crime rate against women, better health facilities baton the dark side it will encourage more Trafficking related to women and child.

Keywords: Social status, Health care, STDs, Laws implementation, Trafficking

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Introduction

India, a country where women are worshipped but the tour of reality shows us a totally different scenario. Here some women are treated like trash just because of their work which is the only source of their income, called prostitution.

Prostitution is one of the oldest professions all over the world. It is practiced since by the birth of the organized society but the bitter truth about this profession is that it holds no respect in the society. Indeed the most terrible part is that the individuals in India overlook that in arrangement of offending this profession, they put a question mark on the life of that young lady who had conceivably been one more victim of sudden and undesirable assault of bad times.

In 2007, the Ministry of women and child development¹ revealed that about 2.8 million sex laborers in India, with 35.47 percent of them entering the profession before the age of 18 years. The quantity of whores has additionally multiplied in the ongoing decades as per the demand. It itself is a proof of one thing that India's male overwhelmed need it, and they do it. That is the reason prostitution is enlarging at such a pace. Sonagachi in Kolkata, Kamathipura in Mumbai, G.B Road in New Delhi, Reshampura in Gwalior and Budhwar Peth in Pune have a large number of sex laborers. These are otherwise called red light zones in the nation,

¹<https://www.ukessays.com/essays/social-work/sex-workers-in-india.php>.

where regular a large number of young ladies are bullied and browbeaten.

The dim world of prostitution eats the women bit by bit and the rest of their lives are wrapped in cocoon of unhappiness. Prostitutes face a lot of problems such as violence, health issues like HIV etc. The legalization of this profession will give a voice to the prostitutes and will give them a right to fight against any injustice to them. Once it becomes legal, the torture of sex workers by the police will decrease tremendously. This profession can also be a good source of tax to the country. It is the greatest need of the hour to get prostitution as a legalized profession as this will also result in the shunning of the callous behavior of officials towards the prostitutes as they also deserve the same rights as you, me or any normal citizen of India desires.

Prostitution and the Society

We all constitute the society but the sad reality is that no one considers Prostitutes as a part of society. They are the new untouchables in the Indian society. In the daylight we all presume to be decent but as soon as the sun fades away, the darker and lustier side of our character rises. This lust leads to the encouragement of flesh trade.

We all know, Delhi is also the Rape capital of India. But in *Shraddhanandmarg* better known as G.B Road, the real world of flesh trade organized. For the society they are just Prostitutes, who lure the customers from small

windows of *kothas* to earn money but no one knows the story behind their shameful act. Who knows the pain of a girl with red lipstick, mascara in eyes, trying to tempt man just for 300-500 rupees, yes the price tag of their body? Some girls get abducted and thrown in this dark world full of lusty creatures, some do this in sake of bread, some for the family and some because of someone they trusted more than themselves.

The Society is merciless, differentiate it's criteria to judge people to people, according to Indian law Prostitution is not a profession, but in reality the whole red light area is surviving because of the Prostitution. The lives of Prostitutes are like those tea bags which are of no use after enjoying Tea. Once a Prostitutes gets old no one asks for them, even their pimps left them to live a life without any dignity and honor in the society.

Making of a Prostitute

Prostitution is believed as a taboo in the Indian society and is a topic which is still not discussed openly in the country. Prostitutes are seen as Jezebels. But the fact is that most of these prostitutes enter involuntarily to this profession. A study² tells that every hour in India four women enter prostitution and three of them against their will. It is also estimated by National

²<http://www.legalserviceindia.com/article/I269-Prostitution-in-India.html>.

Crime Records Statistics³ in 2016 that more than 110 women of all age groups have been kidnapped for the purpose of forced prostitution. And the half of them was the cases of child abductions.

The main cause of women entering in women is social and economic factors. It is very difficult to define all the reasons that contribute to prostitution as it has also been claimed that prostitution has its origins deep inside the structure of society. Some of these factors are listed below: -

- **Poverty-**

It is the principal economic force responsible for prostitution. An approximate⁴ 40 percent of the population of India is living in poverty. That means about 400 million people are unable to meet basic survival needs such as food, clothes and shelter.

This is an extraordinary figure, nearly unbelievable. In a patriarchal system, women and girl children are the segment of communities of societies that are impacted. Desperation tends to describe the lives of the impoverished Indians. This extreme deprivation is sometimes pointed to as the origin of the rising issue of prostitution in India. A woman who is incapable of obtaining a career and has no sponsor will either die of starvation or make a living through

³ <http://ncrb.gov.in/StatPublications/CII/CII2016/pdfs/NEWPDFs/Crime%20in%20India%20-%202016%20Complete%20PDF%20291117.pdf>.

⁴<https://www.ugc.ac.in/mrp/paper/MRP-MAJOR-SOCI-2013-25158-PAPER.pdf>.

prostitution. The semi-literate woman analphabet cannot easily get work. In the same context a women prostitute reported⁵ that

“My daughter’s marriage date had been set. Basically we were very poor family so; it’s too tough to arrange all things in well mannered. For that my father took debt form someone. After some time the economic condition being too worse and my father was unable to re-back taken debt that had led to an increasing pressure on them to repay the loans. I was house worker and earning was not enough. We sell domestic things even our crockery but this money is not enough which repay our loan and I had to click this option at the age of 19 years old, without consulting anybody”.

Therefore poverty is one of the main reasons which bring these needy women to the doors of prostitution.

- **Trafficking-**

Human trafficking is a blot on the face of the society, a scornful slap on the humanity. These vulnerable children got into this dark swamp due to many reasons such as poverty, illiteracy, lack of awareness, the culture of objectifying girls and seeing them as a desirable object, increasing demand for child pornography, and unenforced legislation. Trafficking is done with the intention of illegal selling and buying of organs, slavery

for domestic reasons, beggary, prostitution, etc. Trafficking of girls for sex is very common. The grey truth is that many children are sold in the name of a better lifestyle and future and we don’t consider it as an issue of trafficking and just see the whole scenario as the migration of poor children in search of a better lifestyle and future. Trapping children for prostitution is a very easy task as children easily get into the influence of others; a single candy can help the predator to hunt their prey. For instance, *Gangubai Kathyawadi* who was fooled by his so called boyfriend and get sold in the brothel for five hundred rupees in *Kamathipura*, a well known red light area of Mumbai. Incidence of prostitution through abduction is estimated to be 35 percent. The trafficking mafias have set their prime targets which they can easily hunt. For a business that deals in cocaine, they can only sell it once but you can sell women or children every day and over and over again, the profit is immeasurable. According to the *Global Report*⁶ on trafficking in persons by *United Nation office Drugs and Crime* (UNODC), the most common form of human trafficking is trafficking for sexual exploitation that is 79 .% The major victims of sexual exploitation are women and girls. It is said that women are the biggest barriers of women, surprisingly, in 30 percent of the countries the gender of traffickers, the largest proportion of traffickers are women .In some

⁵https://www.researchgate.net/publication/329504666_CAUSES_AND_DECISION_OF_WOMEN'S_INVOLVEMENT_INTO_PROSTITUTION_AND_ITS_CONSEQUENCES_IN_PUNJAB_PAKISTAN.

⁶ UNDOC, FEB-2019
<https://www.unodc.org/unodc/en/human-trafficking/global-report-on-trafficking-in-persons.html> 10\02\2020.

parts of the world, women trafficking women is a very common practice.

a. Women prostitution-

According to the United Nations, annually more than four million women and girls are trafficked into prostitution. The majority of trafficked girls are told that they are going to work as waitresses, dancers in bars, or as domestic servants, but end up in a debt bondage situation in brothels.

According to another UN report⁷, the vast majority of all human trafficking victims are women and girls that are approximately 71% and one third are children. The majority of women who are there don't want to work there. Women prostitution fuels the trafficking as it is the most profitable investment for traffickers. 89% of women in prostitution want to escape⁸ but it is practically impossible due to the strong network of traffickers.

b. Child Prostitution-

*"Child slavery is a crime against humanity .
Humanity itself is at stake here"*

Kailash Satyarthi

⁷UNODC 2018 <https://www.unodc.org/unodc/data-and-analysis/glotip.html30\01\2020>.

⁸Farley, Melissa, et al. 2003. "Prostitution and Trafficking in Nine Countries: An Update on Violence and Posttraumatic Stress Disorder." *Journal of Trauma Practice*, Vol. 2, No. 3/4: 33-74; and Farley, Melissa. ed. 2003. *Prostitution, Trafficking, and Traumatic Stress*. Haworth Press, New York.

Worldwide, almost 20 % of all trafficked victims are children. Trapping children have many motives such as for prostitution, beggary and illegal organ donations. It is a very easy task to trap children as children easily gets into the influence of others; a single candy can help the predator to hunt their prey. Trapping children for prostitution is a very easy task as children easily get into the influence of others; a single candy can help the predator to hunt their prey .Today it is the major emerging problem of India and should be tackled within time otherwise upcoming generation will shrivel .In India, child trafficking mafias have a very well organized network that works all over the nation and hunt for young girl, they used to kidnap young girls and sell them mainly for prostitution and beggary .According to the National Human Rights Commission of India, nearly 40,000 children are abducted every year, of which 11,000 remain untraced .Today India has become the world's hub for child sex trafficking . It is a very easy task for an organized trafficking gang to trap teenagers, even a small candy can become deadly for them .These trafficking mafias pick up teenagers under the mask of their boyfriend, maybe milkman who provides such information of yours which may lead them in big trouble. In our country, child trafficking is just an issue but as per the data and for the future of the nation it should be the most serious issue of the nation .The government has to pay attention to this and crack these various children trafficking rackets.

- **Marriage-**

Many women have documented the abuse of their husbands as the origin of their being prostitution. They explained that their husbands used to consume alcohol and different substance styles. They had little preoccupation with their kin. Early marriages and domestic abuse or disputes are big causes to become female prostitutes. Sometimes marriages lead to trafficking too. As a report⁹ depicts that some Indian women and girls from Hyderabad are married to old men of Gulf where these girls are abandoned within 15 to 20 days of marriage. In the fake veil of marriage these girls enter into a world of slavery which results in the forced prostitution, pocketing about 10,000 rupees for each girl. Marriage of poor girls in name of better lifestyle ends in the world of prostitution.

- **Imagining girls as a desirable object-**

We indeed worship Goddess but the fact is we see girls as a desirable object. In Indian society, sons are considered more 'valuable' than their daughters, because they carry on the family name, aren't subjected to dowry and are obliged to take care of them in their old age. Girls are only seen as a weaker sex and only objects of desire, that's why most girl victims of child labor end up in prostitution or some kind of sexual slavery. From a deodorant advertisement to a typical Bollywood movie, everywhere girls

⁹<https://www.reuters.com/article/us-india-trafficking-marriage/indian-child-brides-sold-in-package-deals-to-men-from-gulf-states-idUSKBN1CF1F7>.

are seen as an object. According to a September 2015 report in 'India Today', girl's virginity is being sold openly in some regions, just to fulfill the lust of the dark side of our society.

- **Social Factors-**

There are various social factors such as necessity, bringing up etc. that forces women to enter into the profession of prostitution. Women's children in prostitution always end up in prostitution (98%) because there is no safe place for children and there is no program for them to date to get them out of these areas and provide them with alternative livelihoods. That leads to trafficking by about 10%¹⁰. The bringing up of the children of prostitutes too leads these ones to the dark world of prostitution. They learn what they see. These results indicate that the reasons for these women embracing this form of lifestyle were lack of family care and lack of capacity to fend for themselves due to deprivation and illiteracy.

Corruption providing fuels to the brothels and pimps: -

Power has become and will forever be intertwined with corruption for a number of purposes. Leaders have so much control and authority, too many more incentives for abuse, and to manipulate the mechanism at the cost of the citizens. The corrupt government officials and leaders are the one who had created a

¹⁰<https://www.ugc.ac.in/mrp/paper/MRP-MAJOR-SOCI-2013-25158-PAPER.pdf>.

loophole in the entire system. Many of the brothels, pimps etc. are directly associated with the corrupt police officials. The question arises that is if the professions like prostitution is illegal in India then wherefore are the areas like GB Road in New Delhi, Sonagachi in Kolkata, and Kamathipura in Mumbai etc. are still having a green signal? Just because the entire system from lower officials to the higher authorities, pimps to madams all are linked. A survey¹¹ conducted by **Roma Debabrata** for the National Commission for Women in 1997, provides a glimpse into the many powerful vested interests who are parasiting off the whole system. The report shows the situation where police acts as pimps in at the prostitution hub like G.B. Road. Police extort money from smugglers, minors and kotha malkeens, and also participate in prostitution.

Laws on Prostitution

The law on prostitution itself is vague. For example, running a sex racket is illegal but it may not be illegal to have private prostitution or to receive remuneration in exchange for sex with consent without prior solicitation. The primary law that deals with the status of sex workers is the law of 1956 called The Immoral Traffic Prevention Act (ITPA). According to this law, prostitutes are allowed to practice their business in private, but they cannot legally solicit

customers in public. However, a BBC¹² article mentions that prostitution in India is illegal; the Indian law does not refer to the practice of selling one's own sexual service as 'prostitution.' Clients in close proximity to a public place can be punished for sexual activity. Organized prostitution (brothels, rings of prostitution, pimping) is illegal. A woman (male prostitution is not recognized in any law in India) can use her body in exchange for material benefit as long as it is done individually and voluntarily. The law specifically prohibits a sex worker from carrying out her profession within 200 yards of a public place.

ITPA defines "prostitution" as sexual exploitation or abuse of a woman for monetary purposes and the person who gains that commercial benefit is the "prostitute." The 1860 Indian Penal Code also addresses prostitution but is limited to child prostitution. However, it attempts to combat activities such as kidnapping in general, kidnapping for seduction purposes and luring a person into sex, importing a girl for sex from a foreign country, etc. In addition, Article 23(1) of the Constitution prohibits human and beggar trafficking and other similar forms of forced labor. Article 23(2) declares that any breach of this provision shall constitute an offense punishable under the law. It was stated

¹¹<http://www.indiatogether.org/manushi/issue105/childpro.html>.

¹²http://news.bbc.co.uk/2/hi/south_asia/8405154.stm.

in **Raj Bahadur v. Legal Remembrancer**¹³, that

“Clause (2) however permits the State to impose compulsory services for public purposes provided that in making so it shall not make any discrimination on grounds only of religion, race, caste or class or any of them. „Traffic in human beings' means selling and buying men and women like goods and includes immoral traffic in women and children for immoral" or other purposes.”

ITPA (Immoral Traffic Prevention Act) -

The Immoral Traffic (Prevention) Act, or ITPA, also known as the Prevention of Immoral Trafficking Act (PITA), is a 1986 amendment to the law passed in 1956 as a result of India signing the United Nations Declaration on the Suppression of Trafficking in New York in 1950. The act, then called the All India Suppression of Immoral Trafficking Act (SITA), was amended to the current legislation. The laws were intended as a means of limiting and eventually abolishing prostitution in India through the gradual criminalization of different aspects of sex work.

In the case of **The State of Uttar Pradesh v Kaushalya**¹⁴ the constitutionality of this Act has been challenged. In this case, to maintain decorum in the city of Kanpur, several

prostitutes were required to be removed from their place of residence. The High Court of Judicature in Allahabad contended that the fundamental rights of the respondents under Article 14 and sub-clauses (d) and (e) of Article 19(1) of the Constitution were abbreviated by Section 20 of the Act. The Act was deemed constitutionally valid as an intelligible difference existed between a prostitute and a person causing a nuisance. This Act obscures the suppression of prostitution among women and girls and the achievement of a public purpose viz. Rescuing the fallen women and girls and stamping them out of prostitution, and also providing them with every opportunity to become decent members of society¹⁵.

In 1956, the Immoral Traffic (Prevention) Act declared certain acts illegal. These acts include asking for prostitution, managing a brothel or allowing the use of certain places as brothels, living on the proceeds of money from a prostitute, inducing or kidnapping a girl for prostitution, detaining girls in brothels, seducing a person in custody for prostitution and prostituting within 200 meters of any public place like schools, colleges, temples, hospitals, etc. Even at the first instance of conviction, the above mentioned activities attract heavy penalties such as rigorous imprisonment. The minimum penalty for brothel-keeping is imprisonment for a term of not less than one year and not more than three years, as well as a

¹³ **Raj Bahadur v. Legal Remembrancer**, A.I.R. 1953 Cal. 522(India).

¹⁴The State of Uttar Pradesh v Kaushalya. (1964) AIR 416 (India).

¹⁵ <https://indiankanoon.org/doc/1302025/>.

fine that can extend to 2,000 rupees. Procurement of a girl child for prostitution attracts severe imprisonment for a term not less than seven years but can extend to life. Seducing or seeking prostitution under the unamended Law for the first conviction is punishable by imprisonment for six months or a fine of five hundred rupees.

Laws on Protection of Rights of Sex Workers

The right to life enshrined in Article 21 shall also apply to a prostitute. This has been explained in the case of **Budhadev Karmaskar v West Bengal**¹⁶state. It stated that sex workers are human beings and no one has the right to attack or assassinate them, as they have the right to live. The judgment also highlighted the plight of sex workers and empathizes that these women are compelled to indulge in prostitution not for pleasure but because of abject poverty, and directed the central government and state governments to open rehabilitation centers and to impart technical and vocational skills such as sewing in order to attain other means of living.

Why Legalization is necessary?

Prostitution is a reality and there is practically nil chance of dispensation. His form of existence may have changed but the society still remains a bitter truth. Some people believe that prostitution in India is going to be made legal and accepted as part of society because the

prostitution problem is inevitable. The Supreme Court decided in 2009 that prostitution should be allowed and established a panel to discuss amending the law. The Supreme Court ruled in 2011 that "the right to live with dignity" was a constitutional right and released an order addressing "the establishment of conditions conducive to dignified employment for sex workers."The court directed the central government, states, and territories of the Union to conduct a survey to assess the number of sex workers in the country ready to rehabilitate them. In 2012, however, the Central Government pleaded to the Supreme Court that sex workers should not be permitted to continue their trade under the constitutional 'right to live with dignity.' The benefit of legalizing prostitution in India will be that we will at least have a track record of sex workers, such as when most bar dancers migrated to Gujarat and Karnataka were closed in the dance bar in Bombay. Legalizing prostitution will see these women, everywhere living on the edge of life, gain access to medical facilities that can control the spread of AIDS. There is a very strong need to treat the sex industry and empower it with legal safeguards just like any other industry. The practical implications of the legal profession would only bring benefits to the sex workers and to society as a whole. Maintaining prostitution illegally also contributes to crime, since many criminals see prostitutes and their customers as attractive targets for robbery, fraud, rape or other criminal acts. The criminals realize that such

¹⁶ Budhadev Karmaskar v West Bengal, (1990) SC 0277 (India).

people are unlikely to report the crimes to the police, because the victims would have to admit that they were involved in illegal prostitution activity when the attacks took place. If it is legal then they can easily access justice and report to the police. Following are the benefits of legalization of prostitution: -

- **Better Economic Condition: -**

Poverty is one of the main reasons people indulge in prostitution. They lack education owing to poverty. Lack of education, leads to unemployment and they indulge in prostitution for their living. Such individuals are deprived and have no other way of earning money. Some do it out of choice (for their livelihood) and some do it out of responsibility (to earn for their family) and earn income. The people in the second category are those who indulge in their families and mostly those who do not have financial support, such as in, husband or parents. And they are sometimes not paid the appropriate amount for the service provided. The legalization of prostitution will lead to a systematic industrial upgrade. Service to pimps and intermediaries will no longer be required, leading to a reduction in criminal behavior and an increase in the sex workers' wages. Legalizing prostitution would help prostitutes earn a sufficient income and fulfill their basic needs. These prices would be set, and the same thing would help those prostitutes to live a better life.

- **Protect Minors: -**

It can be estimated that as many as 10 million children are engaged in prostitution worldwide according to suggestions from various research conducted globally. In all countries, child prostitution exists regardless of their level of economic development; the problem is observed in Asia and South America in its severity. We can ensure the removal of minors from the profession by legalizing prostitution and taking strict measures to regulate it, thus protecting their rights and confirming their safety.

- **Reduce rapes and sexual assaults: -**

With a legal and easier alternative available, people who want to satisfy their sexual urges will resort to prostitutes for the same purpose instead of committing heinous crimes like rapes. It also reduces violence against them, including forced sex, violence etc. When brothels were closed in 1959, Queensland experienced a rape rate¹⁷ increase of 149 per cent.

- **Health Benefits: -**

As per a study¹⁸ it could be that two of every five female sex workers in India might suffer from HIV infection. However, those who are not already infected carry an increased risk of becoming infected more than 50 times during their lifetime. Prostitution is one of the medium that spread sexually transmitted diseases.

¹⁷<http://www.legalservicesindia.com/article/2460/Legalization-of-Prostitution-in-India:-Need-of-the-hour.html>.

¹⁸<https://timesofindia.indiatimes.com/india/In-India-two-out-five-female-sex-workers-suffering-from-HIV/articleshow/12271596.cms>.

Prostitution regulation would include regular medical checks on sex workers and the provision of adequate birth control tools to reduce the risk of transmission of sexual diseases from workers to customers and vice-versa. It will promote cleaner working conditions and thus make the process healthier and more secure, which will benefit both parties involved. A study¹⁹ conducted in Australia in 1998 highlighted the fact that in 63 illegal street prostitutes, the prevalence of sexually transmitted bacterial infections was 80 times greater than in 753 prostitutes working in legal brothels. In Singapore's brothels, each customer is provided with condoms, as well as the pre- and post-session shower facility. Prostitutes are supposed to maintain health cards that should be up-to-date. When a prostitute is tested positively with any sexually transmitted disease or infection it is required to stop providing services immediately. The brothels have also put in place various measures to guarantee both parties' security.

- **Rights of Workers will be Protected: -**

Rights are the ones with a corresponding obligation. They are principles of freedom or entitlement which are social and ethical. When a law recognizes freedom it becomes a right. Rights can be moral or juridical. When we say a person has the right to do something, which means that no other person has the right to interrupt or prevent that person from enjoying

that particular right. The former has a right here and the latter has a duty to refrain from interfering. Legalizing prostitution would grant the prostitutes rights. With prostitution sanctioned their call would get away from the shadows of illegality and allow their workers to call the police. They would be excessively apprehensive if still illegal, making it impossible to call any expert and the assault would keep on increasing. Regulated prostitution will provide protection for the rights of sex workers. When a sex worker is sexually assaulted or the agreed dues are not paid, he/she will have the right complaint about the same and will have it remedied.

- **Taxation: -**

Legalizing would benefit not only the people and sex workers but the state as well. Imposing taxes on brothels would reduce demand, which would also result in income from the state. Prostitution is estimated to incur 21 lakhs crore annually. The customers also decrease when the prices are high and when demand decreases there would be a fall in such activities. According to Richard Posner²⁰ the demand for the same decreases when taxes are imposed on such activities. The higher the price, the smaller is the demand. According to him, the best solution to criminal offences is tax evasion or price fixing. This would also diminish violence, i.e., trafficking; rape etc. Prostitution is about an

¹⁹<http://www.legalservicesindia.com/article/2460/Legalization-of-Prostitution-in-India:-Need-of-the-hour>.

²⁰<http://thelawbrigade.com/wp-content/uploads/2019/05/Anushka.pdf>.

8.4 billion dollar industry in India. Legalizing it and taxing the proceeds like any other business will provide the government with an incentive and make it easier to provide regular medical check-ups and protect the rights of professionally engaged people.

By this method the prostitutes can acquire certain rights such as the right to medical care, their children's right to education, the right to exploitation and rape, etc. This method can ease the eradication of sex racket operations, hidden prostitution and street prostitution, prostitute abuse, etc. Protection houses shall be established for those prostitutes who have lost their livelihood, or those who have been forced into prostitution but no longer want that lifestyle. The government can also provide these prostitutes with training and basic education so they can find other ways of earning money and sustaining their livelihood.

Dark Side of Legalization

Each coin has two sides. There are also some shortcomings in legalization. The principal reason for the existence of human trafficking is the prostitution industry. It is only because of the existence of this industry that a child or any human from underdeveloped country gets trafficked. They kidnap people and sell them at the brothels. The darkest side of legalization of prostitution will just be the increased number of traffickers. It will give them a bigger market. The brothels and the pimps would benefit from legalizing prostitution, not their victims. In

India, where women are coerced into trade and held in it almost like bonded labor, they will not benefit from such a move. Commercial sexual exploitation is a form of slavery and can't legalize slavery. India's traditions renounce practices which derogate from women's dignity. We will send out the wrong message to new generations by legalizing sex trade that women are sexual commodities and that prostitution is harmless recreational activity. In the Netherlands²¹, the sex trade is legalized. As a result, with East Europe girls brought in, the sex industry expanded by 25 percent, many of them underage. So, the sex industry is not controlled by legalization. It widens this immoral activity. Prostitution can never be a legitimate business as it will always be linked to crime, corruption, class, and mass sexual exploitation and trafficking in human beings.

Conclusion

The prostitution issue has become the hour's need and government agencies are required to tackle this issue as soon as possible. It seems more practical and feasible to legalize prostitution than trying to abolish prostitution as the government has been trying it for decades and hardly struck that note. What today is needed is a practical approach. By the sex worker's legitimacy, millions of women entering this trade to feed their families will be released from the clutches of on-the-take pimps, brothel

²¹<https://mrunal.org/2014/11/rights-issues-legalizing-prostitution-sex-trade-in-india.html>.

owners and cops. Legalizing prostitution will see these women, everywhere living on the edge of life, gain access to medical facilities that can control the spread of AIDS. Appropriate sex education for sex workers can make them aware of the venereal diseases associated with that profession. There is a very strong need to treat the sex industry as any other industry and empower it with legal safeguards that would get rid of exploitative and unhealthy practices in this workplace. It is time that lawmakers became serious about this issue. Legalization is the answer to the issue of prostitution.